



CITY OF WEST WENDOVER

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WEST WENDOVER CITY COUNCIL MINUTES OF THE REGULAR MEETING OF DECEMBER 18, 2007

The West Wendover City Council met for a regular meeting on December 18, 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: Dale Lotspeich, Ron Supp, Bryce Kimber, Dixie Melville, Corinne Copelan, Jeff Knudtson, Reese Melville, David Justesen, Bill Elman, Craig Barrows, Randall Soderquist, Gary Lewis, Craig Neeley, Ross Eardley, Aleta Kimber, Claude Fratto, Leon Flinders, Brenda Flinders, Gary Bills, Sandy Kelsey, Donald Burnum, Sandi Gunter, Mike Gunter, Randy Croasmun, Brent Tippets, Jeff Pinegar, 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:**
Mayor Thaut explained that she would be taking the agenda out of order.
4. ***APPROVAL OF THE MINUTES:**
Council Member Christie had some changes to the minutes of November 6, 2007.

Under New Business the changes are as follows:

Item a: *“Robert Salyer explained the length of time both Jose and Maria Luna had been a part of the community, and how financial backing for the business had been obtained.”*

Under Department Updates the changes are as follows:

Public Works Director: *“A new meter has been installed in the vault along Butte Street (before Clearview) with the old one dug up, and physically disconnected a new connection that had been found.”*

Council Member Christie had some changes to the minutes of November 20, 2007.

Under New Business the changes are as follows:

Item a: *“Mayor Thaut stated that the itinerary was not set as of yet and if they could not meet with all of the representatives the trip would be postponed until a later date.”*

Item b: *“Corinne Copelan asked when the last time Chris Melville and Mayor Thaut had gone to Washington D.C.”*

Council Member E. Carter had some changes to the minutes of November 20, 2007.

Under New Business the changes are as follows:

Item a: *“Mayor Thaut explained that every couple of years she and Chris Melville try to go to Washington D.C. and meet with various representatives to discuss ongoing concerns and events.”*

Council Member Christie made the motion to approve the minutes of the regular meeting of November 6, 2007 and the regular meeting of November 20, 2007 with the changes as noted above. The motion was seconded by Council Member E. Carter and passed unanimously.

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

5. NEW BUSINESS

***c. Discussion and Decision to Accept the Completed Annual Audit and Other Matters Appropriately Related Thereto**

Ross Eardley explained the annual audit. General discussion was had regarding the annual audit, including the improvement from the previous year. Council Member Gorum made the motion to accept the completed annual audit. The motion was seconded by Council Member J. Carter and passed unanimously.

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

***h. Discussion with Elko County Sheriff Concerning Related Law Enforcement and Community Issues**

Sheriff Dale Lotspeich explained that he would be coming to the meetings on a monthly basis to discuss any items of concern that may arise in the community. Sheriff Lotspeich explained some of the various projects he is working on, which include street enforcement, more narcotics dogs in the county, extra personal, enhanced 911, coroner duties, inmate labor crews and strategic drug plan. Gary Bills asked if there would be any Federal help in getting 911 throughout all parts of the State.

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

1) NOTICE, The City of West Wendover will hold a public hearing for the purpose of considering which projects to pursue funding through the Community Development Block Grant Program. **The hearing will be set for Tuesday, December 18, 2007 at 7:30 p.m. at the West Wendover Library.** All persons may attend and be heard. Prior to the meeting, written comments may be filed with the West Wendover City Clerk and will be considered at the hearing.

The Community Development Block Grant Program, (CDBG) is a Federally Funded Program that is administered by the State of Nevada. The national objectives of this program are:

1. To benefit the low and moderate-income persons.
2. To aid in the prevention of and elimination of slums or blight.
3. To meet the Community Developments needs of having a particular urgency when other sources of funding are not available.

In addition, it is the State's goal to give extra consideration to projects addressing documented public health or safety needs or needs identified through a Community Planning Process.

It is anticipated that no displacement of persons will occur as a direct result of these projects: Project Descriptions, Housing Needs Statement, CDBG Requirements, and Past CDBG Project Grant Performance is on file at the City offices and is available for public inspection during normal business hours, from November 21, 2007 to December 18, 2007.

The City of West Wendover does not discriminate on the handicapped status in the admission of access to, treatment, employment or activities in its federally assisted programs.

