

CARLIN CITY COUNCIL
CITY OF CARLIN, STATE OF NEVADA
REGULAR MEETING
CARLIN CITY HALL
101 SOUTH EIGHTH STREET
CARLIN, NEVADA
September 10, 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 David Jones, City Clerk LaDawn Lawson, Public Works Director Carlos Esparza, Police Chief Bill Bauer
2. Present: Jim Brown, Kathy Burney, Tom Burney, Shania Harris, Hillary Kinney, Rick Anderson, Anna Dean, Bill Bodin, Pam Griswold, Ben Smith, Sean Mowray.

Pledge of Allegiance

I. Review, discussion and possible approval of the Union Contract between International Union of Operating Engineers Local 3 and the City of Carlin, and all related matters. (Possible Action Item)

1. City Manager David Jones stated the information and issues covers every change except the supplement that was handed out. He stated he and Bill Bodin finished the language the Council is reviewing. He stated there are some additions and compromises on both sides, noting "Overall it is a pretty fair contract".
2. Mayor Cliff Eklund expressed concerns about Page 14, vacation pay and explained since that has been corrected he does not have an issue now.
3. City Manager David Jones introduced Bill Bodin from the Operating Engineers, the business agent for Carlin issues.
4. Councilperson Jay Duke inquired if they have until February 1st to put in for their vacation and after that it is first come, first served.
5. Bill Bodin stated the top seniority has the first chance to fill in their requests.
6. Discussion was confirmed about seniority in vacation time.
7. Discussion was held on Article 9 E.
8. Mayor Cliff Eklund stated that language would not be necessary as they are required by law to automatically come up to the minimum wage.
9. Bill Bodin stated, to keep it above the minimum wage and they would like to come in and talk to the City about coming in higher than minimum wage.
10. Mayor Cliff Eklund confirmed they would be asking for a general raise across the board.
11. Bill Bodin stated he would come and ask that the negotiation be reopened, "If the minimum wage is raised, they would like to come and talk to the Council about raising it a little higher.
12. Councilperson Jay Duke stated he brought this up because "it is already covered by law and secondly, it is ambiguous and vague".
13. Mayor Cliff Eklund stated that sometimes the contracts are so specific that they become too binding. He stated that is probably why there is generalized language in this section.
14. Councilperson Jay Duke inquired how the Senior Center employees feel about this contract, as they are being added.

