

THE HONORABLE CITY COUNCIL OF THE CITY OF LOVELOCK MET IN REGULAR SESSION ON APRIL 4, 2017 AT THE LOVELOCK CITY HALL AT 7:00 P.M.

Present: Mayor Mike Giles
Councilmen Tom Donaldson
Dan Murphy
Pat Rowe
City Clerk Lisa Booth
Police Chief Michael Mancebo
Legal Counsel Kent Maher
Public Works Director Joe Crim

Absent: Animal Control Officer Sheri Crim

Guests: Jeffrey Elerick Sr., Patty Burke, Galen Reese, and Heidi Lusby-Angvick

Mayor Giles called the meeting to order at 7:00 p.m.

PUBLIC COMMENT-PERSONAL COMMUNICATION-CORRESPONDENCE:

Heidi Lusby-Angvick reported that the Economic Development strategic planning committee is moving forward with their planning, and she is helping with the City 100 year celebration.

MINUTES CORRECTION-APPROVAL:

Councilman Rowe moved to approve the March 21, 2017 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, Councilman Donaldson 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 reviewed the delinquent sewer accounts. No action was taken.

PUBLIC HEARING / NUISANCE ABATEMENT / 1250-1260 DARTMOUTH:

Mayor Giles stated that at the last meeting the conditions on the property were found to constitute a nuisance and the property owner was given until April 4 at 5:00 p.m. to abate the nuisance by cleaning the property. The property was not cleaned.

Councilman Donaldson moved to authorize the City Public Works Department to abate the nuisance at 1250 and 1260 Dartmouth Avenue and to file lien on the property for costs of the nuisance abatement.

Motion carried unanimously.

PLANNING-ZONING VARIANCE REQUEST / LOVELOCK DEVELOPMENT CODE BUILDING PLACEMENT AND SETBACK REQUIREMENTS / ELERICK:

Mayor Giles explained that after discussion at the last two meetings concerning the property owner desire to construct an accessory building structure on the property, the Mayor and staff worked with the property owner to find a fair solution. The Council was provided a detailed

memorandum and analysis of the applicable zoning regulations, the property status and property conditions for review. It was suggested that a copy of the memorandum (with the correct meeting date) be attached to the minutes if the Council approves the variance request.

After review of the memorandum and discussion, Councilman Murphy moved as follows:

To find that due to the unique, non-typical and extraordinary circumstances associated with the subject property at 510 Cornell Avenue, that is, the substandard size, the long, narrow lot shape, the existing main building placement, the locations of the existing gas and sewer utility installations, and the use of the property in connection with the residence property (520 Cornell Avenue) on the north side of the subject property (both are owned and personally used by the owner of the subject property), that the City grant variances from the requirements of Lovelock Development Code for the yard and setback requirements applicable to the subject property to allow placement of a 30' X 40' metal shop building accessory structure on the corner lot at 510 Cornell Avenue, Lovelock, Nevada, as follows:

- (1) a variance to allow encroachment upon the front halves of the lot, that is, an encroachment of not more than 34 feet into the front half of the Cornell side of the property, and an encroachment of not more than 20 feet into the front half of the 5th Street side of the property;
 - (2) a variance to reduce the required 25 feet setback on the Cornell front side of the property to 16 feet;
 - (3) a variance to reduce the required 25 feet setback on the 5th Street front side of the property to 5 feet;
 - (4) a variance to reduce the required 25 feet setback on the north side of the property to 15 feet;
- and,
- (5) a variance to allow a new structure on a nonconforming use property.

The grant of variances are conditioned upon: (i) the property owner building and commencing to use the proposed accessory structure within twenty-four (24) months of the date of grant of the variances; and, (ii) not being considered a precedent or grounds for or against the City to allow a future variance of a proposed nonconforming use of neighboring lands, similarly zoned lands, or similar irregular shaped and substandard size lots, regardless of where located, or for any other reason.

Motion carried unanimously.

LOVELOCK INDIAN COLONY SEWER PROJECT:

Mayor Giles explained that a letter was sent to Cheryl Couch at USDA to explain the procedure and the background of the City sewer service disconnect process. Giles said a preconstruction meeting is scheduled for Monday, April 10 at 10:00 a.m. The USDA, the contractor, both inspectors, Lovelock Meadows Water District and Shaw Engineering will attend. As of April 17 the contractor will have a notice to proceed. The anticipated substantial completion date is September 13, 2017, with inspection for final payment on September 23, 2017.

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

The following business licenses were reviewed:

None

Building permits:

#1453 – James Davis – 1445 Franklin Ave. – Re-roof

Liquor licenses:

None

Special Events liquor licenses:

Pershing County School District – Athletic Dinner – Community Center April 1, 2017

Councilman Donaldson moved to approve the Pershing County School District Athletic Dinner special events liquor license and to waive the fees.

Motion carried unanimously.

PROCLAMATIONS-AWARDS:

There were no proclamations or awards.

STAFF-COUNCIL REPORTS-PROPOSALS:

Police Chief Mancebo reported that the City submitted a grant application to JAG for \$11,943 for a new ID card printer. The new vehicles are almost all equipped; the last one is at Sierra Electronics.

Councilman Murphy said the Pershing General Hospital health foundation meetings scheduled at 4:00 p.m. do not work for his current schedule. The foundation is planning another fundraiser dinner and they are working to obtain the funds for a promised \$10,000 match.

Councilman Rowe reported that the elementary school will plant flowers on May 22, 2017. Rowe suggested the day be designated as a community clean-up day. The banners have been ordered for the 100 year celebration.

Mayor Giles: (i) received a revised contract for the utility service line warranty agreement; (ii) discussed with Chief Mancebo a redaction program for the body cameras, and spoke with Wayne Carlson (POOL-PACT loss control) about the liability issues; (iii) sent a letter to Commissioner Rackley about the City concerns with the Burning Man (BM) art and received a call from the district attorney questioning why the letter was addressed to a commissioner; Giles told the DA that Rackley was the only contact the City had in relation to the matter; apparently, the County will put the City in touch with the BM art director; and, (iv) spent last Friday morning with the auditors to review and make a few changes to the tentative budget; May 16 is the scheduled date of the final budget hearing.

VOUCHERS, CLAIMS AND PAYROLL:

Councilman Donaldson moved to approve vouchers and payroll through number 44384.

Motion carried unanimously.

PUBLIC COMMENT:

Patty Burke asked if Robert Kennerson spoke to the Council about using one of his billboards for the centennial advertising. The Mayor said Kennerson spoke to him. Galen Reese asked if the water and sewer is off at 1250 and 1260 Dartmouth, and questioned how people can still live at the property. The Mayor noted that the property was foreclosed upon and is supposed to be vacant.

There being no further business, the meeting was adjourned at 7:55 p.m. until the next scheduled City Council meeting on April 18, 2017 at 7:00 p.m.

Michael R. Giles, Mayor

Lisa Booth, City Clerk