



CITY OF WEST WENDOVER

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WEST WENDOVER CITY COUNCIL MINUTES OF THE REGULAR MEETING OF MARCH 18, 2008

The West Wendover City Council met for a regular meeting on March 18, 2008. 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, Gary Lewis, Jennifer Tefteller, Bryce Kimber, Aleta Kimber, Glenn Wadsworth, Kerry Robinson, Jeff Knudtson, Dale Lotspeich, Raul Naranjo, John Hanson, Deeanna Croasmun, Lisa Supp, Ron Supp, Craig Neeley, Leon Flinders, Tyler Peterson, Michelle Giovo, Dixie Melville, 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:

Sheriff Dale Lotspeich read a letter thanking the Police and Fire personnel for their help during the earthquake in Wells. Sheriff Lotspeich also stated that there would be an earthquake rally in Wells on April 5th from 10 a.m. to 4 p.m. Pacific time.

4. *APPROVAL OF THE MINUTES:

Council Member Christie had some changes to the minutes of the special meeting of March 4, 2008.

Under New Business the changes are as follows:

Item a: *“Chris Melville asked for more time and to move this item to the meeting of March 18, 2008.”*

Item b: *“The motion died due to a lack of a second.”*

“General discussion was had regarding what type of materials which would be dumped, possible waiver of a portion of the fees, and how the clean up of this property was good for the whole community.”

“Council Member Christie rephrased her motion to reduce the tipping charges for the cleanup of the Rippetoe property in the center of Wendover Utah to \$25.00 per ton excluding rock and block that will be sorted out and left at its current rate.”

Under Department Updates the changes are as follows:

Public Works Director: *“Tentatively at the end of March the leak detection company from Tennessee should be here to help with the Clearview Mobile Home issue.”*

Police Chief: *“A background check is being completed on another applicant for dispatch who would then take the place of Ryan Tangaro who would then go to patrol.”*

Under Communications the changes are as follows:

“Mayor Thaut explained that they are coming up with a program and would like to purchase some bags to start giving to the citizens.”

Council Member Christie made the motion to approve the minutes of the regular meeting of March 4, 2008 with the changes as noted above. The motion was seconded by Council Member Briggs and passed unanimously.

5. CONSENT CALENDAR

***a. Discussion and Decision Regarding Resolution #2008-02; A Resolution Establishing a Revolving Bank Account for the Processing of Credit Card Transactions for the Municipal Court Pursuant to N.R.S. 354.609**

It was explained that this resolution would allow people to pay with credit cards at the Municipal Court. Council Member Christie made the motion to approve Resolution #2008-02, a resolution establishing a revolving bank account for the processing of credit card transactions for the Municipal Court pursuant to N.R.S. 354.609. The motion was seconded by Council Member Briggs and passed unanimously.

***b. Discussion and Decision Regarding Resolution #2008-03; A Resolution Authorizing Participation in the National Flood Insurance Program under the National Flood Insurance Act of 1968 and to Provide Recognition and Evaluation of Flood, Mudslide or Flood-Related Erosion Hazards and to Provide for the Legal Authority to Adopt and Enforce Land Use and Control Measures to Reduce Flood Losses Pursuant to City Code and Nevada State Law and Other Matters Appropriately Related Thereto**

Chris Melville gave a presentation regarding the flood plain program, the City’s participation in the program and what participation in the program will do. General discussion was had regarding participation in the National Flood Insurance Program, whether everyone would need to purchase flood insurance, and some of the areas that are in a flood zone. Council Member Christie made the motion to adopt Resolution #2008-03, a resolution authorizing participation in the National Flood Insurance Program under the National Flood Insurance Act of 1968 and to provide recognition and evaluation of flood, mudslide or flood-related erosion hazards and to provide for the legal authority to adopt and enforce land use and control measures to reduce flood losses pursuant to City Code and Nevada State Law. The motion was seconded by Council Member Gorum and passed unanimously.

