

CARLIN CITY COUNCIL
CITY OF CARLIN, STATE OF NEVADA
REGULAR MEETING
CARLIN MUNICIPAL COURT ROOM
101 S 8th Street
Carlin, NV
May 25, 2016, 7:00 p.m.

Call to Order and Roll Call:

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

Council Members Present: Mayor Dana Holbrook
Vice Mayor Lincoln Litchfield
Councilperson Bob DeMars
Councilperson Jay Duke
Councilperson Pam Griswold

Absent:

1. Administrative Staff: City Manager David Jones, City Clerk LaDawn Lawson, Police Chief Dennis Fobes, Public Works Director Carlos Esparza, City Attorneys, Lauren Landa and Tom Coyle
2. Present: Margaret Johnston, Bill Brewer, Karla Jones, Steven Wilkinson, Anna Dean, and Rick Anderson.

Pledge of Allegiance

- I. **Comment by the General Public: Pursuant to NRS 241.020(2C) this time is devoted to comments by the general public and discussion of 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. Rick Anderson inquired about the clean-up and “whether Mayor Dana Holbrook is going to set a good example”.
 2. Mayor Dana Holbrook responded that he will lead by example and he believes in keeping the city looking nice. He will do all he can.
- II. **Review, discussion and possible approval of a resolution to transfer our portion of the Private Activity Bond Cap (PABC) to Nevada Rural Housing Authority, Resolution 2016-05 and, and all related matters. (Possible Action Item)**
 1. City Manager David Jones stated Mr. Bill Brewer was present and this has actually been done several times in the past to benefit people within the community. It has benefited 17 families for a total of \$2.5 million. Without their involvement, the State of Nevada would receive the credits back.
 2. Bill Brewer, NRHA stated they began a partnership with the counties and cities and we have since understood the bond cap was being distributed and to many of the rural counties, but they did not know they had this. “We have accumulated those funds so that it is an amount that could be used. This year we are making loans. Since 2010, the homeowners have received a \$2,000 credit on their taxes and we are able to make small home loans to people in the rural areas”.
 3. Councilperson Jay Duke inquired how they find the first-time homebuyers.
 4. Bill Brewer replied they have a significant outreach program with realtors and lenders. We would like to reach the potential homebuyers directly, but they are hard to find, but the realtors and lenders are the best way. This is a great program and provides the tax credit, increasing the buyer’s income by \$2,000.00. They can get 5% assistance of their loans so the two products offer an opportunity for these people, and this is only for single family
 5. Councilperson Pam Griswold inquired where the money comes from.

6. Bill Brewer responded it is not real money, shows up as a real dollar amount on the paperwork. This is a nationwide benefit based on population, and Nevada receives about \$300 million a year. This allows us to issue federal tax-exempt bonds and Nevada issues ½ of that total to cities and counties.
7. Councilperson Pam Griswold stated it is better for us to use the funds so we do not have to send it back.
8. Vice Mayor Lincoln Litchfield inquired if these were families from Carlin or from Elko County.
9. Bill Brewer stated the 17 families were just in Carlin. Over the years, there are over 300 in Elko County.
10. Councilperson Bob DeMars inquired if there are only 7 months to do this.
11. Bill Brewer stated that they have to get the funds allocated within that time, because the bond cap itself can be used for industrial revenue and things like that. This is a big issue”. He explained it is administered by the State Department of Business and Industry.
12. Mayor Dana Holbrook stated the **Resolution is 2016-05, A RESOLUTION OF THE CITY COUNCIL OF CARLIN, NEVADA PROVIDING FOR THE TRANSFER OF THE CITY’S 2016-05 PRIVATE ACTIVITY BOND VOLUME CAP TO THE NEVADA RURAL HOUSING AUTHORITY; AND OTHER MATTERS RELATED THERETO.**
13. **Vice Mayor Lincoln Litchfield moved for approval of a resolution to transfer our portion of the Private Activity Bond Cap (PABC) to Nevada Rural Housing Authority, Resolution 2016-05 and, and all related matters. Councilperson Pam Griswold seconded the motion. The motion carried unanimously.**

III. First Reading of ordinance to amend Ordinance Title 6-1-3 Firearms, Discharge, to add Subsection (A)(5) regarding approval of discharge of defined firearms for event or occurrence which has been pre-approved by the City Council after due consideration of public safety and welfare, and possible referral to committee, and all matters related thereto. (Possible Action Item)

