

THE HONORABLE CITY COUNCIL OF THE CITY OF LOVELOCK MET IN REGULAR SESSION ON NOVEMBER 3, 2020 AT THE LOVELOCK CITY HALL AT 7:00 P.M.

Present:	Mayor	Mike Giles
	Council members	Dan Murphy
		Pat Rowe
		Starlin Gentry
	City Clerk	Lisa Booth
	Legal Counsel	Kent Maher
	Police Chief	Michael Mancebo
	Public Works Director	Steve Peters

Absent: None

Guests: John Schmoker, Jesse Katsaris, Bill Gorsline, Larry Gordon, Logan Murphy, Jonathan Reynolds and Carmen Turrillas.

PUBLIC COMMENT-PERSONAL COMMUNICATION-CORRESPONDENCE:

There were no comments, personal communications or correspondence.

MINUTES REVIEW-APPROVAL:

Council member Rowe moved to approve the October 20, 2020 regular City Council meeting minutes as presented.

Motion carried unanimously.

BUSINESS IMPACT DETERMINATION:

After review and consideration of the probable effect that each agenda item for this meeting could have on a "business" as defined by statute, Council member Murphy moved to make a finding that no item on this meeting agenda appears to impose a direct and significant economic burden on a business or directly restrict the formation, operation or expansion of a business.

Motion carried unanimously.

SEWER-DISPOSAL ACCOUNT DELINQUENCIES / ADJUSTMENTS / REFUNDS:

City Clerk Booth presented the outstanding accounts list for review and requested approval to apply deposit balances to various accounts as listed.

Council member Murphy moved to approve applying the deposit balances to the sewer-garbage accounts as presented.

Motion carried unanimously.

BROADBAND-MEDIA SERVICES-AGREEMENT PROPOSAL / SCHMOKER:

John Schmoker introduced himself and said he recently sold a broadband services business operation and is looking to expand television and communication services to rural areas. Schmoker advised he has spoken to the mayor and city attorney about his business proposal and is interested in entering into some sort of exclusive agreement with the City before investing the amount of money that would be required to provide the services. Schmoker said he purchased the cable television equipment used by GBIS in Lovelock and will need to use the existing infrastructure for the transmission lines. Schmoker questioned who owns the transmission lines. He believes the City may be the owner because the franchise agreement (with the predecessor to GBIS) provided that the owner had ninety days to remove the lines when the franchise ended. The lines were not removed and he assumes the City then became the owner.

Council member Murphy stated that there are currently two businesses in town that provide internet services and the City does not have an agreement with either of them. Murphy said he would not be in favor of the City having any type of exclusive agreement with a private business.

Legal Counsel Maher advised Schmoker that the information Maher previously shared with Schmoker is still valid, that is, from the City perspective, other than the need to obtain a City business license and comply with any other applicable laws or regulations, the City has no position on the business venture, but an exclusive agreement that prefers one private business and excludes other private businesses is not something the City is likely to consider. Maher also noted that the only involvement of the City with poles or the lines on the poles is that they are located in the City rights-of-way, but the City has no claim on ownership of either the poles or lines by virtue of the former franchise agreement or otherwise.

Mayor Giles commented the City is willing to work with Schmoker, but exclusive business arrangement is not an option.

No action was taken.

PROPERTY SALE PROPOSAL / 8TH ST.-W. BROADWAY AVE. (FORMER BERND HOTEL):

Mayor Giles said John Schmoker previously indicated an interest in purchasing the former Bernd Hotel property to use as a place to locate communications equipment and facilities. Legal Counsel Maher reminded that for the City to sell the property an appraisal has to be done within six months before the property is offered for sale and, subject to some exceptions, the City must sell the property for the appraised value or more. The procurement of an appraisal is currently being worked on.

No action was taken.

CANCELLATION OF DECEMBER 15, 2020 REGULAR CITY COUNCIL MEETING:

Council member Rowe moved to approve the cancellation of the December 15, 2020 regular City Council meeting.

Motion carried unanimously.

