



CITY OF WEST WENDOVER

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WEST WENDOVER CITY COUNCIL MINUTES OF THE REGULAR MEETING OF MAY 15, 2007

The West Wendover City Council met for a regular meeting on May 15, 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: Bryce Kimber, Aleta Kimber, Corinne Copelan, Ron Supp, John Hanson, Jeff Knudtson, Devan Croasmun, Brenda Flinders, Leon Flinders, Pat Zamora, Sandy Kelsey, 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 Briggs had some changes to the minutes of the regular meeting of April 17, 2007.

Under Public Hearing the changes are as follows:

"Gary Lewis stated that Peppermill has some land, they are looking at building 12 homes and 180 apartments."

"They are also looking at other land that is for sale for housing."

"Gary also stated that there would be an increase in the flight program."

"Chris Melville explained that once the new section is built and accepted, the old street would be closed off with no interruption to traffic flow or access."

Council Member Christie had some changes to the minutes of the regular meeting of April 17, 2007.

Under Approval of the Minutes the changes are as follows:

"It was stated that the drainage ditch is what was asked about, and it had come up because they wanted to know who should clean it up."

“General discussion was had regarding possible new recreation facilities, what things are included in the capital improvement plan, the master plan for the REC District, and what may be done with the property and buildings where the Police department is currently located.”

Under New Business item b the changes are as follows:

“General discussion was had regarding the shifting of the location of the afternoon activities to the Utah field.”

“All other activities (parade, run and ride, and fireworks) would be the same as previous years.”

“It was asked whether there was enough power, parking and bathroom facilities at the field.”

“Council Member Gorum amended his motion to include making Council Members E. Carter and Christie co-chairs of the committee.”

Under Public Hearing the changes are as follows:

“Gary explained that all cost for the relocation including moving of the street, landscaping, sidewalks, curb and gutter would be paid for by Peppermill Corporation.”

“The new casino/hotel would include between 600-1,200 rooms, would be 5-10 stories in height, fitness center (spa, salon, and swimming pool), 4-8 retail shops, buffet, coffee shop, 3 specialty restaurants (Asian, Italian, and maybe Mexican or a Steak House), 900-1,200 slots, 60 table games, race and sports book, and poker room.”

“Chris Melville explained that when the project was first brought to him, they looked at how Wendover Boulevard could be designed to meet the needs and requirements of the City, and add something new to the community.”

“Chris stated that this project provides something new and improved to the City with no cost to the City or its citizens.”

“Cassie Fratto asked if the intersection of Wendover Boulevard and US Highway 93A was going to be a 4-way stop or stoplight.”

“Kerry Robinson asked how the 900-1,200 slot machines compare to other properties.”

“Craig Neeley stated that it is always a major project to move a street. Craig stated that there is a lot of work that needs to be done, including utility work (water and sewer), adding a water pressure reducing station, and another water feed into the area.”

“Mayor Thaut explained that a roll call vote would be done after the motion was made and seconded.”

“The roll call vote was as follows, voting aye: Roy Briggs, Emily Carter, Jimmy Carter, Jamey Christie and Johnny Gorum.”

Under Communications the changes are as follows:

“Council Member E. Carter she also stated that insurance and deferred compensation.”

Throughout the minutes of the regular meeting of April 17, 2007 the name Judy Anderson needs to be changed to Judy Andreson.

Council Member Christie made the motion to approve the minutes of the regular meeting of April 17, 2007 with the changes as noted above and to forward the minutes of the regular meeting of May 1, 2007. The motion was seconded by Council Member J. Carter and passed unanimously.

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

5. CONSENT CALENDAR

a. First Reading and Filing of Ordinance #2007-01; An Ordinance Providing for the Issuance by the City of West Wendover of Its General Obligation (Limited Tax) Tax-Exempt Medium-Term Bonds, Series 2007A and Its General Obligation (Limited Tax) Taxable Medium-Term Bonds, Series 2007B for Purpose of Acquiring, Constructing, Improving and Equipping Park Projects, Recreational Projects, Street Projects, Water Projects, Sanitary Sewer Projects, Drainage Projects and Projects for Economic Development as Defined in NRS 268.063; Providing Covenants, Agreements and Other Details Concerning the Bonds, the Project and General Tax Proceeds; Ratifying Action Previously Taken and Pertaining to the Foregoing by the City and Its Officers and Employees; and Providing Other Matters Relating Thereto

Mayor Thaut read the above entitled ordinance and filed with the City Clerk.

