

**CARSON CITY BOARD OF SUPERVISORS****Minutes of the May 21, 1987 Meeting**

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A regular meeting of the Carson City Board of Supervisors was held on Thursday, May 21, 1987, at the Community Center Sierra Room, 851 East William Street, Carson City, Nevada beginning at 9 a.m.

**PRESENT:** Dan Flammer **Mayor**

E. M. "Doc" Scrivner	Supervisor, Ward 4
Ron Swirczek	Supervisor, Ward 1
Tom Fettic	Supervisor, Ward 2
Marilee Chirila	Supervisor, Ward 3

**STAFF PRESENT:** L. H. Hamilton **City Manager**

Ted P. Thornton	Clerk-Treasurer
Paul McGrath	Sheriff
Alan Glover	Recorder
Walt Sullivan	Community Development Dir.
Charles P. Cockerill	Chief Deputy Dist. Atty.
Bob Auer	Deputy District Attorney
Katherine McLaughlin	Recording Secretary

(B.O.S. 5/21/87 Tape 1-0005)

Mayor Flammer called the meeting to order by leading the Pledge of Allegiance. Roll call was taken. A quorum was present.

**IV. APPROVAL OF MINUTES - March 5, 1987**

(1-0016) Supervisor Scrivner moved to approve the March 5, 1987 Minutes as presented. Supervisor Swirczek seconded the motion. Motion was voted and carried unanimously.

**V. A. PLANNING COMMISSION REFERRAL - REVIEW AND APPEAL MATTER - VARIANCE**

**V-87-5 - DUNN (MSB PROPERTIES) VARY FROM LOT AREA AND WIDTH REQUIREMENTS ON SF6000 - WEST OF SILVER SAGE DRIVE AND 100 FEET SOUTH OF PAT LANE - PLANNING COMMISSION DENIED 3-1 (1-0016)**  
Pulled.

**B. REGIONAL TRANSPORTATION COMMISSION - APPROVAL TO ACQUIRE 52 FOOT RIGHT-OF-WAY KOONTZ LANE NORTH TO KITCHEN-STAFFORD SUBDIVISION -**  
Scheduled for 7 p.m.

**VI. PETITIONS AND COMMUNICATIONS (1-0025)**

Mayor Flammer recessed the Board of Supervisors session and reconvened the meeting as the Liquor and Entertainment Board. A quorum was present.

**A. LIQUOR AND ENTERTAINMENT BOARD MATTERS**

1. **SINNAR (CAMELOT FOODS, LTD.) - DOING BUSINESS AS ROUND TABLE PIZZA - 3815 SOUTH CARSON STREET (1-0035)**

Donald Sinnar and his manager Steve Xeroby responded to questions about procedures when serving liquor and were cautioned to refrain from serving minors. Based on Mr. Sinnar's experience as a pizza parlor owner, Member Fettic moved to approve the Liquor License for Donald Lee Sinnar, doing business as Round Table Pizza, 3815 South Carson Street, subject to final Departmental inspections. Member Swirczek seconded the motion. Motion

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was voted and carried 6-0.

**2. ROMANOS - DOING BUSINESS AS WOODY'S CONVENIENT STORE - 4385  
SOUTH CARSON STREET**

(1-0165) John, Rosemary, and Rick Romano entered their names on the record. Member Swirczek moved to approve the Liquor License for Woody's Convenient Store, 4385 South Carson Street, subject to final Departmental inspections. Member Fettic seconded the motion. Motion was voted and carried 6-0.

**3. LEAHY (CARSON CITY JAYCEES, INC. AND DAVIS AMUSEMENTS  
COMPANY - SHORT-TERM BUSINESS AND ENTERTAINMENT PERMIT FOR  
CARNIVAL AT MILLS PARK ON JUNE 4, 1987, THROUGH JUNE 7, 1987  
(1-0206)**

President of the Carson City Jaycees Tom Leahy explained the request for a short-term business and entertainment permit and waiver of the fees. Tom Baker explained that this fee had been waived for Kit Carson Rendezvous. Parks and Recreation Director Steve Kastens explained that his Department would receive a percentage of the gross, which would go into the General Fund, and reasons for taking a cut of the gross rather than charge a flat fee. Discussion ensued concerning past waivers and the lack of a firm policy on fee waivers. Discussion noted the costs involved with carnivals, the carnival's reasons for using a service agency as a sponsor, and policing problems. Member Swirczek moved to deny the request for a waiver of the fees for the carnival for the Carson City Jaycees Inc. and Davis Amusements Company. Member Fettic seconded the motion. Motion was voted and carried 5-1 with Member Scrivner voting Naye. Member Fettic moved to approve the short-term business license for a carnival for Carson City Jaycees Inc. and Davis Amusements Company between June 4 and 7, 1987, pending receipt of a liability insurance binder, Affidavit of Indemnification and safety inspections on the rides. Member Swirczek seconded the motion. Motion was voted and carried 6-0.

