

CARLIN CITY COUNCIL  
CITY OF CARLIN, STATE OF NEVADA  
REGULAR MEETING  
CARLIN CITY HALL  
101 SOUTH EIGHTH STREET  
CARLIN, NEVADA  
September 23, 2009, 7:04 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.

1. Council Members Present: Mayor Cliff Eklund  
Councilperson Lee Griswold  
Councilperson Lincoln Litchfield  
Councilperson David Trujillo  
Absent: Vice Mayor Donnetta Skinner
2. Administrative Staff: City Manager Glenn Trust, City Clerk LaDawn Lawson, Carlos Esparza, Director of Public Works
3. Public Present: Angie DeMars, Bob DeMars, Kris Jones, Karin Vanich, Felix DeGuzman, Jocelyn DeGuzman, Tim Gray, Robert Jones, Brenda Jones, Shirley Hampton, Anna Dean, Fred Montes de Oca

**Pledge of Allegiance**

**I. Review and discussion of proposed projects to be submitted for Community Development Block Grant Funding and comment from the public regarding proposed projects or projects to be included for consideration by the City Council. (Non-Action Item)**

1. Mayor Cliff Eklund reported the proposed projects are listed as Sewer Screen Auger, Curb, Gutter and Sidewalk, Low income housing, part of the property surrounding the Senior Center was designated years ago for that purpose, Home Ownership Assistance with interest and/or interest payments to low to moderate income families, Tomera Ranch Water Line, "which is a project that I have dedicated myself to with very little success or help from the federal government or state", New Fire House, Main Street Renovations, Sewer Line Extension to proposed El Dorado Hills development and we have had contributions from the County, money that is still in the General Fund, Debris Removal 603 Main Street, the Fong property that has been brought up many times.
2. Shirley Hampton from Nevada Health Centers, which operates the Carlin Clinic stated, "I talked to City Manager Glenn Trust about getting the new Community Health Center on this list. In February 2008, the City of Carlin granted a parcel of land to Nevada Health Centers to build a new health center located near the Senior Center. Last year, we worked with the City Manager, Mayor Eklund and other employees to submit a CDBG application to get the funds to assist with the building. We were not selected, because there were insufficient funds dedicated to the project and that the overall budget for the project had been underestimated. At the time, we felt sure we would have some federal stimulus dollars coming to us and I talked to City Manager Glenn Trust and was under the impression that the City was in agreement to move forward this year with the CDBG project. During the past year, the good news it that we have raised \$411,000 that is committed to building the health center. The caveat with that money is that it does come from the American Recovery and Reinvestment Act and it does mean that we have to obligate all of the funds by August 2011. The challenge is that we have a short timeline in order to use that funding. The other thing we did is reevaluate the cost of the project and we have not gotten a formal bid. We are going to work with an architect and builder coming here. Because for some reason, if the City of Carlin is not interested in pursuing the project, we are going to reinvest the money in the architectural