15. Vice Mayor Donnetta Skinner stated they had the choice of doing it before so it is up to them, but at that time they did not want to.
16. Mayor Cliff Eklund stated, "You cannot force them". He inquired about part time employees being unionized.
17. Bill Bodin explained there is no law stating they cannot be, stating that there is a freeze right now. He noted he and City Manager David Jones agreed to address the matter when there are part time employees.
18. Councilperson Lincoln Litchfield inquired about the wording of page 7, Hours of Work, 40 hours.
19. Bill Bodin stated there are some things that will need to be adjusted next year.
20. Councilperson Jay Duke stated any language changes that have come up since this contract will not be administered until next year.
21. Bill Bodin agreed.
22. Mayor Cliff Eklund stated this contract is effective July 1, 2014.
23. Bill Bodin stated everything is frozen right now.
24. Mayor Cliff Eklund stated there is no language in here to address those concerns.
25. Councilperson Jay Duke stated he does not see where that is "frozen" in the contract.
26. Bill Bodin explained that nothing would change for this year.
27. Councilperson Lincoln Litchfield stated it is not in writing and once this is signed and they come back and say they want 40 hours a week and "I am not prepared to do that".
28. Mayor Cliff Eklund stated the way this is dated, it takes effect the last of July.
29. Bill Bodin stated he would write a letter about the status of the senior center and everything will stay the same until next year.
30. Councilperson Jay Duke stated, "That the Senior Center employees will remain part time".
31. Vice Mayor Donnetta Skinner stated she would not agree to any of this until it is in writing. She noted that the wording is not right and until it is they cannot sign the contract.
32. City Manager David Jones reported Article 8, Section 3: "Except as may be changed by the City; all employees shall work a forty (40) hour work week..."
33. Mayor Cliff Eklund stated they couldn't do any amendment at present, as it is not on the agenda.
34. Councilperson Lincoln Litchfield stated that he should bring it back in 2 weeks.
35. Vice Mayor Donnetta Skinner stated, "This is one of the worst contracts she has ever seen as she was a union steward and knows this is not the way it should be written".
36. Bill Bodin stated this is the same contract that they have had except for adding in employees to cover the Senior Center.
37. Councilperson Jay Duke stated this is only a draft.
38. Mayor Cliff Eklund stated he was happy to see the additions and amended things.
39. City Manager David Jones stated that the crossed out were the things they omitted and the underlined portion is the added, if it is in red, it is new, if it is black, it is in the existing contract. He stated that is a process to change this and after the review they would make the final contract
40. Councilperson Jay Duke stated he would be willing to work with Bill Bodin and City Manager David Jones on Friday to correct the contract for a final copy.
41. Mayor Cliff Eklund suggested they table this until the next Council meeting.
42. **Councilperson Bob DeMars moved to table approval of the Union Contract between International Union of Operating Engineers Local 3 and the City of Carlin until it has been revised, and all related matters. Councilperson Jay Duke seconded the motion.**
43. Bill Bodin inquired if there was any other concerns about the girls at the Senior Center.
44. Councilperson Jay Duke stated there is a gentleman who works there, so it should say employees. He requested that the motion be amended to say "possible approval".
45. **Councilperson Bob DeMars moved to table possible approval of the Union Contract between International Union of Operating Engineers Local 3 and the City of Carlin until**

it has been revised and agreed upon and brought to a future Council, and all related matters. Councilperson Jay Duke seconded the motion. The motion carried unanimously.

46. Mayor Cliff Eklund inquired if there were any more comments on this item.
47. Discussion was held on the time.

II. Review, discussion and possible approval of special event for the Friends of the Library/ Parks and Rec at the Carlin Library, and all related matters. (Possible Action Item)

1. Ellen Meshefski reported there would be a party at the Library this year with a band from Utah and they are charging this year. She stated they are partnering with Sonny Atkins and they will play one night in Elko before coming to Carlin for a family night. She stated this is a fundraiser and people can buy tickets. She stated this is a thank you from all of the City for helping the library get going. She stated they are requesting to hold a bar and sell food. She is also requesting to use the "jumping house". She stated there would be a street dance right in front of the library. She noted her son has put a lot of time into it and noted there are posters. She requested that everyone attend.
2. Councilperson Jay Duke inquired about closing Memory Lane, both ends and alley access.
3. Ellen Meshefski stated the closure would start where the cans are collected from the Senior Center to the library.
4. Councilperson Jay Duke inquired about fire problems.
5. Ellen Meshefski stated they would get a liquor license. She stated the date is September 27 and the band hours would be from 7 p.m. to 10:00 or 11:00 p.m.
6. Councilperson Lincoln Litchfield stated the stage will be pointed to the west.
7. **Councilperson Lincoln Litchfield moved for approval of special event for the Friends of the Library/ Parks and Rec at the Carlin Library, and all related matters. Vice Mayor Donnetta Skinner seconded the motion. The motion carried unanimously.**
8. Ellen Meshefski stated there would be contests through the radio stations.