**4. BAKER (KIT CARSON RENDEZVOUS) - ENTERTAINMENT PERMIT FOR KIT  
CARSON RENDEZVOUS AT MILLS PARK ON 6/13-14/87**

(1-0724) Chairman of the Kit Carson Rendezvous Tom Baker and Tourism Director Lynn Lance explained the permit and fee waiver requests. The various activities involved in the rendezvous were included in the explanation. They felt that the Tourism Authority was a branch of the City and, in view of the numerous in-kind contributions made to it, should be granted a waiver. Clarification noted that the request was from the Tourism Director but had not been endorsed by the Tourism Board. Funds generated by the even support Tourism and the next Rendezvous. The feeling was expressed that the Board needed to make a determination as to whether fees should be waived and establish a policy. Member Fettic then moved to approve the entertainment permit for the Kit Carson Rendezvous to be held at Mills Parks June 13 and 14, 1987, and that the waiver of fees not be granted. Member Swirczek seconded the motion. Discussion noted that the fees totaled approximately \$600 and that Tourism had generated approximately \$13,000 last year. Ms. Lance explained the attempt to make the Rendezvous self-supporting. Mr. Baker continued to reiterated his feeling that Tourism was a part of the City and the City was charging itself for a permit. Mr. Hamilton explained the implementation of a cost accounting system which charged for services provided between Departments, specifically enterprise funds. Discussion of this point and the need for a policy continued at length including reasons for having the Board discuss entertainment permits. The motion to approve the entertainment permit but deny the fee waiver was voted by roll call with the following result: Chirila - No due to her feeling that there was a distinction between the Tourism and Jaycees; McGrath - No; Scrivner - No; Fettic - Yes; Swirczek - Aye, that he was not discouraging the Rendezvous of service organizations, but due to the need for a policy which would clearly avoid the preconceived image of or showing favoritism; Chairperson Flammer - Yes. Motion died on a 3-3 vote.

Member Fettic then moved that the Board approve the entertainment permit for Kit Carson Rendezvous to be held at Mills Park on June 13 and 14, 1987. Member Scrivner seconded the motion. Motion was voted and carried 6-0.

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The Board then commended Ms. Lance on her performance as Tourism Director and wished her the best in her new ventures.

Member Fettic then directed the City Manager to draft a policy to address fees when a dollar-for-dollar trade occurs.

**5. ANNUAL SHOT-TERM LIQUOR PERMITS FOR 1987 FOR NON-PROFIT ORGANIZATIONS**  
(1-1614)

**a. BREWERY ARTS CENTER**

Member Fettic moved to approve the Short-term Liquor Permit for Brewery Arts Center for 1987. Member McGrath seconded the motion. Motion was voted and carried 6-0.

**b. CARSON CITY JAYCEES (1-1625)**

Member Scrivner moved to approve the Short-Term Liquor Permit for the Carson City Jaycees. Member McGrath seconded the motion. Motion was voted and carried 6-0.

**c. CARSON SERTOMA CLUB (1-1640)**

Member Swirczek moved to approve the Short-Term Liquor Permit for Carson Sertoma Club. Member Fettic seconded the motion. Motion was voted and carried 6-0.

**d. MAVERICK LIONS CLUB (1-1654)**

Member Fettic moved to approve the Short-Term Liquor Permit for the Maverick Lions Club. Member Swirczek seconded the motion. Motion was voted and carried 6-0.

**e. PROSCENIUM PLAYERS (1-1663)**

Member Chirila moved to approve the Short-Term Liquor Permit for the Proscenium Players. Member McGrath seconded the motion. Motion was voted and carried 6-0.

**f. RETIRED SENIOR VOLUNTEER PROGRAM (1-1670)**

Member McGrath moved to approve the Short-Term Liquor Permit for the Retired Senior Volunteer Program. Member Fettic seconded the motion. Motion was voted and carried 6-0.

There being no other Liquor or Entertainment Board Matters for discussion, Chairperson Flammer adjourned the Liquor and Entertainment Board and reconvened the hearing as the Board of Supervisors. A quorum was present as noted.

**B. STEWART - REQUEST TO ABANDON UNNAMED STREET - PARALLEL TO VOLTAIRE BETWEEN ROVENTINI AND CLEARVIEW DRIVES M-87-8)**

(1-1684) Supervisor Fettic moved to refer M-87-8 to the Regional Planning Commission for public hearing. Supervisor seconded the motion.

**BREAK:** At 10 a.m. a ten minute recess was taken. When the meeting reconvened at 10:10 a.m., a quorum

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was present.

Staff's desire to abandon the entire 30 foot easement was noted. Supervisor Fettic restated his original motion and Supervisor Swirczek continued his second. Motion was voted and carried 5-0.

**VII. RESOLUTIONS (1-1795)****A. FINANCE DIRECTOR - CHECK DISBURSEMENT REGISTER FOR APRIL 1987**

Supervisor Swirczek moved to approve the April 1987 Check Disbursement Register. Supervisor Fettic seconded the motion. Motion was voted and carried 5-0.

**B. CLERK-TREASURER (1-1830)****1. FINANCIAL REPORT FOR APRIL 1987**

Supervisor Fettic moved to accept the April 1987 Treasurer's Financial Report. Supervisor Scrivner seconded the motion. Motion was voted and carried 5-0.

**2. BUSINESS LICENSE REINSTATEMENTS (1-1840)**

All penalties, reinstatement fees, and application fees have been paid. Supervisor Fettic moved to reinstate the Business License for Joaquin Fontes, doing business as Fontes Landscape Maintenance. Supervisor Swirczek seconded the motion. Motion was voted and carried 5-0.

