

THE HONORABLE CITY COUNCIL OF THE CITY OF LOVELOCK MET IN REGULAR SESSION ON AUGUST 15, 2023, AT THE LOVELOCK CITY HALL AT 7:00 P.M.

Present: Mayor Michael Giles
Council members Jordan McKinney
Jonathan Reynolds
City Clerk Terri Wilcox
Police Chief Michael Mancebo
Legal Counsel Kent Maher

Absent: Council member Bonnie Skoglie

Visitors: Ken Rackley, LeeAnn Gallagher, Michael Heideman, Rita Happy, Corinne Nelsen, Laura Katsaris, Steve Evenson, Steve Cerini, Pamela Barnes and Rodney Wilcox

PUBLIC COMMENT-PERSONAL COMMUNICATION-CORRESPONDENCE:

Mike Heideman requested that the pickleball courts be put on a future agenda and asked permission to repaint the lines from a year ago as they are planning a tournament. Heideman commented about school starting and the traffic in the alley behind his residence; it is used as a street which creates an unsafe situation which should be fixed. Mayor Giles said Heideman could repaint the pickleball court lines.

Rodney Wilcox expressed concern about the 21 street patches on Pine Drive (by his residence) and the Mormon Church which are falling apart and questioned if there will be repairs before the RTC project. Mayor Giles noted the cuts are from Lovelock Meadows Water District work and they are supposed to hot patch and put the street back to its former condition subject to city inspection.

LeeAnn Gallagher thanked the recreation board and the county commission for the money allocated to the Boys and Girls club.

MINUTES REVIEW-APPROVAL:

Council member Reynolds moved to approve the July 18, 2023 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 Reynolds 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:

Pamela Barnes requested to make weekly payment arrangements on her delinquent account; she can pay \$50 on August 25 and \$50 every Friday thereafter until the account is current. She was directed to meet with staff and sign a payment agreement.

Mayor Giles noted that Rita Happy stopped making payments and the sewer service was shut off again. Happy requested the service be turned back on. She said she is able to pay \$50 every

other week and will pay \$100 or more tomorrow before 9:00 am. Council member Reynolds suggested a \$100 payment for August to take care of the current bill, a \$50 payment toward the delinquency, then \$50 every other week and sign another payment arrangement agreement.

No action was taken.

PUBLIC HEARING – NUISANCE DETERMINATION-ABATEMENT / VARIOUS PROPERTIES:

Robert Kennerson provided an update on all his properties and explained the contractor hired to clean the properties was having trouble with his tractor and will get the rest of the properties cleaned when the equipment is fixed.

Pictures of the properties taken earlier in the day were reviewed; most of the properties had been cleaned.

Council member Reynolds moved to direct staff to send a letter to the 885 Western owner to pick up the weeds piled beside the fence, and to send a letter to the 1330 Cornell Avenue owner to do a more thorough cleaning job.

Motion carried unanimously.

CITY COUNCIL MEETING AGENDAS SUBMISSION POLICY-PROTOCOL:

After some discussion there was concurrence that the request form should be simple and that (10) days before a scheduled meeting was an adequate cut-off time to request items to be on an agenda and to submit the corresponding back-up documents.

No action was taken. The item was tabled until a future council meeting.

2023-2024 BUDGET AUGMENT RESOLUTION:

A draft resolution was presented to authorize an augment of the 2023-2024 budget to increase the general fund revenue in the amount of \$100,000 and to designate the general government funds to which the ARPA funds will be applied.

Council member Reynolds moved to adopt resolution 2023-02 as presented.

Motion carried unanimously.

CITY HALL ROOFING PROPOSAL / LOBO CONSTRUCTION-ABC ROOFING:

Mayor Giles explained that the city has been waiting for several weeks for a local contractor to submit a proposal to re-roof city hall and no proposal has come. If the repair work is going to be completed before winter, a decision needs to be made soon. ABC Roofing provided a quote of \$72,800 for a 50-year shingle re-roof. There were other contractors solicited, but they were either not interested or were too busy.

