

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

May 13, 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 7:00 p.m.

1. Council Members Present: Vice Mayor Donnetta Skinner
Councilperson Lee Griswold
Councilperson Lincoln Litchfield
Absent: Mayor Cliff Eklund
Councilperson David Trujillo
2. Administrative Staff: City Manager Glenn S. Trust, City Clerk LaDawn Lawson, Carlos Esparza, Director of Public Works
3. Public Present: Roger L. Curry, Gary Kirigin, Mike Davis, Jory Harrison, Karla M. Jones, David Jones, Edith Johnson, Ron Johnson, Steve Feasel, Andy Hawkins, Rex Westemelle, Jorge Armendariz, Brad Hansy, Courtney Pengelly, Chris Salas, Trevor Dudding

Pledge of Allegiance

I. Discussion and possible approval of a plan to publish and send out a bid for restoration of the roof and wall structure of the City Water Reservoir located on Poplar Street, and all matters related thereto. (Action Item)

1. City Manager Glenn Trust stated this item is so that the City can move forward to get bids. He stated it is not up to standard and is a critical issue.
2. Councilperson Lincoln Litchfield inquired about Option 1 & 2 versus Option 3.
3. City Manager Glenn Trust explained Option 3 is the preferred option, which will include a building around the structure with a walkway, the life of which is 50 years. Option 1 would be replacing the roof and timbers inside with a lifespan of 20 years.
4. Councilperson Lee Griswold stated it has to be rodent proof.
5. City Manager Glenn Trust agreed.
6. **Councilperson Lincoln Litchfield moved for a plan to publish and send out a bid for restoration of the roof and wall structure of the City Water Reservoir located on Poplar Street, and all matters related thereto. Councilperson Lee Griswold seconded the motion. The motion carried.**

II. Discussion and possible approval of a plan to publish and send out a bid for construction of the foundation for the new Carlin Library building to be located on Chestnut Street on property behind the Carlin Open Door Senior Citizens' Center, and all matters related thereto. (Action Item)

1. Councilperson Lincoln Litchfield inquired about the date to award the bid on May 13.
2. City Manager Glenn Trust explained that is an error, noting the bid will be opened on May 22nd with bid proposals being awarded on May 27th agenda. He stated it is budgeted under the library fund for the current fiscal year.
3. **Councilperson Lincoln Litchfield moved for approval to publish and send out a bid for construction of the foundation for the new Carlin Library building to be located on Chestnut Street on property behind the Carlin Open Door Senior Citizens' Center,**

Nevada, and all matters related thereto. Councilperson Lee Griswold seconded the motion. The motion carried.

III. Review, discussion and possible approval of a request from Rene and Roger Curry for a waiver for the requirement to install a sidewalk in front of their home at 203 Gold Court as part of improvements to the residence, and all matters related thereto. (Action Item)

1. Roger Curry stated he lives at 203 Gold Court and owns the property at 201 Gold Court, a duplex. He stated he is in the process of building a garage over the \$10,000 limit, which requires a sidewalk and on the street, there are no sidewalks currently. He requested waiver of the sidewalk due to the current curb and gutter, so he can tie his property into that rolled curb and gutter and everything matches. He stated the only sidewalk requirements are on Sage Street. He would like a waiver on just the sidewalk in front of his property.
2. Discussion was held on 201 and 203 being attached, but two separate residences.
3. Councilperson Lincoln Litchfield stated that 201 cannot be split from 203.
4. Councilperson Lee Griswold related he would abstain from the vote, but stated the Cortez subdivision and the lots on the bottom side are flat, but the upper ones have a 5' bank. He stated there has never been any sidewalk construction and there is supposed to be a homeowners association that manages it. He stated in the 30 years he has lived there, it has never been active. He would grant the waiver in this instance for the one building.
5. Councilperson Lincoln Litchfield stated, "The only problem I have with that is that our current code we can set aside sidewalk if it is under \$10,000. I don't think we have any say in this being over \$10,000."
6. City Manager Glenn Trust stated, "The current code does not allow us to defer a sidewalk in construction over \$10,000. I would put an amendment by the City Attorney to defer it on this particular property".
7. Vice Chairperson of the Planning Board, Karla Jones stated she is not sure, as she looked it up. "It is my understanding that you have the ability to waive curb, gutter and sidewalk because we have not currently adopted the new Code".
8. City Manager Glenn Trust stated, "The way the current Code is written, it does not give anyone the right of waiver after the value accrues to \$10,000. I think it would require an amended ordinance".
9. **Councilperson Lincoln Litchfield moved to table approval of a request from Rene and Roger Curry for a waiver for the requirement to install a sidewalk in front of their home at 203 Gold Court as part of improvements to the residence, due to Councilperson Lee Griswold abstaining, and all matters related thereto.**
10. Roger Curry explained he has people pouring concrete on Tuesday, inquiring, "Do I have to leave that particular section out".
11. Councilperson Lincoln Litchfield stated he should leave that area alone.
12. Vice Mayor Donnetta Skinner stated, "I don't like the idea of not having a sidewalk. I had to put a curb and sidewalk just as everyone else in Carlin had to do. This would look so much better if this had a sidewalk".
13. Roger Curry stated he was looking at the engineering of this.
14. Vice Mayor Donnetta Skinner stated she would hope that they would never waive this requirement for anyone. She noted they cannot do anything now except table the item.
15. Roger Curry stated he received a waiver before on the same issue in another cul-de-sac.
16. Councilperson Lincoln Litchfield explained the sidewalk would tie into the driveway and curb.
17. Councilperson Lincoln Litchfield stated, "Anything at all, any dollar amount comes before the Council".
18. **Councilperson Lincoln Litchfield moved to table approval of a request from Rene and Roger Curry for a waiver for the requirement to install a sidewalk in front of their**