**C. CONSIDERATION TO ISSUE SHOW CAUSE ORDER REVOKING THE BUSINESS LICENSE OF HARVEY LLOYD PERSON - DOING BUSINESS AS JUNIOR CAREERS (1-1860)**

Following Mr. Cockerill's explanation of the legal requirements to revoke a business license, Supervisor Fettic moved to authorize the District Attorney's office to issue a show cause order to require Mr. Harvey Lloyd Person to appear before the Board of Supervisors at the next regularly scheduled meeting and show why is License should not be revoked, cancelled, or suspended. Supervisor Scrivner seconded the motion. Motion was voted and carried 5-0.

**D. ASSIGNMENT OF LEASE FROM EARL MISTER (PORT-A-HANGARS) TO L/F TECHNOLOGIES (1-1945)**

L/F Technologies' Vice President of Finance Ron Law, Clerk-Treasurer Thornton, City Manager Hamilton, Mentors Unlimited's Attorney David Nielsen, and the Board discussed at length Mr. Miser's contract, the assignment, the area under lease, and L/F Technologies plans for the area. Supervisor Fettic moved to approve the assignment of lease from Port-A-Hangars to L/F Technologies as presented. Supervisor Swirczek seconded the motion. Motion was voted and carried 5-0.

**E. GOLF COURSE ADVISORY COMMITTEE - CONFIRMATION OF CURRENT MEMBERS AND APPOINTMENT OF TWO ADDITIONAL MEMBERS (1-2200)**

Parks and Recreation Director Steve Kastens requested confirmation of the current Committee Members. Supervisor Fettic moved to confirm the present members of the Golf Course Advisory Committee, who are Supervisors Swirczek and Scrivner, Clerk-Treasurer Ted Thorn, President of the Eagle Valley Men's Club Bill Wit, and President of the Eagle Valley Women's Club Joyce Golden. Supervisor Chirila seconded the motion.

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Motion was voted and carried 5-0.

Mr. Kastens then explained the request to nominate two at-large members and the Committee's recommendation. Supervisor Fettic then moved to nominate John Gaskill and Ed Kimbrell to the Golf Course Advisory Committee. In that it was felt that this procedure should not be followed, the Board decided to vote for the four individuals and then nominate the top individuals. Votes supporting the various individuals were cast by each Board member as follows: Gaskill - 5; Bowler - 1; and Kimbrell - 4. Supervisor Scrivner then moved to appoint John Gaskill and Ed Kimbrell to the Golf Course Advisory Committee. Supervisor Swirczek seconded the motion. Motion was voted and carried 5-0.

**F. PUBLIC WORKS DIRECTOR - DISCUSSION AND REQUEST FOR DIRECTION CONCERNING WINTER SEWER AVERAGING (1-2582)**

1. PROGRAM ALTERNATIVES
2. REVIEW OF RATE CALCULATIONS

Public Works Director Dan O'Brien, Administrative Assistant Margaret Robinson, Mr. Hamilton, Richard Waiton, Mr. Cockerill, and the Board discussed the four alternatives outlined in a Public Works report, the present procedures, the procedure determine to be erroneous during the late rate study, and Mr. Long's concerns as indicated at the last Board meeting. The report included examples of alternatives. Due to the financial impact any changes in procedures would cause, the Board directed that the item be placed on the next agenda so that additional impact studies could be made and evaluated. The Board also directed Public Works to write Mr. Long a letter outlining Mr. Auer's determination that the Department was correctly applying the Code when billing him.

**G. CONSIDERATION AND APPROVAL OF LEASE BETWEEN CARSON CITY AND MENTORS UNLIMITED (2-0725)**

Considerable discussion ensued between Mentors Unlimited's Attorney David Nielsen, L/F Technologies Attorney Gary Owen, L/F Technologies President Al Fiegen, the Board Members, Mr. Cockerill, Mr. Hamilton, Hangar Seven and several other FBO lessees' Attorney David Small, and Mentors Unlimited's CPA John Bullis concerning Mentors Unlimited's and L/F Technologies plans for the property, the Board's actions and discussions on the lease including the original bidding process, legal posting requirements, which firm had the better offer for the City and its residents, L/F Technologies' feeling that it had been prohibited by staff from actively participating in the process, tax advantages of Mentors' plan, and other FBO lessees' support for Mentors' plan if the property is not left in its present state. Supervisor Scrivner moved to approve the lease between Carson City and Mentors Unlimited for a fixed base lease at the Carson City Airport. Supervisor Fettic seconded the motion. The motion was voted by roll call with the following result: Swirczek - Yes, due to his feeling and based on the District Attorney's advice that the item of greatest public concern - the legal noticing process - had not been violated and, as all three parties involved in the original bidding process were available, it appeared to him that L/F Technologies had had the opportunity to submit a written request to participate, which he felt was a viable option available to them, therefore, he felt that Mentors had negotiated in good faith; Scrivner - Yes; Fettic - Yes; Chirila - Yes; and Mayor Flammer - Yes. Motion carried unanimously and so ordered.

**BREAK:** A lunch recess was called at 12:05 p.m. When the meeting reconvened at 1:25 p.m. a quorum was present although Supervisor Scrivner was absent.

