

**WEST WENDOVER CITY COUNCIL MINUTES OF THE
REGULAR MEETING OF AUGUST 7, 2007**

The West Wendover City Council met for a regular meeting on August 7, 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 and Johnny Gorum

Council Members Absent: Jamey Christie

Others Present: Norman Shubert, Corinne Copelan, Jeff Knudtson, Ron Supp, Bryce Kimber, Clara Larsen, Elaine Barkdull Spencer, Randall Soderquist, Walter Sanders, Craig Neeley, Saul Limon, Claude Fratto, Brenda Flinders, Leon Flinders, Jackie Ratliff, Bill Ratliff, Devan Croasmun, 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 made a motion to approve the minutes of the regular meeting of July 3, 2007. The motion was seconded by Council Member E. Carter and passed unanimously.

5. PRESENTATION

1) Silver Leaf, LLC, Silverado Estates Unit No. 2

Norm Shubert explained that the process for Silverado Estates Unit No. 1 has been lengthy and no permits have currently been pulled. Norm stated that construction should begin by the end of the month and hope to have some model homes completed. Norm stated that on Silverado Estates Unit No. 1 there are going to be 53 homes and they have commitments for 34. Walt Sanders explained that on Silverado Estates Unit No. 2 there are an additional 125 lots and homes. Walt explained that the lots on Silverado Estates Unit No. 2 are larger and a preliminary map should be submitted within the next 30 days. Norm Shubert explained that the other projects that have been discussed in the past such as casinos and town homes are still being worked on but it has been difficult getting financing for those. Norm stated that at the present they will continue with the residential housing. Council Member Gorum stated that he is looking forward to the projects and has been contacted by other citizens wanting to know what the status of the project is. Walt explained that the plans for the Silverhorse

casino are moving forward. Norm stated that they are currently pursuing the opportunities available immediately.

2) Elaine Barkdull Spencer, Elko County Economic Development Authority (ECEDA)

Elaine Barkdull Spencer from the Elko County Economic Development Authority explained that the organization is growing and changing. Elaine stated that the areas currently being focused on are recruitment, entrepreneurship, business retention and expansion, and workforce development. Elaine explained that there were lots of new opportunities coming to Elko County, and she has just written a grant for \$182,000.00 and would be raising \$100,000.00 to help market the members of ECEDA. Corinne Copelan stated that a new office building would not attract new entrepreneurs but a hospital would.

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

6. CONSENT CALENDAR

a. First Reading and Filing of Ordinance #2007-02; An Ordinance Adopting Authority Granted by AB 462 of the 2007 Nevada Legislative Session Upon the City; Entitled “2007 Requirements for Sale or Lease of Real Property Owned by the City”; Creating Authority in Chapter 6 of Title 11 of the West Wendover City Code Allowing the City Hold a Public Hearing in Lieu of Having a Second Appraisal Conducted Before the Sale or Lease of Property; Adopting Other Changes Authorized by AB 462 and Providing Other Matters Appropriately Related Thereto

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

***b. Discussion and Decision to Adopt Resolution #2007-22, A Resolution Designating September 25th as “First Responder’s Appreciation Day”**

Mayor Thaut read the above entitled resolution (see attached). Council Member E. Carter made the motion to adopt Resolution #2007-22, a resolution designating September 25th as “First Responder’s Appreciation Day”. The motion was seconded by Council Member J. Carter and passed unanimously.

Mayor Thaut asked Council Member J. Carter what the plans for the day are. Council Member J. Carter explained that some of the food for the barbeque has been donated by Peppermill Casinos and the event would be held at Scobie Park.

7. NEW BUSINESS

***a. Discussion and Decision to Accept or Reject Aesthetic Review of Limon Market at 1483 Butte Street as Per City Code Title 7, Chapter 8, Section 5**

Chris Melville explained that Mr. Limon is here to discuss the painting of the Limon Market as part of the aesthetic review process. Saul Limon explained that they had not been aware that a permit was needed to paint the building. General discussion was had regarding the painting of Limon Market, the color that had been selected and that it blends into the neighborhood. Council Member Gorum made the motion to accept the aesthetic review of Limon Market at 1483 Butte Street as per City Code Title 7, Chapter 8, Section 5. The motion was seconded by Council Member E. Carter and passed unanimously.