Agenda taken out of order, Approval of the Claims heard next, see below.

6. NEW BUSINESS

***a. Discussion and Decision Regarding an Inter Fund Loan from General Fund to Capital Projects Fund in Relation to the 81 Acre Land Purchase from BLM and Other Matters Appropriately Related Thereto**

Leon Flinders explained that this would be required to speed up the purchase of the land from BLM but would only be done after approval from the Department of Taxation. The reason for the inter fund loan was due to not enough funds in the Capital Projects Fund. The inter fund loan would be for around 30 days. Council Member Christie asked if once the financing was approved would we take the money from the General fund to Capital Projects fund to pay off the land and then reimburse the General fund once the loan is complete. Leon stated that is what would happen. Chris Melville explained that the inter fund loan would help process the transaction with Tony Ventura. General discussion regarding the amount of the inter fund loan, and the previous approval for the purchase of the 81 acres that had expired. Council Member Christie made the motion to approve a loan from the General Fund to the Capital Projects Fund in an amount not to exceed 1.6 million dollars contingent upon approval from the Department of Taxation for the purchase of the 81 acres from the BLM. The motion was seconded by Council Member Briggs and passed unanimously.

***b. Discussion and Decision to Accept or Reject the Bids for the Gene L. Jones Way Project and Other Matters Appropriately Related Thereto**

Chris Melville explained that all of the bids were over the approved budget amount and should be rejected. Council Member Christie made the motion to reject all bids for the Gene L. Jones Way Project due to the fact of being over budget allotment. The motion was seconded by Council Member J. Carter and passed unanimously.

Mayor Thaut stated that the project will go back out to bid. John Hanson asked if this project was for the road through the new complex site. It was stated that it was.

***c. Discussion and Decision to Accept or Reject the Bids for the Wendover Boulevard 16" Waterline Installation and Other Matters Appropriately Related Thereto**

Bryce Kimber asked that all bids be rejected for being over the engineers estimate and budgeted amount. Council Member Gorum made the motion to reject the bids for the

Wendover Boulevard 16" Waterline Installation for being over the budgeted amount. The motion was seconded by Council Member E. Carter and passed unanimously.

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

7. PUBLIC HEARINGS

1) **NOTICE**, is hereby given that the West Wendover City Council will hold a public hearing in conjunction with the Regular City Council meeting of **May 15, 2007**, at the West Wendover Library, Pilot Peak Room. The meeting will be called to order at 7:00 p.m. and the **public hearing will be held at 7:30 p.m.** thereafter. The purpose of the hearing is for the discussion and approval of the 2007 – 2008 Fiscal Year Budget. Copies of the budget are available at the West Wendover City Offices.

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

Leon Flinders explained that he had received a letter from the Department of Taxation regarding the tentative budget. Leon explained that one change was due to using the pro-forma revised figures instead of the first official published totals. Leon stated that there was \$5,700.00 less in property tax, and the assessed valuation needed to be changed to the number provided by the Department of Taxation. Leon also stated that the ending fund balance for the fiscal year 2006-2007 Capital Projects fund was not carried forward correctly to the beginning fund balance for fiscal year 2007-2008. Leon further explained the ending fund balance for General Fund and Capital Projects fund because of the items mentioned above. Leon explained that there was a change to the UILR Fund to agree with the audit report for fiscal year 2005-2006. Leon stated that the budget is ready for final submission.

Corinne Copelan asked if there were any changes from this year's budget compared to last year's. Leon Flinders stated that this budget is consistent with previous budgets with slight increase in the General Fund balance, and no major changes.

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

***Discussion and Decision Regarding Proposed Approval of the Budget for Fiscal Year 2007-2008**

Council Member Gorum made the motion to approve the budget for fiscal year 2007-2008 with the changes as noted by the Chief Financial Officer. The motion was seconded by Council Member J. Carter and passed unanimously.

Agenda taken out of order Communications heard next see below.

2) **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 **May 15, 2007 at 7:50 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 Barbara Johnson under City Code 3-4-31(A).

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

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

***Discussion and Decision Regarding Approval or Denial for a Work Card Permit for Barbara Johnson**

Council Member Gorum asked if Barbara Johnson had anything else to say. Barbara Johnson stated that she had written a letter explaining everything. Council Member Gorum explained that they had received the letter. Barbara stated that her work card had been revoked because she did not list everything on the application. Barbara stated that she would be happy to get a copy of her criminal history and list everything. Council Member Gorum made the motion to approve a work card for Barbara Johnson. The motion died due to a lack of a second. Council Member Christie made the motion to deny the appeal of a work card permit for Barbara Johnson. The motion was seconded by Council Member Briggs and passed, Council Member Gorum voted nay.