**VIII. ORDINANCES - FIRST READING - CARSON CITY MUNICIPAL CODE SECTION 18.06.198 - MODIFICATION TO ALLOW RETAIL AND WHOLESALE SALES OF WELDING SUPPLIES AND GASES AS A CONDITIONAL USE IN THE LIMITED INDUSTRIAL DISTRICT (A-87-3 - PLANNING COMMISSION APPROVED 4-0) (2-2794)**

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Supervisor Fettic moved to introduce on first reading Bill No. 118, AN ORDINANCE AMENDING SECTION 18.06.198 OF THE CARSON CITY MUNICIPAL CODE TO ALLOW RETAIL AND WHOLESALE SALES OF WELDING SUPPLIES AND BASES AS A CONDITIONAL USE IN THE LIMITED INDUSTRIAL DISTRICT. Supervisor Swirczek seconded the motion. Motion was voted and carried 4-0.

**IX. ORDINANCES - SECOND READING (2-2930)**

A. BILL NO. 115 - UNDER CARSON CITY MUNICIPAL CODE 17.21 - AN ORDINANCE APPROVING A DEVELOPMENT AGREEMENT BETWEEN CARSON CITY AND M. F. STAFFORD, INC. ON SKY RIDGE DEVELOPMENT NUMBER 1

Supervisor Fettic moved to adopt on second reading Ordinance No. 1987-17, AN ORDINANCE APPROVING A DEVELOPMENT AGREEMENT BETWEEN CARSON CITY AND M. G. STAFFORD, INC. ON SKY RIDGE DEVELOPMENT NO. 1. Supervisor Swirczek seconded the motion. Motion was voted and carried 4-0.

B. BILL NO. 116 - CARSON CITY MUNICIPAL CODE SECTIONS 12.01.120, 12.01.130, 12.01.270, and 12.02.275 - MODIFICATIONS RELATIVE TO USE OF SPRINKLERS DURING THE SUMMER TO SPECIFIED DAYS AND OTHER MATTERS PROPERLY RELATED THERETO

(2-2966) Mr. O'Brien responded to questions from the Board concerning how automatic sprinklers could be changed to meet the modifications, e.g., odd-even days for watering. Concern was expressed that the proposal could be creating an enforcement headache. Discussion pointed out that without the public's cooperation, it would be an enforcement problem regardless of the need to conserve water. Supervisor Fettic moved to adopt on second reading Ordinance No. 1987-18, AN ORDINANCE AMENDING SECTIONS 12.01.120, 12.01.130, and 12.01.270 TO MODIFY USE OF SPRINKLERS DURING THE SUMMER TO SPECIFIED DAYS, AND OTHER MATTERS PROPERLY RELATED THERETO. Supervisor Swirczek seconded the motion. Motion was voted and carried 4-0.

C. BILL NO. 117 - AMENDMENTS A-87-2 - TERRY - CARSON CITY MUNICIPAL CODE 15.26.061 (MOBILE HOME PARK REQUIREMENTS) - MODIFICATIONS RELATIVE TO SPACING OF CARPORTS, AWNINGS, RAMADAS AND PORCHES - PLANNING COMMISSION APPROVED 6-1

(3-0245) Supervisor Swirczek moved to adopt on second reading Ordinance No. 1987-19, AN ORDINANCE AMENDING SECTION 15.26.061 OF THE CARSON CITY MUNICIPAL CODE (MOBILE HOME PARK REQUIREMENTS) REGARDING THE SPACING OF MOBILE HOMES WITH ATTACHED CARPORTS, AWNINGS, RAMADAS AND PORCHES, AND OTHER MATTERS PROPERLY RELATED THERETO. Supervisor Chirila seconded the motion. Motion was voted and carried 4-0.

**X. CITY MANAGER RESOLUTIONS, REPORTS, AND BOARD DIRECTIVES - REQUEST FOR SALARY INCREASES FOR REMAINING UNCLASSIFIED PERSONNEL AND REQUEST FOR WRITTEN POLICY STATEMENT REGARDING FRINGE BENEFITS FOR UNCLASSIFIED PERSONNEL (3-0278)**

Mr. Hamilton explained a parity study compiled by the Personnel Department and the ranges and classifications established from this study. His comments noted that these ranges had been taken from the surrounding area and represented similar positions. Due to a lack of a written policy on the fringe benefits, the proposal included fringe benefits which were felt to be equal to those given the classified personnel. The proposed base salary increase would be approximately \$85,000, including retirement and fringe benefits. Clarification noted that Mr. Hamilton's position would be considered a "G" range in the salary listing. Discussion indicated the feeling that the City

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Manager should not be considered under the proposal in view of the fact that he was hired under a contract by the Board and should be considered separately. The remaining employees worked for either an elected official or the City Manager. Supervisor Fettic expressed his feeling that the Board should allocate funds to address the issue and leave the actual amount each individual would receive to the City Manager or elected official.

Discussion ensued concerning the ending fund balance and whether the City could afford the program. Personnel Officer Judie Fisher explained that under the fringe benefit program it would not be possible to grant an increase of more than five percent. Supervisor Swirczek expressed his feeling that the Board should continue to be responsible for making the salary increases. Supervisor Fettic explained that this had been the policy and the problems involved in making such determinations. He also noted that in times of a tight budget the unclassified employees were overlooked. He felt that this was a part of the City Manager's responsibility. Supervisor Swirczek felt that the City Manager's recommendation was to establish the salary ranges as indicated.