- planning. But at this point we think it will be between \$625,000 and \$650,000, meaning we would still have \$200,000 to raise.
3. Mayor Cliff Eklund stated, “The City is interested in pursuing this, because it is very important for Carlin to have a facility like this if it is going to continue to grow and we need to provide healthcare for our citizens, particularly our seniors where it is not convenient for them to travel to Elko and back. We are very aware that you have outgrown the existing facility. I don’t know what we can do to help financially, but if we can assist in obtaining grants, we will work with you”.
  4. City Manager Glenn Trust stated he would add the health center to the list of projects, which requires 14 days to post it and have the public see it. At the next meeting, the City Council will vote on whatever project they wish. We are only allowed one (1) project”.
  5. Shirley Hampton stated the funding, because it came from the Recovery Act is only a one-time funding. “It is now or never”.
  6. Discussion was held on the cost.
  7. Shirley Hampton stated she has a formal proposal she would submit to the City.
  8. Councilperson Lincoln Litchfield stated “If it were to go forward tomorrow, you are not really shovel ready today”.
  9. Shirley Hampton stated they got notification that they received this money and have two (2) other projects we are working on, because we had other funding come in, so the architect is working on those other projects because they are bigger and this is slated to be next”.
  10. Discussion was held on the other projects, a building for a community health center in Carson City, along with an administrative office and a similar building in Las Vegas.
  11. Felix DeGuzman stated he is the provider for the Community Health Center for the past seven (7) years. “Our commitment stays with the community at this point time. I personally know the Carlin community is going to grow. I have made a commitment to stay, with all the health provider shortage, my commitment stays with the community, even though I have to be in Elko once in a while because of the shortage over there. I intend to do that hopefully until I retire”.
  12. City Manager Glenn Trust stated the list of projects will be posted and the health center will be added.
  13. Discussion was held on the sewer screen.
  14. Mayor Cliff Eklund stated, “There are a lot of projects on here that need to be done and one that we need to definitely consider is the Clinic”.

**II. Review, discussion and possible approval of A Special Use Permit requested by Kris and Brenda Jones to erect a metal shop, without a house, at 103 Tomera Ranch Road, Carlin, Nevada, Zoned Rural Residence and Farming, and all matters related thereto. (Action Item)**

1. Kris Jones explained, “I planned on getting a package deal where you buy a trailer and you get the money to build a shop. I talked to the lady the first time and she told me real promising things, how affordable it was and how I could do all of this and then I moved forward with it. I ordered the shop and I talked to her again and the bottom had gone out of the market and they weren’t so promising. I couldn’t quite move forward with it. I just bought the shop. I don’t have the money to build the shop and a house right now. What I wanted to do was erect the shop this year and do a stick built house next year”.
2. Mayor Cliff Eklund stated, “A 30 x 60 shop”.
3. Kris Jones stated, “16 feet tall at the peak and 12 foot door. I have beat all of the offsets and have even added footage, adding 10 feet to the sides of my whole property and I added 15 feet off the front. I have tried to allot enough room so that it is well within the setbacks and plenty of space between it. Another good reason I would like to put the shop up is that it would be a nice place for me to store the materials when I build the stick-built house and it would be safe. The building meets all of the restrictions. I am not trying to cut any corners at

- all. I am trying to get this up so it does not sit out in the weather all winter long”.
4. Mayor Cliff Eklund inquired if he has submitted everything to the City Engineer.
  5. Kris Jones stated affirmatively, noting they are all engineer drawings, pass all of the codes.
  6. Councilperson Lee Griswold does not have any objections.
  7. Councilperson Lincoln Litchfield stated, “You have the door on the southeast corner, why would you not be facing that toward Tomera Ranch”.
  8. Kris Jones stated, “The way everyone builds their shops facing north; they get big drifts. I faced my to the south so I wouldn’t get that”.
  9. Councilperson Lincoln Litchfield stated he has no objection to the shop, but would like a commitment that he will put his home there.
  10. Kris Jones stated, “I plan to build the house”.
  11. Councilperson David Trujillo stated he has no problem with this.
  12. **Councilperson Lincoln Litchfield moved for approval of A Special Use Permit requested by Kris and Brenda Jones to erect a metal shop with the stipulation that a home will be built on the property in the future at 103 Tomera Ranch Road, Carlin, Nevada, Zoned Rural Residence and Farming, and all matters related thereto. Councilperson Lee Griswold seconded the motion. The motion carried.**

**III. Review, discussion and possible approval of A Special Use Permit requested by Dan Thompson, C & T Investments to operate a multiple-family dwelling at 509, 509½, 511 and 511½ Cedar Street, Carlin, Nevada, Zoned Intermediate Residential, and all matters related thereto. (Action Item)**