home at 203 Gold Court as part of improvements to the residence, and all matters related thereto. Councilperson Lee Griswold seconded the motion. The motion carried.

- IV. Review, discussion and possible approval of a request from Elko County School District to defer the required installation of curb, gutter and sidewalk on Chestnut Street as part of the renovation of the Carlin Combined School, and all matters related thereto. (Action Item)**
1. City Manager Glenn Trust reported the School District sent a letter asking to remove the item from the agenda.
- V. Review discussion and possible approval of a recommendation from the Planning Commission to zone annexed properties as part of City Ordinance Numbers 222 and 226 as Light Industrial, and all matters related thereto. (Action Item)**
1. Karla Jones explained this property is north Old Hwy 40, that was annexed in. “We apparently did not have it drawn and had to finish the work on that. We zoned all of that as Light Industrial”.
 2. Discussion was held on the types of property that could be included.
 3. Karla Jones stated the Planning Board will be looking at the Master Plan again for zoning and rather than spot zone, to use Light Industrial.
 4. **Councilperson Lincoln Litchfield moved for approval of a recommendation from the Planning Commission to zone annexed properties as part of City Ordinance Numbers 222 and 226 as Light Industrial, and all matters related thereto. Councilperson Lee Griswold seconded the motion. The motion carried.**
- VI. Review, discussion and possible approval of Special Use Permits renewals for:**
- Ron Johnson, 261 Main Street - tool storage and meeting room
 - Ron Johnson, 251 Main Street - converted a house to office
 - Carlin Citizens’ Group/Jon Gift - championship football sign beside concession stand on 6th Street at the school.
 - Carlin Tire Center, 915 Chestnut Street – Tire sales, service and repair and all matters related thereto. (Action Item)
1. **Councilperson Lincoln Litchfield moved for approval of the Special Use Permits listed above. Councilperson Lee Griswold seconded the motion. The motion carried.**
- VII. Review discussion and possible revocation or continued approval of Special Use Permits for:**
- Cathy Scripter, 113 Cedar Street – home craft business. No business license.
 - Harold Shoemaker, 601 Main Street – bar and restaurant, no longer in business.
 - Dee Pruitt, 932 Chestnut Street – bar, donut shop, car wash, laundromat, not in business
 - Ryon Puett, Parcels A3 & A4 Puett Drive – Public storage complex not developed.
 - Ryon Puett, Parcels A3 & A4 Puett Drive – Revision to previous Permit Request. Not developed
 - Robert Demars, 105 Peters Street – Motorcycle repair and service. Business license not renewed
 - Verl & LaReta Schmidt, 203 Peters Street – Pet grooming. No longer in business.
 - Kari Pittenger, 641 2nd Street – Beauty Salon. No longer in business.
 - Viri Manning, 802 Ash Street – Placement of temporary trailer. Trailer never placed
 - Ruby Mountain Trust, 1501 15th Street – Four-plex housing at location.
- (Action Item)**
1. **Councilperson Lee Griswold moved for revocation of Special Use Permits for:**
 - Cathy Scripter, 113 Cedar Street – home craft business. No business license.

- **Harold Shoemaker, 601 Main Street – bar and restaurant, no longer in business.**
 - **Dee Pruitt, 932 Chestnut Street – bar, donut shop, car wash, laundromat, not in business**
 - **Ryon Puett, Parcels A3 & A4 Puett Drive – Public storage complex not developed.**
 - **Ryon Puett, Parcels A3 & A4 Puett Drive – Revision to previous Permit Request. Not developed**
 - **Robert Demars, 105 Peters Street – Motorcycle repair and service. Business license not renewed**
 - **Verl & LaReta Schmidt, 203 Peters Street – Pet grooming. No longer in business.**
 - **Kari Pittenger, 641 2nd Street – Beauty Salon. No longer in business.**
 - **Virl Manning, 802 Ash Street – Placement of temporary trailer. Trailer never placed**
 - **Ruby Mountain Trust, 1501 15th Street – Four-plex housing at location.**
- Councilperson Lincoln Litchfield seconded the motion. The Motion carried.**