Mayor Thaut called for a recess at 8:00 p.m.

Mayor Thaut called the meeting back to order at 8:20 p.m.

3) NOTICE is hereby given that the City Council of the City of West Wendover, Nevada (the "Council" and "City," respectively) will hold a public hearing at a regular meeting to be held on **Tuesday, May 15, 2007, at 8:20 p.m.** at the West Wendover Library, Pilot Peak Room, 590 Camper Drive, West Wendover, Nevada, to act upon a resolution authorizing tax-exempt medium-term obligations (the "Tax-Exempt Obligations") in the maximum principal amount of \$1,410,000 and taxable medium-term obligations (the "Taxable Obligations") in the maximum principal amount of \$999,000 to enable the Council to pay all or a portion of the cost of acquiring, improving, equipping park projects, recreational projects, street projects, water projects, sanitary sewer projects, drainage projects and projects for economic development as defined in NRS 268.063.

The medium-term obligations are not proposed to be repaid in whole or in part by the levy of a tax exempt from the limitations on taxes ad valorem. The Tax-Exempt Obligations are to be repaid from other legally available funds of the City, including, without limitation, monies in the City's General Fund in the estimated annual amount of \$154,400 and in the City's Capital Projects Fund in the estimated annual amount of \$118,600 for a total estimated annual amount of \$273,000, for a period not to exceed 10 years. The Taxable Obligations are to be repaid from other legally available funds of the City, including, without limitation, monies in the City's General Fund in the estimated annual amount of \$114,200 and in the City's Capital Projects Fund in the estimated annual amount of \$87,800 for a total estimated annual amount of \$202,000, for a period not to exceed 10 years.

The form of the resolution authorizing such medium-term obligations, to be considered by the Council after such hearing and other information concerning such medium-term obligations and the purpose for which such obligations are proposed to be used, may be examined in the office of the City Clerk of the City of West Wendover, Nevada, City Hall 801 Alpine Street, West Wendover, Nevada. All persons are invited to attend and to be heard regarding the proposed action. Prior to the hearing, written comments may be filed with the City Clerk of the City at the aforementioned address.

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

Anna Bartlome stated that no written comment had been received. Pat Zamora from Nevada State Bank explained that two bonds were being issued; a tax exempt bond and a taxable bond. The taxable bond was being issued because the property was not being used for a tax exempt purpose.

Leon Flinders explained that the process for the purchase of this land began back in 2005 and was approved then. Due to the long delay in the BLM approving the process the time period from the Department of Taxation had expired.

No public comment was received during the meeting.

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

***Discussion and Decision to Adopt Resolution #2007-06; A Resolution Authorizing Medium-Term Obligations for the Purpose of Acquiring, Constructing, Improving and Equipping Park Projects, Recreational Projects, Street Projects, Water Projects, Sanitary Sewer Projects, Drainage Projects and Projects for Economic Development as Defined in NRS 268.063; Directing the Chief Financial Officer to Forward Materials to the Department of Taxation of the State of Nevada; and Providing the Effective Date Hereof**

Council Member Gorum made the motion to adopt Resolution #2007-06, a resolution authorizing medium-term obligations for the purpose of acquiring, constructing, improving and equipping park projects, recreational projects, street projects, water projects, sanitary sewer projects, drainage projects and projects for economic development as defined in NRS 268.063; directing the Chief Financial Officer to forward materials to the Department of Taxation of the State of Nevada; and providing the effective date hereof. The motion was seconded by Council Member J. Carter and passed unanimously.

Agenda taken out of order, Consent Calendar heard next, see above.

8. COMMUNICATIONS

Bryce Kimber stated that work is being done along Wendover Boulevard, and pavement is also being done along Wells Avenue, Butte Street and Wendover Boulevard.

Council Member Christie asked how recruitment for volunteers for the Fire Department was going. Jeff Knudtson explained that there were about 4 volunteers in about the last month and a half.

Council Member Gorum stated that he would be attending a meeting of the Elko County Recreation Board on May 17th. Council Member Gorum stated that the golf course is looking better and better.