III. Review and discussion and possible direction from the Council regarding the Carlin Police Department Proposal for Administrational change in the City of Carlin, and all related matters. (Possible Action Item)

1. Chief Bauer reported that Dennis Fobes and City Manager David Jones met yesterday and Mr. Fobes addressed his concerns and he has some he would like to bring to the Council dealing primarily with salary. He stated as far as a contract with the Sheriff's Department the officers have had some questions and he contacted Sheriff Pitts, who is going to meet with them. He stated Dennis Fobes wants to hear that before he makes a final decision and comes to talk to the board.
2. Mayor Cliff Eklund reported he talked to Sheriff Pitts and he said that the proposal he has is tentative and that could change depending on what the Council or City wanted from him. He stated they might negotiate that cost down. He stated from what he heard from the last meeting, the public was pretty sold on the fact that the job is offered to Dennis Fobes instead of the Sheriff's Department. He stated, "I would like to see Dennis (Fobes) make... and I do not think the wage thing should not be negotiated in a Council meeting; that's why we have a City Manager. After the wage is decided, we can either accept or reject it, but I think those negotiations need to take place with the City Manager and that he bring it to us. I would like Dennis to make a decision one way or the other".
3. Chief Bauer stated the meeting with the Sheriff is scheduled for Friday and Dennis Fobes wants to get things settled in his own head. It is a big decision for him too".
4. Mayor Cliff Eklund stated, "I would like to see some kind of a commitment so we can move forward for the benefit of the City and for Mr. Bauer's". He noted he would like to see this happen by next Council meeting so they can make plans and make contact with the training centers.

5. Vice Mayor Donnetta Skinner reported that when she talked to Sheriff Pitts, he gave her the impression he really cannot tell the Council how it is going to work until the Council tells him what they want or expect and he cannot guarantee they all would have jobs with them". She stated Dennis Fobes is "leery of taking the job" and he would need training, but he could handle it if he wanted to. She stated she does not want him thinking that they are pressuring him.
6. Chief Bauer stated that has been conveyed to him and I have too, but he needs to be a little bit selfish and do what is good for him and not let anyone influence him from the outside. If the job is right for him, he should move forward; if it isn't, then he needs to step up and say no. I think he will make that decision, but he is just trying to do his fact finding right now and this meeting with Sheriff Pitts arose out of a discussion I had with Dennis".
7. Vice Mayor Donnetta Skinner stated, "If the sheriff cannot say, that puts them in a bad spot".
8. Mayor Cliff Eklund stated, "Since we promote from within, does that make him a City employee not a contract employee? He stated he did not know the Chief was working under a contract but he is in a different position".
9. Chief Bauer stated his position is an appointed position and covered under resolutions by the board.
10. Councilperson Jay Duke agreed it is not a written contract for work.
11. Chief Bauer stated it is covered because it is a chartered position and appointed, but is done by resolution.
12. Councilperson Bob DeMars stated they need some kind of commitment in the next couple of weeks.
13. Pam Griswold inquired if someone from the Council is going to attend the meeting that they are having with Sheriff Pitts that can give a perspective from the Carlin City.
14. Councilperson Jay Duke stated he is the Police Commissioner in town and he would attend and also meet with Dennis. He stated it would be in the Sheriff's best interest to offer the positions to the current officers of the City.
15. Bob Wilcox stated he missed hearing the monetary value on the Sheriff's Department coming in and who ran the figures and are they public. He noted, "I do not think we have seen the whole picture yet".
16. Mayor Cliff Eklund agreed and noted the value would be \$30,000 less than what is budgeted for the Department. He stated he is not sure whether the figures that Chief Bauer gave for the Department included insurance and things like that.
17. Chief Bauer stated the budget is "set in stone" and those numbers were preliminary and to give the Council something to work with. He stated that was the only purpose and before they went further, those numbers would have to be more specific.
18. Bob Wilcox suggested that be done before they make a decision.
19. Discussion was held on the workmen's compensation and the preliminary insurance numbers for those were listed.
20. Bob Wilcox stated, "If I can go back, we're digging at this man for having a terrible contract and this was not prepared on our side either to be fair".
21. Tom Burney stated his concern is not the dollars and cents, but who is in charge. He stated in every instance he has not been referred to someone else, but can go directly to the Chief of Police to get his answers.
22. Pam Griswold stated if the Council does decide to go with the Sheriff's Department, would that not generate a response from everyone for Carlin's needs. She has the concern that there could be times when there no law enforcement in Carlin. She stated people want to know if there is an emergency if there will be someone here.
23. Chief Bauer reported that other cities in the county, such as Jackpot, that it has been absolutely no possibility that could happen. He stated, "The Sheriff's Department must always maintain a presence in the town even if they also have a matter of more importance happening. He stated his personal observation from all of his years' experience is that he has "never ever seen" that happen, even up to and including the earthquake in Wells. He stated when the contract is