Mr. Hamilton explained that he was willing to report back to the Board as to what step he had established for each of the individuals. The individuals under elected officials would be controlled by the established ranges as the elected officials would make the recommendations to the Board. If the Board does not wish to accept the recommendation, it could change the salary. As this would make the elected officials responsible to the public for their employee salary ranges, he felt that it would remove the conflict currently found with the Board and these elected officials.

Discussion ensued concerning the terminology on page two concerning the performance pay increases which "may" be given at the determination of the supervisor or appointing authority. Clarification indicated that this would allow a five percent increase to be given upon recommendation by the supervisor or appointing authority and approved by the Board. Mr. Hamilton explained that under the proposal a standard performance evaluation program would be adopted which would establish a method whereby the employee would annually discuss this with his supervisor his job performance, objectives, work program, goals, etc. Should the Board fail to fund any of the objectives or goals, the item would be removed from the listing without penalizing the individual. Also, the program would allow the individual to change the objectives and goals during the year. He did not feel that this should be considered a merit raise but was a performance evaluation pay increase. The Board would have access to the personnel actions and would make the final determination as to whether the job performance warranted the increase.

Clarification note that the ranges were not based upon the cost-of-living but rather on parity with similar jobs in the surrounding area. The five percent differential was for job performance which would be an optional amount given over the cost-of-living increase. The five percent would be the maximum amount allowed. Mr. Hamilton explained that the ranges were adjustable but the salary would be adjusted only if performance indicated it was warranted. The Board would approve any cost-of-living increase granted. Supervisor Swirczek continued to express his desire to have an annual review. Ms. Fisher explained that the parity scale was an attempt to determine the area's salary for comparable positions and not consider the individual in the position. The City Manager would have to submit a recommendation for Board action as to the salary for any new employee.

(3-1030) Public Works Director Dan O'Brien explained that under the proposal the performance pay was related to the individual whereas the salary increased could be overlooked by the City Manager. A method had not been established whereby the unclassified personnel could make a presentation to the Board if he failed to do so. Under the fringe benefit package included in the proposal, the Board would be required to review the salaries annually. He also noted that the unclassified had taken a pay cut last year and would incur another pay cut this year.

Mayor Flammer explained his feeling that the proposal to grant an increase based upon job performance meant that the individual was doing more than an average individual in a similar role. Mr. Hamilton agreed that this would create "peer pressure" and increase productivity. The Board would control the increases under the policy the same as it does the sewer and water increases. Likewise, problems with any of the unclassified employees would be discussed with the City Manager.

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Discussion noted the problem encountered over the years whereby subordinates make more money than the unclassified person supervising them. Although the proposed program would not specifically address this problem, it was felt that the ranges would help correct the situation. The State's policy that classified be at least five percent less than the unclassified over them was noted. (During this discussion Supervisor Scrivner arrived - 2:10 p.m. A quorum was present.) Comments indicated the feeling that a parity schedule would address this problem for a while, however, the problem would eventually reoccur. Mr. Hamilton and Ms. Fisher felt that the annual review process would address this problem.

Sheriff McGrath noted that on July 1st he would have lieutenants making the same as the assistant sheriff. It was felt if the program is approved, he would have the ability to address this problem due to the ranges.

Discussion ensued concerning the water manager's range, which was an "E". Mr. Hamilton explained that although this was the range, he would not hire an individual who demanded the top salary. It was his policy, which the Board could adopt, to place new personnel no higher than the middle range.

(3-1409) Juvenile Master Robey Willis explained how he felt the State's five percent pay differential between the classified and unclassified worked. Supervisor Swirczek explained that the unclassified's salaries are reviewed biennially by the Legislature. Classified's pay scales are then restricted to five percent of the unclassified's. The only exception was that of the Actuary which was due to the difference in expertise.

Mr. Hamilton then noted that all of the unclassified personnel had reviewed the proposal. Any disagreements over the schedule could be addressed at a future time and were related to the parity levels.

Concern was reiterated about including the City Manager under the proposal. Mr. Hamilton expressed his willingness to work with the Board on this point. Ms. Fisher noted that the range should be accepted in order to establish a parity scale for a new City Manager should Mr. Hamilton leave the City at some future date. This would allow the position to be competitive with the surrounding area. Supervisor Swirczek felt that the Board would be aware of the market. Mayor Flammer expressed his feeling that this problem may also be found with the retention of a water master due to the lack of experts in this area. Ms. Fisher explained the advertisement for this position and expressed her feeling that the range was correct in view of the fact that ten individuals had already responded.

Supervisor Fettic then moved that the Board approve the unclassified pay ranges as presented deleting "G", the remainder running from "A" through "F". This would merely create the pay ranges. The purpose of the ranges was explained as being to establish a category for like jobs which is a common practice in other agencies. Discussion noted that there were few positions in the "A" and "B" levels. Discussion ensued concerning whether category "G" should be included in the motion.

Due to a lack of a second, the motion died.

Supervisor Fettic then moved to approve the unclassified pay ranges "A" through "G". Supervisor Scrivner seconded the motion. A vote was called for, however, upon Supervisor Chirila's request for clarification, felt to be void.