Persons with disabilities who require special accommodations or assistance at the meeting should notify the City Clerks Office at 775-664-3081 or at 801 Alpine Street, West Wendover, Nevada, 89883.

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

Chris Melville explained the potential projects and asked that they be narrowed to two. The projects include a citywide ADA Accessibility project, Pedestrian Safety at exit 410 Semaphore, Pedestrian Safety at the Library or a combination with the ADA Accessibility project, Storm Water Master Plan, and Florence Way Phase 2. Discussion was had regarding which project is the most needed.

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

Agenda taken back to New Business item h heard next.

***h. Discussion with Elko County Sheriff Concerning Related Law Enforcement and Community Issues (continued)**

Sheriff Lotspeich explained that currently engaged with local providers to look into areas that received limited or no cell phone service to see if some type of service could be provided to those areas. General discussion was had regarding the labor crews, how the program would be paid for and what type of work they would be used for. No action information only.

Agenda out of order, New Business item a heard next.

***a. Discussion and Decision to Accept or Reject Bids for the City Hall Project of November 13, 2007 and Other Matters Appropriately Related Thereto**

Chris Melville explained that due to the budget for the project that all bids be rejected. Council Member Christie made the motion to reject all bids for the City Hall Project of November 13, 2007. The motion was seconded by Council Member Briggs and passed unanimously.

***b. Discussion and Decision with Regard to the City Hall Complex and Related Design Scope Changes, Funding, Construction Modifications/Changes, Bidding and Other Matters Appropriately Related Thereto**

Brent Tippetts and Jeff Pinegar from VCBO Architect explained some differences in the bids received for the City Hall Complex and other bids received for another project that is similar in size and scope. General discussion was had regarding various changes that could be made to the project, which included phasing in the Fire Station, removing the balcony, eliminating the basement, eliminating or moving the workout room, eliminating some of the pavement, changing the style of the roof and moving the mechanical equipment.

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

2) PUBLIC HEARING

***Public Hearing pursuant to NRS 268.059 for Council to determine the fair market value of approximately 3.91 acres of land located in Section 16, Township 33 N., Range 70 E., M.D.B.&M. and located on Florence Way, City of West Wendover, Nevada**

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

Chris Melville explained that the summary appraisal report set the value of the 3.91 acres at \$980,000.00.

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

Council Member E. Carter made the motion to approve the fair market value of approximately 3.91 acres of land located in Section 16, Township 33 N., Range 70 E., M.D.B.&M. and located on Florence Way, City of West Wendover, Nevada at \$980,000.00 as provided by William M. Tessler. The motion was seconded by Council Member Gorum and passed unanimously.

Agenda taken back to New Business item b heard next.

***b. Discussion and Decision with Regard to the City Hall Complex and Related Design Scope Changes, Funding, Construction Modifications/Changes, Bidding and Other Matters Appropriately Related Thereto (continued)**

General discussion was had regarding removing the balcony, gravel lower parking lot, getting alternate bid on asphalt tiles, keeping the workout room, keeping the basement, and phasing in the Fire Station at a later date. Chris Melville asked what the timeline would be in order to go back out to bid. Brent Tippetts stated that it would be approximately six weeks to two months. Council Member Christie made the motion to phase in the Fire Station, eliminate the walkway, eliminate the balcony, leave in the basement, reduce the site work, do some landscaping (rough in), reduce the paving but leaving in appropriate spots on the North side of the building, removing the concrete planters, curb and gutter in the South parking lot, do the asphalt tiles as an alternate bid, and leave in the workout room. The motion was seconded by Council Member E. Carter and passed unanimously.

***d. Discussion and Decision to Approve the Proposed Lease Agreement with Peppermill Casinos, Inc., for the Placement and Use of a Temporary Fire Station and Authorize the Mayor to Execute All Documents Related Thereto**

Chris Melville explained that lease agreement has been reviewed by Legal Counsel, the City and the Peppermill, and needs to be approved by Council. Council Members Gorum disclosed that he works for the Peppermill Properties but would not personally benefit from this item. Council Member E. Carter disclosed that she works for the Peppermill Properties but would not personally benefit from this item. Council Member J. Carter disclosed that he works for the Peppermill Properties but would not personally benefit from this item. Council Member Briggs disclosed that he works for the Peppermill Properties but would not personally benefit from this item. Council Member Christie made the motion to approve the proposed lease agreement with Peppermill Casinos, Inc., for the placement and use of a temporary Fire Station and authorize the Mayor to execute all documents related thereto. The motion was seconded by Council Member E. Carter and passed unanimously.