1. Mayor Cliff Eklund read the following letter into the minutes: *Subject: Request for Special Use. This letter is in response to the notice I recently received regarding a Special Use Permit, which has been applied for at 509 Cedar St., adjacent to my home. My experience with the renters, which have occupied this property, has been unacceptable. On a regular basis, I find these occupants and guests to be very loud after 10 p.m. in the evening to the point where I have been woken out of a dead sleep. If this occurred only on the weekend, I might be inclined to dismiss it. However, I work a shift, which requires me to leave for the job at 4:30 a.m. four (4) days a week. There is also the issue of parking; it is obvious that there are not enough spaces for the amount of cars, trucks, boats and other vehicles that may be parked in front of our home. Also I’m very concerned about the kinds and quantity of dogs and other pets, which will be in residence at this proposed apartment complex. Will each unit be allowed up to four (4) dogs? The city is diligently working to update the requirements for rental property in residential areas. I trust the Council will refuse to grant this request for Special Use. Sincerely Timothy Gray, Homeowner.*
2. Fred Montes de Oca stated, “I did not get a letter, but I live west of him and I have to agree with what he says in that letter. There has been way too much noise over there. I don’t know why there is so late at night”.
3. Mayor Cliff Eklund inquired if anyone had contacted the police about this issue.
4. Tim Gray stated he had not in the past, noting he would be glad to take a videotape.
5. Mayor Cliff Eklund stated, “We have an ordinance about noise after 10 p.m. If you are having these types of issues, it should be addressed. It gives us a little more to work with if we have had police complaints and a police report”.
6. Councilperson Lincoln Litchfield stated, “The police have been very diligent in this area. Police are good to come when called”.
7. Mayor Cliff Eklund inquired if there was any representation from the owner of the property.
8. Councilperson Lincoln Litchfield stated, “This came up when I was on the Planning Commission and I had a couple of questions on it that were never satisfied to my understanding of the codes. I think we need to talk to the property owner on this”.
9. Mayor Cliff Eklund suggested it be tabled with a request for the owner to address the issues.
10. City Manager Glenn Trust stated, “Mr. Thompson was notified of the meeting”.

11. City Clerk LaDawn Lawson stated they would have received a letter.
12. Mayor Cliff Eklund stated this could be tabled until City Manager Glenn Trust talks to the owner.
13. Councilperson David Trujillo inquired if Mr. Thompson is a new owner, stating, "Wasn't the Special Use Permit given prior to his ownership".
14. City Clerk LaDawn Lawson explained, "The owner sold the property and the Special Use Permit was never applied for by the new owner, Dan Thompson. We closed out the old Permit and you requested that I contact Mr. Thompson that he needed a Special Use Permit for the property and he filled one out and submitted it".
15. Councilperson Lincoln Litchfield inquired if Mr. Thompson is a resident of Carlin.
16. City Clerk LaDawn Lawson stated, "He is a resident of Elko".
17. City Manager Glenn Trust stated if this was tabled in order to discuss this with Mr. Thompson, they should re-notify the other people so they could be present.
- 18. Councilperson Lincoln Litchfield moved to table approval of A Special Use Permit requested by Dan Thompson, C & T Investments to operate a multiple-family dwelling at 509, 509½, 511 and 511½ Cedar Street, Carlin, Nevada, in order to have the property owners re-notified and have Mr. Thompson appear at the next Council Meeting and all matters related thereto. Councilperson Lee Griswold seconded the motion.**
19. Tim Gray stated, "This is a specific address where we are trying to accommodate everyone and I don't have an issue with that. We continue to do spot zoning, besides my personal problems with it, what I see is that we are trying to stuff a lot of things into a very small area. I didn't even mention storage units. It is hard for me to understand how he is going to have enough room to keep a car and a half off the street and meet all of these other requirements. I think he needs to show us how he plans to do that".
20. Mayor Cliff Eklund stated the problem is that this was an existing apartment complex and when he purchased this property; there was an existing special use permit that was granted. "I think we can put stipulations on the special use permit. I think we would end up in a legal battle if we flat refused it".
21. Tim Gray stated, "I am envisioning up to 16 dogs on the property".
22. Mayor Cliff Eklund thanked him for bringing up the issue.
23. Councilperson Lincoln Litchfield stated he has "plenty of questions".
- 24. The motion carried.**

