

WEST WENDOVER CITY COUNCIL MINUTES OF THE REGULAR MEETING ON DECEMBER 20, 2005

The West Wendover City Council met for a regular meeting on December 20, 2005. The meeting was held at the West Wendover Library, Pilot Peak Room. Mayor Thaut presided.

Council Members Present: Jimmy Carter, Johnny Gorum, Jamey Reilly and Viola Troyan

Council Members Absent: Mike Miera

Others Present: Ross Eardley, Ron Supp, Dixie Melville, Jeff Knudtson, Devan Croasmun, Leon Flinders, Brenda Flinders, Claude Fratto, Luis Perez, Beverly Goheen, Lauara Snyder, Frank Sanchez, Lorena Sanchez, Bryce Kimber, John Hanson, Alex Peterson, 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:**
Anna Bartlome stated that the minutes of the regular meeting of December 6, 2005 would need to be forwarded to the next meeting. Council Member Reilly had a change under New Business item b the sentence should read: *“Toni stated that the program is going to provide more clothing and limit the gifts to just 2 per child.”* Another change was under Public hearing the sentence should read: *“Chris Melville explained some of the projects that may be considered included completing Phase II of Florence Way, completing curb, gutter and sidewalk along Wendover Boulevard, ADA accessibility for the new government complex, and the water tank behind Montego Bay.”* The final change was under Communications the sentence should read: *“Council Member Reilly explained that during the open meeting law class at the Nevada League of Cities closed door hearings for Department Heads and all appointed positions in the City were discussed and the City could no longer have closed door hearings for evaluations.”* Council Member Reilly made the motion to approve the minutes of the regular meeting of November 15, 2005 with the noted changes as stated above and forward the minutes of the regular meeting of December 6, 2005. The motion was seconded by Council Member Carter and passed unanimously.

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

5. CONSENT CALENDAR

***a. Second Reading and Adoption of Ordinance #2005-03; An Ordinance Entitled “Appointive Office of the Building Official”, Fixing Matters Appropriate to the New Appointed Office**

Chris Melville explained that the one change from the Ordinance being presented at this meeting and the first reading was correcting a typo under 1-22-2(B) the word was of and had been spelled fo. Council Member Reilly made the motion to adopt Ordinance #2005-03, an ordinance entitled “Appointive Office of the Building Official”, fixing matters appropriate to the new appointed office. The motion was seconded by Council Member Carter and passed unanimously.

***b. Second Reading and Adoption of Ordinance #2005-04; An Ordinance Entitled “2005 First Amendment to Public Works Director Code, Separating the Duties of the Building Official from the Office of the Public Works Director”**

Chris Melville explained that the only change was to 1-17-2(A), adding landfill as a function and area under the oversight of the Public Works Director. Council Member Reilly made the motion to adopt Ordinance #2005-04, an ordinance entitled “2005 First Amendment to Public Works Director Code, Separating the Duties of the Building Official from the Office of the Public Works Director,” with the noted change. The motion was seconded by Council Member Gorum and passed unanimously.

***c. Second Reading and Adoption of Ordinance #2005-05; An Ordinance Entitled “Requirements for Sale or Lease of Real Property Owned by the City,” Creating a New Chapter 11 of Title 6 of the West Wendover City Code for the New Provisions Concerning the Subject Matter and Other Matters Appropriately Related Thereto**

Council Member Troyan made the motion to adopt Ordinance #2005-05, an ordinance entitled “Requirements for Sale or Lease of Real Property Owned by the City,” creating a new Chapter 11 of Title 6 of the West Wendover City Code for the new provisions concerning the subject matter and other matters appropriately related thereto. The motion was seconded by Council Member Carter and passed unanimously.

***d. Second Reading and Adoption of Ordinance #2005-06; An Ordinance Entitled “Qualified Appraisers List,” Creating a New Chapter 12 of Title 6 of the West Wendover City Code for the New Provisions Concerning the Appraisers List for Use in Sales or Leases of City Property and Other Matters Appropriately Related Thereto**

Council Member Carter made the motion to adopt Ordinance #2005-06, an ordinance entitled “Qualified Appraisers List,” creating a new Chapter 12 of Title 6 of the West Wendover City Code for the new provisions concerning the appraisers list for use in sales or leases of City property and other matters appropriately related thereto. The motion was seconded by Council Member Troyan and passed unanimously.

