

CARLIN CITY COUNCIL  
CITY OF CARLIN, STATE OF NEVADA  
REGULAR MEETING  
CARLIN CITY HALL  
101 SOUTH EIGHTH STREET  
CARLIN, NEVADA

September 9, 2009, 7:00 p.m.

**Call to Order and Roll Call:**

Mayor Cliff Eklund called the meeting of the City Council to order at 7:30 p.m.

1. Council Members Present: Mayor Cliff Eklund  
Vice Mayor Donnetta Skinner  
Councilperson Lee Griswold  
Councilperson Lincoln Litchfield  
Absent: Councilperson David Trujillo
2. Administrative Staff: City Manager Glenn Trust, City Clerk LaDawn Lawson, Carlos Esparza, Director of Public Works
3. Public Present: Anna Dean, Craig LaGier, Steve Feasel, Howard Wright, Fred Montes de Oca

**I. Discussion, review and possible approval of the Community Garden program to be located on City property at Sixth Street and Main Street, presented by Councilperson Lincoln Litchfield, and all matters related thereto. (Action Item)**

1. Councilperson Lincoln Litchfield stated the packet contains a plot plan with the front half 50 square foot garden plots and the back would be a seating area, a time line with appropriate dates and rules and regulations and finally agreement to be signed.
2. Steve Feasel complimented Councilperson Lincoln Litchfield on his efforts. "5 'x10' plot may be too small and a person may need two. Is there a timeframe for closing this at night.
3. Councilperson Lincoln Litchfield stated he would anticipate dusk to dawn.
4. Steve Feasel inquired about the garden coordinator and if Councilperson Lincoln Litchfield would perform that duty.
5. Councilperson Lincoln Litchfield stated he would.
6. Steve Feasel stated all the information is good and even better if we had an idea of expense proposals for watering, hose bibs, 6-foot chain link fence and picket fence costs.
7. Councilperson Lincoln Litchfield stated, "A lot of this would be donated, but a ballpark figure is \$2,000". He stated he has commitments for donations.
8. Steve Feasel discussed the water.
9. Councilperson Lincoln Litchfield stated there would be two (2) water faucets. "A lot of the labor will be done by me to get it started, obviously some would have to be done by the City to get the tree stumps down".
10. Steve Feasel stated in kind donations should be presented.
11. Councilperson Lincoln Litchfield stated he was thinking about a person donating \$250 would have a plaque.
12. Discussion was held on the trash, and the people would remove their own.
13. Steve Feasel inquired about policing.
14. Councilperson Lincoln Litchfield stated this is provided for in the rules.
15. Discussion was held on community gardens with people discussing what works best and how the garden plot renters would police themselves.
16. Councilperson Lincoln Litchfield stated if teenagers came through in the night and vandalized the garden, it would be handled the same as any property vandalism. He noted there are 16 plots that can be rented and that would pay for the water service, but did not list an amount.
17. Mayor Cliff Eklund stated, "\$100.00 a year".

18. Councilperson Lincoln Litchfield stated, "It is up to each community; it is more for exercise and an outlet".
19. Steve Feasel stated before a cost is assessed it should be estimated how much it will cost.
20. Councilperson Lincoln Litchfield stated the plots are watered by hand, less than it would cost at a home.
21. Vice Mayor Donnetta Skinner inquired about watering by the individuals.
22. Councilperson Lincoln Litchfield replied affirmatively, except for the perennial garden area and he would oversee the watering of those areas.
23. Vice Mayor Donnetta Skinner inquired if \$100 is too much.
24. Mayor Cliff Eklund stated the City would have the water cost.
25. Councilperson Lee Griswold stated there is a certain amount of labor involved by the City.
26. Mayor Cliff Eklund stated the City would have some expenses in putting the garden together that they have to recover.
27. Councilperson Lincoln Litchfield stated they will have the plot for a year and will stop when it is cold.
28. Fred Montes de Oca stated they could start at \$100 to get it started and it could go be lowered.
29. **Vice Mayor Donnetta Skinner moved to approval of the Community Garden program to be located on City property at Sixth Street and Main Street, at a cost of \$100.00 per year per plot. Councilperson Lee Griswold seconded the motion. The motion carried.**
30. Councilperson Lincoln Litchfield volunteered to be the Garden Coordinator.

**II. Review discussion and possible approval of the financial report for July and August, fiscal year 2009-2010, and all matters related thereto. (Action Item)**

1. City Manager Glenn Trust explained the primary concern was the revenues they would receive. "Consolidated Tax, which is our single largest revenue source, and critical to the City, is averaging over \$100,000 per month, \$230,000 year to date, which will put us right at our budget goal. A little bit of concern is under Ad Valorem tax, the first quarter is \$19,312 and prorating this gives us a significantly lower amount than the amount budgeted, although this is cyclical and does not average the same each month. I would anticipate in November and March we will see those numbers come up.
2. Councilperson Lee Griswold stated the County is almost a month behind.
3. City Manager Glenn Trust stated that last year the Ad Valorem ran approximately a month behind. "Once a quarter we will see an influx and we will track for the year. Other than that we are doing pretty well. The expenses are staying flat. General Fund revenue is \$314,835, and expenditures are \$213,423, so the fund is positive. This is the fund we will transfer monies from to pay for the reservoir cover later in the year and other projects".
4. **Councilperson Lincoln Litchfield moved for approval of the financial report for July and August, fiscal year 2009-2010, and all matters related thereto. Vice Mayor Donnetta Skinner seconded the motion. The motion carried.**

