

THE HONORABLE CITY COUNCIL OF THE CITY OF LOVELOCK MET IN REGULAR SESSION ON APRIL 19, 2022, AT THE LOVELOCK CITY HALL AT 7:00 P.M.

Present:	Mayor	Mike Giles
	Council members	Patricia Rowe
		Starlin Gentry
	Police Chief	Michael Mancebo
	City Clerk	Terri Wilcox
	Legal Counsel	Kent Maher
Absent:	Council member	Jonathan Reynolds

Guests: Galen Reese and Patty Reese

PUBLIC COMMENT-PERSONAL COMMUNICATION-CORRESPONDENCE:

There were no public comments, personal communications or correspondence.

MINUTES REVIEW-APPROVAL:

Council member Rowe moved to approve the March 29, 2022 City Council special meeting minutes as presented.

Motion carried unanimously.

Council member Rowe moved to approve the April 5, 2022 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 Gentry 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:

The delinquent account list was reviewed and discussed.

No action was taken.

ACCRUED BENEFITS PAYMENT REQUEST / CHARLSIE DUFFY-WILCOX:

City employee Charlise Duffy-Wilcox terminated her employment with the City and is eligible for payment of 107.54 hours of accumulated vacation benefit hours, 4.50 hours of compensation hours and is not eligible for payment of accrued sick leave hours because she has not worked the minimum required five years.

Council member Rowe moved to approve the payment of accrued vacation time and compensation hours to Charlsie Duffy-Wilcox as requested.

Motion carried unanimously.

DAMAGES CLAIM / VEHICLE-ANIMAL COLLISION:

Legal Counsel Maher explained that a demand letter was received by the police department from the legal counsel for the driver of a tractor-trailer unit that collided with a cow on I-80 on April 26, 2020, allegedly resulting in damage to both the vehicle and driver (the cow died). The cow was reported to be on the highway right of way during the early morning hours when the only law enforcement on duty was the city police, who were dispatched to area before the accident occurred. The claimant alleges the city police cut the right of way fence and put the cow back on the other side of the fence and then the cow came back through the fence and returned to the highway and was thereafter hit by the vehicle. The city personnel on duty advised that the fence was not cut and that the cow was never put back on the other side of the fence—they tried but were unable to keep the cow off the roadway. Maher noted that the submission of a claim is a requirement of law which is supposed to occur before a claimant pursues legal action, but it is supposed to occur within six months of the claim arising. This claim is well beyond the required six-month submittal date. Not only is the claim untimely, there is no city responsibility for just being present and trying to assist with the situation.

Council member Rowe moved to deny the claim.

Motion carried unanimously

AMERICAN RESCUE PLAN ACT (ARPA) FUNDS:

Mayor Giles stated that Fire Chief Wilcox provided some quotes for equipment the fire department desires to acquire with ARPA funding.

Galen Reese and Patty Reese reported they are working on straightening out the property boundary lines of their business property so they can eventually install an outdoor patio to be used for their business activities. They want to access ARPA funding to defray the patio costs. A contractor took measurements and they are waiting on prices. A survey was supposed to have been done several years ago, but it is unknown if it was ever completed. Legal Counsel Maher explained that when the City abandoned the alley property abutting the business property, the ownership of the abandoned property reverted to the abutting property owner and it then became the responsibility of the abutting property owner to have a map prepared to show the abandoned property combined with the abutting property (the map would then show the proper boundary lines of the property). Maher noted that the city issues a resolution when there is an abandonment, and the resolution is typically recorded because it involves land.

No action was taken.

BROWNFIELDS GRANT PROJECT REPORT:

Mayor Giles reported there is nothing new to report.

No action was taken.

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

The following licenses and permits were considered:

Business Licenses:

None

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Special Events Liquor Licenses:

Council member Rowe moved to approve the Temptations special events liquor license for April 28-30, 2022. The fees were paid.

Motion carried unanimously.

Building Permits:

None

PROCLAMATIONS-AWARDS:

There were no proclamations or awards.

STAFF-COUNCIL REPORTS-PROPOSALS:

Council member Gentry reported attending the Recreation Board meeting.

Council member Rowe reported that the recreation books are at the printers and will be ready soon. Rowe said there seems to be a lot more tagging going on throughout the city.

Mayor Giles reported: (i) first shipment of 96-gallon garbage carts should arrive tomorrow, there are six or seven new customers waiting for the new carts; (ii) Wesley Harper (Nevada League of Cities Executive Director) will be at the city council meeting on May 3 for a presentation and report on the League, and Giles will be absent; (iii) he will be attending a Pool-Pact meeting via zoom; (iv) eighteen (18) weed notices will be sent out tomorrow, the plan is to deal with one street at a time; and, (v) the city auditor, Teri Gage, commented after her review of the tentative budget that revenue is not keeping up with expenses and it may be time to look at the sewer and garbage rates. City staff is gathering information on the rates for sewer and garbage services from other entities.

VOUCHERS, CLAIMS AND PAYROLL:

Council member Rowe moved to approve payroll and vouchers 48853- 48895.

Motion carried unanimously.

PUBLIC COMMENT:

Galen Reese asked how long a vehicle is allowed to remain on a city street before it must be moved. Chief Mancebo advised that a vehicle should not be on the street more than 48 hours.

There were no other public comments.

There being no further business, the meeting was adjourned at 7:48 p.m. until the next scheduled City Council meeting on May 3, 2022, at 7:00 p.m.

Michael R. Giles, Mayor

Terri Wilcox, City Clerk