Council Member E. Carter explained that the 4th of July committee is under way and moving along. Council Member E. Carter thanked everyone on the committee.

Council Member Briggs stated that both he and Council Member Christie had attended the 100 year anniversary of Wendover Utah; it was a very nice event.

Council Member Christie stated that the 100 year anniversary was very nice and there is a sign on the old water tower. Council Member Christie stated that the 4th of July committee meets on Mondays at 6:30 p.m. at the West Wendover City Offices. Council Member Christie asked if Ron Supp knew he was in charge of the parade. Ron stated that he did know about the parade. Council Member Christie stated that letters had been sent out for the 4th of July, and some members of the Wendover Utah Council are on the committee.

Ron Supp explained that the short-handedness in the Police Department and Dispatch should be over soon; interviews have been done and background checks are being completed.

Mayor Thaut explained that she attended the Elko County School District meeting in Jackpot on May 8th. Mayor Thaut stated that the school district is aware of the growth that will be taking place. Mayor Thaut stated that she and Chris Melville had met with Steve Hanson about some issues regarding the clinic.

Agenda taken out of order first Public Hearing heard next see above.

Chris Melville explained that the BLM is wrapping up the ROW for the Leppy Hills project and should be bid out by middle of summer. Mayor Thaut asked if a tour of the proposed trails could be done. Chris stated that once the ROW was completed a tour could be done. Chris stated that there would be a meeting with Jeff Zander from the Elko County School Board to look at property for future facilities. Chris explained that Ethan Day, Richard Bosworth and Walt Sanders had met with him to give a project update, which on the casino/commercial portion financing is still being worked on. Chris explained that Airport Way, US 93A and Industrial Park the plans would be ready to bid the project, which include infrastructure improvements for the industrial park, new intersection on US 93A and Airport Way improvements. Discussion was had regarding some of the funds that will be used for the project, which include RTC safety funds, loan money being discussed in the meeting tonight, and the \$350,000.00 economic development grant.

Corinne Copelan asked Mayor Thaut and Chris Melville about the meeting with the Elko County School District, and why Jeff Zander did not know about the Silverado project coming to town. Mayor Thaut stated that a letter had been sent to the School Board about a year ago describing the proposed growth and existing growth. Corinne stated that there had been no hint of any other projects going on other than the Peppermill project. Chris Melville stated that there has been no discussion with Jeff Zander other than to set up a meeting. Chris further stated that a letter had been sent to the School District last year and was based on improvements occurring with Peppermill because Silverado was not even proposed yet. Chris explained that the second letter sent was on projects the City knows is occurring. Corinne asked if the Silverado project was not occurring. Chris explained that there has been no approval for a project, they have been granted a zone change, but the commercial side of the project is still in the works. Corinne asked why no hint had been given that the Silverado project is a big possibility. Chris explained that the residential portion of the Silverado project is proceeding and has been discussed but on the commercial side of the project a zone change is the only thing that has been approved so far with a timeline of when other information must be provided. Corinne stated that the homes are going to be built for the workers who will build the casino. Corinne stated that a hint could have been given to the School District on this project. Mayor Thaut explained that her conversation was not with Mr. Zander publicly, but she was there on a private matter. John Hanson stated that the Mayor was there with him on a personal issue. Mayor Thaut stated that she was trying to set up a meeting with Mr. Zander after the letter was sent to the School District on behalf of the Mayor and Council. Corinne asked when the City planned on letting the School District know about other projects that are coming to town other than the Peppermill project. Council Member Christie explained that everyone has heard over the years that there is a new casino coming to town, but the steps that are required to go forward are fulfilled before involving other entities. Council Member Christie stated that Chris just reported that his meeting with Ethan Day, Richard Bosworth and Walt Sanders concerning their financing and things are not moving forward as fast as they had predicted.

Agenda taken out of order the second Public Hearing heard next see above.

9. *APPROVAL OF THE CLAIMS:

Council Member Christie made the motion to approve the claims for May 15, 2007 and April hand checks. The motion was seconded by Council Member Briggs and passed unanimously.

10.

***NEXT MEETING DATE AND ADJOURNMENT**

The next meeting date is a regular meeting on June 5, 2007 at 7:00 p.m. at the West Wendover Library, Pilot Peak Room. Council Member E. Carter made the motion to adjourn at 8:30 p.m. The motion was seconded by Council Member Briggs and passed unanimously.

ATTEST:

Anna E. Bartlome
City Clerk/Records Officer