**III. Discussion and possible approval of the intent of the City Council in order to provide direction to the Planning Commission in drafting the revised Carlin Planning and Zoning Ordinance, Title 3 of the City Code regarding variances, special use permits, conditional use permits or other special exceptions, and all matters related thereto. (Action Item)**

1. Councilperson Lincoln Litchfield stated this is important that it be put before the Planning Commission first so the people have an opportunity to appeal before it goes to court. He stated the Commission goes through each variance and do their homework before it comes to the Council.
2. Vice Mayor Donnetta Skinner stated David Jones explained this at the previous Council meeting. "I agree that when the people come to the Planning Commission, it would not have to come to us first for approval unless they deny it".
3. Councilperson Lincoln Litchfield stated, "Whether they present it before us or not, we need

- to see every variance, whether they accept or reject it. I do think that the commission being volunteer, that puts a lot on their shoulders”.
4. Mayor Cliff Eklund stated, “I think it needs to come before the Council. We are the elected officials, the ones that the City of Carlin has voted in to administer this. I respect the Commission and it needs to go before the Commission, but they are an advisory board only to the Council. Very seldom if there is a recommendation to us that we go along with it. I think it needs to come before the Council”.
  5. Vice Mayor Donnetta Skinner stated it is a waste of time. “They are the ones that know whether it is right or wrong and they should approve it and bring it to us. If it follows the rules of the Codes, why would it come to us”.
  6. Mayor Cliff Eklund stated, “Because we are ultimately responsible”.
  7. Councilperson Lee Griswold stated there are always two (2) sides to a variance. “This is the Board that is going to take the flak, whether you are for it or against it”.
  8. Councilperson Lincoln Litchfield stated at last meeting, it was said, “a variance is against the code. I think that is another reason it has to come before us. When the Planning Commission gives us the revised Code to look at, this is what we need to abide by. If someone comes before us, it goes against the Code and everything they have worked hard on. You need to be very careful. I think it needs to go before them, but come before us also for approval”.
  9. Mayor Cliff Eklund agreed that because a variance is one against the City Code, “we are the only ones that really has the authority to do that”.
  10. City Manager Glenn Trust reported on the follow-up of his research. He included the NRS which addresses the authority and basically there are four bullets: *A City of less than 25,000, the governing body may appoint a Planning Commission or have the right to keep the planning functions for yourselves; when given the granted power by the governing board, the Commission may grant variances, special use permits, conditional use permits and other exceptions to the code; when the ability to grant variances, permits, etc. is given to the Commission, it may be in whole or it may be for specific, enumerated types of variances or permits; there must be an appeal process in place. This process grants to the variance applicant or to a person opposed to the variance the right to appeal to the governing body and specifies how this is to be done and the timeframe in which the appeal must be filed. Carlin currently has an appeal process and the new code will have one as well.* I recall David Jones requesting that the Council make a decision.
  11. Mayor Cliff Eklund stated the variance has the potential of being before the Council whether denied or approved.
  12. City Manager Glenn Trust stated his concern had been in the granting of a variance, but this is lessened because the protestant has the right to appeal.
  13. Anna Dean stated it is only a week between the Commission and Council.
  14. Mayor Cliff Eklund reiterated the process being used at present.
  15. City Manager Glenn Trust stated, “You have the right to grant the Commission full authority and the appeal comes to you”.
  16. Vice Mayor Donnetta Skinner stated the Commission knows the codes and know whether the person will be within the guidelines of the code. “If they approve it, there is no reason for us not to approve it”.
  17. Councilperson Lincoln Litchfield stated, “If we give the sole authority to the Commission, which is very good right now, they do their homework, they stay on top of the codes, go out and look at the properties, but what would happen if we have a Commission that does not do that”.
  18. Craig LaGier stated, “This is a system of checks and balances. They are doing their job. If something does happen, you have the appeal process”.
  - 19. Councilperson Lee Griswold moved for approval that the current process of items going before the Planning Commission for approval or rejection be maintained and the Commission’s recommendation be presented to the City Council for final action and all**

**matters related thereto. Vice Mayor Donnetta Skinner seconded the motion. The motion carried.**

**IV. Review discussion and possible approval of City Council Meeting Minutes for the Regular Meetings of the Carlin City Council on 8/12/09, and all matters related thereto. (Action Item)**

**1. Vice Mayor Donnetta Skinner moved for approval of City Council Meeting Minutes for the Regular Meetings of the Carlin City Council on 8/12/09, and all matters related thereto. Councilperson Lincoln Litchfield seconded the motion. The motion carried.**

**V. Review, discussion and possible approval of payments for the period 8/13/09 to 8/26/09, and all matters related thereto. (Action Item)**

**1. Councilperson Lee Griswold moved for approval of payments for the period 8/13/09 to 8/26/09, and all matters related thereto. Vice Mayor Donnetta Skinner seconded the motion. The motion carried with Councilperson Lincoln Litchfield abstaining from One-Stop Auto Parts.**

**VI. City Council Members Report. (Non-Action Item)**

**1. None.**

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

**1. None.**

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

**1. None.**

**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. None.**

**X. Adjournment. (Action Item)**

**The meeting was adjourned at 8:10 p.m.**

**APPROVED:**

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**CLIFF EKLUND, MAYOR**

**ATTEST:**

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**LADAWN LAWSON, CITY CLERK**