negotiated that would be addressed.

24. Vice Mayor Donnetta Skinner stated in talking to Sheriff Pitts he told her that would not happen.
25. Mayor Cliff Eklund stated Wells has something of this nature written in their contract.
26. **Councilperson Lincoln Litchfield moved for approval of having direction provided by the Sheriff and Dennis Fobes at the next meeting on what he desires as a pay grade, and all related matters.**
27. Mayor Cliff Eklund suggested an amendment.
28. **Councilperson Lincoln Litchfield moved for approval of having direction provided by the Sheriff and Dennis Fobes' concerns at the next meeting, and all related matters. Vice Mayor Donnetta Skinner seconded the motion. The motion carried unanimously.**

IV. Review, discussion and possible approval of an employment contract for the City Manager (David Jones) and the City of Carlin and all related matters. (Possible Action Item)

1. Mayor Cliff Eklund stated this is the same contract that they had with all the City Managers.
2. **Councilperson Jay Duke moved for approval of an employment contract for the City Manager (David Jones) and the City of Carlin and all related matters. Councilperson Lincoln Litchfield seconded the motion. The motion carried unanimously.**

V. Review, discussion and possible approval of payments for the periods 08/27/2014 to 09/10/2014, and all related matters. (Possible Action Item)

1. Councilperson Lincoln Litchfield inquired about the payment from the City to the City for everyone's benefit.
2. City Clerk LaDawn Lawson stated the City maintains \$650.00 in cash and when it is depleted by mailing a package for example, it is reimbursed by a check.
3. Councilperson Lincoln Litchfield inquired about buying sprinklers from Home Depot rather than Western Nevada.
4. Public Works Director Carlos Esparza stated sometimes Western Nevada does.
5. Councilperson Lincoln Litchfield stated his concern was that Home Depot is not a wholesaler and Western Nevada is.
6. Mayor Cliff Eklund inquired if there is a difference in price.
7. Public Works Director Carlos Esparza stated it was not much.
8. **Councilperson Lincoln Litchfield moved for approval of payments for the periods 08/27/2014 to 09/10/2014, and all related matters. Vice Mayor Donnetta Skinner seconded the motion. The motion carried with Mayor Cliff Eklund voting in favor.**

VI. 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 Jay Duke reported there was no NNRDA meeting.
2. Chief Bauer reported that Carlin is #3 on the list of safe places to live in Nevada. He gave statistics to the Council and there is the lowest property crime in the state for 2012.
3. Councilperson Lincoln Litchfield reported the Planning Commission is moving forward with the Title 3 and have completed Chapter 16 with 10 Chapters left. He stated they are hoping that it would be on the Council agenda right after the New Year. He stated his thanks to everyone who sent him messages when his father passed away. He noted his Dad felt there were two honorable things, one to serve your country and the other to sit on elected offices and he always thought those officials tried to do the best they could. He thanked the people for being in his Dad's life and for their concerns.
4. Councilperson Bob DeMars inquired about the paving.