VIII. First Reading and possible approval for posting and second reading of a “Whistle Blower Protection” ordinance as required by NRS 281.645, and all matters related thereto. (Action Item)

1. City Manager Glenn Trust stated this item was recommended by the City Attorney, who feels a need to be in compliance with the NRS Statutes that are applicable, providing us a means for an employee of the City to report activity without any possible retaliation.
2. **Councilperson Lincoln Litchfield moved for approval for posting and second reading of a “Whistle Blower Protection” ordinance as required by NRS 281.645, and all matters related thereto. Councilperson Lee Griswold seconded the motion. The motion carried.**

IX. Review Discussion and possible approval of a plan by Beehive Wireless to erect an antenna/tower at the TV District site to provide wireless internet service to the Carlin, and all matters related thereto. (Action Item)

1. Gary Kirigin reported they need to change the proposal due to the TV District. He stated their first choice is to use what is available. He met with the TV District who noted they were in favor. They are looking to buy and replace the internet service used by City facilities. He explained the configuration of what they propose. He noted that everyone with a laptop would be able to use it. He stated security would be built into it. He stated the only problem they may have would be the trees. He explained the pictures and the tower and height.
2. Discussion was held on wi-fi.
3. Councilperson Lincoln Litchfield inquired about down time.
4. Gary Kirigin stated he believes it would be a ½%. He explained they had a gofer chew through a line that caused a 16 hours outage. He stated they have an 8-10 turnover time on major events. He discussed the possibility of using the telephone poles.
5. Councilperson Lincoln Litchfield inquired about wireless laptops for the cops at a crime scene.
6. Gary Kirigin stated they could, but the more height they have it will be better and it is a strong antenna.
7. Discussion was held on covering the whole town and the number of channels.
8. City Manager Glenn Trust inquired what the value is to Beehive to provide service to the City.
9. Gary Kirigin replied they have to have 300-400 people to break even.
10. City Manager Glenn Trust stated they would market their service to the City and inquired about the extensiveness of the city network that Beehive is willing to buy.
11. Gary Kirigin stated that the proposal includes providing service to any and all of the City’s needs.
12. City Manager Glenn Trust stated he did discuss this with Chief Bauer and the Department

- has a desire to use the laptops on a mobile basis around the City. They want to ensure that is included.
13. Gary Kirigin stated he does not make the dollar decisions.
 14. City Manager Glenn Trust inquired if it does not become profitable, would the service be discontinued.
 15. Gary Kirigin stated the company does not make bad decisions. Statistics prove that Carlin has a large number of people.
 16. City Manager Glenn Trust inquired about downtime, what is the back up.
 17. Gary Kirigin inquired about how critical is down time.
 18. City Manager Glenn Trust stated, "The amount of hours would be critical. I want to make sure that when a vote is taken that all the issues have been covered. What you are saying is when it is down, it is down and there is no back-up system for us to access".
 19. Gary Kirigin stated the only time he has seen a system down in Nevada is when the fiber optics. Wendover and Elko was down. Individual things can be provided, but they are not responsible. Down time is so minimal.
 20. Discussion was held on speed, 10 meg circuit, the average speed during primetime would be 4-7 meg down twice as fast as DSL.
 21. City Manager Glenn Trust inquired what the advantage is to a citizen.
 22. Gary Kirigin stated, cost, efficiency and speed.
 23. Discussion was held about Verizon.
 24. Councilperson Lincoln Litchfield inquired what is to cost to a residential person.
 25. Gary Kirigin replied \$29.95. The same package that is \$99.00 currently would be 50% cheaper.
 26. City Manager Glenn Trust stated no one at the City is an expert on their security and he would only feel comfortable if our systems consultant was to approve and Beehive would be willing to pay for his time to do that.
 27. Gary Kirigin stated he would have to take that option back to the company.
 28. Discussion was held on Don Jones.
 29. Howard Wright stated he is not on the TV Board. He inquired if the technicians would come from Wendover or is one going to be hired locally to work on the system. Discussion was held on the TV District.
 30. Gary Kirigin stated all Beehive needs is power.
 31. Karla Jones stated Don Jones was totally involved in the set up of the entire internet system in the first place and he knows the system. She agrees with City Manager Glenn Trust.
 32. Discussion was held on liability.
 33. City Manager Glenn Trust made the recommendation that they guarantee to meet the needs and their requirements. Any hourly charge should be charged to Beehive.
 34. City Clerk LaDawn Lawson stated Don Jones is very qualified.
 35. Councilperson Lee Griswold inquired what is the direct advantage over what Carlin now has.
 36. Gary Kirigin stated it would be cost and speed.
 37. **Councilperson Lincoln Litchfield moved for approval of a plan by Beehive Wireless to erect an antenna/tower at the TV District site to provide wireless internet service to the City of Carlin, contingent upon Will Johnson and Don Jones being involved and all matters related thereto. Councilperson Lee Griswold seconded the motion. The motion carried.**