Council member McKinney moved to accept the quote from ABC Roofing for \$72,800 to re-roof city hall.

Motion carried unanimously.

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LEGAL SERVICES PROPOSAL:

Council member McKinney commented about some of the statements and commentary made at prior meetings about the city legal services, noting that council meetings are meetings of the council, not public member meetings. There are designated times when members of the public can speak, which is during the public comment periods. The speaking without being recognized during a council discussion of an item is not appropriate. McKinney said to her knowledge the city has never done anything which is shady or sneaky. If a council member wants to stay after a meeting and have a conversation with the mayor or legal counsel, that is acceptable; the limitation on such conversation is there can be no discussion of city business with the other two council members. The city has legal counsel and she will not be voting to have different counsel.

Council member Reynolds noted the city has legal counsel and there are no funds budgeted to hire another attorney. Reynolds said he will listen to a discussion on why another attorney should be retained. If this item is to be put back on an agenda, it will have to be requested again.

No action was taken.

AMERICAN RESCUE PLAN ACT (ARPA) FUNDS:

Mayor Giles reported that there is about \$24,000 which has not been allocated. Giles suggested the funds be used to cover wages for vacation and sick payout if someone terminates. There is also the possibility of using the funds for an extension of sewer lines for a proposed new motel.

No action was taken.

BROWNFIELDS GRANT PROJECT REPORT:

Mayor Giles reported that Converse has been hired, and they are starting on the paperwork.

No action was taken.

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

903196 – Holly Bella Spar & Wellness Center – 1110 Cornell Avenue – Holly Trongo
903197 – The Purple Chukar Mercantile Company – 1475 Cornell Avenue #236 – Cincotti
903198 – Two Wheel Repair & Storage – 280 5th Street – Jeffrey Elerick Sr.

No action was taken.

PROCLAMATIONS-AWARDS:

Mayor Giles read a proclamation for Child Cancer Awareness Month for September.

STAFF-COUNCIL REPORTS-PROPOSALS:

Fire Chief Wilcox stated there is no policy or ordinance for fire inspections and suggested the city consider the same policy the county adopted. Mike Heideman remarked that business operations should have a fire suppression system.

Council member Reynolds reported that RTC bids for the streets will be on the next agenda.

Council member McKinney reported that the recreation board is working on McDougal Sports Complex, horseshoe pits, fields, and school will be starting.

Mayor Giles reported: (i) he met with Tom Burns, State Director of Economic Development; (ii) the city received a weed bill from the county for the sewer plant and animal shelter which was appealed with no response and the city paid the bill and penalties—the matter should be discussed at the next joint city-county meeting; (iii) he contacted NDOT about the weeds at exits 105, 106, and 107; (iv) the auditors will be here next week; and, (v) there will be a USDA inspection next week.

VOUCHERS, CLAIMS AND PAYROLL:

Council member McKinney moved to approve vouchers numbered 50043 to 50106, inclusive.

Motion carried unanimously.

PUBLIC COMMENT:

LeeAnn Gallagher stated that the city council works for her and she has the right to ask questions of why things do not work. Three-hour meetings are not because of the public. She said she is always professional, and questioned why the department heads are not at the meetings.

Corinne Nelsen said she is concerned that the APRA funds were only voted on a few times, which she believes is shady. She said she is hearing about lies and misinformation, and has concerns about how the city is running. She believes the ARPA funds should be used for the town.

Steve Cerini addressed Council member McKinney and said he knows she has concerns about the way the city is being run and he believes the city is not being transparent. McKinney stated one of the reasons she ran for the city council was to change things and if she has questions, she knows she can call the mayor and/or legal counsel and speak with either of them.

Steve Evenson commented on his opinion of how the city is being managed.

There being no further business, the meeting was adjourned at 8:42 pm until the next scheduled City Council meeting on September 5, 2023, at 7:00 pm.

Michael R. Giles, Mayor

Terri Wilcox, City Clerk