

CARLIN CITY COUNCIL
CITY OF CARLIN, STATE OF NEVADA
REGULAR MEETING
CARLIN CITY HALL
101 SOUTH EIGHTH STREET
CARLIN, NEVADA
January 22, 2014, 7:00 p.m.

Call to Order and Roll Call:

Mayor Cliff Eklund called the meeting of the City Council to order at 7:00 p.m.

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

Absent:

1. Administrative Staff: City Manager Glenn Trust, City Clerk LaDawn Lawson, Public Works Director Carlos Esparza, Police Chief Bill Bauer
2. Present: Laura Eklund, Arnold Huntley.

Pledge of Allegiance

- I. Discussion and possible approval of a request from the Carlin Conservation Camp for the City to donate the unoccupied, former Public Works trailer to the Camp to be used as staff lodging and accommodations, and all related matters. (Possible Action Item)**
 1. Mayor Cliff Eklund reported the CCC requested this item be tabled.
 2. **Councilperson Bob DeMars moved to table approval of a request from the Carlin Conservation Camp for the City to donate the unoccupied, former Public Works trailer to the Camp to be used as staff lodging and accommodations and all related matters. Vice Mayor Donnetta Skinner seconded the motion. The motion carried.**
 3. There were no public comments.
- II. Review, discussion and possible approval of a request from Arnold Huntley for a waiver for the installation of curb, gutter and sidewalk required by Building Permit 11-055 / placement of their modular home on a permanent foundation, and all related matters. (Possible Action Item)**
 1. Mayor Cliff Eklund stated he would be abstaining on this item.
 2. Laura Eklund, friend of the Huntley's, reported Carol Huntley is not present due to health issues. She stated that Page 5 of the Building Permit Section saying that you have to have \$10,000 worth of work done; Mr. and Mrs. Huntley has only had to pay for the brick and the rebar and their children installed it at a total cost of \$4,706. She mentioned that this case is the only case on file being pursued. She stated there are a list of people who have to comply and pictures of others who need to comply. She reiterated that Mrs. Huntley did not exceed the \$10,000 and her modular has been there since before 1997, so it is grandfathered in. She noted there is no curb and gutter up there to tie into. She stated the couple is elderly and both have medical issues and this is a huge monetary deal for them and explained she did not see how they could afford this.
 3. Councilperson Lincoln Litchfield stated the permit valuation is \$18,200 and because the Code dictates the requirements, he does not see what the council can actually do.
 4. Councilperson Jay Duke stated he does not think the Council can even do anything. He noted the difference between the cost of the project and the valuation of the project does not change the valuation, which the permit is based on.

