

**CARLIN CITY COUNCIL
CITY OF CARLIN, STATE OF NEVADA
REGULAR MEETING
CARLIN MUNICIPAL COURT ROOM
101 SOUTH EIGHTH STREET
CARLIN, NEVADA**

**June 8, 2016
7:00 pm**

Call to Order and Roll Call:

Mayor Dana D. Holbrook called the meeting of the Carlin City Council to order at 7:00 p.m.

Council Members Present: Mayor Dana D. Holbrook
Vice Mayor Lincoln Litchfield
Councilperson Jay Duke
Councilperson Pam Griswold

Council Members Absent: Councilperson Bob DeMars

Administration Staff: David Jones (City Manager), LaDawn Lawson (City Clerk), Dennis Fobes (Chief), Floyd Davey (Police Officer), Chris Woster (City Engineer), Lauren Landa (City Attorney)

Public: Brandy Holbrook, Karla Jones

Pledge of Allegiance

1. Comment by the General Public: Pursuant to NRS 241.020(2) (D) (3) (I & II) this time is devoted to comments by the general public and 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.

(Non - Action Item)

A. None

2. **Public Comment may be taken prior to any Discussion Being Taken by the Council:** Review, discussion and possible acceptance of the proposed renewal of the City of Carlin's Liability Insurance from Nevada Public Agency Insurance Pool (POOL) and approval for payment for fiscal year 2016-2017 funds and all related matters.

(Possible Action Item)

- A. City Manager David Jones stated he had put this on the agenda for information only he had received the information early and since he had put the Health Plan information on for review first and it worked well he decided to do the same with the Liability Insurance. Right now it is really information and Wayne Carlson from Pool & Pact does plan to be here in the near future possible the next meeting and then we will accept or deny the policy. Do you have any questions at this time?
- B. Councilperson Jay Duke thanked City Manager David Jones for putting the information in the

- packet for their review.
C. **No Action Taken.**

3. This Item was moved and discussed as Item Number IV.

Public Comment may be taken prior to any Discussion Being Taken by the Council:

Second Reading and possible approval of an ordinance to amend Ordinance 6-1-3 entitled FIREARMS, DISCHARGE, to add Subsection A(5) regarding approval of discharge of defined firearms for event or occurrence which has been pre-approved by the City Council after due consideration of public safety and welfare, and all related matters.

(Possible Action Item)

- A. *Councilperson Jay Duke made a motion as it reads.*
B. *Councilperson Pam Griswold seconded the motion*
C. *All in Favor, Motion carries*

4. This Item was moved and discussed as Item Number III.

Public Comment may be taken prior to any Discussion Being Taken by the Council:

Possible First Reading of an ordinance to amend Ordinance 6-1-3 entitled FIREARMS, DISCHARGE, to add Subsection A(5) regarding approval of discharge of defined firearms for event or occurrence revised and prepared by committee appointed at Carlin City Council Meeting on May 25, 2016 after first reading thereof and all related matters.

(Possible Action Item)

- A. Councilperson Pam Griswold reported that the Committee to review this Ordinance met last night. The Committee consisted of Rick Anderson, Chief Dennis Fobes and Councilperson Bob DeMars and herself. The Committee looked everything over and agreed with the way it was written "*The discharge of any firearm above-described by any person in conjunction with an event or occurrence which has been previously approved by the City Council, after due consideration of public safety, provided such discharge is in accordance with any conditions imposed by the City Council at the time of approval,*" basically if someone were to come before the council in the future and has done their due diligence and checked with the Public Works, the Police Department, the Fire Department, and everyone or everything that may be involved, and if no one has a problem, then that person whether it be myself or some other person can come before the Council for approval for that one event. The approval does not carry on from year to year. So it would be just like the Ellen Meshefski coming for a liquor license or the Fire Department coming for a liquor license, they come before you and say this is what we want to do, this is how we plan to do it, this is what is going to happen, and we have already checked with the powers at be there is no problem with it, then then the Council will approve that one function for "X" amount of days. The Council has the ability to say you have the approval for three (3) days, or four (4) days and then if it come back the next year it has to be approved every single year. The Committee did not feel a committee has to be put together every single time a function is going to be done as long as the due diligence was done at the front part of it, and come before the Council then the Council has the ability to ask questions or put restrictions on it at that time.
- B. Councilperson Jay Duke inquired, What research did the Committee do on the grains of powder or the amount?
- C. Councilperson Pam Griswold replied it is 20 grains.
- D. Councilperson Jay Duke asked if 20 grains of powder is a maximum or an average.
- E. Councilperson Pam Griswold replied that actually when talking to Bill Hope, they are the ones that do it at Toole, Utah, and they found that 20 grains of powder will do the targets at the 250 yards, because they do theirs in the City Park as well.
- F. Councilperson Jay Duke asked if the 20 grains was for all calibers.
- G. Councilperson Pam Griswold stated it is a set 20 grains and there is no in-line so it has got to be the