**IV. Discussion and possible approval of a proposal to schedule the next Regular City Council Meeting on October 7, 2009 at 7 pm instead of October 14, 2009, in order to allow City Administration and City Council members to attend the annual Nevada League of Cities Conference, and all matters related thereto. (Action Item)**

1. Mayor Cliff Eklund stated this is held at Henderson with a lot of good training for Council Members and Administrative Staff, noting, "I think it is worthwhile for consideration to move this meeting up".
2. City Manager Glenn Trust stated he made a mistake and would ask that the date be October 8 because the 7<sup>th</sup> of October is a Planning Commission meeting and would give a full 14 days to post the proposed projects for the CDGB grant.
3. Mayor Cliff Eklund stated he has a problem if it is agendaed for that date.
4. Councilperson Lincoln Litchfield stated he talked to Chairperson David Jones and asked if he would be willing to move their meeting up to 5:30 p.m. that day and he stated he had no problem with doing that.
5. Discussion was held on the 14 days posting time.
6. Councilperson Lincoln Litchfield stated he could not go to the League of Cities this year, but feels it is important that everyone who can go should attend.
7. Mayor Cliff Eklund stated that Vice Mayor Donnetta Skinner would also be unable to go, listing those who would attend.

8. Chairperson David Trujillo stated he did not see a problem.
9. **Councilperson Lincoln Litchfield moved for approval to schedule the next Regular City Council Meeting on October 7, 2009 at 7 pm instead of October 14, 2009, in order to allow City Administration and City Council members to attend the annual Nevada League of Cities Conference, and all matters related thereto. Councilperson David Trujillo seconded the motion. The motion carried.**

**V. Review discussion and possible approval of City Council Meeting Minutes for the Regular Meeting of the Carlin City Council on 8/26/09, and all matters related thereto. (Action Item)**

1. **Councilperson Lincoln Litchfield moved for approval of City Council Meeting Minutes for the Regular Meetings of the Carlin City Council on 8/26/09, and all matters related thereto. Councilperson David Trujillo seconded the motion. The motion carried.**

**VI. Review, discussion and possible approval of payments for the period 9/10/09 to 9/23/09, and all matters related thereto. (Action Item)**

1. Councilperson Lincoln Litchfield inquired about 1065610 page 3, payment to Team Green for \$1820.
2. Mayor Cliff Eklund stated he handed the receipts to Councilperson Lincoln Litchfield.
3. Councilperson Lincoln Litchfield stated it is for hydro seeding 17,000 square feet at \$.13 per foot.
4. **Councilperson Lee Griswold moved for approval of payments for the period 9/10/09 to 9/23/09, and all matters related thereto. Councilperson David Trujillo seconded the motion. The motion carried with Councilperson Lincoln Litchfield abstaining from One-Stop Auto Parts.**