Supervisor Chirila then questioned what alternatives the Board had to the ranges. Mr. Hamilton explained that he had given the alternatives as indicated on the last page of the report. He could, if the Board desired, make individual recommendations. He preferred to pay according to the position rather than based on the individual. The program would be effective either upon the date determined by the Board or immediately. In view of the pay adjustments granted the District Attorney's office and the retroactive pay adjustments for Mr. Lewis and Mr. Willis, Mr. Hamilton urged the Board to make the program effective immediately. Clarification indicated that the motion under discussion did not include pay adjustments nor an effective date.

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Discussion indicated that the Board could grant the City Manager a parity pay adjustment over and beyond the contract which the Board and Mr. Hamilton had agreed upon when he was hired. All other items under the contract could not be negotiated until his anniversary date, which was in August.

Clarification noted that if the parity ranges are accepted, the City Manager would have control over the pay increases granted unclassified employees within the ranges established. Supervisor Scrivner stressed that should an individual's job performance fail to meet the standards, an increase should not be granted or be less than that given others. Mr. Hamilton acknowledged that this was the entire purpose of the ranges. Supervisor Scrivner expressed his feeling that with this understanding, he was willing to leave the increases to Mr. Hamilton's discretion due to his feeling that this was part of the City Manager's job. Clarification also noted that all of Mr. Hamilton's recommendations as found on the last page of the report would fit within the parity ranges indicated.

Supervisor Scrivner then expressed his support for a proposal which would place a ten percent pay differential between the classified and the unclassified employees. Supervisor Fettic explained that this was not included in his motion.

The motion to accept the parity pay ranges "A" through "G" was then voted by roll call with the following result: Fettic - Aye; Scrivner - Aye; Swirczek - No, due to his feeling that the City Manager should annually bring to the Board his recommendation for salary increases for each position which may fluctuate between zero and ten percent; Chirila - Aye; and Mayor Flammer - Aye. Motion carried 4-1.

Supervisor Scrivner stressed that, although the Board had accepted the pay ranges, all pay increases would be brought to the Board prior to implementation.

Supervisor Fettic expressed his desire to improve the unclassified employees' morale and moved to have the Board determine that the unclassified employees, regardless of pay ranges, maintain a pay advantage over their subordinates in an amount of not less than five percent. His motion was based on his fear that the pay scale would be out of "kelter" in four or five years.

Mr. Willis expressed his feeling that the State differential was ten percent.

When it became apparent that a second was not forthcoming due to Supervisor Scrivner's desire to have the ten percent differential, Supervisor Fettic withdrew his motion.

Supervisor Swirczek explained his reluctance to grant an automatic increase for the unclassified employees whenever the classified employees' salaries approached a set level of the unclassified employees'. He felt that this should be addressed through bargaining with the classified employees and by maintaining a cap on the amount which their contractual salaries could be approved. Unless this procedure is followed, then the unclassified salaries would reach the top range which had just been established.

Ms. Fisher explained that, should this problem arise, the City Manager would have to bring the matter back to the Board for direction.

Supervisor Swirczek explained that the State restrictions were handled by the Legislature which established the unclassified salaries and restricted the classified to five percent below the unclassified salaries. Ms. Fisher explained that in approximately 1978 the Statute restricting the pay scale for elected officials' employees had been deleted.

(3-2318) Assistant Sheriff Dennis Austin explained that the Board was overlooking the possibility that an arbitrator could modify the classified salaries without regard for the unclassified salaries. The Board would then have to reconsider the pay scales. Clarification indicated that, although this was the intent, it had not been occurring. Discussion ensued at length concerning whether the Board should take action on this matter or continue

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to have the City Manager bring the matter back whenever the ranges are less than five or ten percent. Mr. Hamilton pointed out that the policy had included a requirement that the salaries be reviewed annually.

(3-2492) Sheriff Paul McGrath explained how the Highway Patrol addressed this issue. He felt that the five percent differential was workable in his Department.

Supervisor Fettic then moved that the Board approve a policy that unclassified positions not receive less than five percent more than their subordinates. Clarification indicated that the motion should be that the unclassified shall maintain a minimum of five percent above the classified employees in their Department. Supervisor Fettic amended his motion to be that the unclassified employees shall maintain a minimum of five percent above the classified employees in their Department. Supervisor Swirczek seconded the motion.

Mr. Hamilton explained that he did not have a problem with this policy as the fringe benefit package required annual review of the salaries, however, he did not feel that another policy statement was necessary. Examples were given of the problems encountered without this policy. Concern was expressed that the budget could not handle such increases. Discussion ensued concerning whether the stipulation that an annual review of the salaries would address the situation. Clarification noted that the terminology used on page two mandated the appointing authority to "review the appropriateness of a salary increase" rather than require a review by the Board. It was felt that if the appointing authority determines it is not appropriate, then the individual should have the right to appeal the ruling to the Board.

The motion to establish a five percent differential between the classified and unclassified salaries was voted by roll call with the following result: Scrivner - No; Swirczek - No even though he had seconded the motion in view of his feeling that there was an adequate safeguard which allowed the City Manager to bring the matter back to the Board for attention; Chirila - No; Fettic - Yes; and Mayor Flammer - No. Motion died on a 1-4 vote.

Discussion ensued concerning the need to change page two to read that "The appointing authority or City Manager will review with the Board of Supervisors on an annual basis the appropriateness of a salary increase for the unclassified". This would remove the arbitrary factors from the policy. Mr. Hamilton was directed to change this wording to reflect this requirement. Also, it was felt that this would address an arbitrator's decision as well.