6. NEW BUSINESS

***a. Discussion and Decision Regarding the Possible Donation to “The Breast Brigade” for the Breast Cancer 3-Day and Other Matters Appropriately Related Thereto**

Council Member Christie made the motion to forward this item to the next meeting. The motion was seconded by Council Member J. Carter and passed unanimously.

***b. Discussion and Decision Regarding Donation to the West Wendover High School Football Team and Weight Room and Other Matters Appropriately Related Thereto**

Tyler Peterson explained that for some time improvements have been needed for the weight room. Some of the reason the improvements have not been made are due to the change in principals and the equipment not being in as bad of shape a few years ago.

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

Tyler Peterson gave a presentation explaining the need for the new equipment, condition of equipment, cost of equipment and improvements, and what they will do for the donation.

Discussion was had regarding whether there have been any fund raisers or if others have been asked to donate. Tyler Peterson explained that they have not yet done fund raisers because they thought they were getting funding from the School District, and they were asking the City for a donation first and would then ask others. General discussion was had regarding whether to donate to the football team and weight room, potential fund raisers and setting a precedent of donating to athletic group. Chris Melville stated that they should come before the Next Dollar Foundation. No action was taken.

***c. Discussion and Decision for Final Site Plan, Tuscan Event Center 2008 Addition and Other Matters Appropriately Related Thereto**

Chris Melville asked that the final site plan be approved with the conditions that deal with parking and the repair of the 48” storm drainage line. Council Member Gorum disclosed that he works for Peppermill Corporation but would not benefit by this decision. Council Member E. Carter disclosed that she works for Peppermill Corporation but would not benefit by this decision. Council Member J. Carter disclosed that he works for Peppermill Corporation but would not benefit from this decision. Mayor Thaut explained that she only votes in the case of a tie vote or a veto action but would need to disclose that she works for Peppermill Corporation but would not benefit from this decision. Council Member Christie made the motion to approve the final site plan for the Tuscan Event Center 2008 addition with these conditions:

- 1) That appropriate and adequate parking be identified to offset the removal of existing parking stalls related to the addition, and that any additional drainage calculations are provided and plan changes made to incorporate the necessary adjustments.
- 2) That prior to completion of the improvements and any issuance of a Certificate of Occupancy, the 48” Storm Drainage Line installed across Wendover Boulevard at the Concert Hall site shall be repaired to full operational condition meeting West Wendover Public Works Standards and Specifications. That the owner shall provide to the City a written letter acknowledging the deficiencies of the Storm Drainage Line and acknowledge the repairs needed to meet the City’s Standards and Specifications.

The motion was seconded by Council Member Briggs and passed unanimously.

***d. Discussion and Decision for Final Site Plan, Montego Bay Hotel Addition Phase IV and Other Matters Appropriately Related Thereto**

Chris Melville asked that the final approval be given with the following conditions as part of the record: parking, landscaping, 48” storm drainage line and existing sewer line capacity. Council Member Gorum disclosed that he works for Peppermill Corporation but would not benefit by this decision. Council Member E. Carter disclosed that she works for Peppermill Corporation but would not benefit by this decision. Council Member J. Carter disclosed that he works for Peppermill Corporation but would not benefit from this decision. Mayor Thaut stated that she probably would not vote but does hold the veto vote and must disclose that she works for Peppermill Corporation but would not benefit from this item. Council Member Gorum made the motion to approve the final site plan for Montego Bay Hotel Addition Phase IV with the following conditions:

- 1) That appropriate and adequate parking be identified and incorporated to meet the parking requirements under City Code for the Montego Bay Casino Resort. This due to any offset by the removal of existing parking stalls related to the approved addition. If additional parking is to be constructed, complete parking facility expansion plans shall be included providing appropriate detail related to parking stalls, landscaping, ingress and egress routes in addition to any drainage calculations and storm drainage retention/detention which may be required for appropriate plan adjustments.
- 2) That an appropriate landscape plan be provided as part of the Site Plan meeting the requirements of the City’s Landscape Ordinance for commercial properties.
- 3) That prior to completion of the improvements and any issuance of a Certificate of Occupancy, the 48” Storm Drainage Line installed across Wendover Boulevard at the location of the Tuscan Event Center (Peppermill Concert Hall) site shall be repaired to full operational condition meeting West Wendover Public Works Standards and Specifications. That the owner shall provide to the City a written letter acknowledging the deficiencies of the Storm

Drainage Line and acknowledge the repairs needed in order to meet the City's Standards and Specifications for Public Works Construction.

