



CITY OF WEST WENDOVER

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WEST WENDOVER CITY COUNCIL MINUTES OF THE REGULAR MEETING OF OCTOBER 2, 2007

The West Wendover City Council met for a regular meeting on October 2, 2007. The meeting was held at the West Wendover Library, Pilot Peak Room. Mayor Thaut presided.

Council Members Present: Roy Briggs, Emily Carter, Jimmy Carter, Jamey Christie and Johnny Gorum

Others Present: Corinne Copelan, John Hanson, Antoinette Cavanaugh, Keith Walz, Terry Carsrud, Jeff Higgins, Dawn Hagness, Arbie Stone, Devan Croasmun, Jeff Knudtson, Lars Pedersen, Bryce Kimber, Claude Fratto, Brenda Flinders, Leon Flinders, Ron Supp, Kerry Robinson, Michelle Blake, Leeanna Briggs, Reese Melville, Ellen Pedersen, Jose Rodriguez, Jose Trujillo, Jorge Rodriguez, Chris Melville and Anna Bartlome

The following proceedings were had.

1. **CALL TO ORDER AND ROLL CALL**
Mayor Thaut called the meeting to order at 7:00 p.m. All those present and excused are noted above.
2. **PLEDGE OF ALLEGIANCE**
Mayor Thaut led those present in the Pledge of Allegiance.
3. **COMMENTS FROM THE GENERAL PUBLIC:**
None offered or received.
4. ***APPROVAL OF THE MINUTES**
Council Member Christie had a change to the minutes of August 20, 2007.

Under Items of Discussion the change is as follows:

Item a: *“The motion was seconded by Council Member Briggs and passed unanimously.”*

Council Member Christie had some changes to the minutes of August 21, 2007.

Under New Business the changes are as follows:

Item e: *“General discussion was had regarding using the unpaved lot for parking, the time limit on paving the parking lot, the time limit on the grading of the parking lot and signage about where to park.”*

Council Member Briggs had some changes to the minutes of August 21, 2007.

Under Consent Calendar the changes are as follows:

Item a: *“Council Member Christie made the motion to adopt Ordinance #2007-02; an ordinance adopting authority granted by AB 462 of the 2007 Nevada Legislative Session upon the City; entitled “2007 Requirements for Sale or Lease of Real Property Owned by the City”; creating authority in Chapter 6 of Title 11 of the West Wendover City Code allowing*

the City to hold a public hearing in lieu of having a second appraisal conducted before the sale or lease of property; adopting other changes authorized by AB 462 and providing other matters appropriately related thereto.”

Under New Business the changes are as follows:

Item a: *“Council Member Christie made the motion to set the public hearing for a zone change associated with the 3.87 acres of land described for September 4, 2007.”*

Council Member Christie made the motion to approve the minutes of the special meeting of August 20, 2007 and the minutes of the regular meeting of August 21, 2007 with the changes as noted above. The motion was seconded by Council Member Briggs and passed unanimously.

5. PRESENTATION

Elko County School District – Antoinette Cavanaugh

Antoinette Cavanaugh introduced Dawn Hagness, Jeff Higgins, Keith Walz and Terry Carsrud. Antoinette Cavanaugh thanked the City for helping to support the various programs offered by the school. General discussion was had regarding the Elko County READS program, 21st Century After School program and test scores.

Agenda taken out of order, first Public Hearing heard next.

1) PUBLIC HEARING

Variance: Jose Luis Rodriguez; property located in a Residential (R-1) Zone.

Mayor Thaut closed the regular portion of the meeting and opened the public hearing portion of the meeting.

Discussion was had regarding whether Jose Rodriguez has discussed this project with his neighbors and how wide the carport would be.

There being no further public comment Mayor Thaut closed the public hearing portion of the meeting and opened the regular portion of the meeting.

***Discussion and Decision Regarding Proposed Approval or Denial of Variance Located at 921 North Butte Street**

Council Member Gorum made the motion to approve the variance located at 921 North Butte Street. Council Member Gorum amended his motion to approve the variance located at 921 North Butte Street from seven and one half feet to three feet. The motion was seconded by Council Member J. Carter and passed unanimously.

