



CITY OF WEST WENDOVER

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WEST WENDOVER CITY COUNCIL MINUTES OF THE REGULAR MEETING OF MARCH 17, 2009

The West Wendover City Council met for a regular meeting on March 17, 2009. The meeting was held at the West Wendover Library, Pilot Peak Room. Mayor Andersen presided.

Council Members Present: Bryant Blake, Roy Briggs, Emily Carter, Johnny Gorum and Alan Rowley II

Others Present: Suzan Erickson, Nancy Green, John Hanson, Scott Rogers, Bryce Kimber, Scott Weyland, Dixie Melville, Arieh Copelan, John Spillman, Ernest Purefory, Sean Mowray, Sonny Longson, Jamey Christie, Jim Carter, Kris Andersen, Gary Lewis, Shawn Gregory, Brian Erickson, John Hanson, Brett Shelton, Mike Crawford, Kerry Robinson, Jerry Malone, Sondra Schmidt, Carla Loncar, Arby Stone, Gary Di Grazia, Lisa Supp, Ron Supp, Mike Gunter, Jeff Knudtson, Leanna Briggs, Greg Sexton, Mary Lou Lewis, Sandra Gunter and Anna Bartlome

The following proceedings were had.

1. CALL TO ORDER AND ROLL CALL

Mayor Andersen called the meeting to order at 7:00 p.m. All those present and excused are noted above.

2. PLEDGE OF ALLEGIANCE

Mayor Andersen 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 Rowley had some changes to the minutes of February 17, 2009.

Under Presentation the change is as follows:

"The website includes forms and a frequently asked questions section."

"Also to be added in 2009 is an online calendar and the ability to take online payments."

Under New Business the change is as follows:

Item a: *"Jeff Knudtson explained that this change order has to do with the amount of insulation in the attic, which is currently at R19 and was requesting changing to R38."*

Council Member Rowley II made the motion to approve the minutes of the regular meeting of February 17, 2009 with the changes as noted above, and to forward the minutes of the regular meeting of March 3, 2009. The motion was seconded by Council Member Carter and passed unanimously.

5. NEW BUSINESS

***a. Reconsideration of decision and vote on March 3, 2009, with respect to Proposed Change to City Code 3-5-4-(D) regarding Non Restricted Gaming Licenses Concerning the Related Definition and Requirements for “Rural Resort Hotel” and Requirements for Granting Licenses to Permit Nonrestrictive Gaming Operations and Other Matters Appropriately Related Thereto**

Gary Di Grazia explained that there is some concern about the vote that was taken March 3, 2009 regarding the proposed change to the city code 3-5-4-(D). The issue arises because of four members employed by the Peppermill Corporation. Gary Di Grazia read NRS 281A.420 (4) into the record, which concerns disclosure of members of the governing body. Gary Di Grazia explained that once a disclosure is made does not mean that you are unable to vote, it would be a personal determination. Council Member Gorum made the motion to move that the agenda item 6d of March 3, 2009 meeting and the action taken thereon related to the City Code concerning Rural Resort Hotels be opened for full reconsideration at this present meeting and time. The motion was seconded by Council Member Rowley II and passed unanimously.

Gary Di Grazia explained that a disclosure should be made and whether they will vote or not.

Council Member Gorum disclosed that at the previous meeting on this issue, even though most people knew where he worked, he inadvertently failed to disclose his employment by the Peppermill. He disclosed that he is employed by the Peppermill as a Flight Program Manager and have been employed by the Peppermill for approximately eight years. He believes this to be an important issue for the City and have considered this matter carefully and in good faith. He does not believe that his independent judgment will be impaired by his employment with Peppermill. All non-restricted gaming casinos have the same interest concerning this issue. The City has determined that “warehouse casinos” are not in the best interest of the City. As a result, he will vote when the matter is called by the Mayor.

Council Member Carter disclosed that she also works for the Peppermill Casino. She is employed as the Payroll Manager and has currently been employed by them for two years and previously for eight years. She does not feel that her independent judgment is in question in regards to her employment with Peppermill. She feels that she can make a determination based on conversations with other members of the community not employed by any of the casinos. She will vote when the matter is at hand.

Council Member Rowley II disclosed that he is employed by the Peppermill as a Security Manager and has been employed for four years. He also believes that working for Peppermill has not impaired his judgment on this matter. He stated that this is not a Peppermill rule it affects all casinos. As a result he will vote when the matter is called before the Mayor.

Council Member Briggs disclosed that he works for Peppermill; he is the Assistant Director of Surveillance and has been employed for eleven years. He does not believe that his independent judgment on this matter will be influenced in any way by his employment. He will vote when this issue is called by the Mayor.

John Spillman stated that the gaming abstract has come out for January with West Wendover being up 16% while the rest of the State is down 14%. John stated that we have to have the right kind of growth by putting room tax revenue in the recreational facilities. Sonny Longson stated that he is in support of the ordinance because it protects the community.

Council Member Gorum stated that he has talked to a lot of people on this issue and that the needs of the many out way the needs of the few or individual.

