

**CARLIN MUNICIPAL COURT ROOM
101 SOUTH EIGHTH STREET
CARLIN, NEVADA**

**February 24, 2021
7:00PM**

Call to Order and Roll Call

Vice Mayor Lincoln Litchfield called the meeting of the Carlin City Council to order at 7:00 p.m.

**Council Members Present: Vice Mayor Lincoln Litchfield
Councilperson Margaret Johnston
Councilperson Cameron Kinney**

**Council Members Absent: Mayor Dana Holbrook
Councilperson Pam Griswold**

**Staff: Madison Mahon, Carlin City Manager
LaDawn Lawson, City Clerk
Ella Trujillo, Director, Carlin Open Door Senior Center
Kevin McKinney, Carlin Police Chief**

Public: Fred Montes de Oca

Pledge of Allegiance

- 1. Comment by the General Public (Non-Action Item):** Pursuant to NRS 241.020(2)(D)(3) (I & II) this time is devoted to comments by the general public and possible discussion of those comments. No action may be taken upon a matter raised under this item until the matter has been included on a successive agenda pursuant to the required procedures at the discretion of the City in accordance with applicable law and identified as an action item.

Municipal Code : 1-6-11 : MANNER OF ADDRESSING BOARD ; TIME LIMIT :

Each person addressing the board shall first give his name and address for the records, and unless further time is granted by the presiding officer, shall limit his address to five (5) minutes. All remarks shall be addressed to the board as a body and not to any member thereof. No person, other than the mayor, the members of the board and the person having the floor, shall be permitted to enter into any discussion, either directly or through a member of the board, without the permission of the presiding officer. No question shall be asked except through the presiding officer. (Ord. 81, 9-10-1975, eff. 9-17-1975)

**PUBLIC COMMENT MAY BE TAKEN DURING DISCUSSION OF
INDIVIDUAL AGENDA ITEMS.**

- None

2. City Council Reports (Non-Action Item):

A) Councilperson Margaret Johnston: Review of City Code Title 3 Chapter 13 Curb, Gutter, and Sidewalk

- Councilperson Johnston would like the Council to just look over these ordinances and review them. She stated the City does the surveying and lays it out and does a lot of the tear out as well.
- Vice Mayor Litchfield stated the City does the rough-in.
- Councilperson Johnston stated a sidewalk is to be 4 foot wide and the responsibility of the sidewalk is the property owners and to maintain the weed abatement and the repair.
- Vice Mayor Litchfield stated he had copies of the proposed code made for each to them and you will see a lot of changes have been made to the proposed code. So, when we do the new Title 3 this will be the sidewalk, curb, and gutter code if you have any suggestions or changes, we need to take this to the Planning Board so they can make any changes.
- Councilperson Kinney stated that in the NRS was brought up and he has not looked into the proposed code but the current code. So, the current code didn't look like it was even in compliance with the NRS listed. He stated that with several exception that the governing body cannot impose the reconstruction and repair of sidewalks. He read the NRS 278.02313 and then he read the proposed Title 3 for curb, gutter and sidewalks.
- Councilperson Johnston stated it was her understanding that if you own your property and you throw rock salt on it to get the snow to melt and it degrades your sidewalk then as the owner of the property you are responsible for the repair, or if you plant a tree and the tree root lifts it up, you as the property owner are responsible for it. She stated there is a lot of unclarity in the code.
- Councilperson Kinney stated that NRS just talks about the maintenance and repair of sidewalk not necessarily curb and gutter. It does not state anything about the construction of the sidewalks it is just the reconstruction and repair if a sidewalk already exists. In the proposed Title 3. 3-21-3, b, stated it should be the duty of all property owners in the City of Carlin to keep in good repair all sidewalk that lie along their respective holdings. So, that to him is really going against what the NRS says.
- Vice Mayor Litchfield stated the NRS is a minimal standard and the City can always impose a more stringent standard than the NRS.
- Councilperson Kinney stated yes unless like in this NRS it states the governing body shall not require an owner of the property to do this. It is stating the we should not do this.
- Councilperson Johnston stated this is a question that should be taken to the Council Bureau. They interpret the difference and what should and shouldn't be as well.

