

CARLIN CITY COUNCIL
CITY OF CARLIN, STATE OF NEVADA
REGULAR MEETING
CARLIN CITY HALL
101 SOUTH EIGHTH STREET
CARLIN, NEVADA
November 13, 2013, 7:00 p.m.

Call to Order and Roll Call:

Mayor Cliff Eklund called the meeting of the City Council to order at 7:01 p.m.

Council Members Present: Mayor Cliff Eklund
Vice Mayor Donnetta Skinner
Councilperson Jay Duke
Councilperson Lincoln Litchfield
Absent: Councilperson Bob DeMars

1. Administrative Staff: City Manager Glenn Trust, City Clerk LaDawn Lawson, Police Chief Bill Bauer
2. Present: Doug Martin, Elaine Wescott, Tonya Roland, Melissa Stevens, Ben Stevens, Marian Hose, Paul Tanguay, Frank Messenger, Whitney Armstrong, Breeanne Retter, Fred Montes de Oca, Brett McCarty, Paula McCarty, Rick Huntley, Paula Johnson, Karla Jones, R. Jeff Williams.

Pledge of Allegiance

Councilperson Lincoln Litchfield took the Official Oath of Office

I. Discussion and possible approval of a request from Douglas Martin to drill a well on his property located on State Route 278, Assessor Parcel 002-230-004, and all related matters. (Possible Action Item)

1. Mayor Cliff Eklund stated there is no city water out to this property and everyone has their own water well. He recommended passage.
2. Doug Martin stated the driller needs a "Does not serve" form that he will then send to the State for them to give him the proper permits.
3. City Manager Glenn Trust stated they would get one from Tom Ballew for him.
4. Mayor Cliff Eklund stated they must also attach a form that if the City ever provides service to the area, Mr. Martin will have to hook up.
5. Councilperson Lincoln Litchfield confirmed that the City engineer signed off.
6. Doug Martin stated, "yes".
7. **Councilperson Lincoln Litchfield moved for approval of a request from Douglas Martin to drill a well on his property located on State Route 278, Assessor Parcel 002-230-004, and if and when the City supplies water, the owner will hook up to it, and all related matters. Vice Mayor Donnetta Skinner seconded the motion. The motion carried with Mayor Cliff Eklund voting in favor.**

II. Discussion and possible approval of a request from Rick Huntley to be appointed to the Carlin Planning Commission, and all related matters. (Possible Action Item)

1. Councilperson Lincoln Litchfield inquired if Mr. Huntley was a bonafide resident of the City of Carlin.
2. Rick Huntley replied affirmatively.
3. Councilperson Lincoln Litchfield noted this was discussed by the Planning Commission and they approved it.
4. Councilperson Jay Duke inquired why Mr. Huntley wanted to be on the Commission.

5. Rick Huntley stated, "to give back to the community".
6. Police Chief Bill Bauer stated he would like Mr. Litchfield's question answered on the record, as the police department has had several contacts with Mr. Huntley in reference to his driving license, at which time he notified his officers and testified in court that he is a resident of the State of Idaho.
7. Rick Huntley explained he has an Idaho Driver's license and is a Class E driver, which is what he does right now. He has had that since he was 18 years old. He stated he does have a post office box in Carlin and lives with his mother.
8. Councilperson Jay Duke inquired, "When stopped and asked if you are a resident and your answer was 'no', what does that mean".
9. Chief Bauer stated that he has to have a Nevada driver's license.
10. Karla Jones stated her sister's father in law has two licenses, one for the state of Nevada and one for the state of Idaho.
11. Rick Huntley stated he did not know about that.
12. Councilperson Jay Duke stated he appreciates his interest in the Planning Board, but will vote against this appointment.
- 13. Councilperson Jay Duke moved to deny approval of a request from Rick Huntley to be appointed to the Carlin Planning Commission, and all related matters. Motion died for lack of a second.**
14. Councilperson Lincoln Litchfield stated he believes it should be tabled until the Chief of Police can get an answer.
15. Rick Huntley inquired if he could hold two (2) licenses.
16. Chief Bauer explained "you can hold a driver's license in one state, and a CDL from another state, but if you are a resident of one state, you have to get a CDL from that state". He stated, "You should have a Nevada CDL".
- 17. Councilperson Jay Duke moved to deny approval of a request from Rick Huntley to be appointed to the Carlin Planning Commission, and all related matters. Councilperson Lincoln Litchfield seconded the motion. The motion carried with Mayor Cliff Eklund voting in favor and Vice Mayor Donnetta Skinner opposed.**