5. Public Works Director Carlos Esparza reported they have it up and running and they finished one project on Thursday and another project will begin on Cedar Street next week and then our last project will be on 14th and Chestnut.
6. Councilperson Bob DeMars stated they would have their last event on Sunday the 21st, the same time as the Chili Cook-Off.
7. Mayor Cliff Eklund stated he would add that to the radio advertising.
8. Vice Mayor Donnetta Skinner reported the Wine Walk was terrific and the Chili Cook-Off coming this month as well as the Spook Walk. She stated they need to get people on board because it takes a lot of people. She discussed repair work on the bridge.
9. Public Works Director Carlos Esparza stated they had a flash flood there last month.
10. Vice Mayor Donnetta Skinner stated she does not go there at night, only in the daytime. She encouraged people to attend and help. She stated the library looks great and Jon Gift has done a lot of work.
11. Mayor Cliff Eklund stated they need to thank all the volunteers, “Don, Ellen, Friends of the Library and all the rest who that have helped by volunteering their time to make this a better place to live”. He reported that Linda Bingaman, Assistant Fire Chief was hired as the County District Operations Chief for the County Fire District that is going to be in effect in January 1, because the Forest Service is no longer going to fight fires. He reported the county is putting together a county-wide fire department and starting to get people in place and getting the plans in place as well as dealing with the politics. He stated that Gary Zunino was heading up the project and he was previously at the Fire Science Academy. He reported a Candidates Night would be held this Friday night at the Senior Center with invitations to state, county and local candidates. He urged people to attend the Chili Cook-Off and the rib feed on Friday night to kick it off. He reported that he and City Manager David Jones would not be at the next meeting; they would be attending the state’s League of Cities convention in Las Vegas.
12. City Clerk LaDawn Lawson inquired how many would be attending in order to have a quorum at that meeting.
13. Mayor Cliff Eklund stated he would attend his last League of Cities’ Board of Directors meeting.

VII. City Clerk’s Report. (Non – Action Item)

1. City Clerk LaDawn Lawson had no report.

VIII. City Manager’s Report (Non-Action Item)

1. City Manager David Jones had no report.

IX, 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. Ellen Meshefski stated the Park & Rec has had a lot of big events this summer and they could not have done them without the help of the Public Works, Police Department. She thanks everyone in the City and Park & Rec would like to say thank you. She stated the Spook Walk is October 25 and any club who would like to raise money is welcome. She stated there are issues with Chinese Gardens and maybe they should look into raising more money to keep the parkup.
2. Mayor Cliff Eklund stated two members of the Government Class have attended and are present at the Council.
3. Hilary Kinney and Shania Harris introduced themselves.
4. Mayor Cliff Eklund requested they tell their class that they are invited to Candidates’ Night also.