1. Lauren Landa, City Attorney, reported this was drafted because of the upcoming Western Heritage Festival and activities related thereto for violation of the ordinance concerned firearms within the City limits. This first reading would allow a referral to a committee for consideration. She stated she is not aware that there is a committee. The options are to correct the charter or form a committee. If the council prefers, it could be referred to a committee.
2. City Clerk LaDawn Lawson stated this is the first reading. It is then posted and brought back to the Council.
3. Councilperson Jay Duke stated there is plenty of time and the community might want a committee.
4. Councilperson Pam Griswold stated she has to get people to sign up now to participate in August.
5. Councilperson Jay Duke cautioned, “don’t short cut it”. Listen to the public concerns if there are any. There is plenty of time.
6. Lauren Landa, City Attorney explained the procedure.
7. Councilperson Jay Duke and Vice Mayor Lincoln Litchfield stated there is plenty of time for a committee.
8. Mayor Dana Holbrook read: **ORDINANCE NO. 244 AN ORDINANCE AMENDING TITLE 6, CHAPTER 1, SECTION 3 OF THE CARLIN CITY CODE ENTITLED “FIREARMS, DISCHARGE” BY ADDING SUBSECTION (A) (5) WHICH PROVIDES AN EXCEPTION TO THE GENERAL PROHIBITION OF DISCHARGING FIREARMS IN CASES OF PREAPPROVAL BY CITY COUNCIL FOR EVENTS, AFTER DUE CONSIDERATION OF PUBLIC SAFETY CONCERNS**
9. **Vice Mayor Lincoln Litchfield moved for approval of the First Reading to amend Ordinance Title 6-1-3 Firearms, Discharge, to add Subsection (A)(5) regarding to**

discharge of defined firearms for event or occurrence which has been pre-approved by the City Council after due consideration of public safety and welfare, and allow the Mayor to appoint a committee to take this under consideration, and all matters related thereto.

10. Councilperson Bob DeMars inquired if there is a Special Permit required for this.
11. **Councilperson Jay Duke seconded the motion. The motion failed due to nay vote by Councilperson Bob DeMars, Councilperson Pam Griswold and Mayor Dana Holbrook.**
12. **Councilperson Pam Griswold moved to accept the First Reading to amend Ordinance Title 6-1-3 Firearms, Discharge, to add Subsection (A)(5) regarding to discharge of defined firearms for event or occurrence which has been pre-approved by the City Council after due consideration of public safety and welfare, and waiving the requirement to appoint a committee to review it, and all matters related thereto. The motion failed due to a lack of a second.**
13. Councilperson Bob DeMars stated the ordinance should read that it be policed, that it be issued a permit, and that there are things that need to be added to this.
14. Lauren Landa, City Attorney, stated if changes are made, it would not be the first reading. It would go to committee and they would come back with their comments and it would be addressed from there. Decisions would have to be made about how the permit process would work. Someone would have to come before the City Council to recommend approval.
15. Karla Jones inquired, "If we do not have time for that, does it mean we are not going to get our heritage days"?
16. Councilperson Pam Griswold replied affirmatively.
17. **Vice Mayor Lincoln Litchfield moved for approval of the First Reading to amend Ordinance Title 6-1-3 Firearms, Discharge, to add Subsection (A)(5) regarding to discharge of defined firearms for event or occurrence which has been pre-approved by the City Council after due consideration of public safety and welfare, and allow the Mayor to appoint a committee, to take this under consideration, and all matters related thereto. Councilperson Jay Duke seconded the motion. The motion carried.**
18. Mayor Dana Holbrook appointed Councilperson Pam Griswold, Councilperson Bob DeMars, Chief of Police Fobes and Rick Anderson as the committee to bring back recommendations to the next meeting.
19. Lauren Landa, City Attorney, stated this committee meeting would be subject to the open meeting law.

IV. Review, discussion and possible approval to appoint Stradling Yocca Carlson & Rauth P.C to assist the City Attorney as Bond Council for the City of Carlin for matters related to the purchase of police vehicles, and all related matters. (Possible Action Item)

1. City Manager David Jones reported they are asking for the Council's approval on appointing this firm for potential bond council for medium term financing for the possible purchase of police vehicles. Attorney for the Bond Council is Scott Shaver.
2. Lauren Landa, City Attorney, explained the procedure and the posting.
3. City Manager David Jones stated, "In the past the requirements have not been adhered to, so this is a learning curve for us. It is going to run about \$7,500 to \$12,000 to the Bond Council on this".
4. Councilperson Bob DeMars stated, "As required by law".
5. Lauren Landa, City Attorney, explained the procedure and the process for the Department of Taxation. She noted they do not know the amount so Scott Shaver advised that process is followed on the front and the back.
6. Mayor Dana Holbrook inquired about the amount needed.
7. City Manager David Jones stated approximately \$150,000. Chief Fobes has asked for 2 vehicles this year, 2 next year and if we are going to do 5 vehicles over 2 years, it is better to do

them all together. The city will be in the next fiscal year before this is resolved. It is roughly \$28,000 per vehicle, but also there is an additional \$2,000 per vehicle for the light bars.