Discussion ensued concerning the forty hour management leave. It was felt that this was to repay some of the overtime which the unclassified worked and had been granted in lieu of a pay increase.

Mr. Austin expressed his feeling that the forty hours did not come close to paying for the overtime worked in view of the fact that many unclassified individuals worked 10 to 14 hours a day. Ms. Fisher echoed these comments.

Supervisor Fettic expressed his feeling that the remaining portion of the fringe benefits was the same as the classified employees, however, the unclassified employees did not have the policy in writing.

Supervisor Fettic then moved to approve the unclassified personnel fringe benefits as presented down through health examinations, which included holidays, sick leave, annual leave, management leave, retirement, medical insurance, group life insurance, disability insurance, and health examinations. Supervisor Swirczek seconded the motion. Motion was voted by roll call with the following result: Ayes - Scrivner, Fettic, Swirczek, Chirila, and Mayor Flammer. Nays - None. Motion carried 5-0.

Clarification then explained the remaining policy decisions were to approve performance pay and salary increases and appropriate funding. Supervisor Fettic then moved to approve performance pay and salary increases as presented. Clarification indicated that the page two change directed earlier would be made. Supervisor Swirczek seconded the motion. Motion was voted by roll call with the following result: Ayes - Chirila, Swirczek, Fettic, Scrivner, and Mayor Flammer. Nays - None. Motion carried unanimously.

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Ms. Fisher then explained that the budget augmentation would require funding of approximately \$90,000 which would include the fringe benefits, however, she did not have a calculator to provide an exact amount.

Supervisor Fettic then moved that the Board authorize an expenditure of not to exceed \$90,000. Supervisor Scrivner seconded the motion. To clarify the motion Supervisor Fettic then amended the motion to be to authorize the expenditure of not more than \$90,000 to achieve parity for the fiscal year 87-88. In view of the two remaining pay periods during the current fiscal year, Supervisor Fettic again amended his motion to be to authorize the expenditure of not more than \$90,000 to achieve parity effective immediately and for the fiscal year 87-88. Supervisor Scrivner continued his second.

Clarification then noted that the Finance Director position, which was an "E" range, was currently vacant. The actual title for this position is Administrative Services Director. Clarification noted that Personnel had not been advised of the title change back to Finance Director. Inasmuch as the City had not had an Internal Auditor for two years, the position had not been included in the parity listing.

Mr. Hamilton stated that the funding would be from the ending fund balance, however, if 645 is adopted, funding would be from that source.

The motion to authorize the expenditure of not more than \$90,000 to achieve parity effective immediately and for the fiscal year 87-88 was voted by roll call with the following result: Ayes - Fettic, Chirila, Scrivner, Swirczek, and Mayor Flammer. Nayes - None. Motion carried unanimously.

**XI. BOARD OF SUPERVISOR RESOLUTIONS, REPORTS, AND PROCLAMATIONS - None.****XII. CITIZEN COMMENTS (3-0325) - None.**

**BREAK:** At 3:10 p.m. a recess was called. When the meeting reconvened at 7 p.m. Supervisors Ron Swirczek and Tom Fettic and Mayor Dan Flammer were present, constituting a quorum. Supervisor Marilee Chirila arrived at 7:12 p.m. Staff members present included: City Manager L. H. Hamilton, Community Development Director Walt Sullivan, Public Works Director Dan O'Brien, Deputy District Attorney Bob Auer, Traffic Engineer Bill Madigan, Street Superintendent Bill Barker, and Recording Secretary Katherine McLaughlin.

**V. B. REGIONAL TRANSPORTATION COMMISSION - APPROVAL TO ACQUIRE 52 FOOT RIGHT-OF-WAY KOONTZ LANE NORTH TO KITCHEN-STAFFORD SUBDIVISION - (4-0305)**

Street Superintendent Bill Barker and Public Works Director Dan O'Brien elaborated on the RTC recommendation to widen Saliman to 52 feet which would include curbs, gutters, space for school children to walk safely, and storm drains. Area resident and Attorney Pat Walsh explained his feeling that RTC had recommended the Board adopt a resolution restricting the street to two lanes unless RTC and Board public hearings are conducted. Supervisor Fettic explained his involvement with RTC. A lengthy discussion ensued with the Board members concerning the need to widen Saliman. RTC's proposal to have a turning lane at Koontz, the master plan proposal to have Saliman be an 80 foot connector between Highways 395 and 50, and residential opposition to this proposal. Mrs. Lillian Geddes questioned why more space was needed on the east side than the west? Staff explained the need for a sidewalk, storm drains, and the well which would be in the west side right-of-way. Mrs. Geddes felt that the area should be taken equally from each side of the street. Staff explained at length the reasons 80 feet had been felt necessary, including a standard street cross section taken from the City's Master Plan - a copy was given to the Board and Clerk - the effect the Edmonds Street By-Pass would have on Saliman traffic, the 1961 and 1977 comprehensive street plans calling for Saliman to be a major arterial, the need for a new updated street master plan, the cost and whether the City could afford the project at this time, current traffic volumes, the street and intersections abilities to handle this traffic, projected subdivision traffic, Eagle Stations' traffic on Saliman, whether Hillview should be connected to Saliman or terminated as cul-de-sacs, subdivision buildout timeframes,