5. Laura Eklund stated that the City has in the past provided waivers to other citizens.
6. Councilperson Bob DeMars agreed with the permitting and valuation. He stated they put the foundation in to bring the valuation up and your labor costs were under the valuation, but in the past 2 years, the council has looked at this situation several times and has had to deny waivers.
7. Arnold Huntley stated he did not dig the trench, the City dug the trench in front of their house on their own without Huntley's permission. He noted he woke up one morning and they were out there digging.
8. Public Works Director Carlos Esparza stated that is standard procedure for residential construction where the City is required to do the surveying and excavation and the City had the permit with the understanding that they were going to put in the curb, gutter and sidewalk. He explained the city has to apply for the permit from the State. Bob Bratcher issued this occupancy on good faith without discussing this with Public Works Director Carlos Esparza on the belief that the Huntleys were going to install the curb, gutter and sidewalk. He noted the stated, after 6 months, required that they fill up the trench.
9. Vice Mayor Donnetta Skinner stated the parents were happy it was going to be done for the children's safety. She noted this would be a great idea to help improve that side of town and she was sorry it was not done. She noted her understanding that at their age, they do not have the financial resources to complete this. She stated she did not know it had been filled back in.
10. City Manager Glenn Trust stated that this is standard procedure and set back requirements and surveying needs to be done and the City is qualified to do that. He stated he understands their frustration. He stated they use the IBC for Carlin. He stated even if he had a brother who offered to work on his house "for free", that would not eliminate the valuation figure. He noted the Code is clear; the Council can waive the current curb, gutter and sidewalk up to \$10,000 and anything beyond that such as this one does not allow for a waiver. He stated this has gone to court and is still pending. He stated that Mr. Huntley had said and is correct that there are a number of waivers for people over \$10,000. He explained every time an extension is awarded, the property sells and the City loses the ability to enforce the Code. He stated they have been consistent by the Administration requiring initials on the form which says curb, gutter and sidewalk.
11. Councilperson Jay Duke stated he is compassionate about their financial status and their honesty in coming before the Council, the disappointing fact is that this permit was issued in good faith in 2011 and a letter written to you in July and November 2013 and until that point no action had been taken. He stated it would have looked more favorable if they had come forward sooner.
12. Laura Eklund stated they have had a lot of health issues come up since then and their health and welfare are important, noting that Carol Huntley has been a developer and prided herself on her improvements. She stated in their situation a waiver would be amazing.
13. Discussion continued that concerned the improvements.
14. Councilperson Jay Duke stated they "cannot waive due to the \$10,000 valuation".
15. Discussion was held on the ability to move forward and that the court has to decide what has to be done before the City gets involved.
16. Laura Eklund noted the provisions of the court case.
17. City Manager Glenn Trust stated the City Attorney explained there is no prohibition of the Council taking action, but would impact the court case. He noted they have to be consistent with previous court cases too.
18. Councilperson Jay Duke stated this would be a "slap in the face to the City Manager, City Crews and Building Inspector", who are following the Code.
19. Vice Mayor Donnetta Skinner stated she does not see a benefit of the Council doing anything.
20. Laura Eklund stated the court case is set for 2/13/2014. She inquired if there is any City assistance to help the Huntleys.
21. City Manager Glenn Trust stated no assistance is available at this time.

22. **Councilperson Bob DeMars moved to deny the request from Arnold Huntley for a waiver for the installation of curb, gutter and sidewalk required by Building Permit 11-055 / placement of their modular home on a permanent foundation, and all related matters. Councilperson Jay Duke seconded the motion. The motion carried with Mayor Cliff Eklund abstaining.**

III. Review, discussion and possible approval of a revision to the City of Carlin's overtime policy, establishing a work period for public safety employees compliant with CFR 29 207 (k), and all related matters. (Possible Action Item)

1. City Manager Glenn Trust stated they have hired two full time firefighter/EMTs and a "Work Period" has to be added to the Employment Policy. He stated the police work a 14-day 84-hour work period, one week working 50 hours and the next week 34 hours for public safety. He stated Chief Johnston and the assistant Chief have discussed a 14-day 90-hour work period of 45 hours per week and paid in straight time. He noted an "emergency situation" could be a reason for an adjustment.
2. Councilperson Jay Duke stated this is only a difference defining week and pay period.
3. Councilperson Bob DeMars inquired about time cards.
4. City Manager Glenn Trust stated the City has a standard time card and explained the procedure they would be following.
5. **Councilperson Lincoln Litchfield moved for approval of a revision to the City of Carlin's overtime policy, establishing a work period for public safety employees compliant with CFR 29 207 (k), and all related matters. Councilperson Bob DeMars seconded the motion. The motion carried.**
6. There were no public comments.

IV. Discussion and possible approval of the Financial Report for the period July 1, 2013 to December 31, 2013, and all related matters. (Possible Action Item)

1. City Manager Glenn Trust explained the financial report as presented. He stated there are better months to come for some of the funds. He noted they had received \$170,000 revenue from the Regional Transportation commission. He stated the sales of Q&D and Esco properties are included. He stated the City is trying to hold expenses down as they normally do each year.
2. **Councilperson Lincoln Litchfield moved for approval of the Financial Report for the period July 1, 2013 to December 31, 2013, and all related matters. Vice Mayor Donnetta Skinner seconded the motion. The motion carried.**
3. Fred Montes de Oca requested confirmation of the figures.