III. Review, discussion and possible approval of a request from Arnold Huntley to rezone his property located at 1415 Chestnut Street, Assessor Parcel 002-112-001, from Commercial to Residential Mobile Home 1 zoning to allow for the placement of a mobile home at the location, and all related matters. (Possible Action Item)

1. Rick Huntley stated they are planning to put in a singlewide right next to the house. He stated he thought this was grandfathered in and found that it was not. He stated we have moved all of the vehicles out and cleaned up the site so they can put a mobile home in for "Nicholas" to live.
2. Councilperson Lincoln Litchfield stated he looked at the property and had some questions for the Huntleys, one about the 5' and they agreed if it needs to be 7' or 10'. They would move the structure to the east. He stated he had no problem with this.
3. Karla Jones stated when they approved the rezone, they did ask Mr. Huntley to make sure that he understood the commercial area that he had, he could not do business any more. She wanted to put that on the record in the motion.
4. Councilperson Lincoln Litchfield stated there are mobile homes on both sides and directly to the south of the property.
- 5. Vice Mayor Donnetta Skinner moved for approval of a request from Arnold Huntley to rezone his property located at 1415 Chestnut Street, Assessor Parcel 002-112-001, from Commercial to Residential Mobile Home 1 zoning to allow for the placement of a mobile home at the location, and all related matters. Councilperson Lincoln Litchfield seconded the motion. The motion carried with Mayor Cliff Eklund voting in favor.**

- IV. Review, discussion and possible approval of a request from Benjamin and Melissa Stevens for a Special Use Permit to operate a business, B&M Construction and Tires at their residential property located at 861 Fifth Street, Assessor Parcel 002-012-019, and all related matters. (Possible Action Item)**
1. Benjamin Stevens reported he is asking for a permit to do small mechanic work and change tires on vehicles.
 2. Councilperson Jay Duke inquired how long he has been doing business.
 3. Ben Stevens stated he has had a mobile service to two (2) years. .
 4. Councilperson Jay Duke inquired if the additional engineering is included.
 5. City Clerk LaDawn Lawson stated it was a mobile.
 6. Councilperson Jay Duke inquired how long he had been doing business at his home.
 7. Ben Stevens stated approximately a year.
 8. Councilperson Lincoln Litchfield stated his application says he is looking for a suitable location and inquired how that was going.
 9. Ben Stevens stated they are working on a bank loan.
 10. Melissa Stevens stated they have been working with Jerry of RNBC and they have several locations, but they have not found anything yet. She stated they had also looked at shops around town to rent or lease. She noted they have talked to City Manager Glenn Trust and have tried to purchase land in the Industrial Park, as their property is just a temporary thing. She stated they are trying to get financing.
 11. Councilperson Lincoln Litchfield inquired about the hours worked.
 12. Melissa Stevens stated Ben works at Newmont for 16 days a month and does the other business on his days off from there. She stated hours are more 9 a.m. to 6 p.m.
 13. Mayor Cliff Eklund inquired about the work.
 14. Ben Stevens stated he works on small repairs on cars and changing tires. He stated there has been a problem having big trucks there and he does not want those up there. He stated when it happened, it was a fluke and he does not want it happening again.
 15. Melissa Stevens stated they try to be considerate of the neighbors.
 16. Councilperson Jay Duke stated by using the word try, it sounds like it is not always possible.
 17. Melissa Stevens stated, "It is impossible to please everyone".
 18. Ben Stevens stated the cars he works on are scheduled in on his days off so there is only one at a time.
 19. Mayor Cliff Eklund read the following letter: *11/12/13 I'm writing this letter to dispute the Special Use Permit filed by Benjamin and Melissa Stevens for temporary operation of B&M Construction and tires at 851 5th ST. in Carlin. This is a residential area, with a lot of shift workers in this neighborhood. The noise is flowing over from their business. The area on the Street 5th and Elm around their residence looks like a junkyard and their stuff flows out onto the street. I strongly oppose this business operation s/Russell Nethery Rec'd November 12 by City Clerk LaDawn Lawson.*
 20. Melissa stated the overflow is their personal vehicle and they were parked before they had a business and registered to them.
 21. Benjamin Stevens stated he has spent \$30,000 on the 67 Camaro.
 22. Councilperson Lincoln Litchfield stated he has concern about the noise for the other citizens. He stated for those people who have to sleep during the day, it would be annoying.
 23. Discussion was held on the DeMars application.
 24. Benjamin Stevens stated that is why they always work on the vehicles inside with the door closed.
 25. Melissa Stevens stated the tools they have are the same that individuals would have in their garages.
 26. Councilperson Jay Duke stated normal home-based mechanic do make that kind of noise; it is really about the frequency of that noise and the intensity and the impact it has on current residents. He stated he appreciates their willingness to start a business, but they do have to