Council Member Gorum made a motion to not change City Code 3-5-4-(D) regarding the non restricted gaming licenses concerning the related definition and requirements for “Rural

Resort Hotel” and requirements for granting licenses to permit nonrestrictive gaming operations. The motion was seconded by Council Member Briggs and passed unanimously.

Agenda was taken in the following order.

***c. Discussion and Decision to Renew Contract for Engineering Services with Aqua Engineering, Inc**

Bryce Kimber stated that Scott Rogers was here if there were any questions. Council Member Carter made the motion to renew the contract for engineering services with Aqua Engineering, Inc. The motion was seconded by Council Member Blake and passed unanimously.

***e. Discussion and Decision to Approve Compliance Schedule to Implement NDEP Effluent Discharge Permit**

Scott Rogers stated that he was surprised by the length of time on the schedule, which goes until 2014. Council Member Blake made the motion to approve the compliance schedule to implement NDEP Effluent Discharge Permit. The motion was seconded by Council Member Briggs and passed unanimously.

***b. Discussion and Decision to Approve the North Gene L. Jones Way Project Phase 2 and Other Matters Appropriately Related Thereto**

Bryce Kimber explained that this project would pave North Gene L. Jones Way and extend the water line. Funding would come from the water fund, general fund and the RTC. Council Member Gorum made the motion to approve the North Gene L. Jones Way Project Phase 2. The motion was seconded by Council Member Blake and passed unanimously.

***d. Discussion and Decision to Authorize the City Manager to Prepare and Submit Applications to USDA-RD for Grant/Loan Funding with Regard to Appropriate Projects Listed on the City’s Adopted Five Year Capital Improvement Program**

It was explained that this item would authorize Chris Melville to prepare and submit the applications. Council Member Carter made the motion to authorize the City Manager to prepare and submit applications to USDA-RD for grant/loan funding with regard to appropriate projects listed on the City’s adopted five year Capital Improvement Program. The motion was seconded by Council Member Rowley II and passed unanimously.

***f. Discussion and Decision to Approve the Submittal of a Letter to Governor Gibbons Regarding the Nevada Commission on Economic Development and Nevada Commission on Tourism and Other Matters Appropriately Related Thereto**

Council Member Gorum stated that by combining these two programs it would not be good for West Wendover. Council Member Carter made the motion to approve the submittal of a letter to Governor Gibbons regarding the Nevada Commission on Economic Development and Nevada Commission on Tourism. The motion was seconded by Council Member Rowley II and passed unanimously.

***g. Discussion and Decision to Adopt the Special Event Permit Applications and Other Matters Appropriately Related Thereto**

Ron Supp explained that the change to the permits was to add some of the pertinent codes. Council Member Blake made the motion to adopt the special event permit applications. The motion was seconded by Council Member Briggs and passed unanimously.

***h. Discussion and Decision Regarding Donating to the 2009 Annual Easter Egg Hunt and Other Matters Appropriately Related Thereto**

Anna Bartlome explained that this is the annual event and if an amount is donated the community support fund will need to be augmented. Shawn Gregory, the Committee Chairman, explained that there are various games and hunts for the different age groups. The event will be April 11, 2009. Council Member Carter made the motion to donate \$500.00 to the 2009 Annual Easter Egg Hunt. The motion was seconded by Council Member Rowley II and passed unanimously.

***i. Discussion and Decision with Regard to the 2009 July 4th Activities, Organization, Participation, Chairman and Other Matters Appropriately Related Thereto**

Council Member Carter stated that she has been involved for the last two years and it is now time to get started. General discussion was had regarding what is required for the event. Council Member Gorum made the motion regarding the 2009 July 4th activities, organization, participation, and to nominate Emily Carter as chairman. The motion was seconded by Council Member Blake and passed unanimously.

6. COMMUNICATIONS

Council Member Gorum stated that he attended the REC District meeting and they are moving forward on the new Recreation Center. Shawn Gregory explained that bids for the new slide would be opened on March 26th and hopefully be installed before the start of the season.

Council Member Rowley II asked when the budget meetings are to be held. Anna Bartlome explained that the meetings are scheduled for March 30th, 31st and April 1st starting at 5:30 p.m. Discussion was had regarding the times of the meetings and potential conflict with the times. The budget meetings are as follows: March 30th at 6:00 p.m., March 31st at 5:30 p.m. and April 1st at 5:30 p.m. All budget meetings are to be held at the West Wendover City Offices, Conference Room.

Council Member Briggs stated that at the Utah city council meeting it was discussed to place the new welcome sign. The sign had been designed by Ira Sly and will say "Welcome to Wendover".

7. *APPROVAL OF THE CLAIMS:

Council Member Gorum made the motion to approve the claims for March 17, 2009 and February hand checks. The motion was seconded by Council Member Blake and passed unanimously.

8. *NEXT MEETING DATE AND ADJOURNMENT

The next regular meeting date is April 7, 2009 at 7:00 p.m. at the West Wendover Library, Pilot Peak Room. Council Member Carter made the motion to adjourn at 7:34 p.m. The motion was seconded by Council Member Briggs and passed unanimously.

ATTEST:

Anna E. Bartlome
City Clerk/Records Officer