



CITY OF WEST WENDOVER

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WEST WENDOVER CITY COUNCIL MINUTES OF THE REGULAR MEETING OF MAY 1, 2007

The West Wendover City Council met for a regular meeting on May 1, 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: Glenn Wadsworth, Bryce Kimber, Ron Supp, Jeff Knudtson, Randall Soderquist, Norm Shubert, Corinne Copelan, Walt Sanders, Leon Flinders, Aleta Kimber, 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 April 3, 2007.

Under Department Updates the changes are as follows:

“Chris stated that a copy of the letter sent by Harry Reid to the Air Force concerning the Air Force property had been placed in the Councils and Mayor’s boxes.”

Council Member Christie made the motion to approve the minutes of the regular meeting of April 3, 2007 with the changes as noted above. The motion was seconded by Council Member Briggs and passed unanimously.

5. PROCLAMATION

Proclamation for Law Enforcement Memorial Week May 14th – May 18th

Mayor Thaut read the proclamation (see attached) for Law Enforcement Week May 14th-May 18th, and for May 14th to be observed as Peace Officers’ Memorial Day.

6. CONSENT CALENDAR

***a. Discussion and Decision to Adopt Resolution #2007-05; A Resolution of the City Council of West Wendover, Nevada Providing for the Transfer of the City’s 2007 Private Activity Bond Cap to the Nevada Rural Housing Authority; and Other Matters Related Thereto**

Chris Melville explained that this is the same as was done last year, which will allow Nevada Rural Housing to use the City’s private activity bonds that can be pooled with other funds from around the State. Council Member Christie asked if the funds could be used for construction or financing the homes. It was stated that the funds could be used for

construction as well as for financing a home, if the person qualifies. Council Member Gorum made the motion to adopt Resolution #2007-05; a resolution of the City Council of West Wendover, Nevada providing for the transfer of the City's 2007 Private Activity Bond Cap to the Nevada Rural Housing Authority. The motion was seconded by Council Member Christie and passed unanimously.

7. NEW BUSINESS

***a. Discussion and Decision Regarding Selection of Brian C. Cheney of Snell & Wilmer, LLP as Attorney for the Administrative Authority and Other Matters Appropriately Related Thereto**

Glenn Wadsworth explained that Gary DiGrazia had been the attorney for the Administrative Authority, but due to a conflict of interest, he resigned as legal counsel for the Administrative Authority. Glenn further explained that the Administrative Authority had been trying to find a new attorney but it was a difficult process. It was stated that the attorney would need to be licensed in both Utah and Nevada. Glenn stated that Nancy Green had used the law firm of Snell & Wilmer before, and the firm came out and gave a presentation to the Administrative Authority. Glenn explained that the Administrative Authority Board made a motion to hire Brian C. Cheney of Snell & Wilmer, LLP as their attorney. Glenn explained that Snell & Wilmer, LLP are the attorneys handling the mitigation for the lawsuit between Wendover Utah and West Wendover Nevada. Glenn was informed that in order for the Administrative Authority to hire Brian C. Cheney for its attorney he would have to keep everything separate from the attorneys handling the mitigation and both cities would need to approve the selection of Brian C. Cheney of Snell & Wilmer, LLP. Mayor Thaut explained that when Brian C. Cheney made the presentation, it was unknown that he worked for the same firm handling the mitigation. Mayor Thaut asked if Wendover Utah had approved the selection. Glenn explained that it had been on their last agenda, but they had to forward it due to an illness with their attorney. Council Member Christie made the motion to approve the selection of Brian C. Cheney of Snell & Wilmer, LLP as attorney for the Administrative Authority. The motion was seconded by Council Member Briggs and passed unanimously.

***b. Discussion and Decision to Provide Final Plat Approval and Acceptance of Covenants Codes and Restrictions for Silverado Estates Unit Number 1**

Chris Melville explained the preliminary approval had been done, but there would be changes to the final approval. Chris explained that the construction drawings for the subdivision had been provided and forwarded to the City Engineer, whose comments had been sent back to the surveyor and engineer for the project. Chris explained that the changes had been made on the drawings submitted and presented for the meeting, and the City Engineer was reviewing plans to verify all changes had been made. Chris stated that everything was complete on the plat, but with a final approval there should be the following conditions:

1. Final review and approval by the City Engineer of the Final Plat and related construction drawings.
2. Executing of an appropriate Deed providing the City with the necessary property to meet park requirements and detention basin requirements per City Code for the related subdivision.
3. All pertinent State and Local Agency approvals provided.
4. Submittal of new drainage calculations.

Council Member Christie asked what the average lot size is and what is the smallest? It was stated that the smallest is 7,200 square feet and the largest is 13,000 square feet. The average is 8,500 square feet. Council Member Gorum made the motion to approve the final plat approval and acceptance of covenants codes and restrictions for Silverado Estates Unit Number 1 with the following conditions: Final review and approval by the City Engineer of the Final Plat and related construction drawings. Executing of an appropriate Deed providing the City with the necessary property to meet park requirements and detention basin requirements per City Code for the related subdivision. All pertinent State and Local Agency approvals provided. Submittal of new drainage calculations. Jeff Knudtson asked about the section that covers landscaping, should the paragraph say "Declarant will landscape." instead

of “Declarant intends to landscape.” It was explained that under the City Code they need to landscape, but it says intends so that during the winter months an agreement could be done until the weather would permit landscaping. The motion was seconded by Council Member E. Carter and passed unanimously.