***e. Discussion and Decision to Approve the Proposed Lease Agreement with Peppermill Casinos, Inc., for the Placement and Use of a Temporary West Wendover Court Facility and Authorize the Mayor to Execute All Documents Related Thereto**

Chris Melville explained that is similar to the above item but deals with the Court facilities. Council Members Gorum disclosed that he works for the Peppermill Properties but would not personally benefit from this item. Council Member E. Carter disclosed that she works for the Peppermill Properties but would not personally benefit from this item. Council Member J. Carter disclosed that he works for the Peppermill Properties but would not personally benefit from this item. Council Member Briggs disclosed that he works for the Peppermill Properties but would not personally benefit from this item. Council Member Christie made the motion to approve the proposed lease agreement with Peppermill Casinos, Inc., for the placement and use of a temporary West Wendover Court Facility and authorize the Mayor to execute all documents related thereto. The motion was seconded by Council Member Briggs and passed unanimously.

***f. Discussion and Decision to Authorize Mutual Termination of the September 20, 2007 Lease Agreement with Peppermill Casinos, Inc. on 0.89 Acres (Current Fire Station/Court Property) Located at 935 West Wendover Boulevard when Temporary Fire Station and Court Facilities are Ready for Occupancy by the City**

Chris Melville explained that this would be a pre-authorization for when all requirements are completed. Council Members Gorum disclosed that he works for the Peppermill Properties but would not personally benefit from this item. Council Member E. Carter disclosed that she works for the Peppermill Properties but would not personally benefit from this item. Council Member J. Carter disclosed that he works for the Peppermill Properties but would not personally benefit from this item. Council Member Briggs disclosed that he works for the Peppermill Properties but would not personally benefit from this item. Council Member Christie made the motion to authorize the mutual termination of the September 20, 2007 lease agreement with Peppermill Casinos, Inc. on 0.89 acres (current Fire Station/Court property) located at 935 West Wendover Boulevard to when temporary Fire Station and Court facilities are ready for occupancy by the City. The motion was seconded by Council Member Briggs and passed unanimously.

Corinne Copelan asked if the City was going to continue with the temporary Fire Station. Council Member Christie stated that the lease would be terminated where the current Fire Station is located but the other facility has to be placed for the Fire Station to be housed in.

***g. Discussion and Decision in Regards to the Clearview Mobile Home Park Water System, Associated Agreement, Water Usage and Rates and Other Matters Appropriately Related Thereto**

Chris Melville explained that in the summer of 2006 the new owners of Clearview discussed about going to individual meters, they would reduce the rent and make improvements to the park. Chris further explained that individual meters were installed and then other problems arose, including metering and leaks. General discussion was had regarding the water usage, meters, leaks, and connection to rest of system and how to proceed in the future. Council Member Christie made the motion to direct staff to focus on looking for a new connection or any other kind of leaks thru the sewer system to use whatever available resources the City has to try to correct this matter and forgive the differences in the master meter up until now and until July 1, 2008 at which time it will be reevaluated unless the problem is located before. The motion was seconded by Council Member J. Carter and passed unanimously.

***i. Discussion and Decision for Approval of the Memorandum of Understanding between Wells Rural Electric Company and the City of West Wendover**

Chris Melville explained that this agreement will solve some issues that have been ongoing. Council Member Gorum made the motion to approve the Memorandum of Understanding between Wells Rural Electric Company and the City of West Wendover. The motion was seconded by Council Member Christie and passed unanimously.

***j. Discussion and Decision to Accept or Reject the Bids for the Three (3), Ford Crown Victoria Police Package Patrol Vehicles and Other Matters Appropriately Related Thereto**

Ron Supp explained that two bids had been received with the lowest from Middlekauff Ford out of Twin Falls Idaho for \$71,196.00. Council Member E. Carter made the motion to accept the bids for the three Ford Crown Victoria Police Package Patrol Vehicles for \$71,196.00 plus appropriate fees from Middlekauff Ford from Twin Falls Idaho. The motion was seconded by Council Member Briggs and passed unanimously.

***k. Discussion and Decision to Augment the 2007-2008 City General Fund Budget to Include One Full Time Firefighter Position for the West Wendover Fire Department and Other Matters Appropriately Related Thereto**

Council Member Christie made the motion to table this item. The motion was seconded by Council Member E. Carter and passed unanimously.

