

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

April 22, 2009, 7:00 p.m.

**Call to Order and Roll Call:**

Vice Mayor Donnetta Skinner called the meeting of the City Council to order at 7:02 p.m.

1. Council Members Present: Vice Mayor Donnetta Skinner  
Councilperson Lee Griswold  
Councilperson Lincoln Litchfield  
Councilperson David Trujillo  
Absent: Mayor Cliff Eklund
2. Administrative Staff: City Manager Glenn S. Trust, City Clerk LaDawn Lawson, Carlos Esparza, Director of Public Works, Chief of Police William Bauer
3. Public Present: Lisa Wolf, Missa Wolf, Lyndsie Chesnut, Joey Gardner, Teri Atkins, Gary J. Gardner, Karen Hudson, Donald W. Hudson, David Whitmore, Randy Watson, Teri Feasel, Steve Feasel, Jack A. Tiner, Fred Montes de Oca

**Pledge of Allegiance**

- I. **Review, discussion and possible approval of Bill White and Bobbi White to serve on the Carlin Park and Recreation Board, and all matters related thereto. (Action Item)**
  1. **Councilperson Lincoln Litchfield moved for approval of Bill White and Bobbi White to serve on the Carlin Park and Recreation Board, and all matters related thereto. Councilperson Lee Griswold seconded the motion. The motion carried.**
- II. **Discussion review and possible approval of request from Karen Vega for a waiver for installation of curb, gutter and sidewalk at her property located at 305 School Street, Carlin, Nevada, and all matters related thereto.**
  1. City Manager Glenn Trust reported Karen Vega had withdrawn her request.
  2. **Councilperson Lincoln Litchfield moved to table approval of request from Karen Vega for a waiver for installation of curb, gutter and sidewalk at her property located at 305 School Street, Carlin, Nevada, and all matters related thereto. Councilperson David Trujillo seconded the motion. The motion carried.**
- III. **Discussion, review and possible approval of a Special Use Permit to open an Arcade business for persons 13 to 20 years of age at 913 Chestnut Street in the building also occupied by the Peacock Lounge, requested by Sonny Atkins, and all matters related thereto. (Action Item)**
  1. Sonny Atkins stated he had not talked to all of the Council members, explaining "We want to open a pool hall/arcade for kids. There is nothing for them to do in Carlin and this would be a good place for them to go".
  2. Councilperson Lee Griswold inquired if there would be supervision at all times.
  3. Sonny Atkins replied affirmatively, stating "We will have separate bathrooms and any time it is open, there will always be someone over 21 years old there".
  4. Vice Mayor Donnetta Skinner requested that a sign be posted that no adults can bring in drinks to that area.

5. Sonny Atkins stated there would absolutely be no smoking or drinking.
6. Councilperson David Trujillo stated the idea is great, noting his concern is the proximity to the bar. He stated that 5-6 people in the community have expressed interest and say, "what 's it going to hurt to try it out".
7. Sonny Atkins stated, "As a business owner, all I can tell you if it does not work out, I will be the first one to know about it".
8. Chief Bauer presented letters in opposition to the proposal. He stated he is opposed to the arcade at that location. "I would publicly like to state that Sonny Atkins has shown himself to be a responsive and responsible business owner. He has been cooperative with us as a Department. We have had an upsurge in calls to the Peacock and I am appreciative of that. In times past, people who have caused trouble at the Peacock have ended up in an alley with the stuffing beat out of them and ended up in a dumpster. Instead, Sonny Atkins has shown himself to have the police handle these issues. He has been an exemplary businessman in the community. There is nothing personal here. Beyond that, I have no official problem with the video arcade. My original belief was that first, while this is not a bad idea; the location is a real mistake. It is a bar next to a tattoo parlor, that parking in and of itself is an attractive nuisance. We have had accidents here with vehicles and pedestrians. It has proven itself to be a little bit on the risky side as a location. My belief also was that the kids that hang out at video arcades are many times kids who lack parental supervision and are, in some cases, looking for adult role models. I don't think a bar and tattoo parlor is a good hunting ground for good role models. I think that putting kids in close proximity to intoxicated people might very well put them in jeopardy. I talked to Sonny Atkins the other day and this might also put him in serious liability should a kid be injured, beat up, assaulted or whatever by one of his customers. I don't want to leave you with the belief that what I am saying is gospel. I went out and sought the opinions of other people in the juvenile justice system, the PACE Coalition that has done an incredible study on these type of situations alcohol, tobacco and kids. I went to the juvenile probation people, Judge Puccinelli and to the school, and to all of these people, I simply told them flat out this is what is being proposed. I did not express an opinion and every one of those groups gave me exactly the same opinion as I just gave to you. Each one of them said this is not a good idea, traditionally has not been a good idea, has been tried before and is not a good plan. So video arcade, not a problem. Video arcade in the confines of that organization is a bad idea".
9. Councilperson Lincoln Litchfield stated he is not opposed to the idea. "I see kids walking through that area right now, a lot of foot traffic in that area. I have a problem with the catch phrase attractive nuisance: I have heard that more times in this city than I have in my life. What kind of insurance would you have to carry there for this to prevent liability coming back to you".
10. Sonny Atkins stated he does not have the figures yet, but insurance will go up. "You cannot really say that it is going to be more liability for the kids; they are running around the streets as it is right now and there is nothing for them to do and no place to go. This will be within the hours of the curfew, half hour before the curfew; we shut it off and send them home. We will employ three (3) people and open 7 days a week".
11. Councilperson Lee Griswold stated they need something for the kids, but it will need close monitoring to keep the kids away from the bar. "I am for the idea and we should give it a try".
12. Councilperson Lincoln Litchfield stated stipulations can be put into a Special Use Permit.
13. Sonny Atkins stated they already have a set of rules in place, noting, "this is not a school, not a mom's house. The first time you mess up, we send you home. The second time it will be a week and third time, they won't come back. They cannot drink or misbehave or anything".
14. Discussion was held on a patron in the bar harassing the kids.
15. Chief Bauer requested that the Council consider, "With all the coaches who deal with baseball teams, teachers, they go through a fairly rigorous investigation process. We do have