8. DEPARTMENT UPDATES

Fire Chief – Jeff Knudtson explained that he was at a conference on how to build fire stations and how to get grants for fire stations.

Police Chief – Ron Supp stated that representatives would be in Elko on May 14th for the Law Enforcement Week. Ron also explained that the new transport van is here and in service. Council Member Gorum asked about the work cards that had been revoked. Chris Melville explained that a memo would be provided at the appeal meeting, with a letter from applicant.

Agenda taken out of order, Communications heard next, see below.

City Clerk/Records Officer – Nothing.

Agenda taken out of order, City Manager heard next, see below.

Chief Financial Officer – Leon Flinders stated that the final budget would be presented at the meeting on May 15, 2007.

Agenda taken out of order, City Clerk/Records Officer heard next, see above.

Public Works Director – Bryce Kimber explained that during the past month, work had been done on the irrigation system, the grass had been fertilized, and the banners were back on Pueblo Boulevard. Bryce stated that there had been a water leak in Ventura Mobile Home Park, and dirt was being removed at the landfill for a cell. Bryce explained that three of the Shafter Wells had been pulled, and Shafter Well 4 was being replaced. Spring cleanup week started April 30th and would go through May 7th. Corinne Copelan asked if you could call Public Works on the spring cleanup to have stuff picked up. Bryce stated that you could call to have items picked up or they would be going around in the mornings and afternoons. Corinne asked what had happened to the banners. Bryce explained that the wind was tearing them up.

Agenda taken out of order, Chief Financial Officer heard next, see above.

City Manager – Chris Melville stated that the Nevada Rural Housing lots are with the title company, and as soon as the funds are received it will close. The diabetes walk was a great success; there were 183-200 people who participated. The event for Cinco de Mayo would be held on Sunday May 6th at the park and would begin around noon. Chris explained that \$46,000.00 in tourism grants had been received in the first cycle. Chris stated that the prescription partnership bus would be at the Utah high school on May 10th from 2-3 p.m. Chris explained that he would be on the WREC ballot committee this year.

9. COMMUNICATIONS

Council Member Gorum stated that the tree giveaway was good. Chris Melville explained that there were 250 trees that were given away in three hours. It was stated that trees were also planted along Pueblo Boulevard and at Ventura Mobile Home Park to meet the City’s requirements there. It was asked what the cost of the trees for the giveaway was. Chris stated that for the 250 trees it was around \$7,000.00.

Agenda taken out of order, Department Updates heard next, see above. Starting with Public Works Director.

Council Member Christie stated that there would be a Nevada League of Cities meeting in June. Council Member Christie stated that the dates on the Supreme Court letter were wrong, and she had contacted the number to find out what the correct dates are.

Council Member Briggs explained that he enjoyed the meeting with the staff from Senator Ensign's office and thought it was very productive. Council Member Briggs asked Norm Shubert how not only the Silverado Estates project but the Silverleaf project is going. Norm Shubert explained that the projects are proceeding; the Silverado Estates should be ready to go in two to three weeks. The 82 ½ acres is moving along slowly, the project is complex and the financial people are positive about the project. Council Member Briggs asked if different types of construction and/or materials were going to be used on both the commercial and residential projects. Walt Sanders explained that they were going to use the most energy efficient materials so that it is the most cost effective for the home owners to maintain their homes; and will also use new alternatives for building.

Council Member J. Carter thanked public works for finding the water leak at his parent's house. Council Member J. Carter stated that the Elko County School Board is excited about the growth happening in West Wendover, and would be here on May 10th to discuss different items. Council Member J. Carter wanted to say thanks for the tree.

Council Member E. Carter stated that a flyer for the prescription program was placed on all the payroll checks. Council Member E. Carter attended the POOL/PACT meeting and for the most part everything is staying the same but there was not a quorum at the meeting to vote on the items.

Council Member Gorum stated that it was a pleasant meeting with Senator Ensign's staff.

Mayor Thaut thanked Moises Acuirre and Chris Melville for the diabetes walk.

10. *APPROVAL OF THE CLAIMS:

Council Member Gorum made the motion to approve the claims for May 1, 2007. The motion was seconded by Council Member J. Carter and passed unanimously.

11. *NEXT MEETING DATE AND ADJOURNMENT

The next meeting date is a regular meeting on May 15, 2007 at 7:00 p.m. at the West Wendover Library, Pilot Peak Room. Council Member Christie made the motion to adjourn at 7:50 p.m. The motion was seconded by Council Member Briggs and passed unanimously.

ATTEST:

Anna E. Bartlome
City Clerk/Records Officer