X. Review, discussion and possible approval of payments for the period 4/23/09 to 5/13/09, and all matters related thereto. (Action Item)

1. **Councilperson Lee Griswold moved for approval of payments for the period 4/23/09 to 5/13/09, and all matters related thereto. Councilperson Lincoln Litchfield seconded the motion. The motion carried with Councilperson Lincoln Litchfield recusing himself from One Stop Auto Parts.**

- XI. Review, discussion and possible approval of City Council Meeting Minutes for Regular Meetings of the Carlin City Council on 3/25/09 and 4/8/09, and all matters related thereto. (Action Item)**
- 1. Councilperson Lincoln Litchfield moved for approval of City Council Meeting Minutes for Regular Meetings of the Carlin City Council on 3/25/09 and 4/8/09, and all matters related thereto. Councilperson Lee Griswold seconded the motion. The motion carried.**
- XII. City Council Members Report. (Non-Action Item)**
1. Councilperson Lincoln Litchfield reported he met with Chief Bauer who submitted the grants, noting another one they are considering in conjunction with the City of Elko. Wireless Beehive would be beneficial to the Department. He stated the City should consider keeping the dump open on Saturday and he would volunteer his time and ask the other Members to do the same. City Clean Up is doing very well and wishes that more residents would participate.
 2. Councilperson Lee Griswold reported he met with the Elko Recreation and Fair Board and they are still talking about water rights. They are thinking about putting a dam at Devil's Gate.
 3. Vice Mayor Donnetta Skinner reported the Senior Center will have a yard sale on Saturday, and Clean Up is going well. She is pleased about the tree. Chestnut Street looks better and the cemetery is good. They will hold the Veterans Memorial Service on Monday.
- XIII. City Clerk's Report. (Non-Action Item)**
1. City Clerk LaDawn Lawson reported the software people would be coming to the City to assist them with the system problems. She stated they are reviewing the leases, special use permits and land sales.
- XIV. City Manager's Report (Non-Action Item)**
1. City Manager Glenn Trust reported to the Council about the mandated budget hearing on Tuesday, May 19. He inquired if it could be held early, such as 5:00 or 5:30 p.m. He discussed the budget with Warner Ambrose who said it was a pretty good job.
- XV. 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. Trevor Dudding stated that having the dump open on Saturdays, he would suggest they shorten the other days, either Monday or Thursday.
 2. Carlos Esparza, Director of Public Works stated the problem would be that they would have to eliminate one of the workers during the week, and they are shorthanded as it is. They have filled up four (4) dumpsters so far and four (4) more will be on hand tomorrow. He hopes by Friday they will have the city cleaned up. The high School and Little League have tournaments this weekend. The seal on 10th Street was successful and they are shopping around for equipment. There are a couple of projects in the Chinese Gardens. They will be starting on the capital improvement on July 1st of curbs at the cemetery. The new sod and sprinklers are in at the cemetery and they are looking at a project with NDOT on the west side.
 3. Vice Mayor Donnetta Skinner inquired about the garbage that has come in.
 4. Carlos Esparza, Director of Public Works stated it seems quiet, but with the four (4) dumpsters it should be a lot.
 5. Howard Wright stated he has picked up 10 cars and four (4) more to get. He needs 15 more.
 6. Councilperson Lee Griswold stated he met with Carlos Esparza, Director of Public Works and Police Chief Bauer about the alley clean up. He noted they are starting an education

- program that will take a long time “sink in” that the City is serious about this.
7. Karla Jones reported May 26th is the final fun day of Sparky program for 4th through 6th graders. The Spring Fling is May 30th, Dutch oven fundraiser for the Fire Station at a cost of \$10.00 starting at 6:00 p.m.
 8. Fred Montes de Oca stated since they are having problems with the prison on the clean-up, he would suggest they get reform school kids. He stated they did a good job in Elko.
 9. Vice Mayor Donnetta Skinner stated the crews are training to fight fires.
 10. Carlos Esparza, Director of Public Works stated they had seven from Juvenile Parole and Probation in Elko and 15 are expected today. He stated he would check into the NYTC crews.
 11. Fred Montes de Oca stated the NYTC crews help people unload their things at the dump or help people who cannot do the clean-up.

XVI. Adjournment. (Action Item)
The meeting was adjourned at 8:20 p.m.

APPROVED:

DONNETTA SKINNER, VICE MAYOR

ATTEST:

LADAWN LAWSON, CITY CLERK