



CITY OF WEST WENDOVER

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WEST WENDOVER CITY COUNCIL MINUTES OF THE REGULAR MEETING OF OCTOBER 16, 2007

The West Wendover City Council met for a regular meeting on October 16, 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, Ron Supp, Jeff Knudtson, Dixie Melville, Brenda Flinders, Leon Flinders, Claude Fratto, Toni Fratto, Cassie Fratto, Leeanna Briggs, Kerry Robinson, Armando Gil, Heidi Lewis, Bill Ratliff, Jackie Ratliff, 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 some changes to the minutes of September 4, 2007.

Under Approval of the Minutes the changes are as follows:

“Council Member E. Carter made the motion to approve the minutes of the special meeting of July 24, 2007 and the minutes of the regular meeting of August 7, 2007 with the changes noted above.”

Under Department Updates the changes are as follows:

Police Chief: *“Ron Supp had nothing to add to memo, which stated that testing for a Police Officer has been completed and they are currently in the process of giving a conditional offer to one candidate.”*

Public Works Director: *“Bryce Kimber had nothing to add to memo, which stated that there had been a small leak on Tibbets Boulevard and work on the Three Mile pipeline has begun.”*

Council Member Christie made the motion to approve the minutes of the regular meeting of September 4, 2007, the special meeting of September 10, 2007 and the special meeting of September 17, 2007 with the changes as noted above. The motion was seconded by Council Member Briggs and passed unanimously.

5. NEW BUSINESS

***a. Discussion and Decision to Review and Approve Written Embodiment of City Council's Decision of October 8, 2007 to Suspend License of Scott Bangerter, Donabel's LLC dba Southern Xposure and Other Matters Appropriately Related Thereto**

Rich Barrows was present by speaker phone. Rich Barrows explained that the vote should be consistent with the decision of the Council on October 8, 2007. Council Member Gorum made the motion to stick with the decision to suspend the license of Scott Bangerter, Donabel's LLC dba Southern Xposure and to approve the written embodiment of the decision. The motion was seconded by Council Member Briggs and passed unanimously.

***b. Discussion and Decision with Regard to Settlement of Lawsuit CV-C-07-778, Scott Bangerter, Donabel's LLC dba Southern Xposure vs. City of West Wendover, and Ron Supp, in his Official Capacity as Chief of West Wendover City Police Department and Other Matters Appropriately Related Thereto**

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

***c. Discussion and Decision for Approval or Denial of Liquor License for Night Club 51 / J. Luna**

This item was withdrawn at this time by Jose Luna's attorney Rob Salyer.

***d. Discussion and Decision to Approve the Conceptual/Preliminary Site Plan for La Noria Meat Market/Armando Gil and Other Matters Appropriately Related Thereto**

Armando Gil explained that this would be something for the whole community. Chris Melville stated that they had done a great job with the preliminary drawings and he has been in contact with the architect. Council Member E. Carter made the motion to approve the conceptual/preliminary site plan for La Noria Meat Market/Armando Gil. The motion was seconded by Council Member Briggs and passed unanimously.

***e. Discussion and Decision to Award the Leppy Hills Trail System Project and Other Matters Appropriately Related Thereto**

Chris Melville explained that this bid had come in over the budgeted amount. Chris asked that the bid be awarded to Canyon Construction for the main bid schedule, items 1-3 and 5-10 for a total of \$429,095.04. Item 4 that would be excluded was the paving for the 2.5 miles of trail. Council Member Christie asked if she had missed a meeting were we asked other entities to partner with the City for this project. Council Member Christie stated that this project and the budget for it have been discussed for over three years and they should not be surprised in a meeting by asking others to help with the project. Council Member Briggs explained that views the project as a contribution to the community for recreational use and not as surprised by asking the Recreation District to partner with the project. General discussion was had regarding the project, how much of the trails are to be paved, and asking other entities to potential partner on the project. Council Member E. Carter made the motion to award the Leppy Hills Trail System to Canyon Construction for the main bid schedule items 1-3 and 5-10 for a total amount of \$429,095.04. The motion was seconded by Council Member Gorum and passed unanimously.