- draw some lines. He stated they already have one person impacted.
27. Jeff Williams stated he has a concern about temporary in the letter, but a Special Use Permit is not temporary.
 28. Elaine Wescott stated she lives at 506 First Street and lives across the street and she is an employee of Newmont. She stated she does not want to deter someone from getting ahead, but with more homes going in there, more children and the vehicle congestion is a big concern. She noted if it is a short-term thing, she is not opposed, but if it is going to stretch out, she does not want it.
 29. Brett McCarty stated "I live at 501 Elm Street, they are saying they keep it all in the garage; they have vans that haul 18-20 people. I work shift work and I am trying to sleep, he has his tire machines going in a residential area. I am in a residential area and I do not want to see a business there".
 30. Frank Messenger stated he has nothing against the Stevens, but "it is a residential area and my issue is the noise when I am trying to sleep during the day and there are a lot of young children there also".
 31. Breeane Rudder stated in that area they are talking about working 9 a.m. to 5 p.m. in the daytime and "I pass by there pretty frequently and I know right in that area, there is already currently someone who is outside with their grinder being far more noise than their shop would be making".
 32. Melissa stated, "It is a corner of a residential area and as far as she knows, all corners are congested such as 7th and Elm. Mining vehicles are parked all over the place, contractors vehicles parked also. She noted their personal vehicles are parked on the corner. The bus has been there before, but Ben drives the Lux Bus as an emergency driver; they call him up to do so".
 33. Brett McCarty inquired why it is in his garage with the front tires off.
 34. Melissa Stevens stated he has worked on them before and he drives for them. She stated they are too big to fit in their shop and they cannot close the doors.
 35. Councilperson Lincoln Litchfield confirmed their license is for a mobile repair facility and "a year ago, you went from mobile to this location".
 36. Melissa Stevens stated they still do the mobile.
 37. Ben Stevens stated it is only if "he has to bring it there to repair it; if it is something you cannot do on the side of the road".
 38. Councilperson Lincoln Litchfield stated that hearing the concerns of the neighbors around them concerns him.
 39. Melissa Stevens stated they know of one (1) time that the police were called and they resolved the issue.
 40. Mayor Cliff Eklund stated most of the complaints have been coming into City Hall.
 41. City Manager Glenn Trust stated they have had a number of complaints.
 42. Melissa Stevens stated they have been trying to get another location and want to move the business. She stated they have looked into leasing, renting and buying. She noted they have not been able to find one yet.
 43. Councilperson Jay Duke stated the residents are not against your business or against you personally. He stated everyone wants to see Carlin grow, but the City has to make sure safety is addressed and disturbances are not created for the citizens.
 44. **Councilperson Jay Duke moved to deny approval of a request from Benjamin and Melissa Stevens for a Special Use Permit to operate a business, B&M Construction and Tires at their residential property located at 861 Fifth Street, Assessor Parcel 002-012-019, and all related matters. Councilperson Lincoln Litchfield seconded the motion. The motion carried.**

V. Discussion and possible approval of a Liquor Permit for Tonya Roland, dba Pizza Factory, and all related matters. (Possible Action Item)

1. Tonya Roland is requesting a permit for beer and wines, no hard liquor.
2. Councilperson Jay Duke stated a correction for the lease expiration should be made.
3. Tonya Roland stated the date is 10/1/2020.
4. Councilperson Lincoln Litchfield inquired about background.
5. Tonya Roland inquired why it took so long to do an investigation on someone who has owned a business for so long.
6. **Councilperson Lincoln Litchfield moved for approval of a Liquor Permit for Tonya Roland, dba Pizza Factory, and all related matters. Vice Mayor Donnetta Skinner seconded the motion. The motion carried.**

