



## CITY OF WEST WENDOVER

P.O. Box 2825, West Wendover, NV 89883 Office (775) 664-3081 Fax (775) 664-3720

### WEST WENDOVER CITY COUNCIL MINUTES OF THE REGULAR MEETING OF JUNE 16, 2009

The West Wendover City Council met for a regular meeting on June 16, 2009. The meeting was held at the West Wendover Library, Pilot Peak Room. Mayor Andersen presided.

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

Council Members Absent: Emily Carter

Others Present: Bryce Kimber, Dixie Melville, Russ McMullen, Bob Lombard, Jeff Knudtson, Ron Supp, Chris Melville and Sondra Schmidt

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 II had some changes to the minutes of June 2, 2009.

Under New Business the changes are as follows:

Item b: *“Chris Melville explained that under City Code approval by City Council for repainting on commercial building is required.”*

Item c: *“One example for the use of electronic fingerprints are the ones submitted for gaming licenses.”*

Council Member Rowley II made the motion to approve the minutes of the regular meeting of June 2, 2009 with the changes as noted above. The motion was seconded by Council Member Gorum and passed unanimously.

Agenda was taken in the following order.

**6. NEW BUSINESS**

**\*a. Discussion and Decision Regarding Acceptance of Renewal Proposal from Nevada Public Agency Insurance Pool (POOL) and Approval for Payment from Fiscal Year 2009-2010 Funds**

Russ McMullen and Bob Lombard explained the renewal proposal from the Nevada Public Agency Insurance Pool. Council Member Gorum made the motion to accept the renewal proposal from Nevada Public Agency Insurance Pool (POOL) and approve for payment from fiscal year 2009-2010 funds. The motion was seconded by Council Member Blake and passed unanimously.

Russ McMullen explained the renewal proposal from the Nevada Public Agency Insurance Pool for the Johnson Springs Water System. Council Member Gorum made the motion to accept the renewal proposal for the Johnson Springs Water System from Nevada Public Agency Insurance Pool (POOL) and approve for payment from fiscal year 2009-2010 funds. The motion was seconded by Council Member Blake and passed unanimously.

**5. CONSENT CALENDAR**

**a. First Reading and Filing of Ordinance #2009-05; An Ordinance Entitled, "Renewable Energy Use Ordinance" Which Restructures the Present Provisions of Title 8 Zoning Regulations to Allow Renewable Energy Uses by Conditional Use Permits Within C2 and C3 Zoning Districts and Provides Other Changes Appropriately Related Thereto**

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

**\*b. Discussion and Decision to Adopt Resolution #2009-04, A Resolution Augmenting the General Fund for the 2008-2009 Budget of the City of West Wendover**

Sondra Schmidt explained the changes to the General Fund, which include reducing property taxes, licenses and permits, and charges for service, and increasing intergovernmental resources, miscellaneous and audited fund balance. Council Member Blake made the motion to adopt Resolution #2009-04, a resolution augmenting the General Fund for the 2008-2009 budget of the City of West Wendover. The motion was seconded by Council Member Rowley II and passed unanimously.

**\*c. Discussion and Decision to Adopt Resolution #2009-05, A Resolution Augmenting the Seizure/Forfeiture Fund for the 2008-2009 Budget of the City of West Wendover**

Sondra Schmidt explained the changes to the Seizure/Forfeiture Fund, which included reducing the forfeiture amount. Council Member Gorum made the motion to adopt Resolution #2009-05, a resolution augmenting the Seizure/Forfeiture Fund for the 2008-2009 budget of the City of West Wendover. The motion was seconded by Council Member Rowley II and passed unanimously.

**\*d. Discussion and Decision to Adopt Resolution #2009-06, A Resolution Augmenting the Recreation Fund for the 2008-2009 Budget of the City of West Wendover**

Sondra Schmidt explained the changes to Recreation Fund, which included reducing other taxes and audited fund balance. Council Member Rowley II made the motion to adopt Resolution #2009-06, a resolution augmenting the Recreation Fund for the 2008-2009 budget of the City of West Wendover. The motion was seconded by Council Member Blake and passed unanimously.

**\*e. Discussion and Decision to Adopt Resolution #2009-07, A Resolution Augmenting the Court Administrative Assessments Fund for the 2008-2009 Budget of the City of West Wendover**

Sondra Schmidt explained the changes to the Court Administrative Assessments Fund, which included increasing the court assessments and audited fund balance. Council Member Blake made the motion to adopt Resolution #2009-07, a resolution augmenting the Court Administrative Assessments Fund for the 2008-2009 budget of the City of West Wendover. The motion was seconded by Council Member Rowley II and passed unanimously.