***f. Discussion and Decision to Accept or Reject the Bids for Public Safety Computer Systems Upgrade Program and Other Matters Appropriately Related Thereto**

Ron Supp explained that this had been brought before the Council in the past but was rejected due to being over the budgeted amount. Ron stated that the program was re-bid and had three equal payments that are within the budget and recommends approval to Computer Information System. General discussion was had regarding the service and support portion of the bid and if that was to be included in the future budget. Council Member Christie made the motion to accept the bid for the Public Safety Computer Systems Upgrade program to Computer Information System for the price broken out into three years at \$180,309.00 as per the schedule with the additional \$16,400.00 for years tow and three for maintenance and support. The motion was seconded by Council Member E. Carter and passed unanimously.

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

6. OLD BUSINESS

***a. Discussion and Decision to Accept the Written Approval of the Executive Director of the Department of Taxation, State of Nevada, for the Medium Term Obligation to Finance the Purchase of the Acquiring, Constructing, Improving and Equipping Park Projects, Recreational Projects, Street Projects, Water Projects, Sanitary Sewer Projects, Drainage Projects and Projects for Economic Development (City Hall Complex)**

Leon Flinders explained that the approval from the Department of Taxation must be read into the minutes. Council Member Christie made the motion to accept the written approval of the Executive Director of the Department of Taxation, State of Nevada, for the medium term obligation to finance the purchase of acquiring, constructing, improving and equipping park projects, recreational projects, street projects, water projects, sanitary sewer projects, drainage projects and projects for economic development (City Hall Complex). The motion was seconded by Council Member Briggs 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 **October 16, 2007 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: Bill Ratliff, Jr.; property located in a Residential (R-1) Zone.

- 1) **To adjust the minimum rear yard setback on the Western property line from ten (10) 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 portion of the meeting.

Bill Ratliff explained that this would relocate the carport to the side of the house. Chris Melville would recommend the Council approve the variance.

There being no further public comment Mayor Thaut 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 333 N. Toana Court**

Council Member Gorum made the motion to approve the variance to adjust the minimum side yard setback from ten (10) feet to zero (0) feet for the construction of a carport at 333 N. Toana Court. The motion was seconded by Council Member Christie and passed unanimously.

Agenda taken back in order, Old Business heard next, see above.

8. COMMUNICATIONS

Chris Melville explained that there had been a pre-bid meeting for the City Hall Complex earlier in the day (October 16, 2007). There had been four contractors present for the meeting with another calling in to say they are still interested in the project but could not attend. The bids for the complex will close on November 7, 2007. Chris stated that he would be attending the Caselle conference on October 24, 2007. Chris explained that the meeting with Oncore Plastics scheduled on October 17, 2007 has been postponed.

Council Member Briggs wanted to wish Armando Gil and his family good luck on their new venture.

Council Member J. Carter stated that he had been missed the Elko County School District meeting due to construction on the way to Elko.

Council Member Gorum will not be able to attend the Recreation District meetings due to a change in his schedule.

Mayor Thaut stated that she would be in court on October 19, 2007 for the lawsuit for Donabel's LLC dba Southern Xposure.

9. *APPROVAL OF THE CLAIMS:

Council Member Gorum made the motion to approve the claims for October 16, 2007, September hand checks, August insurance and September insurance. The motion was seconded by Council Member J. Carter and passed unanimously.

10. *NEXT MEETING DATE AND ADJOURNMENT

The next meeting date is a regular meeting on November 6, 2007 at 7:00 p.m. at the West Wendover Library, Pilot Peak Room. Council Member E. Carter made the motion to adjourn at 7:45 p.m. The motion was seconded by Council Member Christie and passed unanimously.

ATTEST:

Anna E. Bartlome
City Clerk/Records Officer