5. Jon Gift commented on the grass that was installed by Peacock that makes it look better. He stated the work they did around the playground is “fabulous”.
6. Bob Wilcox stated there is a place on 4th and Hamilton that put in a new pole barn, garage and things and here is a section of curb and gutter that was not put in. He inquired if there was a reason for that and if there is a place in the upstairs of the pole barn for living quarters.
7. Mayor Cliff Eklund stated that is a good question for Bob Bratcher.
8. Public Works Director Carlos Esparza stated the gentleman owns two separate parcels there so he built on the first lot and he was not required to do that on the second lot. He explained he tore down a garage and built a full barn garage and apartment upstairs and it has been inspected.
9. Mayor Cliff Eklund questioned if he was not required to put in curb, gutter and sidewalk when he built that.
10. Public Works Director Carlos Esparza stated, he has two lots adjacent to that lot, which is another lot that he did not do any improvements on. It has a separate tax roll, so that is why we could not require him to install those.
11. Thomas Burney stated, he wanted some clarification of the tax bills and I noticed there is a charge for Mary’s Creek Resource area and no further clarification, so I came down to City Hall and the very first person I talked to knew what I was talking about. They also understood there was no clarification about that. Kudos to LaDawn Lawson. She is the first person and the last person I spoke to that knew what I was talking about. What we have here is the County Assessor’s office where I went after I spoke to LaDawn, was clueless; they had no idea. They just send us the bill. I am interested how Katrinka Russell got to the place where she can add to our tax bill this assessment from Carson City. Did she get a letter? I have been told there is a NRS that covers this, but I would be interested to know what statute that was. The City got whacked on this too. The governments are not exempt and the City is paying \$360.00”.
12. City Clerk LaDawn Lawson stated it was \$360 when you were there, but we have received more bills, I think it is more than \$400.00”.
13. Tom Burney stated, he is curious and is the school was paying for the section the school sits on, and not to exempt the BLM. I would like to point out that just as we saw here there are people who own more than one parcel and I own three parcels and I got taxed on each parcel and none of them have water service. You compare a parcel with no water service to an apartment house parcel with 50-60 people, are they going to pay the same as I. The way I understand it is. I only say what I have been told, which is close to ‘O’’. I called the state Water Resources Department in Elko and their response was ‘I do not have any idea what you are talking about’. If they are not good for anything, close their shop and send them back to Carson City and put the credit on the tax bill to pay my taxes out of resources tax. I have some other pretty serious questions here, but is there a provision for parcels that are not served by water. Do they have to pay the tax or should they pay the tax. Where is the fairness? Some of you were provided with a copy of the article on August 6 in the Elko Voice – *the system is designed so that people living in specific water basins are paying their assessments, which can be ordered for a wide range of reasons. First the division designates a basin, if warranted the State Engineer can issue a plan to mitigate concerns. In many cases, no action is taken after the basin is designated.* So I haven’t identified the problem but I am paying for a problem that they have not yet identified and they just pick and choose a problem when they get around to it. The State Engineer is answerable to who for what? I think is way, way open handed. I would like some clarification of the City’s part in this. Granted you do not have anything to do with the tax bill, but you are being whacked with this assessment. #2 we may have an opportunity to invite Ms. Russell to come down and expand on the remarks she made in the paper, how does she get this assessment, where is the authority and why is there no notice on this. We should be notified within 90 days of a tax being levied. I just cannot believe to disregard us as taxpayers and nobody seems to know anything, it is almost like they are deliberately omitting some of the things we have the right to know as taxpayers. That is as good as a lie, so if they are

deliberately omitting information to the public, why? I want to know. Maybe the city could see its way clear to invite someone from the Nevada State Resources down here to explain what is going on. If they identify an area that requires mitigation, then how much is it going to cost; is any of this money going to the State general fund from the Water District. We pay the County and the County pays the water district, but who is paying for all of that. Who paid for all that stuff to be put in my tax bill? Suppose I decide not to pay it, how does that work? It is not a County tax, is the county going to foreclose on my house for nonpayment of taxes when it's not a tax. We used to refer to this type of thing as NATO, not always thought out. I thank the members of the Council who said they were looking into it and trying to get some answers.