- ball and cap but no in-lines so it is just the black powders.
- H. Vice Mayor Lincoln Litchfield asked City Attorney Lauren Landa if he could inquire if there was any discussion on insurances or liability on something like this, and can this be discussed at this time.
 - I. City Attorney Lauren Landa stated that things can be discussed if they pertain to this committee report.
 - J. Vice Mayor Lincoln Litchfield stated who will to be liable for this, will they carry their own insurance will be have to carry the insurance, who is going to be in charge of see it is only 20 grains and it is not 21 grains.
 - K. Councilperson Pam Griswold stated there will be someone who actually measures out the grains for the shoot.
 - L. Vice Mayor Lincoln Litchfield inquired where the liability would fall.
 - M. Councilperson Pam Griswold stated that they would like to ask the City to cover the event as a sponsor under their insurance just like they do Sho 'n Shine.
 - N. Vice Mayor Lincoln Litchfield stated he was not comfortable with that.
 - O. City Attorney Lauren Landa stated they do not want to talk about a specific event it has to be general.
 - P. Vice Mayor Lincoln Litchfield stated: "If we had an event, any event and someone gets hurt because of this, from someone firing a weapon under this right here, I don't want to see the city liable for that. I don't think it's I think it should be who is coming to do the event and stuff."
 - Q. Councilperson Pam Griswold stated, "I don't know if I can answer and just in from what I found during the research on this the people that do the sheets have to register and the sheet in general. They do have to register and there will be a number so you cannot just come up and shoot. There will be a number, there will be a table everything is provided, the powder will be measured the time, they load the gun, they shoot, so it is not like they just get to do their own thing, the committee did talk last night about lets so Jay wants to do the poker shoot, he can come and do a poker shot with part of the restriction on that is if you are not a member of the rendezvous itself, if you have a black powder gun, as soon as you shoot, it goes back into your vehicle, you cannot walk around the park with it. The only people that can have the weapon are the people that are actually registered at the rendezvous the will be in costume, so they will be very identifiable to who they are. But there will be somebody there, the events will be timed, and there will be actually time for the events and someone cannot just come and shoot. There will most likely be a police officer present during these times."
 - R. Vice Mayor Lincoln Litchfield states, "Alright and I have no problem with the way it is written right here, I am just don't want to see the city liable for anything that goes on with the weapons and stuff like that, I mean I am not comfortable with putting the city in that position.
 - S. Mayor Dana Holbrook asked if anyone else had any other comments.
 - T. Karla Jones states she has a question, for the record, is the city not putting on the event?
 - U. Councilperson Pam Griswold stated, No, the city is sponsoring the event.
 - V. Karla Jones comments, so just like any other event that we do, we are liable for it, whether it be the burn outs, whether the spook walk, whether it be any of the events, we are liable for anything at that then when we sponsor an event.
 - W. Brandy Holbrook states, I have a question on the this, this item that we talking about now just the general ordinance that is in place the ordinance is generalized and doesn't not specifically say so who is responsible for the insurance for the event,
 - X. Councilperson Pam Griswold stated, No basically the ordinance that originally states that you could not discharge a firearm within the city limits. And so because we want to put on this specific event with the very low powder (Black powder shooting) so we are asking for them to add to the ordinance that says certain events can do with the approval of the City Council.
 - Y. Brandy Holbrook states, So basically I am just clarifying so you are asking that the ordinance to say, in an event was to want to come to the city that every event is going to have to be approved, so the thing that would have to be approved in that would be everything so that would be where you would generally have said the insurance and all the liability right it would be a total discussion at the time and an approval so it doesn't have to be specific in the ordinance because you would be able to make that decision with each event
 - Z. Mayor Dana Holbrook states, If we approve all of this ordinance then it comes forward to us and asks us to sponsor it
 - AA. City Clerk LaDawn Lawson states, that was what was discussed in the committee meeting last night that each event would come before them and each event would be handled on the things they are doing and the stipulations that the Counsel puts on has every right to put on the stipulations on that event.

- That would be part of the permission process of coming to ask to do an event like this.
- BB. Mayor Dana Holbrook states, "Item IV is the one that we want to approve with council and start over."
CC. **NO MOTION TAKEN. Council redirected back the Agenda Item III.**

5. Public Comment may be taken prior to any Discussion Being Taken by the Council:

Review, discussion and possible approval of a Special Events Liquor License for Brandy Holbrook on behalf of the Carlin Co-Ed Softball Association and all related matters.