4) That the Owner provide a written letter to the City acknowledging the City's evaluation of the existing sewer line capacities along Wendover Boulevard from the Montego Bay Casino Resort west to the Peppermill Casino Hotel. This acknowledgment to include that the existing line as of March 14, 2008 has a capacity limitation, thus restricting any future connection(s) to a maximum equal to 250 hotel rooms or 200 GPM. And that the Montego Bay Hotel Phase IV expansion of 120 rooms will utilize 96 GPM of that existing growth capacity. As a result, future projects in this area from Montego Bay Casino Resort west to the Peppermill Casino Hotel, will require an upsize to the existing sewer line or the construction of a new sewer line as was previously agreed to between the City and the owner on or about June 15, 2006.

The motion was seconded by Council Member J. Carter and passed unanimously.

***e. Discussion and Decision for Final Site Plan Approval, La Noria Meat Market and Other Matters Appropriately Related Thereto**

Chris Melville asked that final approval be given with the following conditions: adjusting building location, retention/detention of storm water runoff, drainage calculations are stamped by a Nevada Registered Engineer, retaining wall and that appropriate modifications be made for driveway approaches. Council Member E. Carter made the motion to approve final site plan for La Noria Meat Market with the following conditions:

- 1) That appropriate plan modifications be made to adjust the building location to meet the east side yard property set back of 25 feet.
- 2) That appropriate adjustments are made to provide for retention/detention of storm water run-off and that appropriate drainage calculations to support such design be stamped by a Nevada Registered Engineer.
- 3) That appropriate retaining wall design be provided and stamped by a Nevada Registered Engineer.
- 4) That appropriate modifications be made for the driveway approaches with regard to curb returns or standards concrete approaches. If curb returns are going to be used, provide for appropriate curb ramps.

The motion was seconded by Council Member Briggs and passed unanimously.

***f. Discussion and Decision to Approve the Public Works Crew to Install Waterline in Wells Nevada and Other Matters Appropriately Related Thereto**

Bryce Kimber explained that this was on the agenda to approve sending a crew to Wells to install a waterline. Council Member Christie made the motion to approve the Public Works Crew going to Wells to install a waterline and approve payment of the cost from the City's budget unless Wells is reimbursed at which time they would be billed appropriately. The motion was seconded by Council Member Briggs and passed unanimously.

***g. Discussion and Decision to Accept or Reject the Request for Proposals (RFP) for Financial Auditor for the City of West Wendover and Other Matters Appropriately Related Thereto**

Council Member Christie made the motion to accept the request for proposals (RFP) from Hansen, Barnett & Maxwell. The motion was seconded by Council Member Briggs and passed unanimously.

***h. Discussion and Decision to Appoint the Financial Auditors for the City of West Wendover and Other Matters Appropriately Related Thereto**

Leon Flinders explained that only one bid had been received, which was from Hansen, Barnett & Maxwell. General discussion was had regarding not receiving a bid from current auditor or other firms in Elko. Leon explained that the firm we received the proposal from is in good standing in Nevada and licensed in Nevada. Leon stated that the fees are about \$5,000.00 more then current but was expected due to a change in the accounting standards that are now required. Council Member Gorum made the motion to appoint the financial auditors for the City of West Wendover of Hansen, Barnett & Maxwell the 2007-2008 fiscal year audit. The motion was seconded by Council Member Christie and passed unanimously.