V. Discussion and possible approval of the minutes of the regular meeting of the Carlin City Council on December 11, 2013, and all related matters. (Possible Action Item)

1. **Councilperson Bob DeMars moved for approval of the minutes of the regular meeting of the Carlin City Council on December 11, 2013, and all related matters. Vice Mayor Donnetta Skinner seconded the motion. The motion carried unanimously.**

VI. Review Discussion and possible approval of payments for the period 01/09/14 to 01/22/2014 and all related matters. (Possible Action Item)

1. **Councilperson Jay Duke moved for approval of payments for the period 01/09/14 to 01/22/2014 and all related matters. Vice Mayor Donnetta Skinner seconded the motion. The motion carried.**

VII. 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 had no report.
2. Councilperson Jay Duke reported attending the NNRDA meeting where mobile energy was one of the topics. He noted the room tax is down, Newmont has a draft EIS for the Long Canyon Project and mill down or mill maintenance is in May. He stated Wendover is building a elementary school.
3. Councilperson Bob DeMars had no report
4. Vice Mayor Donnetta Skinner reported on the shed for the cemetery is being put into the budget. She noted this week they would hold a 10 year anniversary of the Senior Center on Friday. She stated they had a meeting with the library and the Friends of the Library are thinking of putting a coffee "bar" and holding a fundraiser. She asked the Council members what they thought.
5. Councilperson Lincoln Litchfield, Councilperson Bob DeMars were in favor.
6. Councilperson Jay Duke inquired if the city would have to operate it.
7. Vice Mayor Donnetta Skinner stated the Friends of the Library would.
8. City Manager Glenn Trust inquired, "as a business?"
9. Vice Mayor Donnetta Skinner stated as a fundraiser.
10. Councilperson Jay Duke inquired if the Friends are a 501c because that is what it would have to be.
11. Vice Mayor Donnetta Skinner stated it was something to think about and they are trying to come up with ideas to make money for the library. She stated Public Works Director Carlos Esparza has done a good job on the cemetery and noted comments heard.
12. Mayor Cliff Eklund stated he was in Carson City at the time the shooting took place there and he was in the hospital where it happened about 3 doors down. He noted there was a public meeting at the Library for projects that Carlin would like see done. He noted a swimming pool had more interest and they decided to have another meeting on February 6 and noted there was discussion of a water park. He stated there was no response on a golf course. He noted the civic center and swimming pool garnered the highest interest.
13. Discussion was held on the topics discussed.
14. Mayor Cliff Eklund stated a water park would draw people to Carlin as there is not one closer than Salt Lake. He noted they used to hold Goals and Objectives meetings for public input, on planning and future projects. He noted there were quite a few people who would attend those meetings.
15. Councilperson Lincoln Litchfield stated the last one was 8 years ago.
16. Mayor Cliff Eklund stated the last one they wanted a rodeo grounds, swimming pool and golf course and they went for a driving range and rodeo grounds and got the rodeo grounds. He reported he had a long discussion with Jim Pitts, the new Police Chief in Elko and they are reviewing options on school security at present. He stated there would be open meetings on this.
17. Police Chief Bill Bauer stated it in formative stages, and noted it started with someone entering a local school grounds. He stated a suggestion is to augment the Sheriff's Department with 4 people. He noted Elko is not committed, but indicated they would provide office space. They would be responsible for security on campus and training. He stated there would be help with grants. He noted there is an excessive amount of truancy. He explained that the second meeting on next Tuesday they could decide whether to move forward.
18. Mayor Cliff Eklund stated there is no public awareness currently on this issue. He stated there is talk about training teachers.

19. Police Chief Bauer stated whatever training there is crisis intervention and their roles. He noted there is really not much appetite for that.

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

1. City Clerk LaDawn Lawson stated The Senior Center wanted to invite the Council to their meal, noting the Administration office plans to attend.

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

1. City Manager Glenn Trust had no report.

X. 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. None

XI. Adjournment. (Action Item)

Councilperson Jay Duke moved for adjournment with Councilperson Lincoln Litchfield seconding the motion. The motion carried. The meeting was adjourned at 8:05 p.m.

APPROVED:

CLIFF EKLUND, MAYOR

ATTEST:

CITY CLERK LADAWN LAWSON