***e. Second Reading and Adoption of Ordinance #2005-07; An Ordinance Entitled “2003 International Building Code Adoption,” Which Amends the City Code to Adopt the Standards and Regulations Provided Thereby**

Chris Melville stated that the changes are the number of copies to be filed, which had two copies with the City Clerk, now has one copy with City Clerk and one copy with Community Development Director. Another change is to section 7-1-3(A) which added language to address the issues on plans and building permits, and reads as follows: *“Developers, as well as all others required by the IBC, are subject to building permit requirements. All building permits shall be accompanied by submission of such plan/drawing documents as may be required by the Director of Community Development.”* Council Member Carter made the motion to adopt Ordinance #2005-07, an ordinance entitled “2003 International Building Code Adoption,” which amends the City Code to adopt the standards and regulations provided thereby. The motion was seconded by Council Member Reilly and passed unanimously.

***f. Second Reading and Adoption of Ordinance #2005-08; An Ordinance Entitled “Fire Code Update 2005,” Adopting the International Fire Code and Providing Other Matters Appropriately Related Thereto, and Providing Regulation for Floor-Level Signs**

Chris Melville explained that a change was to delete the reference to Volunteer Fire Department because there was no need to reference the Fire Department and Volunteer Fire Department. The next change was to section 7-2-5 and added Community Development Director to the Committee. Council Member Reilly made the motion to adopt Ordinance #2005-08, an ordinance entitled "Fire Code Update 2005," adopting the International Fire Code and providing other matters appropriately related thereto, and providing regulation for floor-level signs. The motion was seconded by Council Member Gorum and passed unanimously.

6. NEW BUSINESS

***a. Determination and Decision of City Council Regarding the Veto by the Mayor of the Granting of a Liquor License for Lorena Sanchez/Sanchez Mexican Grill on December 6, 2005**

Frank Sanchez, who is representing Lorena Sanchez, stated the paperwork (driver's license, social security card, and alien registration card) had now been provided. Frank explained that Lorena is the one applying for the liquor license and should be based on her background not his, further believes that the decision for the veto is based on ethical and ethnic reasons, and the veto is causing them thousands of dollars in lost revenue. General discussion was had regarding the veto of the liquor license, and the information not provided previously. Council Member Troyan made the motion to override the veto by the Mayor of the granting of a liquor license for Lorena Sanchez/Sanchez Mexican Grill on December 6, 2005. The motion was seconded by Council Member Carter, Council Member Gorum voted aye. Council Member Reilly voted nay. The motion to override the veto does not pass, the veto can only be overridden by a 4/5 vote.

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

Ross Eardley explained the completed annual audit, which included a comparative between last year and this year for the GASB34. Ross stated that as in the past an unqualified opinion was given, which states: *"that the financial statements referred to above present fairly, in all material respects the financial position of the governmental activities, the business-type activities, the aggregate discretely presented component units, each major fund, and the aggregate remaining fund information of the City of West Wendover, Nevada, as of June 30, 2005, and the respective changes in financial position and the cash flows where applicable, thereof for the year then ended in conformity with accounting principles generally accepted in the United States of America."* Council Member Reilly made the motion to accept the completed annual audit. The motion was seconded by Council Member Troyan and passed unanimously.

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

***c. Discussion and Decision Regarding Approval and Continuance of the Employee Health Insurance Plan and Other Matters Appropriately Related Thereto**

Claude Fratto stated that the insurance committee has finished its review and would recommend increasing the stop loss to \$25,000.00. The fees to the City and employees would remain the same. Council Member Reilly made the motion to approve the continuance of the employee health insurance plan, and increasing stop loss to \$25,000.00. The motion was seconded by Council Member Gorum and passed unanimously.