CARES ACT FUNDING-FUNDS DISTRIBUTION / CRF EXPENDITURE PLAN:

Mayor Giles reported on the Coronavirus Relief Fund (CRF) expenditures and requests as follows: (i) the radios and jumpsuits for EMS have been approved; (ii) the shower area that was requested by the fire department must be up and operational by December 1, 2020 in order to receive funding and the fire chief has been notified of the requirement; (iii) the former requirement that fund recipients must agree to abide by state mandates has been removed from the certification letter (because the federal Treasury Department said it could not be a condition for receiving the funds); (iv) checks were sent out to local business owners for reimbursement of utility costs; (v) Fast Glass will do the glass shield installation for the City Clerk's office; (vi) he spoke with FCC regarding the sound system in courtroom; and, (vii) the City received a letter from Senator Cortez-Masto on the COVID-19 relief efforts.

Council member Murphy reported that all the items for the school district that the City is paying for from the CRF monies have been delivered. The district will provide an invoice to the City.

No action was taken.

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BROWNFIELDS GRANT PROJECT:

Mayor Giles reported that Converse Consultants is working with McKinley & Associates regarding cleanup of the debris at the downtown area burn site. The consultants and contractor hired for the job are scheduled to be here Tuesday. Giles stated that he did receive a call from Dr. Murphy-Denmark regarding her property.

No action was taken.

BUSINESS-LIQUOR-SPECIAL EVENTS LIQUOR LICENSES - BUILDING PERMITS:

The following licenses and permits were reviewed:

Business licenses:

None

Building permits:

- #1608 – Jorge & Graciela Rodriguez – Roof Solar Panel System
- #1609 – Keith & Diana Carey – Roof Solar Panel System
- #1616 – Royal Inn Hotel – Gas
- #1617 – New Life Fellowship Church – Electric upgrade
- #1619 – Harrison Partners, LLC - Gas

Liquor licenses:

None

Special Events liquor licenses:

None

PROCLAMATIONS-AWARDS:

Mayor Giles proclaimed November 28, 2020 as Small Business Saturday.

Council member Murphy, who is term-limited, was presented with a plaque in honor of his years of service on the City Council.

STAFF-COUNCIL REPORTS-PROPOSALS:

Police Chief Mancebo reported that a second police officer candidate is in the background check phase.

Council member Gentry reported the there were several Local Emergency Planning Committee (LEPC) events, including a mock chlorine spill.

Council member Murphy reported: (i) the LEPC drill went very well; (ii) there will be a Recreation Board meeting on Thursday; (iii) there is currently no water in the swimming pool and the problem is still being explored but a more extensive check is required and the winter cover cannot be put on the pool until it can hold water; and, (iv) a concerned citizen reported that there was a lot of broken glass at the skate park.

Legal Counsel Maher stated that the council needs to set a meeting to canvass the votes for the mayoral election.

Mayor Giles reported: (i) receiving several letters regarding concerns about the proposed man camp project; (ii) a letter regarding proposals for the City dangerous dog ordinance was

distributed; (iii) a letter was sent to the Nevada League of Cities regarding the upcoming fuel tax legislation; (iv) the City received a letter from Pershing General Hospital regarding possible changes to the air ambulance service; and, (v) NDOT is scheduled to meet with the County Commission on Wednesday.

VOUCHERS, CLAIMS AND PAYROLL:

Council member Rowe moved to approve vouchers and payroll through number 47559.

Motion carried unanimously.

PUBLIC COMMENT:

Bill Gorsline thanked the Council for all that they do for the community.

Council member elect Jonathan Reynolds asked if the City has discussed partnering with the mines on a recreation center. Council member Murphy stated that Couer Rochester has been approached in the past, but they have taken the stance of offering volunteer labor, but not financial help.

There being no further business, the meeting was adjourned at 8:10 p.m. until the next scheduled City Council meeting on November 17, 2020 at 7:00 p.m.

Michael R. Giles, Mayor

Lisa Booth, City Clerk