Mayor Thaut called for a break at 8:43 p.m.

Mayor Thaut called the meeting back to order at 8:52 p.m.

7. OLD BUSINESS

***a. Discussion and Decision with Regarding to Compost Operations, Garbage/Landfill Fees, Water Fees, Sewer Fees, Associated Fiscal Budgets, Authorization for Staff to Prepare any Appropriate Resolutions for Adoption and Other Matters Appropriately Related Thereto**

Craig Neeley went through presentation explaining the suggested increases to the water, sewer and garbage fees. The water and sewer rates would increase 9% starting July 1, 2008, 6% July 1, 2009 and 3% each fiscal year thereafter. The garbage rates would increase 12% July 1, 2008 and July 1, 2009, and 4% each fiscal year thereafter. The presentation explained the need for the increase in each fund, what projects and/or equipment that would be needed for each department. It was explained that any changes to the fees would need to be adopted by resolution. Council Member Christie made the motion to make the rate adjustments on the water at a 9-6-3% increase, the sewer at a 9-6-3% increase and the garbage at a 12-12-4% increase, for preparation of associated budgets accordingly and authorize staff to prepare appropriate resolutions for adoption to take effect July 1, 2008. The motion was seconded by Council Member Briggs and passed unanimously.

8. PUBLIC HEARING

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 **March 18, 2008 at 7:45 p.m.** in the West Wendover Library, Pilot Peak Room, located at 590 Camper Drive. The purpose of this hearing is to consider an appeal for a work card permit for D. Paul and J. Tefteller under City Code 3-4-31(A).

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

***Discussion and Decision Regarding Approval or Denial for a Work Card Permit for D. Paul**

Council Member Christie made the motion to deny the work card permit for D. Paul. The motion was seconded by Council Member Briggs and passed unanimously.

***Discussion and Decision Regarding Approval or Denial for a Work Card Permit for J. Tefteller**

Jennifer Tefteller explained that she was working when the Police informed her that a customer said she stole money from him and that her work card would be revoked. Council Member Briggs disclosed that due to his job he is aware of the situation but would not benefit from this situation. Council Member Briggs made the motion to deny the work card permit for J. Tefteller. The motion was seconded by Council Member Christie and passed unanimously.

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 b; see above.

9. COMMUNICATIONS

Bryce Kimber stated that everything went well with the work in Wells. Bryce explained that Wendover Utah also provided an employee to help with the installation in Wells.

Council Member Gorum asked if the fireworks for the 4th of July would need to find a new location due to the Industrial/Logistics Park. It was stated that if it was just infrastructure it

would not need to be moved but once facilities are there a new location would have to be found.

Council Member E. Carter stated that she had been approached by Wendover Utah asking when the 4th of July committee would begin. An item would be placed on the next agenda.

Council Member Briggs stated that Wendover Utah is currently dealing with their graffiti issue.

Council Member Christie explained that she attended the first Nevada League of Cities Legislative meeting by conference call. Council Member Christie stated that most of the cities are still determining what bills to draft. Council Member Christie explained that the lobbyist group discussed some items that will be ballot initiatives that would be coming up.

10. *APPROVAL OF THE CLAIMS:

Council Member Gorum made the motion to approve the claims for March 18, 2008 and the February hand checks. The motion was seconded by Council Member E. Carter and passed unanimously.

11. *NEXT MEETING DATE AND ADJOURNMENT

The next meeting date is a special meeting on March 24, 2008 at 6:30 p.m., a special meeting on March 25, 2008 and March 26, 2008 at 6:00 p.m., meetings will be held at the West Wendover City Offices, Conference Room. The next regular meeting will be April 1, 2008 at 7:00 p.m. at the West Wendover Library, Pilot Peak Room. Council Member E. Carter made the motion to adjourn at 9:45 p.m. The motion was seconded by Council Member J. Carter and passed unanimously.

ATTEST:

Anna E. Bartlome
City Clerk/Records Officer