- Councilperson Kinney stated that is just what he was read and found.
- Councilperson Johnston stated that is why this is important to review these codes because we take a look at everything we are doing and try to get it to the best for the best. Another thing she has been looking into is the different programs that are out there for curb, gutter, and sidewalks. Different cities do different things and there is a lot of repair programs out there. One was a 50/50 match which the city would do so much and the property owner does 50%. Another is a petition that asks if the neighborhood wants curb and gutter and if they say no, they don't do it, she thinks that is for the sidewalks not curb and gutter. The important thing is curb and gutter, to hold the roads. The sidewalks are very important in your main areas, and bring it all up to ADA compliance. The project on Main Street with the corners being brought into ADA compliance.
- Councilperson Kinney stated from what he found the new proposed Title 3 is not compliant with the NRS
- Vice Mayor Litchfield stated this is something we need to discuss with the Planning Commission and the City Attorney.
- Councilperson Johnston stated as a City you have the right to establish your codes. She stated she also have been reading some of the permits and some things are not very clear but some things are very clear.
- Councilperson Kinney thanked Councilperson Johnston for bringing this forth.
- Councilperson Johnston review the clause regarding the \$10,000 limit and stated somethings are for the Council to do and she feels it would better for the building inspector to handle or the city engineer. When a lot of the codes were written we didn't have these positions in place and not we do and they should or could be handle somethings.
- Councilperson Kinney stated that the code does say the city engineer or the board so he feels it could be sent to the engineer and he or she could make the decision.
- Councilperson Johnston stated we need to look at our Planning Commission that there is NRS regarding planning boards and your Mayor and City Engineer should be on your planning board.
- Vice Mayor Litchfield and Councilperson Kinney thanked Councilperson Johnston for bringing this forward to them.
- Vice Mayor Litchfield asked for more comments seeing none move to Agenda Item 3.

This was a non-action item.

3. Elko County Recreation Board Appointment (For Possible Action):

- A) Review, discussion, and possible approval of a City Council appointment to the Elko County Recreation Board to represent the City of Carlin, and all related matters.

Motion:

Councilperson Kinney moved to table the approval of Pam Griswold to the appointment of the Elko County Recreation Board. Councilperson Johnston seconded the motion. Vice Mayor Litchfield vote aye also. Motion Carried.

4. Title VI Plans for the City of Carlin and Carlin Senior Center (For Possible Action):

- A) Review, discussion, and possible approval of the City of Carlin's FHWA and FTA Title VI Plan (For Possible Action).

Motion:

Councilperson Kinney moved to approve the City of Carlin's FHWA and FTA Title VI Plan. Councilperson Johnston seconded the motion. Vice Mayor Litchfield voted aye also. Motion Carried.

5. Resolution 2021-01 (For Possible Action):

- A) Review, discussion, and possible approval of Resolution 2021-01, a Resolution authorizing the submittal of a proposal or proposals with the Nevada Department of Transportation (Nevada DOT) for grants through the U.S. Department of Transportation (USDOT) Federal Transit Administration (FTA), as authorized under Federal Transit Law and funds available from the Nevada Public Transportation Grant Program and executing a contract with the Nevada Department of Transportation upon grant proposal acceptance, and all related matters.

Motion:

Councilperson Kinney moved to approve Resolution 2021-01. Councilperson Johnston seconded the motion. Motion Carried with Vice Mayor voting aye.

6. Funding Agreement with Nevada Commission for Cultural Centers and Historic Preservation (For Possible Action):

- A) Review, discussion, and possible approval of a funding agreement, in an amount of \$42,000.00, with the State of Nevada, Commission for Cultural Centers and Historic Preservation (CCCHP) for the Carlin School House Rehabilitation Project, and all related matters.

Motion:

Councilperson Johnston moved to approve a funding agreement, in the amount of \$42,000.00, with the State of Nevada, Commission for Cultural Centers and Historic Preservation for the Carlin School House Rehabilitation Project and all related matters. Councilperson Kinney seconded the motion. Vice Mayor Litchfield voted aye also. Motion Carried.

7. APPROVAL of Expenditures (For Possible Action):

- A) Review, discussion, and possible approval of City expenditures for the period of 02/06/2021-02/19/2021, and all related matters. The expenditure list is available for public inspection at City Hall, 151 S 8th Street, Carlin Nevada.

Motion:

Councilperson Kinney moved to approve the City expenditures for the period of 02-06-2021 to 02-19-2021 and all related matters. Councilperson Johnston seconded the motion. Motion Carried with Vice Mayor Litchfield voting aye.

8. PUBLIC COMMENTS: (Non-Action Item)

A) Pursuant to NRS 241.020(2)(D)(3) (I & II) this time is devoted to comments by the general public and possible discussion of those comments. No action may be taken upon a matter raised under this item until the matter has been included on a successive agenda pursuant to the required procedures at the discretion of the City in accordance with applicable law and identified as an action item.

- Vice Mayor Litchfield stated the American Legion met last Wednesday, and they decided they were going to undertake some projects in the City. The first one is, they are going to be discussing with a property owner here in town to help with their weed control when spring arrives, and they want to do this for other properties. So, is someone having a property or knows of a property that is in need of help let him know. They plan to serve the veterans first but they are here to serve the community. American Legion is willing to help with weed abatement. They won't be able to kill them but they can cut them down and cleanup properties.

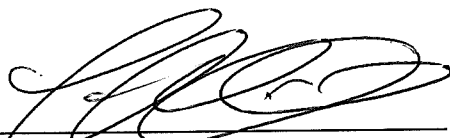
9. Adjournment (For Possible Action):

Motion:

Councilperson Kinney moved to adjourn at 7:42 p.m. Councilperson Johnston seconded the motion. Vice Mayor Litchfield voted aye and adjourned the meeting of the Carlin City Council.

Approved:

Attest



Vice Mayor Lincoln Litchfield



LaDawn Lawson, Carlin City Clerk