VI. Update, discussion and status report from Alex and Marion Hose and Paul Tanguay, Development Manager on the Carlin Springs Development, and all related matters. (Non-Action Item)

1. **THIS ITEM WAS MOVED TO THE FIRST POSITION ON THE AGENDA**
2. Mayor Cliff Eklund reported the people involved in this item drove from Reno, Nevada to attend this meeting and asked that the item be moved in order that they might return to Reno that night.
3. Marion Hose, MH Properties, stated they are attending to give a status report to the City. She noted they started on the project last December and they brought on Paul Tanguay, who has a detailed background in development, particularly in the home development and housing. She stated he would be acting as the Development Manager in order that they can move along as required.
4. Paul Tanguay stated an outline has been provided to the Council and he brought some exhibits in color. He stated Assessment and Objectives are to complete a Development Plan Assessment with three (3) main objectives. He stated they want to start the project in Spring 2014 and they want to create a realistic schedule for this project. He reported on the master grading and the challenges they face due to the topography, noting they expect to end up with fewer home sites, but larger lots. He explained the problems with the sewer and water design, as it was previously not distributed between the commercial and housing areas. He stated there would not have been sufficient sewer capacity for the housing and water had to be redesigned to be more cost effective. He stated this assessment they have been working on would be completed by Thanksgiving. He stated they are going to ask to amend the land purchase with the City to realign the terms of the closing with their performance milestones that are updated, without asking for the City to convey title until all milestones are achieved and the purchase price remain unchanged. He stated the development agreement approval then could be achieved in February 2014. He stated the final step would be to bring in their project financing and both of these are critical if they are going to be able to start in Spring 2014. He stated the preliminary realistic schedule is shown in Exhibit 3. He noted the Pre-Development Schedule is the most important part of the schedule in order to get started in the Spring.
5. Discussion was held about Backbone Roads and Utilities Permits.
6. Paul Tanguay explained an economic model is crucial to all the residential and commercial buyers for the parcels.
7. Discussion was held on the actual work beginning.
8. Paul Tanguay stated they would set out the bidding process of those items on the Exhibit 3 three (3) months in advance.
9. Mayor Cliff Eklund expressed his appreciation to Mr. Tanguay for the information and noted they Council will look forward to the December 11th meeting for more updates.
10. City Manager Glenn Trust stated that he and Mr. Tanguay have had several discussions about the process.
11. Mayor Cliff Eklund stated he and City Manager Glenn Trust could meet with them in order to process this more adequately without wasting time.

12. Fred Montes de Oca inquired what the dates are.
13. Paul Tanguay stated it is 2014.

VII. Review, discussion and possible approval of the City Manager's annual performance review, and all related matters. (Action Item)

1. Mayor Cliff Eklund reported City Manager Glenn Trust had an overall average of 3.89 in categories of Interactions and Communications 3.4, Technical Knowledge 3.9, Planning and Organization 4.1, Personal Behavior 3.6, Safety 3.7, Decision Making 4, Quantity and Quality of Work 4.3, Leadership 4, and Overall Performance 4.
2. Vice Mayor Donnetta Skinner stated that City Manager Glenn Trust does pretty well and this is a good result.
3. Mayor Cliff Eklund stated City Manager Glenn Trust's computer skills and knowledge of the accounting and how he handles the City's finances; "he does an excellent job".
4. Councilperson Jay Duke stated City Manager Glenn Trust has a lot of experience that shows in the value of the accounting area; "we are in the shape that we are in because of his skills and he is an educator of sorts as well". He explained he meets with the Department Heads and they work through the issues and set priorities.
5. Mayor Cliff Eklund clarified that the City is in "good shape".
6. Councilperson Lincoln Litchfield commended him on his knowledge of the NRS and thanked him for answering their questions.
7. There were no public comments.
8. **Vice Mayor Donnetta Skinner made a motion for approval of the City Manager's annual performance review, and all related matters. Councilperson Lincoln Litchfield seconded the motion. The motion carried.**

VIII. Discussion and possible approval of a proposal to designate a half-day (4 hours) on December 24, 2013 as an authorized City holiday, and all related matters. (Possible Action Item)