***b. Discussion and Decision Regarding Contribution to Water Fest and Other Matters Appropriately Related Thereto**

Anna Bartlome explained that this is the second year this has been presented and last year \$75.00 was donated. Council Member Gorum made the motion to donate \$100.00 to Water Fest. The motion was seconded by Council Member E. Carter and passed unanimously.

8. PUBLIC HEARING

1) 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, August 7, 2007, at 7:30 p.m.** at the West Wendover Library, Pilot Peak Room, 590 Camper Drive, West Wendover, Nevada, to act upon a resolution authorizing

medium-term obligations (the “Obligations”) in the maximum principal amount of \$2,200,000 to enable the Council to pay all or a portion of the cost to acquire, construct and equip a building project, as defined in NRS 268.676.

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 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 \$285,400 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 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 portion of the meeting.

Leon Flinders explained that the bond counsel would be available if needed to answer any questions.

Randall Soderquist explained that he understands that people have a different opinion on what has been done or should be done but he is really looking forward to it. Randall further stated that people need to move forward and the city complex is a great thing for the City. Randall also stated that in the downtown plan there are such things as a hospital, theater and other facilities. Council Member Gorum stated that we need to get the industry here and then look at an urgent care center.

With there being no further public comments Mayor Thaut closed the public hearing and opened the regular portion of the meeting.

***Discussion and Decision to Adopt Resolution #2007-21; A Resolution Authorizing Medium-Term Obligations for the Purpose of Acquiring, Constructing, Improving and Equipping a Building Project; Directing the City Finance Director to Forward Materials to the Department of Taxation of the State of Nevada; and Providing the Effective Date Hereof**

Council Member E. Carter made the motion to adopt Resolution #2007-21, a resolution authorizing a medium-term obligation for the purpose of acquiring, constructing, improving and equipping a building project; directing the City Finance Director 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.

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 **August 7, 2007 at 7:40 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: Bill Ratliff, Jr.; property located in a Residential (R-1) Zone.

- 1) **To adjust the minimum front yard setback on the Eastern property line from twenty (20) feet to zero (0) feet, for the construction of a carport:**

The property description is: Lot #15, as shown on the Official Plat of Bonneville 1 Phase 1, 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, File No. 118721. Located at 333 N. Toana Court, 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 Thaut closed the regular portion of the meeting and opened the public hearing.

No written comments received.

Council Member Gorum explained that he had been out of town and did not receive any calls but that other Council Members had. Council Member Gorum stated that if this variance is granted everyone would want zero variances on their property. Bill Ratliff asked why if he is granted a variance everyone would be granted one. It was stated that it would set a precedent. Bill stated that if the variance is denied he would then take the grass out on the side of his house and build a carport or garage there. Leon Flinders explained that he is a neighbor in the area and has looked at the carport, which does not match anything in the area. Bill explained that it matched the colors of the house. Bill further explained that if this is denied he would build a larger carport or garage on the side of his house. Mayor Thaut stated that as long as he was within City Ordinances he has that right. Council Member E. Carter asked if the variance goes with the property and not the owner. Chris Melville explained that variances go with the property. Council Member E. Carter explained that she is an effected property owner and had received phone calls from people in the area. Bill stated that none of them were at the meeting. Council Member E. Carter stated that she was there as well as Leon Flinders, and that she was opposed to a front yard variance. Bill stated that on Vista View Loop there was a home that the cars hang out on the sidewalk. It was explained that the builder of those lots came and got a variance and that is the problem it creates. Council Member J. Carter has looked at it and does believe that it would set a precedent. Council Member Briggs explained that a lot of time and effort had gone in by a lot of people to make the community that has established processes to improve the community. Bill asked what the setbacks are on the side of the house. Mayor Thaut stated that is another issue. Chris Melville stated that the side setback is seven and a half feet. It was stated that he was on a corner lot and the setback would be different. Chris asked Bill if his lot was on the corner of Tibbets and Toana Court. Bill stated that it was not on that corner. Chris restated that the setback for this lot is seven and a half feet.