Chris Melville explained that Mr. Jose Rodriguez would need to come and pull a building permit.

6. CONSENT CALENDAR

***a. Discussion and Decision to Adopt Resolution #2007-23; A Resolution Adopting the Interlocal Agreement Establishing the Elko County Economic Diversification Authority**

Chris Melville explained that once the Resolution is adopted it will reaffirm the Interlocal Agreement making the City a part of ECEDA. Council Member Christie made the motion to adopt Resolution #2007-23; a resolution adopting the Interlocal Agreement establishing the Elko County Economic Diversification Authority. The motion was seconded by Council Member Briggs and passed unanimously.

7. NEW BUSINESS

***a. Ratification of Mayor's Appointment of City of West Wendover Representative and Alternate for the Elko County Economic Diversification Authority (ECEDA)**

Mayor Thaut recommended Chris Melville as the City of West Wendover representative to the Elko County Economic Diversification Authority with herself as the alternate. Council Member Christie made the motion to ratify Chris Melville as the representative and Mayor Thaut as the alternate to the Elko County Economic Diversification Authority (ECEDA). The motion was seconded by Council Member Briggs and passed unanimously.

Agenda taken out of order, New Business item c heard next.

***c. Discussion and Decision Regarding Sponsoring Anna Smith Elementary PTO Trick or Treat Street and Other Matters Appropriately Related Thereto**

Anna Bartlome explained that this is an annual event and \$250.00 had been donated the previous year. General discussion was had regarding how the event is handled and how many children go to the event. Council Member Gorum made the motion to donate \$400.00 to the Anna Smith Elementary PTO Trick or Treat Street. The motion was seconded by Council Member E. Carter and passed unanimously.

Agenda taken out of order, second Public Hearing heard next.

2) PUBLIC HEARING

Variance: Jose Trujillo; property located in a Residential (R-1) Zone.

Mayor Thaut closed the regular portion of the meeting and opened the public hearing portion of the meeting.

Discussion was had regarding whether Jose Trujillo had discussed this project with his neighbors.

There being no further public comment Mayor Thaut closed the public hearing portion of the meeting and opened the regular portion of the meeting.

***Discussion and Decision Regarding Proposed Approval or Denial of Variance Located at 959 Oquirrh Street**

Council Member Christie made the motion to approve the variance located at 959 Oquirrh Street to amend the northern side setback from seven and one half feet to three feet. The motion was seconded by Council Member J. Carter and passed unanimously.

Chris Melville explained that Mr. Jose Trujillo would need to come and pull a building permit.

***d. Discussion and Decision Regarding Donation to Elko County READS and Other Matters Appropriately Related Thereto**

Chris Melville explained that the City donated \$1,000.00 last year. General discussion was had regarding the success of the program, and what amount to possibly donate. Council Member Christie made the motion to donate \$2,500.00 to the Elko County READS program designated for West Wendover and to authorize Chris Melville to help with banners and other marketing items as have been provided in the past. The motion was seconded by Council Member Briggs and passed unanimously.

***e. Discussion and Decision Regarding Expenditures for First Responders Appreciation Day and Other Matters Appropriately Related Thereto**

Mayor Thaut asked for forgiveness for the expenditures, which were over \$600.00. Council Member Christie made the motion to approve payment for expenditures for the First Responders Appreciation Day not to exceed \$700.00. The motion was seconded by Council Member Briggs and passed unanimously.

Agenda taken out of order, Department Updates heard next.

DEPARTMENT UPDATES

Fire Chief – Jeff Knudtson explained that he had not turned in an update due to being gone with the burn trailer. Jeff explained that he had taken the burn trailer to Buhl Idaho and approximately 128 people had gone through it.

Police Chief – Ron Supp had nothing to add to memo, which stated that a background check was being conducted on a candidate for dispatch. The memo further stated that Megan Hernandez has requested being removed from Dispatch Supervisor and that Tanya Phillips is helping to assist with dispatch operations in the interim. The department responded to 445 calls for service, made 24 adult arrests, served 5 warrants, made 0 juvenile arrests, issued 76 citations, conducted 21 field interviews and served 67 civil papers.

City Clerk/Records Officer – Nothing.