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projected traffic volumes, plans to widen Koontz, whether the SF1A zoning south of Koontz supported the need for a wider street, and whether the project would be more beneficial to the City than the objections of the residents indicated. Discussion noted that the By-Pass would not be completed for at least 10 to 20 years. Without the improvements Fairview and Fifth Streets would receive the majority of the traffic from this area and impact the high school area as well. It was felt that economics dictate widening the street at this time and installing the storm drain. Mr. Barker explained the Stafford agreement and that there was no timetable for completing the widening. Due to the Board's feeling that an updated street master plan was needed, Mr. Hamilton suggested that the project be delayed. Discussion indicated that this may take as long as one year to complete. Supervisor Fettic suggested that the 80 foot right-of-way begin at Koontz and go north to 50 as the majority of the traffic used this route. Mr. O'Brien explained that the agreement with Stafford dealt only with the street to his development. It had never dealt with the area south to Koontz.

(4-2295) M. B. Stafford's representative Scott Heddon: His understanding of the agreement related to the need for curbs, gutters, and other street improvements at and in the subdivision. A timetable was not included in the agreement. Mr. Stafford's project fell under the Growth Management Ordinance. He is concerned about the Board's intent and its relationship to his project as far as the street is concerned.

Mr. O'Brien reiterated his comments that the Stafford agreement had nothing to do with the street widening and had never been intended to tie the two together.

Discussion ensued concerning the need for a drainage ditch, the lack of adequate right-of-way for this purpose, and the need for a design to include all the utilities as well as the street improvements.

(4-2347) Mrs. Geddes: Her feeling that the open ditch was a menace to the public and is located on her property. Mr. O'Brien explained reasons for not placing the drain in a culvert.

(4-2413) Gene Butler: The street in his area had been torn up twice within a six week period. A map at Public Works designated the storm drain route. He questioned where this map was. Mr. Barker and Mr. O'Brien explained that as the necessary right-of-way had not been determined, the actual location and depth of the drain could not be determined. The map Mr. Butler had seen is of a preliminary route.

(4-2508) Fran McLain explained her problems with Koontz Lane due to the traffic, dust, speed, and other hazardous conditions generated by the volume of traffic and urged the Board to address these concerns forthwith. She felt that it was poor planning on the Board's part to allow subdivisions without mandating street improvements. Her comments including her feeling that Sinbad should not have been abandoned. Supervisor Swirczek responded by explaining that the intent was to continue the matter until a comprehensive plan has been completed. Her feeling that the public should have been notified of the plan to widen Saliman was addressed by Mr. Auer, who noted that the master plan had indicated Saliman was a major arterial.

(5-0001) Mr. McLain continued to elaborate on the feeling that the residents should have been made aware of the plan to make Saliman a major arterial long before these hearings. Mr. Auer responded by explaining that the plan had been included in master plans which are more than 20 years old. Ms. McLain felt that there should be another notification process particularly for out-of-state buyers. She felt that a proposed street was a "proposed cloud on a title" and should be recorded as such. Purportedly, realtors are refusing to take listings in her area until this is straightened out.

(5-0102) Ms. McLain then elaborated on her feeling that the May 7th agenda was not correct as RTC had set the maximum width at 52 feet. Mr. O'Brien explained that the today's agenda had been corrected to reflect the RTC's recommendation. Ms. McLain then requested a set of the May 7th Minutes. Mr. O'Brien then explained the wedge shaped section needed to widen Saliman, which would be "52 feet at the top and 55 feet at the bottom".

(5-0192) Pat Walsh then expressed his feeling that RTC and the Board had listened to the residents and their

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concerns. Based upon this input, RTC had proposed a compromise, which he supported.

(5-0206) Supervisor Fettic then moved to deny the RTC recommendation - at which point Mr. Geddes interrupted him.

(5-0225) Mr. Geddes then stated his objection to have SF6000 zoning abutting SF1A zoning. He felt that such zoning combined with the high power voltage electrical lines, the ditch problems, and the By-Pass depressed the value of his property. If the Board's intent was to zone his area SF6000, he urged them to do so forthwith.

Supervisor Fettic then withdrew his motion.

Mr. Geddes then recommended that the Board continue the item, renegotiate the Stafford agreement, and create an access from Edmonds.

(5-0370) Supervisor Swirczek then moved to deny Regional Transportation Commission recommendation to proceed with the acquisition of right-of-way for the extension of Saliman Road from Koontz Lane north to the area of the Kitchen-Stafford subdivision until such time as a current comprehensive street and highway plan is in place for Carson City. Supervisor Fettic seconded the motion. Motion was voted by roll call with the following result: Ayes - Chirila, Fettic, Swirczek, and Mayor Flammer. Nays - None. Motion carried unanimously.

Supervisor Fettic then moved to adjourn. Supervisor Swirczek seconded the motion. Motion was voted and carried unanimously. Mayor Flammer adjourned the meeting at 8:40 p.m.

The Minutes of the May 21, 1987, Carson City Board of Supervisors meeting

ARE SO APPROVED\_\_\_\_December 17,\_\_\_\_1988

/s/\_\_\_\_\_  
Dan Flammer, Mayor

ATTEST

/s/\_\_\_\_\_  
Alan Glover, Clerk-Recorder

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