6. CONSENT CALENDAR

***a. Discussion and Decision to Adopt Resolution #2007-24, A Resolution Authorizing the Disposal of 3.91 Acres of Real Property Located on Florence Way, Through Sale as Defined by West Wendover City Code Title 6, Chapter 11, Section 2**

Chris Melville explained the resolution and other documents included with the resolution. The resolution sets the minimum bid at \$980,000.00, sets the bid due date, when bids would be opened and accepted and condition of the sale. The other documents included with the resolution are the sale contract, lease agreements, agreements to install improvements and performance guarantee bonds. Council Member Christie disclosed that she works for the Recreation District but would not personally benefit from this project. Council Member E. Carter made the motion to adopt Resolution #2007-24, a resolution authorizing the disposal of 3.91 acres of real property located on Florence Way, through sale as defined by West Wendover City Code Title 6, Chapter 11, Section 2. The motion was seconded by Council Member Gorum and passed unanimously.

***b. Discussion and Decision to Adopt Resolution #2007-25, A Resolution Amending Resolution # 2004-18, Requiring a Cash Deposit Equal to the Dollar Amount of Landscaping Improvements Required, in Order for the Issuance of a Certificate of Occupancy Between November 1st and March 1st of a Year.**

Chris Melville explained that there had been one change to the resolution provided earlier and that was to item number 4, which states: *“Upon request, after March 1st of any year, fifty percent (50%) of the deposit will be refunded to the person or business, which made the deposit. The remaining fifty percent (50%) will be refunded to the person or business, which made the deposit once the City has verified by inspection that all landscaping requirements have been met.”* Council Member Gorum made the motion to adopt Resolution #2007-25, a resolution amending Resolution #2004-18, requiring a cash deposit equal to the dollar amount of landscaping improvements required, in order for the issuance of a certificate of occupancy between November 1st and March 1st of a year. The motion was seconded by Council Member E. Carter and passed unanimously.

7. PUBLIC HEARING

1) **NOTICE**, The City of West Wendover will hold a public hearing for the purpose of considering which projects to pursue funding through the Community Development Block Grant Program. **The hearing will be set for Tuesday, December 18, 2007 at 7:30 p.m. at the West Wendover Library.** All persons may attend and be heard. Prior to the meeting, written comments may be filed with the West Wendover City Clerk and will be considered at the hearing.

ITEM OUT OF ORDER, SEE ABOVE

***Discussion and Decision for Selection and Approval of Project for the Community Development Block Grant Program 2008, and Authorization for Staff to Prepare and Mayor to Execute Any Such Applications, Documents or Agreements as Necessary for the Selected Project**

Chris Melville asked that the potential projects be narrowed down to two projects. The projects chosen to be presented at the January 2, 2008 meeting included the ADA

Accessibility projects throughout the City, ADA Accessibility along Camper Drive to the Library and the Pedestrian Safety at exit 410 and Florence Way.

2) **Time: 8:15 P.M.**

***Public Hearing pursuant to NRS 268.059 for Council to determine the fair market value of approximately 3.91 acres of land located in Section 16, Township 33 N., Range 70 E., M.D.B.&M. and located on Florence Way, City of West Wendover, Nevada**

ITEM OUT OF ORDER, SEE ABOVE

8. COMMUNICATIONS

Chris Melville stated that the DMV has indicated that they will not be coming to West Wendover in the future and should look into writing a letter. The reasoning is due to budget cuts.

Mayor Thaut stated that she had received a letter from the Chancellor of Nevada System of Higher Education explaining that budgets are being cut for the higher education also. Mayor Thaut asked that it be placed on a future agenda.

The Council wished everyone a Happy Holidays.

9. *APPROVAL OF THE CLAIMS:

Council Member Gorum made the motion to approve the claims for December 18, 2007 and November hand checks. The motion was seconded by Council Member E. Carter and passed unanimously.

10. *NEXT MEETING DATE AND ADJOURNMENT

The next meeting date is a regular meeting on January 2, 2008 at 7:00 p.m. at the West Wendover Library, Pilot Peak Room. Council Member E. Carter made the motion to adjourn at 10:13 p.m. The motion was seconded by Council Member Christie and passed unanimously.

ATTEST:

Anna E. Bartlome
City Clerk/Records Officer