**\*f. Discussion and Decision to Adopt Resolution #2009-08, A Resolution Augmenting the Medical Clinic Facilities Fund for the 2008-2009 Budget of the City of West Wendover**

Sondra Schmidt explained the changes to the Medical Clinic Facilities Fund, which included the increase in miscellaneous income to account for the Peppermills portion of the benefit

contract for the doctor. Council Member Gorum made the motion to adopt Resolution #2009-08, a resolution augmenting the Medical Clinic Facilities Fund for the 2008-2009 budget of the City of West Wendover. The motion was seconded by Council Member Rowley II and passed unanimously.

## 7. PUBLIC HEARING

1) **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 **June 16, 2009 at 7:30 p.m.** in the West Wendover Library, Pilot Peak Room, located at 590 Camper Drive. The purpose of this hearing is to consider a variance.

### **DESCRIPTION:**

**Variance: Donald Burnum; property located in a Residential (R-1) Zone.**

- 1) **To adjust the minimum side yard setback on the southern property line from seven and one-half (7 1/2) feet to three (3) feet, to allow for the construction and placement of a carport:**

**The property description is: Lot #14, as shown on the Official Plat of West Wendover Highlands, Unit No. 7, Block S, as filed in the Office of the Elko County Recorder, and situated in Section 17, Township 33 North, Range 70 East, M.D.B. & M., Elko County, Nevada. Located at 373 Alpine Street, West Wendover, Nevada 89883.**

All comments regarding this matter will be considered at the public hearing. Please contact the Community Development Department at (775) 664-3081 if there are any questions.

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

Chris Melville explained that there were no written comments received.

Due to no public comment Mayor Andersen closed the public hearing portion of the meeting and opened the regular portion of the meeting.

#### **\*Discussion and Decision Regarding Proposed Approval or Denial of Variance Located at 373 Alpine Street**

Council Member Gorum made a motion to approve the variance to adjust the minimum side yard setback on the southern property line from seven and one-half (7 ½) feet to three (3) feet to allow the construction and placement of a carport located at 373 Alpine Street. The motion was seconded by Council Member Rowley II and passed unanimously.

## 5. CONSENT CALENDAR (continued)

#### **\*g. Discussion and Decision to Adopt Resolution #2009-09, A Resolution Augmenting the Grant Fund for the 2008-2009 Budget of the City of West Wendover**

Sondra Schmidt explained the changes to the Grant Fund, which included increasing the CDBG Pedestrian/Library and operating transfers, and reducing the audited fund balance. Council Member Rowley II made the motion to adopt Resolution #2009-09, a resolution augmenting the Grant Fund for the 2008-2009 budget of the City of West Wendover. The motion was seconded by Council Member Gorum and passed unanimously.

**\*h. Discussion and Decision to Adopt Resolution #2009-10, A Resolution Augmenting the Welcome Center Fund for the 2008-2009 Budget of the City of West Wendover**

Sondra Schmidt explained the changes to the Welcome Center Fund, which included reducing the tourism grants, and increasing the Elko County Recreation Board and the audited fund balance. Council Member Gorum made the motion to adopt Resolution #2009-10, a resolution augmenting the Welcome Center Fund for the 2008-2009 budget of the City of West Wendover. The motion was seconded by Council Member Rowley II and passed unanimously.

**\*i. Discussion and Decision to Adopt Resolution #2009-11, A Resolution Augmenting the Wendover Will Monument Fund for the 2008-2009 Budget of the City of West Wendover**

Sondra Schmidt explained the change to the Wendover Will Monument Fund, which included increasing the audited fund balance. Council Member Gorum made the motion to adopt Resolution #2009-11, a resolution augmenting the Wendover Will Monument Fund for the 2008-2009 budget of the City of West Wendover. The motion was seconded by Council Member Rowley II and passed unanimously.

**\*j. Discussion and Decision to Adopt Resolution #2009-12, A Resolution Augmenting the Ad Valorem Capital Projects Fund for the 2008-2009 Budget of the City of West Wendover**

Sondra Schmidt explained the changes to the Ad Valorem Capital Projects Fund, which included reducing the miscellaneous revenue and increasing the audited fund balance. Council Member Blake made the motion to adopt Resolution #2009-12, a resolution augmenting the Ad Valorem Capital Projects Fund for the 2008-2009 budget of the City of West Wendover. The motion was seconded by Council Member Rowley II and passed unanimously.

**\*k. Discussion and Decision to Adopt Resolution #2009-13, A Resolution Augmenting the Capital Projects Fund for the 2008-2009 Budget of the City of West Wendover**

Sondra Schmidt explained the changes to the Capital Projects Fund, which included increasing the miscellaneous, operating transfers and the audited fund balance, and to reduce the interest. Council Member Gorum made a motion to adopt Resolution #2009-13, a resolution augmenting the Capital Projects Fund for the 2008-2009 budget of the City of West Wendover. The motion was seconded by Council Member Rowley II and passed unanimously.