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

1. Councilperson Lee Griswold had no report, and he would be unable to attend the training session.
2. Councilperson David Trujillo reported he had worked during the Chili Cook-Off but heard good reports on the event.
3. Councilperson Lincoln Litchfield reported the Police and Fire Departments are doing an excellent job. He stated he is proud of them and the fact they go beyond what others do and do an outstanding job. He reported the Community Garden has been sprayed and the trees will be cut down tomorrow.
4. Mayor Cliff Eklund reported that the figures are not tallied on the Chili Cook-Off yet, but the sponsorships exceeded the expenses. He stated there was over \$10,000 spent at the liquor booth and sold 500 lbs of ribs. "The contestants said it was all good. It was done well by the organizers; Ron Johnson did a nice job as organizer; City Manager Glenn Trust was heavily involved. We had a tremendous amount of volunteers. We also had a barrel race that weekend with 35 racers and will have another one on October 10. That will be the third event this year. So far, we have not charged any admission. The arena came about from a meeting of goals and we would hope they begin to attend". He noted that the Equestrian Park is pretty much done. He reported there is a new executive director of ECEDA, Pam Borda. He reported that Tim Sirotek attended a Lion's Club meeting and one of its members has donated 450W solar panels to light up the "C". He thanked the Lion's Club and Gary Konakis for the donation.
5. Councilperson Lincoln Litchfield requested that a letter be sent to Gary Konakis.
6. Tim Gray stated that Mr. Konakis has the converter, which is an additional \$2,500 that he is donating. He stated they only need to get the batteries.
7. Mayor Cliff Eklund stated he would be at their next meeting.
8. Councilperson Lincoln Litchfield stated that Mr. Konakis used to teach in Carlin.

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

1. None.

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

1. City Manager Glenn Trust reported he just returned from a meeting with POOL/PACT in Carson City. He reported that the City has been in talks with the railroad for the improvements and to comply with their permit, they have to install curb, gutter and sidewalk. He stated the railroad's intent is to increase the speed limit.
2. Mayor Cliff Eklund stated the railroad has not taken care of its property in Carlin.
3. Fred Montes de Oca stated the trains go 70 mph in Lovelock, 60 mph in Battle Mountain, 70 mph in Wells, so Carlin will probably be 70 mph. He stated they would be whistling throughout the town.
4. Mayor Cliff Eklund stated he mentioned this to City Manager Glenn Trust that other cities have a silent regulation and they may work that out with the railroad.
5. City Manager Glenn Trust stated the speed itself is a concern, because of the danger of train derailment at that high speed and especially with the tracks running through the City. He stated there is also the concern of unknown quantities and materials on the train.
6. Councilperson David Trujillo stated they are putting crossing arms on both sides of the tracks and we need to try to get silent zone.

**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. Fred Montes de Oca stated there are people who want to beat the train in Carlin; the gates will not stop the people.
2. Mayor Cliff Eklund stated he witnessed a crash near his barn, at what they stated was 35 mph.
3. Councilperson Lincoln Litchfield inquired if the railroad is willing to talk.
4. City Manager Glenn Trust stated the people they are talking to say there is nothing about increasing the speed, a position of plausible deniability. "The people who make those decisions are not the ones that deal with the City". He noted that NDOT stated it is common that when they do this, they raise their speed. NDOT stated they would not hear it until it was done.
5. City Manager Glenn Trust stated they are researching this and the City may have the right to regulate the speed of trains through the City. He noted the research is being done to determine if there is a federal law that supersedes that.
6. Tim Gray stated, "how many school children do we have crossing the tracks every evening, which is a heavy safety issue and may give the City traction".
7. Discussion was held on whether a count had ever been made.
8. Discussion was held on putting crossbars at certain streets that are controlled by NDOT.
9. Bob DeMar stated the Gold Rush Motocross Park is very active with a lot of donations, a lot of equipment and fully secured locked gates. They are ahead of schedule with November 1st to have an event. He noted October 3 and 4 will be the first practice. He requested that the Police Department monitor the area due to the amount of tools and equipment there.
10. Councilperson Lincoln Litchfield stated he would call them.
11. Discussion was held on the waterline from the Equestrian Park to the property.
12. Bob DeMars inquired about the rocks from the Interpretive Center and if a couple could be moved to the property.
13. Mayor Cliff Eklund stated there has been opposition in the past.
14. Mayor Cliff Eklund reported he was contacted by a group in Nevada and they are in preliminary stages of organizing an antique tractor show, rib cook-off and an Idaho group

wants to do lawnmower races. The Equestrian Board is discussing combining the three to make a weekend event. He suggested they might discuss this with Mr. DeMars about the lawnmower races being held on the track.

- XI. 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**