



CITY OF WEST WENDOVER

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WEST WENDOVER CITY COUNCIL MINUTES OF THE REGULAR MEETING OF NOVEMBER 15, 2011

The West Wendover City Council met for a regular meeting on November 15, 2011. The meeting was held at the West Wendover City Hall, Council Chambers #137. Mayor Andersen presided.

Council Members Present: Bryant Blake, Roy Briggs, Emily Carter, Johnny Gorum and Izzy Gutierrez

Others Present: Scott Bangertter, Ameer Eakins, Jessica Eakins, Gerardo Pedraza, Rheannon Wirth, Ashlee Haws, Marena Perez, Auza Perez, Kenyon Perez, Dan Molner, Naomie Molner, Ron Supp, Dave Wiskerchen, Bryce Kimber, Jeff Knudtson, Chris Melville and Anna Bartlome

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 Gorum made the motion to approve the minutes of the regular meeting of November 1, 2011. The meeting was seconded by Council Member Carter and passed unanimously.

5. NEW BUSINESS

***a. Discussion and Decision in Review of the Conditional Use Permit Granted on March 16, 1999 to Conoco Food Mart, LLC, Formerly Hallbacka's Conoco Located at 1711 Butte Street, the Amended Approval of the Conditional Use Permit on June 21, 2005 to Allow Limited Gaming Operations and Affirmation of the Decision and Related Conditions and Other Matters Appropriately Related Thereto**

Chris Melville explained that by City Code all gaming licenses in the City must be approved by the Council and there had previously been gaming at this location but it had ceased to operate. Chris stated that he provided what had been approved back in 2005. Council Member Blake made the motion to approve the conditional use permit granted on March 16, 1999 to Conoco Food Mart, LLC, formerly Hallbacka's Conoco located at 1711 Butte Street, the amended approval of the conditional use permit on June 21, 2005 to allow limited gaming operations and affirmation of the decision and related conditions. The motion was seconded by Council Member Carter and passed unanimously.

***b. Discussion and Decision for Approval or Denial of Liquor License for Caliente Club, LLC / Ricardo Gamboa and Other Matters Appropriately Related Thereto**

Ron Supp explained that during the investigation it was learned that Mr. Gamboa was not going to be running the club but would have a manager. Ron further stated that there is no one else listed on the

application as being either a partner, director, officer, or key employee, which is required if going to have someone else managing the club. Ron stated that in the current form he would request the license be denied due to not listing who will be managing the club. Ron further stated that the license could be temporarily approved based on doing background on who will be managing the club. Discussion was had regarding the background of Mr. Gamboa coming back clean, and whether key personnel would need to have background check also done since Mr. Gamboa is not moving here to run the club.

Robert Wines, attorney representing Mr. Gamboa, stated that all the paperwork for the Caliente Club, LLC lists only Mr. Gamboa as the owner and managing member, and that Mr. Gamboa is ultimately responsible for his business. Robert Wines further stated that the City Code is somewhat unclear and would probably be easier if the people working in the business had some type of bar card and the person responsible is listed on the liquor license. Robert Wines asked that the Council approve the liquor license for Mr. Gamboa and then have him file a supplemental application listing his managers. Robert Wines also stated that Mr. Gamboa is going to commute a couple of days a week to run the business. Ron Supp stated that if he would like to add the key personnel that would be fine and bar cards are a good idea. Ron also stated that yes Mr. Gamboa is the one responsible but if he is not here then he cannot be held responsible.

Scott Bangerter stated that he is the owner of the Plaza and the Southern X-Posure and no one else is listed on his license. Scott Bangerter stated that he can hire who he likes and he does have key personnel. General discussion was had regarding key personnel and bar cards.

Council Member Gorum made the motion to approve a temporary liquor license for the Caliente Club, LLC / Ricardo Gamboa until the key personnel/manager can have background done. The motion was seconded by Council Member Blake and passed unanimously.

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

6. PUBLIC HEARING

NOTICE, The City of West Wendover will hold a public hearing for the purpose of considering which projects to pursue funding through the Community Development Block Grant Program. **The hearing will be set for Tuesday, November 15, 2011 at 7:30 p.m. at the West Wendover City Hall, Council Chambers #137.** All persons may attend and be heard. Prior to the meeting, written comments may be filed with the West Wendover City Clerk and will be considered at the hearing.

The Community Development Block Grant Program, (CDBG) is a Federally Funded Program that is administered by the State of Nevada. The national objectives of this program are:

1. To benefit the low and moderate-income persons.
2. To aid in the prevention of and elimination of slums or blight.
3. To meet the Community Developments needs of having a particular urgency when other sources of funding are not available.

In addition, it is the State's goal to give extra consideration to projects addressing documented public health or safety needs or needs identified through a Community Planning Process.

It is anticipated that no displacement of persons will occur as a direct result of these projects: Project Descriptions, Housing Needs Statement, CDBG Requirements, and Past CDBG Project Grant Performance is on file at the City offices and is available for public inspection during normal business hours, from November 1, 2011 to December 20, 2011.

The City of West Wendover does not discriminate on the handicapped status in the admission of access to, treatment, employment or activities in it's federally assisted programs.

Persons with disabilities who require special accommodations or assistance at the meeting should notify the City Clerks Office at 775-664-3081 or at 1111 N. Gene L. Jones Way, West Wendover, Nevada, 89883.

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

Chris Melville stated that Bryce Kimber, Ron Supp and he are still working on the animal shelter as a potential project for the CDBG program. Chris stated that they would have everything pulled together for the decision on December 20, 2011. Council Member Gorum asked if certain projects rank higher than others and how the animal shelter would rank. Chris stated that it would rank probably somewhere in the middle but that it does deal with health and safety.

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

7. COMMUNICATIONS

Council Member Gorum stated that he attended the meeting with Newmont were lots of items were addressed; he did not here a negative thing about Newmont.

Council Member Blake would like to hear more on the possibility of bar cards. Ron Supp stated that there was also training that could go along with the bar cards.

Council Member Carter asked if there was a place to dump used oil. Bryce Kimber stated that used oil could be dumped at Public Works.

Chris Melville stated that the Christmas Program is December 2, 2011 at 5:30 p.m. at the City Hall. Chris stated that a special meeting would need to be set for a decision on the CFO.

Communications continued after public hearing.

Chris Melville stated that CDBG will be sending out an amendment to the existing CDBG grant that we have lowering the grant (Wendover Boulevard Enhancement Phase I) amount by approximately \$60,000.00 but they would then issue another grant for the \$60,000.00. This was due to CDBG being told one amount of funding by HUD and receiving a different amount. Discussion was had regarding the grant, if the City would then get the \$60,000.00 back and the timeline of the project.

8. *APPROVAL OF THE CLAIMS:

Council Member Blake made the motion to approve the claims for November 15, 2011, October hand checks, August insurance, September insurance and October insurance. The motion was seconded by Council Member Gorum and passed unanimously.

Agenda taken back in order, Public Hearing heard next, see above.

9. COMMENTS FROM THE GENERAL PUBLIC:

None offered or received.

10. *NEXT MEETING DATE AND ADJOURNMENT

The next meeting date is a regular meeting on December 6, 2011 at 7:00 p.m. at the West Wendover City Hall, Council Chambers #137. Council Member Carter made the motion to adjourn at 7:37 p.m. The motion was seconded by Council Member Briggs and passed unanimously.

ATTEST:

Anna E. Bartlome
City Clerk/Records Officer