(Possible Action Item)

- A. Mayor Dana Holbrook made that statement that he is married to Brandy Holbrook and an active member in the Association and therefore will be abstained from any discussion.
- B. Brandy Holbrook states that she needs to modify the application for the Liquor License by one week equaling a totaling 30 days due to more teams have been added to the league.
- C. Councilperson Pam Griswold asked if they could do a motion just to do the 30 days instead of the 25 days in the motion.
- D. City Clerk LaDawn Lawson states that in the past with the Co-Ed is if the Liquor License is approved then when they come in to pay for the Liquor License they pay for the amount of time needed.
- E. Councilperson Pam Griswold states then we are approving the Liquor License for the event.
- F. Lauren Landa clarified what they would be making a motion on.
- G. *Vice Mayor Lincoln Litchfield makes the Motion to Approve the Special Events Liquor License for Brandy Holbrook on behalf of the Carlin Co-Ed Softball Association for the 2016 Season.*
- H. *Councilperson Pam Griswold Seconded the Motion.*
- I. *All in Favor, Motion Carries.*

6. Public Comment may be taken prior to any Discussion Being Taken by the Council:

Discussion and possible direction to staff to seek funding for new police vehicles, and all related matters.

(Possible Action Item)

- A. City Manager David Jones states that this agenda item was added for posting requirements and to give the council an update: the vehicle has been purchased outright and is currently in Fallon.
- B. Discussion: Purchasing of new police vehicles and what is some opportunities for future purchases. In agreement with staying with original plan.
- C. **No Action Taken.**

7. Public Comment may be taken prior to any Discussion Being Taken by the Council:

Review, discussion and possible approval of City expenditures for the period's 5/21/2016 to 6/3/2016, and all related matters.

(Possible Action Item)

- A. *Vice Mayor Lincoln Litchfield made a motion to Approve City expenditures for the periods 05/21/2016 to 06/03/2016.*
- B. *Councilperson Pam Griswold Seconded the Motion*
- C. *All in Favor, Motion carries.*

8. Public Comment may be taken prior to any Discussion Being Taken by the Council:

Review, discussion and possible approval of the Special Session Budget Hearing Minutes

for the City of Carlin, City Council Meeting on May 25, 2016 and all related matters.

(Possible Action Item)

- A. *Councilperson Pam Griswold made the motion to approve the Special Session Budget Hearing Minutes for the City of Carlin, City Council Meeting on May 25, 2016.*
- B. *Vice Mayor Lincoln Litchfield Seconded the Motion.*
- C. *All in Favor, Motion Carries.*

9. **Public Comment may be taken prior to any Discussion Being Taken by the Council:**
Review, discussion and possible approval of the Regular City Council Meeting Minutes for the City of Carlin, City Council Meeting on May 25, 2016 and all related matters.

(Possible Action Item)

- A. Vice Mayor Lincoln Litchfield would like to correct page 5, roman numeral 7, line item #1: Lincoln said that he did not say he would not vote that he wanted to recuse himself from all the payment because of the conflict he has there and that he did not abstain from voting, I voted in favor of it but that being recuse.
- B. *Vice Mayor Lincoln Litchfield made a Motion to Approve the Regular City Council Meeting Minutes for the City of Carlin, City Council Meeting on May 25, 2016 with amendments.*
- C. *Councilperson Jay Duke Seconded the Motion.*
- D. *All in Favor, Motion Carries.*

10. City Council Members Reports:

(Non - Action Item)

- A. Councilperson Jay Duke has nothing to report at this time.
- B. Vice Mayor Lincoln Litchfield reported that The Planning Board is working on Title 3 Code, and then turned the floor over to Pam for the Senior Center.
- C. Pam Griswold reported on the Hat Show fundraiser coming up at the Senior Center.

11. City Clerk's Report.

(Non - Action Item)

- A. The Primary elections will be on the 14th in the court room. Open from 7 am to 7 pm.

12. City Manager's Report.

(Non - Action Item)

- A. The Railroad has a crew coming in for weed abatement on the 20th of this month.
- B. The Chipper has been purchased for \$1,8500.00 through a revenue source that has not been used. It is used, out of Arizona, less than 1,000 hours, 2003 or 2009? Model, 12 inch. Purchased do to the burning limitations.

13. Carlin Police Department Report.

(Non - Action Item)

- A. Floyd Davey reported on the progress of the K-9 dog and the joining forces with other county agencies in the different events when using the K-9. Total of Drug bust made for the month of May.
- B. The Carlin Police Department would like to voice a concern on the wait time of the Carlin Ambulance. The calls are being dispatched in to Elko because of the non-responsive Carlin Ambulance.

14. Carlin Fire Department Report.

(Non - Action Item)

- A. No Representation.
- 15. Comment by the General Public: Pursuant to NRS 241.020(2)(D)(3)(I & II) this time is devoted to comments by the general public and 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 and identified as an action item.

(Non - Action Item)

- A. Karla Jones: The Planning Board is working on the Title 3 Code and general request for information on the moratoriums for Marijuana and if it gets lifted, will you give us feedback.
- 16. Adjournment.
 - (Possible Action Item)**
 - A. *Vice Mayor Lincoln Litchfield Made a Motion to Adjourn.*
 - B. *Councilperson Jay Duke Seconded the Motion.*
 - C. *All in Favor, Motion Carries, and Meeting was adjourned at 7:49pm.*

Approved:

Attest:

Mayor Dana Holbrook

City Clerk LaDawn Lawson