- a fingerprint ordinance in effect and that is exactly what that ordinance was designed to do is to do those background investigations. I would like to propose if the Council moves forward, they include a stipulation there be a work carding system for those people so we can check the employees to make sure they are not pedophiles, because they do gravitate to the places where children are”.
16. Vice Mayor Donnetta Skinner stated she talked to some the kids in Carlin.
  17. Steve Feasel stated, “I have the same feeling as Chief Bauer, but from a different direction. I am not concerned what happens in the building, because I am sure it will be monitored and the kids will be safe. I am concerned about the whole idea of hanging out in this location. What it is is a bar, across the street you have another liquor location and frequently I have noticed people wandering back and forth with open containers. Unfortunately if you have a student or young girl that is hanging out, it is basically like bait, just allowing for a problem to take place. If something does happen, how do you take that back. I hate to step across that line and say it is going to happen, but if it does happen, what are you going to do about it. It is not a good location for kids to be hanging out, inside maybe, outside no. It is not a good mix. I’m sorry because it is a good idea, but it is not a good location”.
  18. Vice Mayor Donnetta Skinner stated, “I think children can be molested in a church just as they can in a bar. I don’t think having the arcade next to a church would be any safer than it would be to a bar. A lot of people who do this stuff are people who don’t think we are watching them and I think they will be watched constantly, not only by Sonny Atkins and the policemen who is on patrol. They will be watched more there than anywhere else”.
  19. Randy Watson stated, “If someone were to be molested, they would have been picked up by a truck driver and gone. What difference if a bar or not. A truck stop is just as easy”.
  20. Steve Feasel stated, “The only thing I am saying is that we are making it more readily available and that is something, in making this decision, if you choose to say yes and something does happen, the consequences are going to be a lot greater than I think you want to deal with. It is easier to say, good idea, but let’s move it somewhere else. We could still monitor it, but if you put it in an area of alcohol and transient people, you are creating a problem for the children. You are going to have kids that are going to be spending a lot more time closer to these transient people off the freeway, saying we will just keep an eye on it. I don’t agree”.
  21. Jeremy Teal stated there are a lot of kids that walk by the liquor store, which has had a lot of police calls of selling to underage kids. At least at the pool hall, they will be playing pool, video games”.
  22. Karen Hudson stated, “One of the things Sonny Atkins said is that the kids are going to be involved at certain times. I don’t know how many people go into the bar in the daytime. There are not a lot of people there. On Friday night, he ends up with a crowd that starts at about 8:00 p.m. and curfew is 10:00 p.m. If those kids are going to be on the street, they will be there anyway. I think the curfew is important”.
  23. Vice Mayor Donnetta Skinner stated in talking to the kids who are seldom in trouble said it was no big deal, that it would be kind of fun to hang out once in a while. The kids who do not have parents at home, “you would be amazed, they don’t like to be alone and they go and walk the streets. Maybe it would be better for them to go to Sonny’s place to be with other kids and have an adult supervising them”.
  24. Donald Hudson stated he was from Ely and there was an arcade with a bar right next to it. He stated, “It worked out great”.
  25. Councilperson Lee Griswold stated he has been raised around bars, noting that kids will find liquor if they want it, but does not think the bars influence that. He noted, “The ones that give you problems, will give you problems anyway”.
  26. Councilperson Lincoln Litchfield inquired about the video outside.
  27. Sonny Atkins stated, “I have the canvas inside the bar right now and I will put some outside on the parking lot”.