8. Margaret Johnston inquired about grants.
9. City Manager David Jones stated they are “a thing of the past”. Grants have been limited and are just not out there for us to utilize.
10. Lauren Landa, City Attorney, stated they cannot approve this until they go through the process of having a medium-term loan or/and an installment contract. Once that is decided and comes before the council, it is published in the paper that you are going forward. You cannot make a decision until you have the bids, but you cannot have the bids until you have gone through the procedure. Once the bids come before you, you make a decision of what will work best.
11. Vice Mayor Lincoln Litchfield stated, this is to assist the attorneys.
12. Lauren Landa, City Attorney, stated she has talked to Scott Shaver who the City has used before and he is aware of the process.
13. Fred Montes de Oca inquired if there is a savings with buying rather than leasing.
14. Councilperson Jay Duke stated there is a dual purpose, when we lease a vehicle, we potentially buy it anyway, but right now, the vehicles are transferred to another department and we have a utilization factor we would not have if we did not purchase them. The other departments who utilize these vehicles are a second hand component.
15. Fred Montes de Oca stated that the police vehicles are used after the 3 years and he is not sure whether they are worth it for another department.
16. Vice Mayor Lincoln Litchfield stated a lease involves mileage also. It is not fiscally responsible.
17. City Manager David Jones stated that is what we are looking to do to look into leasing, financing, different organizations, interest rates, etc.
18. Public Works Director Carlos Esparza stated if we do not get some used vehicles, we will be asking for some new vehicles in the next couple of years.
19. Lauren Landa, City Attorney explained that bond council is another facet of law that Mr. Shaver’s office specializes in.
20. **Councilperson Bob DeMars moved for approval to appoint Stradling Yocca Carlson & Rauth P.C to assist the City Attorney as Bond Council for the City of Carlin for matters related to the purchase of police vehicles, and all related matters. Vice Mayor Lincoln Litchfield seconded the motion. The motion carried.**

V. Discussion and possible direction to staff to seek funding for new police vehicles, and all related matters. (Possible Action Item)

1. City Manager David Jones reported this was agendized to avoid a conflict with the open meeting law and they also submitted a bid for Fallon Auto Mall using the State Purchasing portion, we do not have to actually go out to bid, because the State of Nevada has already done that. You actually go through the Fallon Auto Mall through the state’s website. He stated the one bid he pulled is the best on there. The SST is set up for police vehicles.
2. Councilperson Jay Duke stated this does not have to be accepted; this is just a starting point to understand the cost to put a total together. It is just an example in this case.
3. Karla Jones reported that from the Fire Department side of it, we always used the State purchasing site, as you do not get anything any cheaper. They have to be within a certain price that is comparable. If you go out to bid without using the state site, you have to get a minimum of 3 bids.
4. Vice Mayor Lincoln Litchfield inquired if they are looking at 5 vehicles in one year or 2 in 2017, etc.
5. Police Chief Fobes stated he would like to get 5 and in the future go back to the schedule we were on to get two every 2 years.
6. Councilperson Pam Griswold stated two vehicles have been approved for this budget process.

7. City Manager David Jones stated if the Council directs them to look at one vehicle right now, we may be able to do that. The money has already been allocated and we could just pay cash for it.
8. Vice Mayor Lincoln Litchfield stated the amount of miles on the vehicles that Chief Fobes discussed at the last meeting might allow breakdowns at present. "I have no problem with looking at five vehicles, but I want to get back on schedule of buying a vehicle every other year or so, that we do not run into this same thing in 5 years".
9. Councilperson Pam Griswold stated the City could purchase one vehicle outright and fund the other four.
10. Chief Fobes reported Ford Explorer, in which the air conditioner and windows do not work and is only worth \$2,000. It would cost \$1,500 to fix. He stated if he could get two explorers they would be better as K9 vehicles than the trucks they have.
11. Councilperson Pam Griswold inquired if this was a K9 vehicle.
12. Chief Fobes stated they turned one of the trucks into a K9 vehicle.
13. Discussion was held on a camper shell.
14. Public Works Director Carlos Esparza stated, "We cannot use an Explorer. We did try the camper shells and they were not efficient even though they tried different air conditioners and heating".
15. City Manager David Jones stated the SSTs are \$2,000 more expensive than the F150s.
16. **Councilperson Pam Griswold moved for approval to purchase 1 vehicle using the funds budgeted in Fiscal Year 2015-16 and to approve staff moving forward to seek funding for four (4) new police vehicles, and all related matters. Councilperson Bob DeMars seconded the motion. The motion carried.**