**\*l. Discussion and Decision to Adopt Resolution #2009-14, A Resolution Augmenting the UILR Fund for the 2008-2009 Budget of the City of West Wendover**

Sondra Schmidt explained the changes to the UILR Fund, which included increasing the operating transfers and audited fund balance. Council Member Blake made the motion to adopt Resolution #2009-14, a resolution augmenting the UILR Fund for the 2008-2009 budget of the City of West Wendover. The motion was seconded by Council Member Rowley II and passed unanimously.

**6. NEW BUSINESS**

**\*b. Discussion and Decision Regarding Moving Bank Accounts from Nevada Bank and Trust to Nevada State Bank Per Requirements of NRS 356.360 and Other Matters Appropriately Related Thereto**

Sondra Schmidt explained that she had been contacted by Nevada Bank & Trust and informed that the City would need to move the bank account from Nevada Bank & Trust according to NRS 356.360(3), which states: *"No depository may, at any one time, hold public money in an amount exceeding the total equity of the depository, as reflected on the financial statement of the depository."* Sondra stated that she would need approval to move to Nevada State Bank and authorize her to release information on the bank accounts to Nevada State Bank. Sondra explained that the move would need to be completed by July 31, 2009. Council Member Gorum made the motion to move bank accounts from Nevada Bank and Trust to Nevada State Bank per requirements of NRS 356.360. The motion was seconded by Council Member Bryant Blake and passed unanimously.

**7. PUBLIC HEARING**

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 **June 16, 2009 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 a variance.

## **DESCRIPTION:**

**Variance: Cesar Aranda; property located in a Residential (R-1) Zone.**

- 1) **To adjust the minimum side yard setback on the northern property line from seven and one-half (7 1/2) feet to three (3) feet, and to adjust the minimum rear yard setback on the Eastern property line from ten (10) feet to three (3) feet, to allow for the construction and placement of a tool/storage shed:**

**The property description is: Lot #2, as shown on the Official Plat of West Wendover Highlands, Unit No. 11, as filed in the Office of the Elko County Recorder, and situated in Section 17, Township 33 North, Range 70 East, M.D.B. & M., Elko County, Nevada. Located at 902 No. Butte Street, West Wendover, Nevada 89883.**

All comments regarding this matter will be considered at the public hearing. Please contact the Community Development Department at (775) 664-3081 if there are any questions.

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

Chris Melville explained that no written comments had been received.

Due to no public comment Mayor Andersen closed the public hearing portion of the meeting and opened the regular portion of the meeting.

### **\*Discussion and Decision Regarding Proposed Approval or Denial of Variance Located at 902 No. Butte Street**

Council Member Blake made the motion to approve the variance located at 902 No. Butte Street to adjust the minimum side yard setback on the northern property line from seven and one-half (7 1/2) feet to (3) feet, and to adjust the minimum rear yard setback on the eastern property line from ten (10) feet to three (3) feet to allow the construction and placement of a tool/storage shed. The motion was seconded by Council Member Gorum and passed unanimously.

## **8. COMMUNICATIONS**

Council Member Gorum stated that a citizen asked him if there was anything that could be done to the intersection of Pueblo Boulevard and Wendover Boulevard. General discussion was had regarding the signs that are present but possibly extending a dashed line from the turn lane of Wendover Boulevard to the correct lane on Pueblo Boulevard.

Chris Melville explained that the substantial completion date for the City Hall Complex has been moved from June 19<sup>th</sup> to July 10<sup>th</sup>. Chris stated that the dedication of the complex would still take place on July 1<sup>st</sup>. Chris explained that he had the contracts for the Mayor to sign for the NDEP Phase 1, \$710,000.00 grant. Chris stated that the CDBG Grant for the x-ray machine for the clinic had been received.

Bryce Kimber stated that the project for Gene L. Jones Way is moving along with a tentative paving day of June 18<sup>th</sup> if the weather permits.

**9. \*APPROVAL OF THE CLAIMS:**

Council Member Gorum made a motion to approve the claims for June 16, 2009 and the May hand checks. The motion was seconded by Council Member Rowley II and passed unanimously.

**10. \*NEXT MEETING DATE AND ADJOURNMENT**

The next meeting date is a regular meeting on July 7, 2009 at 7:00 p.m. at the West Wendover Library, Pilot Peak Room. Council Member Gorum made the motion to adjourn at 7:56 p.m. The motion was seconded by Council Member Rowley II and passed unanimously.

ATTEST:

Anna E. Bartlome  
City Clerk/Records Officer