28. City Manager Glenn Trust stated, "The City does have the authority and the right to put stipulations on a Special Use Permit and I recommend that some stipulations that have been stated should be put in and Sonny Atkins has made a concerted effort on behalf of the young people. I think we need something that requires it will be a segregated, ages of 13 – 20 and anyone over that age is in violation".
  29. Sonny Atkins stated he does not want to restrict it, but would require that they only drink sodas.
  30. City Manager Glenn Trust suggested alcohol be put in the stipulation and that would allow the City to review the problems.
  31. Chief Bauer stated that Sonny Atkins will be cooperative in every way possible and for the record he would like it recorded that he is still in opposition to it.
  32. Fred Montes de Oca stated it is a good idea, but the people drinking in the bars will cause the problems. He stated they are going to want to stick around.
  33. Lindsay Chestnut reported she works at the bar, noting, "You have no idea how many children come into the bar looking for their parents. It would be a lot easier if the kids are in the arcade".
  34. Vice Mayor Donnetta Skinner stated the parents cannot take their drinks into the arcade.
  35. Councilperson Lee Griswold inquired about the requirements to work in a bar.
  36. Chief Bauer stated at present there are none.
  37. Councilperson David Trujillo stated this is not something that has not been tried before. He noted there are always comments on nothing for kids to do and someone opens up a rec hall and it all changes. I am not happy about the location, but we don't have anything right now, give it a chance".
  38. Vice Mayor Donnetta Skinner agreed.
  39. Sonny Atkins stated he would close it at 10:00 p.m.
  40. Discussion was held on a minimum age.
  41. **Councilperson Lee Griswold moved for approval of a Special Use Permit to open an Arcade business with the stipulation that all employees have a work card, no alcohol or tobacco and hours of operation are only within the hours of curfew for persons 13 to 20 years of age at 913 Chestnut Street in the building also occupied by the Peacock Lounge, requested by Sonny Atkins, and all matters related thereto. Councilperson David Trujillo seconded the motion. The motion carried.**
- IV. Review, discussion and possible approval of payments for the period 4/09/09 to 4/22/09, and all matters related thereto. (Action Item)**
1. **Councilperson David Trujillo moved for approval of payments for the period 4/09/09 to 4/22/09, and all matters related thereto. Councilperson Lee Griswold seconded the motion. The motion carried with Councilperson Lincoln Litchfield recused himself from One Stop Auto Parts.**
- V. Review, discussion and possible approval of City Council Meeting Minutes for the Special Budget Session of the Carlin City Council on April 1, 2009, and all matters related thereto. (Action Item)**
1. Councilperson Lincoln Litchfield pointed out an error on Page 2 18, to fill in the blank saying two (2) years ago".
  2. **Councilperson Lindon Litchfield moved for approval of City Council Meeting Minutes for the Special Budget Session of the Carlin City Council on April 1, 2009 with the change noted, and all matters related thereto. Councilperson David Trujillo seconded the motion. The motion carried.**
- VI. City Council Members Report. (Non-Action Item)**
1. Councilperson David Trujillo had no report.

2. Councilperson Lincoln Litchfield had no report, noting he supports what Chief Bauer said. He stated they need to support and commend the ambulance crew on their efforts.
3. Councilperson Lee Griswold had no report.
4. Vice Mayor Donnetta Skinner reported she was pleased with Chief Bauer's report, noting she has faith in him that it will be done well. She feels that some of the teenagers need a place to go.
5. Chief Bauer stated he has been policing in Northeastern Nevada and hopes it is successful.
6. Vice Mayor Donnetta Skinner reported the new ambulance is still not on board yet; cemetery is getting ready for Memorial Day; and a yard sale will be held at the Senior Center on May 16.

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

1. City Clerk LaDawn Lawson reported the Secretary of State attached an amendment to our bill, which states that we will do everything on the County schedule. The prospects of electronic voting machines are out of our range. It did pass the Assembly. She stated they are trying to address the personal property that should have been turned over to real property.

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

1. City Manager Glenn Trust reported Carlin is fortunate to have the most senior, experienced professional peace officer in Chief Bauer. He appreciates the handling of the previous issue. City Clerk LaDawn Lawson continues to work on the real property conveyances. He pointed out and discussed the figures from the state. He requested that anyone with questions please contact him.

**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. Chief Bauer stated Shawn Sherwood put together a great investigation and able to tag one of the largest marijuana seizures in the west coast. It was all commercially packaged for resale and top of the line. They are trying to find the titleholder on the pickup. He commended Shawn Sherwood on a fine job.
2. Councilperson Lincoln Litchfield stated he saw it and was amazed at how much there was.
3. Chief Bauer stated on May 21, the POW/MIA along with Veterans Affairs will be coming through Carlin with the remains of three (3) servicemen on their way to Arlington and will be escorted through town and back up to Hunter Exit. He noted his appreciation of the dialogue and discussion on the arcade issue, although he is still skeptical.

**XV. Adjournment. (Action Item)**

**The meeting was adjourned at 7:55 p.m.**

**APPROVED:**

---

**DONNETTA SKINNER, VICE MAYOR**

**ATTES T:**

---

**LADAWN LAWSON, CITY CLERK**