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

***Discussion and Decision Regarding Proposed Approval or Denial of Variance Located at 333 N. Toana Court**

Council Member Gorum made the motion to deny the variance located at 333 N. Toana Court. The motion was seconded by Council Member Briggs and passed unanimously.

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

9. DEPARTMENT UPDATES

Fire Chief – Jeff Knudtson had nothing to add to the memo, which discussed the variance for Bill Ratliff and the aesthetic review of Limon Market. Jeff stated that there is an aerial truck here for a demonstration.

Police Chief – Ron Supp commended Officer Pete Turner, Lieutenant Sandra Gunter and Detective Sergeant Donald Burnum for their work on the robbery at the Nugget. Ron had nothing more to add to the memo, which stated that the new program aimed at enforcing resident with non-resident license plates has begun. The new animal control vehicle is on order; the vehicle will be white and marked West Wendover Animal Control. The changes to the vehicle are to help insure the safety of the Animal Control Officer. The memo stated that the department responded to 414 calls for service, made 17 adult arrests, served 7 warrants, made 2 juvenile arrests, issued 98 citations, conducted 13 field interviews and served 83 civil papers.

City Clerk/Records Officer – Nothing.

Chief Financial Officer – Nothing.

Public Works Director – Bryce Kimber had nothing to add to memo, which stated that the street department has been busy with the mill and paving on Wendover Boulevard. The street department also patched Three Mile hill, striping on Wendover Boulevard, Tibbets Boulevard and Pueblo Boulevard. The memo further stated that Staker Parson had come and did their work on Florence Way. The water department has had a few minor leaks and repaired the leak between Three Mile covered reservoir and the land tank. The sewer department has only had a few plugs the past couple of months. The new sewer jetting machine has been received. The reuse plant has had a reclaim motor down and in for repairs when another one went down. The landfill, compost and garbage department seem to be going well. Some positions in garbage and landfill needed to be covered due to vacations and illness.

City Manager – Chris Melville stated that himself, Bryce Kimber and the City Engineer met to discuss the water and sewer enterprise funds and related fees issue. Chris stated that there will be something presented at the second meeting in September regarding garbage fees. The Leppy Hills Project is moving forward and should go out to bid in a few weeks. The notice to proceed was issued to Shelton's for the Wendover Boulevard/Red Garter sidewalk project. The Wendover Boulevard/Wells Avenue CDBG Project is wrapping up. The Department Heads and the Mayor met with the architect on the City Hall Complex. The final plans for the City Hall Complex will be presented in September and should go out to bid by the end of September with work to begin by November. Bids are currently being accepted for the Gene L. Jones Way Project, infrastructure for US Highway 93 and Airport Way and the Industrial Park, and paving of Wendover Boulevard. Chris explained that the membership is being processed for ECEDA and the fee for membership is \$5,000.00.

10. COMMUNICATIONS

Council Member Gorum stated that he would be attending a Wells Rural Electric Company meeting on August 10, 2007.

Mayor Thaut asked Leon Flinders if he would attend the Recreation District meeting on August 9, 2007 for Council Member Gorum. Leon Flinders stated that he would not be able to attend the REC Board meeting; Mayor Thaut stated that she would attend the meeting.

Mayor Thaut asked Council Member J. Carter if he has been attending the School Board meetings. Council Member J. Carter stated that he had not attended the last meeting due to the last special meeting of the Council being on the same day.

11. *APPROVAL OF THE CLAIMS:

Council Member Gorum made the motion to approve the claims for August 7, 2007, July hand checks and June insurance. The motion was seconded by Council Member J. Carter and passed unanimously.

12. *NEXT MEETING DATE AND ADJOURNMENT

The next meeting date is a special meeting on August 20, 2007 at 6:00 p.m. at the West Wendover Library, Pilot Peak Room. The next regular meeting date is August 21, 2007 at

7:00 p.m. at the West Wendover Library, Pilot Peak Room. Council Member E. Carter made the motion to adjourn at 8:41 p.m. The motion was seconded by Council Member J. Carter and passed unanimously.

ATTEST:

Anna E. Bartlome
City Clerk/Records Officer