VI. Review, discussion and possible approval to renew employee health insurance benefits with Prominence Health Plan, and all related matters. (Possible Action Item)

1. City Manager David Jones stated this is back on the agenda after last meeting where it was tabled. There have been no questions from the Council on this. We do not need an answer on this tonight, but if there is discussion, we should talk.
2. Councilperson Pam Griswold stated she likes the POS. It seems to be a better policy for the employees as well as saving the City money.
3. Steve Wilkinson suggested they stay with the current plan with no changes.
4. Vice Mayor Lincoln Litchfield stated if we stay with the current PPO, it will increase the amount per employee by a little bit over \$200.
5. Councilperson Pam Griswold stated that would be \$55,473 per year.
6. Vice Mayor Lincoln Litchfield stated the difference between the POS Beyond 1 POS Core 1 would reduce the cost to the City, out of pocket is going to be a little bit more, deductible would be \$6,000 per family, per member it is going up to \$3,000, a difference of \$500.
7. Councilperson Pam Griswold stated there are more options with the Core 1 and it actually costs less on the Core 1 at 40% as oppose to 50% now.
8. Councilperson Jay Duke stated it could go either way.
9. **Councilperson Pam Griswold moved to for approval to renew employee health insurance at the POS Core 1 benefits with Prominence Health Plan, and all related matters. Vice Mayor Lincoln Litchfield seconded. The motion carried Mayor Dana Holbrook voting in favor and Councilperson Jay Duke voting against.**

VII. Review, discussion and possible approval of City expenditures for the period's 5/7/2016 to 5/20/2016, and all related matters. (Possible Action Item)

1. Vice Mayor Lincoln Litchfield noted his conflict of interest with payment for Auto Zone and would recuse himself from those payables.
2. Discussion was held on a badger in the city who was aggressive to kids, so an exterminator was brought in.

3. City Manager David Jones explained some of the charges on the report to Mayor Dana Holbrook including SCADA, the system controlling the water and sewer, noting it is archaic. The larger payments were for radios and hardware. He stated Steve Ehrman builds these in his shop and brings them out to the field to test them.
4. **Councilperson Bob DeMars moved approval of City expenditures for the periods 5/7/2016 to 5/20/2016, and all related matters. Councilperson Jay Duke seconded the motion. The motion carried with Vice Mayor Lincoln Litchfield recusing himself from payables to Auto Zone due to conflict of interest and voting in favor of the remainder of payables for this period.**

VIII. Review, discussion and possible approval of the Regular Meeting Minutes for the City of Carlin, City Council Meeting on April 27, 2016, and all related matters.

1. Mayor Dana Holbrook could not vote.
2. **Councilperson Jay Duke moved for approval of the Regular Meeting Minutes for the City of Carlin, City Council Meeting on April 27, 2016, and all related matters. Vice Mayor Lincoln Litchfield seconded the motion. The motion carried with Councilperson Pam Griswold voting in favor. Mayor Dana Holbrook and Councilperson Bob DeMars abstaining.**

IX. Review, discussion and possible approval of the Special Session Budget Hearing Minutes for the City of Carlin, City Council Meeting on March 16, 2016, and all related matters. (Possible Action Item)

1. **Vice Mayor Lincoln Litchfield moved for approval of the Special Budget Hearing Meeting Minutes for the City of Carlin, on March 16, 2016, and all related matters. Councilperson Jay Duke seconded the motion. The motion carried with Councilperson Bob DeMars voting in favor. Mayor Dana Holbrook and Councilperson Pam Griswold abstaining.**

X. Review, discussion and possible approval of the Regular Meeting Minutes for the City of Carlin, City Council Meeting on May 11, 2016, and all related matters.