Chief Financial Officer – Leon Flinders explained that the annual audit was currently taking place.

Public Works Director – Bryce Kimber had nothing to add to memo, which stated that things have been quiet in the water department for the past month. There had been two small leaks in Wendover Mobile Home Park but they had been repaired quickly. Work was continuing on the Three Mile pipeline. The pavement replacement project on Wendover Boulevard between Pilot and McDonald's is now complete. A copy of the nuisance ordinance was being sent out to all the residents in the utility bills regarding the obstructions to stop signs and sidewalks, and peoples responsibilities to their property. The Reuse plant has been quiet this past month, other then the normal call outs. A small pump did go down on one of the clarifiers and the spare rebuilt one also did not work, one was taken to the repair shop and fixed.

Council Member Gorum wanted to say what a good job Public Works crew had did on the pavement replacement project to get things back to working order. Council Member Briggs asked if cooperation had been received from property owners regarding the obstruction caused by trees blocking streets and sidewalks.

Agenda taken out of order, third Public Hearing heard next.

3) PUBLIC HEARING

Variance: Jorge Rodriguez; property located in a Residential (R-1) Zone.

Mayor Thaut closed the regular portion of the meeting and opened the public hearing portion of the meeting.

John Hanson stated that he is a property owner in the area and does not have a problem with this variance. Discussion was had regarding whether Jorge Rodriguez had discussed this project with his neighbors.

There being no further public comment Mayor Thaut closed the public hearing portion of the meeting and opened the regular portion of the meeting.

***Discussion and Decision Regarding Proposed Approval or Denial of Variance Located at 385 Alpine Street**

Council Member Gorum made the motion to approve the variance located at 385 Alpine Street to adjust the minimum side yard setbacks on the Northern property line from seven and one half feet to three feet for the construction of a carport. The motion was seconded by Council Member J. Carter and passed unanimously.

Chris Melville explained that Mr. Jorge Rodriguez would need to come and pull a building permit.

Agenda taken out of order, New Business item b heard next.

***b. Discussion and Decision to Exercise Mutual Termination of Lease Agreement with Peppermill Casinos, Inc. with Regard to 0.89 Acres on Wendover Boulevard and Other Matters Appropriately Related Thereto**

Chris Melville explained that the City had been approached to terminate the lease agreement by the new owner of the property. The request would involve a new and temporary Fire Station at the Public Works yard; the station would be of the same size and capacity use that the existing station is. The new station could remain on the property and under the appraisal it would include the new facility and a payment could be given to the Peppermill Properties Inc for building the structure. A court complex would be placed next to the current City Offices; this unit would be a modular unit and could either be leased or permanent. There was not much difference in the cost to either purchase or lease the modular unit for the court. If the building was to be left next to the City Offices it would be made to look aesthetically pleasing to the neighborhood.

Agenda taken out of order, fourth Public Hearing heard next.

4) PUBLIC HEARING

Conditional Use Permit: Lars F. Pedersen, property located in a Commercial (C-Zone

Mayor Thaut closed the regular portion of the meeting and opened the public hearing portion of the meeting.

Lars Pedersen explained that he had placed one of these signs in Tooele Utah and knew that West Wendover was getting ready for a growth spurt and decided to place one on his property here. The sign was located next to Va-Va-Voom.

There being no further public comment Mayor Thaut closed the public hearing portion of the meeting and opened the regular portion of the meeting.

General discussion was had regarding the future development of the property located at 1715 W. Wendover Boulevard, have temporary sign look more aesthetic and adding a permanent sign in the future.

***Discussion and Decision Regarding Proposed Approval or Denial of Variance Located at 1715 W. Wendover Boulevard**

Council Member Christie made the motion to approve the conditional use permit for the location of the sign at 1715 W. Wendover with review one year from today. The motion was seconded by Council Member Briggs and passed unanimously.

Agenda taken out of order, New Business item b continued.