***d. Discussion and Decision Regarding Renewal of Agreement with Wendover Ambulance and Other Matters Appropriately Related Thereto**

Chris Melville explained the change from the last meeting in that the protocols are developed by the West Wendover Department Dispatch not the Tooele County Sheriff's Department Dispatch. Lauara Snyder stated that she would like the agreement to be for ten years due to the terms of her financing. Council Member Reilly made the motion to renew the agreement with Wendover Ambulance for a term of ten years. The motion was seconded by Council Member Carter and passed unanimously.

***e. Discussion and Decision Regarding Renewal of Agreement with Nevada Rural Health Center and Other Matters Appropriately Related Thereto**

Chris Melville stated that there were no changes due to the new agreement incorporating the previous agreement and the amendment, and an updated inventory list has been done.

Council Member Reilly made the motion to renew the agreement with Nevada Rural Health Centers. The motion was seconded by Council Member Gorum and passed unanimously.

7. OLD BUSINESS

***a. Discussion in Regards to the West Wendover Government Complex**

Mayor Thaut stated that this item would be on the agenda until a vote is done in case any questions need to be answered.

8. PUBLIC HEARING

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 20, 2005 at 7:30 p.m. at the West Wendover Library, Pilot Peak Room.** 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, 2005 to December 20, 2005.

The City of West Wendover does not discriminate on the handicapped status in the admission of access to, treatment, employment or activities in it's 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 meeting and opened the public hearing portion of the meeting.

Chris Melville stated that he would like to have the 5 projects mentioned so far narrowed to 2 and that presentations of those 2 would be given at the next meeting. The projects include Florence Way Phase II, Wendover Boulevard to Red Garter, Silver Smith Water Tank Upgrade, ADA accessibility for new government complex, and the Health and Fitness Center. Chris stated that the two projects would be reviewed at the next meeting and a selection would be made then. Dixie Melville asked about the Florence Way Phase II project. The Florence Way Phase II included lighting, curb, gutter and sidewalk improvements from Camper Drive to Mesa Street. John Hanson asked about the time frame for the projects, if they would be completed about the same time. Chris stated that it would depend on what projects are out there and available, and were they fall on the capital improvement plan.

Lauara Snyder stated that a concern she had for the Health & Wellness Center was school security if the facility is located on school grounds.

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

***Discussion and Decision for Selection and Approval of Projects for the Community Development Grant Program 2006 and Authorization for Staff to Prepare and Mayor to Execute Any Such Applications, Documents or Agreements as Necessary for the Selected Projects**

Council Member Reilly made the motion to select the Florence Way Phase II and the Wendover Boulevard Sidewalk project as the two projects for the Community Development Grant Program 2006. The motion was seconded by Council Member Gorum and passed unanimously.

Agenda taken back in order, Consent Calendar heard next, see above.

9. COMMUNICATIONS

Council Member Gorum asked who fixes the street lights that are burnt out. It was stated that Wells Rural Electric will be notified of the street light that is out.

Council Member Carter stated that the Nevada Governors Conference on Tourism was good, he learned a lot, and thought the speakers were great.

Council Member Reilly stated that the same presentation was given to the REC District concerning the 21st Century Grant and was supported by them also.

Mayor Thaut explained that the play put on by the 21st Century After school program was very good but there had been no lights on outside when the play ended and had been very dark.

Council Member Reilly wished everyone a Happy Holidays.

Mayor Thaut stated that the Nevada Governors Conference on Tourism had great speakers but was very expensive.

10. *APPROVAL OF THE CLAIMS:

Council Member Carter made the motion to approve the claims for December 20, 2005 and the November Insurance. The motion was seconded by Council Member Gorum and passed unanimously.

11. *NEXT MEETING DATE AND ADJOURNMENT

The next meeting date is a regular meeting on January 3, 2006 at 7:00 p.m. at the West Wendover Library, Pilot Peak Room. Council Member Reilly made the motion to adjourn at 8:28 p.m. The motion was seconded by Council Member Gorum and passed unanimously.

ATTEST:

Anna E. Bartlome
City Clerk/Records Officer