1. **Councilperson Jay Duke moved for approval of the Regular Meeting Minutes for the City of Carlin, City Council Meeting on May 11, 2016, and all related matters. Councilperson Bob DeMars seconded the motion. The motion carried with Mayor Dana Holbrook abstaining.**

XI. City Council Members' Reports. (Non-Action Item)

1. Vice Mayor Lincoln Litchfield reported that the Planning Board is moving forward with Title 3. They will hold a meeting at the Senior Center with their board. He noted the Cemetery looks good and complimented Public Works Director Carlos Esparza and his crew.
2. Councilperson Pam Griswold reported she told Elko Sanitation that there were 12 units at Public Works that need to be picked up and there are 9-10 units at the office. She had an email noting that they do not take the refrigerators; the landfill will not take them without the refrigerant removed prior to removal at the landfill. Mike Hess told us that effective immediately under state permitting. Individuals bring them in, but not on a commercial level. She called and was told that the only way they would pick them up is if Public Works pay a plumber or someone who works with Freon to remove the Freon to dispose of that. "Right now, we have approximately 20 units and I have no idea what to do with them. Any suggestions would help".
3. Public Works Director Carlos Esparza stated he does not have the equipment. It would cost about \$100 per refrigerator.
4. Councilperson Pam Griswold reported she would check further, but does not want these recycled items taken out to Mary's River and dumped. Starting the 2nd and 4th Saturdays in

June, the dumpster will be open through October for trees and branches and metal. She and Lila Sexton, Carlin Code Enforcement Officer, are volunteering to go down there for the convenience of the citizens. She will be volunteering her time and Lila Sexton has approval for her time. They are hoping this will work with Lila's code enforcement. She attended the Fire Department meeting on Saturday and they will be retrieving the bodies of the Chinese railroad workers that were sent to UNLV in the 1990s after being discovered on Tuscarora Road. They will be brought back to Carlin for a proper burial. She reported the Fire Department will be raffling off a 2016 Harley Davidson street bike at \$100 per ticket and will be drawn at the 2017 Spring Fling. The building fund at the Fire Department is \$59,706.75 currently.

5. Councilperson Jay Duke recommended the new building inspector should review the plans.
6. Councilperson Pam Griswold reported she talked to them about the Western Heritage Festival in August to see if they wanted to run the bar but were hesitant because of fire season. EMT's have taken their exams and there are now 7 more basic providers.
7. Councilperson Bob DeMars reported the second event at the track was the second biggest since 2009. He congratulated Mayor Dana Holbrook on his first meeting.
8. Public Works Director Carlos Esparza reported they would work on some potholes.
9. Councilperson Jay Duke reported he attended the NNRDA meeting and will have a presence at the National Mining Show in Las Vegas this year, which comes up every 4 years. Population in Jackpot has dropped from 1,300 to 800. Justice of the Peace will be no more in Jackpot. Eureka and White Pine Counties will join the NNRDA. This will help the funding and overall there is a meeting for an annual economic conference at UNR September 20-22 and Elko County has submitted a video, which includes Carlin as an award. It could give Carlin some exposure.
10. Mayor Dana Holbrook reported his days off are Monday and Tuesday. I have been trying to meet with the Department Heads. He will try to follow-up with everyone.
11. Anna Dean stated they were going to try to bring everyone in. There is a meeting of Friends of the Library on June 21st at 6:00 p.m. at the Senior Center.
12. Councilperson Jay Duke discussed GBC graduation.

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

1. City Clerk LaDawn Lawson reported they are getting ready for the election. The County wants one more person to help with the election in June and if anyone is willing, they should call her and she will pass it on.
2. Councilperson Pam Griswold offered.

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

1. City Manager David Jones reported he provided a report on the RR weeds as well as a financial statement comparison. Joe Benzie is the new inspector at Public Works. He stated the audit would be conducted soon.

XIV. Carlin Police Department Report. (Non - Action Item)

1. Chief Fobes reported Jason Evans graduated from the academy and he asked him to come in so the Council could meet him.

XV. Carlin Fire Department Report. (Non - Action Item)

1. The Fire Department had no report.

XVI. 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. Fred Montes de Oca inquired if Joe Benzie was from Battle Mountain.

- XVII. Adjournment. (Possible Action Item)**
Councilperson Pam Griswold moved for adjournment with Vice Mayor Lincoln Litchfield seconding the motion. The meeting was adjourned at 8:42 p.m.

APPROVED:

MAYOR DANA HOLBROOK

ATTEST:

CITY CLERK LADAWN LAWSON