General discussion was had regarding parking for the court, if the parking would be paved, whether the building would be permanent or temporary, and the area to be used at the Public Works yard for the Fire Station. General discussion was had regarding whether a percentage could be given back to Peppermill Properties for any buildings that are built, and if legal counsel has reviewed the termination agreement. Council Member Briggs made a motion to give Chris Melville the authority to pursue the mutual termination of the lease agreement with Peppermill Casinos, Inc. with regard to the 0.89 acres on Wendover Boulevard and negotiate terms. Council Member J. Carter disclosed that he works for Peppermill Casinos, Inc. but would not personally benefit from this project. Council Member Gorum disclosed that he works for Peppermill Casinos, Inc. but would not personally gain from this project. Council Member E. Carter disclosed that she works for Peppermill Casinos, Inc. but would not personally benefit from this project. Council Member Briggs disclosed that he works for Peppermill Casinos, Inc but would not personally benefit from this project. The motion was seconded by Council Member Christie and passed unanimously.

Agenda taken out of order, Department Updates heard next.

City Manager – Chris Melville went through his memo, which stated that the contract for the City Hall off site improvements had been signed. The contract had also been signed for the Logistics Park. A letter was being issued by USDA concerning the City Hall Complex and their comments would be incorporated into the design and should go out to bid by October 5, 2007 and be out to bid for thirty days. The bids for the Leppy Hills project are approximately \$190,000.00 over budget, with the budget being set three years ago. The Leppy Hills project has some choices, one remove paving from project, two leave as is and increase budget. The Red Garter project is wrapping up and should be complete in a couple of weeks; this is due to waiting for the lighting. Chris explained that the City is still waiting for the performance agreement and bonds. The housing fair for Village One Phase Three lots was a success will possibly hold one in the future. The memo further stated that Mayor Thaut and Chris Melville attended the REC District meeting to discuss the possible sale of 3.91 acres, and the REC District has offered their support in moving forward with the project. Chris stated that he attended a CDBG forum in Elko and the funding would be similar to last year, which was approximately 2.9 million.

8. PUBLIC HEARING

1) **NOTICE**, is hereby given that the City Council of the City of West Wendover, State of Nevada, will hold a public hearing at a regular meeting to be held on **October 2, 2007 at 7:30 p.m.** in the West Wendover Library, Pilot Peak Room, located at 590 Camper Drive. The purpose of this hearing is to consider a variance.

DESCRIPTION:

Variance: Jose Luis Rodriguez; property located in a Residential (R-1) Zone.

- 1) **To adjust the minimum side yard setback on the Northern property line from seven and one half (7 ½) feet to three (3) feet for the construction of a carport/covered porch:**

The property description is: Lot #38, as shown on the Official Plat of the West

Wendover Highlands Unit No. 11, as filed in the Office of the Elko County Recorder, and situated in Section 17, Township 33 North, Range 70 East, M.D.B.&M. , Elko County, Nevada. Located at 921 North Butte Street, West Wendover, Nevada 89883.

All comments regarding this matter will be considered at the public hearing. Please contact the Community Development Department at (775) 664-3081 if there are any questions.

ITEM OUT OF ORDER, SEE ABOVE

2) **NOTICE**, is hereby given that the City Council of the City of West Wendover, State of Nevada, will hold a public hearing at a regular meeting to be held on **October 2, 2007 at 7:40 p.m.** in the West Wendover Library, Pilot Peak Room, located at 590 Camper Drive. The purpose of this hearing is to consider a variance.

DESCRIPTION:

Variance: Jose Trujillo; property located in a Residential (R-1) Zone.

- 1) **To adjust the minimum side yard setback on the Northern property line from seven and one half (7 ½) feet to three (3) feet for the construction of a carport/covered porch:**

The property description is: Lot #18, as shown on the Official Plat of the West Wendover Highlands Unit No. 11, as filed in the Office of the Elko County Recorder, and situated in Section 17, Township 33 North, Range 70 East, M.D.B.&M. , Elko County, Nevada. Located at 959 Oquirrh Street, West Wendover, Nevada 89883.

All comments regarding this matter will be considered at the public hearing. Please contact the Community Development Department at (775) 664-3081 if there are any questions.

ITEM OUT OF ORDER, SEE ABOVE

3) **NOTICE**, is hereby given that the City Council of the City of West Wendover, State of Nevada, will hold a public hearing at a regular meeting to be held on **October 2, 2007 at 7:50 p.m.** in the West Wendover Library, Pilot Peak Room, located at 590 Camper Drive. The purpose of this hearing is to consider a variance.