14. Mayor Cliff Eklund stated he looked into it and at the higher levels of the state and nobody seems to know anything about it.
15. Councilperson Lincoln Litchfield stated he has gotten the same response. He stated he has two pieces of property and one has water service but it has never been on and I am being taxed for it too.
16. Tom Burney stated, "Does it annoy you?"
17. Councilperson Lincoln Litchfield stated yes.
18. Councilperson Jay Duke stated that they would get more answers from the Nevada Water Resources than Katrinka Russell. "She is just an employee that follows "marching orders". Rich Perry used to be the Nevada regional director here and he assigned districts to several of his employees. I contacted Rich Perry recently about this and he said this was coming down the pike about 18 months ago, but it was thought out through that process, but it was never disseminated down to the public. So you were not made aware of it; I was not made aware of it. Other than that, Jim Brown of the Carlin Voice probably has a little bit of background on this, it is a maintenance cost, a cost to do research on the what ifs in this. The water in these regions is just a flow of water and if that ever got contaminated what would it do to our city's waters if we were ever in a flood zone. We are in a flood zone and we know that. Those questions have never been answered. They are lingering out there, so approximately 18 months ago, this came down the pike and Rich Perry was the regional director here, but he has since moved to Carson City and he is now the Minerals Director for the State of Nevada. Have been unable to get certain questions answered, but just a cursory look, so you are doing the right thing – go out and do some research, go out and find out because it is going to satisfy you when you get done. It is annoying. The assessment is not that large, nevertheless what is it going to do".
19. Mayor Cliff Eklund stated he would like to know is it going into the Nevada General Fund and who is managing these funds. "These are all questions that nobody seems to be able to answer. They can't tell you where the money is going, what bank account it is in and who is administering the funds. Those are things that we have a right to know and nobody seems to know them".
20. Tom Burney stated, "What if they decide that we have more water than we need and we need to pipe a whole bunch down to Las Vegas. I suppose that would be a mitigation of what they consider of our having too much water".
21. Mayor Cliff Eklund stated, "That is an interesting point. I was at a hearing for fracking and here was a gentleman from Las Vegas of the Southern Water District and was complaining they had not made a hearing public in Southern Nevada of what was happening in Northern Nevada because it was their water that they were dealing with. I stood up and asked "Whose water? This is Northern Nevada isn't it"?"
22. Tom Burney stated it does not concern him what has been done but what can be done.
23. Mayor Cliff Eklund stated it is just a footstep. We have seen these things happen and they can take an inch and the next inch they take is a foot and a half long".
24. Tom Burney stated he called the Nevada Resources and he said they had no idea what was going on and he did not appreciate the response.
25. Jim Brown stated they should call the state and talk to Mr. Jason King, because he is the big man in the Water Resources Department in Nevada. He stated he has been out of the water

- business for a year now and once they get their minds set on doing something like this, it is really hard to change it”.
26. Tom Burney stated, “You cannot change it unless you start it”.
 27. Councilperson Lincoln Litchfield commented that the more people that call there the better.
 28. City Clerk LaDawn Lawson stated a woman came in today and wanted to know where this was on her water bill, as she was confused about this. She stated they need to make sure when making inquiries that it is on the County Assessment. She stated she has a number of who to call in the water department there.
 29. Ben Smith stated, “We are pleased with all the help we have been given by City Manager David Jones and Bob Bratcher and Mr. Ballew. He stated they are planning the hotel next to the Chevron station and we are excited to be part of your community. This is particularly fun tonight hearing the crime statistics and all the fun things going on in the community. It looks like the place we like to do business, so we are pleased to be here”.
 30. Mayor Cliff Eklund stated he is glad to see them come.
 31. Ben Smith stated, “Well you do seem to be the type of community that we like to do business in and we hopefully can be a big benefit to you as well. We want to be good neighbors. I do not know if City Manager David Jones expressed a particular concern that has come up and I have to admit that it is probably my own shortcoming to not have done our due diligence before we made a commitment on this project. The one item that we have been surprised at in the last couple of days is the fee that we missed. Is it the water connection fee that we...”.
 32. City Manager David Jones stated it is was Resolution #2013 – 07, in reference to the water capital improvement fee per residential unit of \$2,110.00 and the sewer capital improvement fee per each residential unit of \$1,745.00. If you go into Title 9, Section 34, there is also a multiplier on that of .5, so kind of what we are trying to address tonight is to take the water unit and sewer unit fee and capital improvement fees, they come to a total of \$3,855.00 in combination and multiplied them by the .05 out of 9434, it comes up to \$1947.50 per unit x 86 units or a total of \$165,765.00 for capital improvement fee for their project.
 33. Discussion was held on “residential water use.”
 34. City Manager David Jones stated it was unfortunately too late to get it on this agenda when Bob Bratcher brought him the numbers. He explained the .5 multiplier and Tom Ballew instructed that this is high definitely. However staff is bound by resolution and code. We cannot do anything at staff level; that is why we are bringing it here, recognizing that you cannot do anything tonight, but educate.
 35. Mayor Cliff Eklund stated he would be interested in Tom Ballew’s response because he came up with that formula a number of years ago.
 36. Ben Smith stated that he thinks the residential figures seem quite reasonable, yet a residence is not generating a significant amount of revenue for the city in room tax and other. “We do not want to come with our hands out, but we would like to respectfully request that you, could review your fees and see if perhaps they are being applied as they were intended to do when they were adopted. I have to confess if they are assessed as they are, it represents a 4% increase in our property”.
 37. Mayor Cliff Eklund stated we need to involve Tom Ballew and have him present at the next meeting because we cannot do anything tonight.
 38. Ben Smith stated they are shifting into a full speed ahead timetable at present. “We are hiring all of our engineers and getting the plans drafted for this site, so we are fully aware that you could not make any decisions tonight. But we wanted to introduce ourselves and get a sense of the council to see if this is something they feel perhaps is not applied the way they intended or it certainly is, then we can go back and talk among us to see if it pencils out. Frankly I do not know that it will. If you felt that perhaps there was something worth looking into, we are more than happy to wait until you can take action.”
 39. Mayor Cliff Eklund stated, “Our position is going to be that we take a look at it and see. We need to talk to the City Engineer in this because the formula City Manager David Jones was