1. Mayor Cliff Eklund stated this is a good idea, giving people a chance to get ready for Christmas Eve. He inquired if this is permanent.
2. City Manager Glenn Trust stated this also allows those who are working on shifts during that time to have a half-day too.
3. **Councilperson Jay Duke made a motion for approval of a proposal to designate a half day (4 hours) on December 24, 2013 as an authorized City holiday, and all related matters. Councilperson Lincoln Litchfield seconded the motion. The motion carried.**

IX. Review, discussion and possible approval of the minutes of the Regular Meeting of the Carlin City Council on October 9, 2013, and all related matters. (Possible Action Item)

1. **Councilperson Jay Duke moved for approval of the minutes of the Regular Meetings of the Carlin City Council on October 9, 2013, and all related matters. Vice Mayor Donnetta Skinner seconded the motion. The motion carried with Mayor Cliff Eklund voting in favor. Councilperson Lincoln Litchfield abstained.**
2. There were no public comments.

X. Review, discussion and possible approval of payments for the periods 10/24/2013 to 11/13/2013, and all related matters. (Possible Action Item)

1. **Vice Mayor Donnetta Skinner moved for approval of payments for the periods 10/24/2013 to 11/13/2013, and all related matters. Councilperson Jay Duke seconded the motion. The motion carried with Mayor Cliff Eklund voting in favor.**

XI. City Council Members' Reports. City Council Members report on issues, concerns and events regarding Public Safety, Public Works, Planning Commission, Parks & Recreation, Senior Center, Cemetery and other matters of interest (Non-Action Item)

1. Councilperson Lincoln Litchfield reported the Planning Commission is continuing to work on Title 3 and they are half way through. He stated they hope to get a copy of the Title on flash drives to review and correct.
2. Chief Bill Bauer reported that on Friday Officer Fobes and he would go to Carson City to sit in on the presentation for Carlin's two newest officers who are graduating. He stated they would start work on Monday afternoon.
3. Councilperson Jay Duke inquired about their ranking in the Post.
4. Vice Mayor Donnetta Skinner reported there was a surprise inspection of the Senior Center and they got 100%. She stated the Turkey Shoot is going to be held on Sunday, which is to help the seniors who have been in the riding club. She noted the Center would be closed on the 28th and 29th for Thanksgiving. She thanked City Manager Glenn Trust for letting them know they do a good job. She noted she receives financial reports every month from the Center and the Council can look at those. She stated she discussed the Parade of Lights with Karen and she asked that they encourage people to take part. She noted Santa would be at the Senior Center on December 14th.
5. Mayor Cliff Eklund stated he has decided not to run for Mayor, but he is working with Jeff Williams for a campaign for the County Commission election. He stated he walked into the Police Station today and the Police had just completed a raid on a house and obtained 55 assault guns.
6. Chief Bauer stated most of them are not illegal weapons, but there are a couple.
7. Mayor Cliff Eklund stated he does appreciate this police department work and the protection of the community. He stated some pretty "nasty things" have happened here in the last 3-4 months and expressed his appreciation to all of those in the department.

XII. City Clerk's Report. (Non – Action Item)

1. None.

XIII. City Manager's Report (Non-Action Item)

1. City Manager Glenn Trust had no report.

XIV. Comments by the General Public: Pursuant to NRS 241.020(2C) this time is devoted to comments by the general public and discussion to those comments. No action may be taken upon a matter raised under this item until the matter has been included on a successive agenda and identified as an action item. (Non-Action Item)

1. Jeff Williams, Elko County Commission, stated today was a special day because the meeting today, most of the items were those where the Council knew most of the people, face-to-face. He noted City Councils have sometimes a much harder job that they have to deal with than the County Commission. He noted they have the hardest job as they have to deal with people they see every day and he commended the City Council for the job that they do. He discussed some of the items discussed. He said "good job for being good public servants" and commended the staff of the City of Carlin.
2. Karla Jones reported she is asking that the Council, Administration and Jeff Williams attend the awards for the Fire Department on Saturday at 6:00 p.m.

XV. Adjournment. (Action Item)

Councilperson Jay Duke moved for adjournment with Councilperson Lincoln Litchfield seconding the motion. The motion carried. The meeting was adjourned at 8:29 p.m.

APPROVED:

CLIFF EKLUND, MAYOR

ATTEST:

CITY CLERK LADAWN LAWSON