DESCRIPTION:

Variance: Jorge Rodriguez; property located in a Residential (R-1) Zone.

- 1) **To adjust the minimum side yard setback on the Northern property line from seven and one half (7 ½) feet to three (3) feet, for the construction of a carport:**

The property description is: Lot # 13, as shown on the Official Plat of West Wendover Highlands Unit No. 7, Block S, as filed in the Office of the Elko County Recorder, and situated in Section 17, Township 33 North, Range 70 East, M.D.B.&M. , Elko County, Nevada. Located at 385 Alpine Street, West Wendover, Nevada 89883.

All comments regarding this matter will be considered at the public hearing. Please contact the Community Development Department at (775) 664-3081 if there are any questions.

ITEM OUT OF ORDER, SEE ABOVE

4) **NOTICE**, is hereby given that the City Council of the City of West Wendover, State of Nevada, will hold a public hearing at a regular meeting to be held on **October 2, 2007 at 8:00 p.m.** in the West Wendover Library, Pilot Peak Room, located at 590 Camper Drive. The purpose of this hearing is to consider a conditional use permit.

DESCRIPTION:

Conditional Use Permit: **Lars F. Pedersen, property located in a Commercial (C-2) Zone**

- 1) **To allow the placement of an “Off Premises Sign” on the north side of the property. City Code #7-4-16: “Permitted Locations, height, spacing, size and conditional use permit requirements for off-premises sign.”**

The property description is: A parcel of land being a portion of West Wendover Highlands Unit No. 1 as shown on the Official Plat as filed with the Office of the Elko County Recorder File No. 182168, and situated in Section 17, Township 33 North, Range 70 East, M.D.B. & M. , Elko County, Nevada. Located at 1715 W. Wendover Boulevard, West Wendover, Nevada 89883.

All comments regarding this matter will be considered at the public hearing. Please contact the Community Development Department at (775) 664-3081 if there are any questions.

ITEM OUT OF ORDER, SEE ABOVE

9. DEPARTMENT UPDATES

ITEM OUT OF ORDER, SEE ABOVE

10. COMMUNICATIONS

Council Member Gorum stated that he attended the Nevada League of Cities Conference and went to the second part of POWER workshop. Council Member Gorum stated that there were several motivational speakers and that Council Member Christie received her Certified Public Official certification. Council Member Christie indicated that she had not received her certification for Certified Public Official. Council Member Gorum explained that he had attended the REC District meeting and the 1% meeting. It was discussed during the REC District meeting that the pool is closed and being resurfaced and golf rounds are down for the year.

Council Member J. Carter wanted to thank everyone for attending the First Responders Day and making it a thanks. Council Member J. Carter had a thanks from his mother for the completion of the sidewalks along Wendover Boulevard.

Council Member Christie stated that she also attended the Nevada League of Cities conference and it was one of the most motivational ones she has attended. Council Member Christie explained that she would be bringing back to the Council some ideas on getting the youth in the community involved in government. The next Nevada League of Cities conference would be held in Fallon followed by Henderson. Council Member Christie explained that she attended a Legislative Committee meeting and the transportation fund had been discussed. Council Member Christie stated that the First Responders Day was nice and well attended.

Mayor Thaut stated that she would need to speak to the Council, Police Chief and City Manager about some legal issues.

11. *APPROVAL OF THE CLAIMS:

Council Member Gorum made the motion to approve the claims for October 2, 2007. The motion was seconded by Council Member J. Carter and passed unanimously.

12. *NEXT MEETING DATE AND ADJOURNMENT

The next meeting date is a special meeting on October 8, 2007 at 6:30 p.m. at the West Wendover Library, Pilot Peak Room. There will be a joint meeting with the REC District on October 16, 2007 at 6:00 p.m. and a regular meeting on October 16, 2007 at 7:00 p.m. both will be held at the West Wendover Library, Pilot Peak Room. Council Member Christie made the motion to adjourn at 9:05 p.m. The motion was seconded by Council Member J. Carter and passed unanimously.

ATTEST:

Anna E. Bartlome
City Clerk/Records Officer