discussing was the formula drafted about five (5) years ago when we had something to do with the other motel sitting up here”.

40. Discussion ensued.
41. Ben Smith stated their projections in being conservative would be 65% occupancy on the 85 rooms at \$100 a night, we figure we are going to be paying you \$230,000 a year in taxes and frankly we are kind of hoping that might be sufficient. Obviously we understand there are costs involved and we want to pay our fair share, and we hope perhaps that would be a little closer to reality”.
42. Mayor Cliff Eklund stated, “You have to realize that \$230,000 is not coming to Carlin, it is only a percentage. It goes to the County and the County redistributes”. He requested to agenda it, noting “assemble the information, invite Tom Ballew and see if there is a way to help, whether we can or not, we can make recommendations and educate the Council so we can make a decision based on information from Tom Ballew”.
43. Ben Smith stated they do not anticipate any gaming or liquor. He noted they would be serving a continental breakfast.
44. Mayor Cliff Eklund inquired how many motels he has.
45. Ben Smith stated he is a consultant for the owners and he is a member of a large group of investors that work together for many properties and there are really small business owners who gather and put these projects together.
46. Mayor Cliff Eklund stated he would be interested to see what it cost in other communities to do the same thing.
47. Ben Smith discussed the other states that the other properties were in, explaining it is very different. He stated he did not ask the right questions before they closed on the land, but it seems that Nevada is a quite different.
48. Mayor Cliff Eklund stated the tax structure is different.
49. City Manager David Jones stated the City of Elko uses water units. “For a bathroom unit on Commercial would be 14 water units and a kitchenette would be 4 units; that is going to be assessed at \$55.70 or \$1003.60 for water and sewer it is going to be 18 units \$1043.20 for a total cost of \$2,046.88 x 86 that would be \$213,172. We have left out a few odds and ends on both sides as far as restrooms and a kitchen”.
50. Discussion was held on a pool.
51. City Manager David Jones stated the “difference would be \$48,107.00 is the difference and obviously we are going to be the cheaper on that”.
52. Mayor Cliff Eklund inquired how they compare with Wells.
53. City Manager David Jones stated he had not made that comparison.
54. Mayor Cliff Eklund stated they need to be equitable and fair.

X. Adjournment. (Action Item)

Councilperson Jay Duke moved for adjournment with Councilperson Lincoln Litchfield seconding the motion. The motion carried. The meeting was adjourned at 8:46 p.m.

APPROVED:

CLIFF EKLUND, MAYOR

ATTEST:

CITY CLERK LADAWN LAWSON