



CITY OF WEST WENDOVER

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WEST WENDOVER CITY COUNCIL MINUTES OF THE REGULAR MEETING OF JUNE 15, 2010

The West Wendover City Council met for a regular meeting on June 15, 2010. 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 Alan Rowley II

Others Present: Dixie Melville, Corinne Copelan, Bryce Kimber, Kendra Follett, Sondra Schmidt, Ron Supp, Aleta 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 June 1, 2010. The motion was seconded by Council Member Carter and passed unanimously.

5. CONSENT CALENDAR

***a. Second Reading and Adoption of Ordinance #2010-04, Consideration and Possible Approval of an Ordinance Authorizing the Issuance of the Sewer Revenue Interim Debenture; Providing the Form, Terms and Conditions of the Debenture; Providing Other Details in Connection Therewith**

Mayor Andersen read the above entitled ordinance. Council Member Blake made the motion to adopt Ordinance #2010-04, consideration and possible approval of an ordinance authorizing the issuance of the sewer revenue interim debenture; providing the form, terms and conditions of the debenture; providing other details in connection therewith. The motion was seconded by Council Member Carter and passed unanimously.

***b. Discussion and Decision to Adopt Resolution #2010-09; A Resolution of the City Council of West Wendover, Nevada Providing for the Transfer of the City's 2010 Private Activity Bond Cap to the Nevada Rural Housing Authority; and Other Matters Appropriately Related Thereto**

Chris Melville explained that this is the same type of resolution that has been adopted for the last several years. Chris explained that since the City is not using the private activity bond cap it would go back to the State but the City can transfer it to Nevada Rural Housing to use for housing issues in the State. Council Member Carter made the motion to adopt Resolution

#2010-09; a resolution of the City Council of West Wendover, Nevada providing for the transfer of the City's 2010 Private Activity Bond Cap to the Nevada Rural Housing Authority. The motion was seconded by Council Member Briggs and passed unanimously.

***c. Discussion and Decision to Adopt Resolution #2010-10, A Resolution Augmenting the General Fund for the 2009-2010 Budget of the City of West Wendover**

Sondra Schmidt explained that the augmentation to the General Fund is due to the consolidated tax and court fines being reduced and having to repay Elko County for an overpayment of county gaming taxes. Sondra explained that expenditures have been adjusted based on the revenue projections. Council Member Blake made the motion to adopt Resolution #2010-10, a resolution augmenting the General Fund for the 2009-2010 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 #2010-11, A Resolution Augmenting the Seizure/Forfeiture Fund for the 2009-2010 Budget of the City of West Wendover**

Sondra Schmidt explained that that the augmentation to the Seizure/Forfeiture Fund was due to the audited fund balance coming in higher than projected.

Corinne Copelan asked why there are so many augmentations. Sondra Schmidt explained that the augmentations are to amend the final budget that was submitted to the State. Sondra further stated that at the beginning of the budget process the State gives estimates of projected revenue and at the end of the year the funds have to be augmented to show what was actually received.

Council Member Gorum made the motion to adopt Resolution #2010-11, a resolution augmenting the Seizure/Forfeiture Fund for the 2009-2010 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 #2010-12, A Resolution Augmenting the Recreation Fund for the 2009-2010 Budget of the City of West Wendover**

Sondra Schmidt explained that this fund is the money received for room tax and goes to the Recreation District. Sondra explained that the revenues are coming in at fiscal year 2009 totals with no increase. Council Member Briggs made the motion to adopt Resolution #2010-12, a resolution augmenting the Recreation Fund for the 2009-2010 Budget of the City of West Wendover. The motion was seconded by Council Member Carter and passed unanimously.

***f. Discussion and Decision to Adopt Resolution #2010-13, A Resolution Augmenting the Court Administrative Assessments Fund for the 2009-2010 Budget of the City of West Wendover**

Sondra Schmidt explained that this augmentation is a decrease in the court assessment revenues and a change in the audited fund balance due to the equipment that was purchased. Council Member Blake made the motion to adopt Resolution #2010-13, a resolution augmenting the Court Administrative Assessments Fund for the 2009-2010 budget of the City of West Wendover. The motion was seconded by Council Member Rowley II and passed unanimously.

***g. Discussion and Decision to Adopt Resolution #2010-14, A Resolution Augmenting the Medical Clinic Facilities Fund for the 2009-2010 Budget of the City of West Wendover**

Sondra Schmidt explained that revenues had to be increased to show the donation from the casino for the hiring of the second doctor. Council Member Carter made the motion to adopt Resolution #2010-14, a resolution augmenting the Medical Clinic Facilities Fund for the 2009-2010 budget of the City of West Wendover. The motion was seconded by Council Member Briggs and passed unanimously.

***h. Discussion and Decision to Adopt Resolution #2010-15, A Resolution Augmenting the Grant Fund for the 2009-2010 Budget of the City of West Wendover**

Sondra Schmidt explained that only the dispatch upgrade had been budgeted so the solar panel and sidewalk grant had to be added. Also the library sidewalk grant and the D.W. Reynolds grant had to be re-budgeted. Council Member Gorum made the motion to adopt

Resolution #2010-15, a resolution augmenting the Grant Fund for the 2009-2010 budget of the City of West Wendover. The motion was seconded by Council Member Carter and passed unanimously.

***i. Discussion and Decision to Adopt Resolution #2010-16, A Resolution Augmenting the Welcome Center Fund for the 2009-2010 Budget of the City of West Wendover**

Sondra Schmidt explained that the augmentation for this fund is due to an increase in the tourism grants and a change in the audited fund balance. Council Member Briggs made the motion to adopt Resolution #2010-16, a resolution augmenting the Welcome Center Fund for the 2009-2010 budget of the City of West Wendover. The motion was seconded by Council Member Gorum and passed unanimously.

Due to a power outage Mayor Andersen called for a recess at 7:20 p.m. in order to restart the recording equipment.

Mayor Andersen reconvened the meeting at 7:30 p.m.

***j. Discussion and Decision to Adopt Resolution #2010-17, A Resolution Augmenting the Wendover Will Monument Fund for the 2009-2010 Budget of the City of West Wendover**

Sondra Schmidt explained that this augmentation was due to a change in the audited fund balance. Council Member Blake made the motion to adopt Resolution #2010-17, a resolution augmenting the Wendover Will Monument Fund for the 2009-2010 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 #2010-18, A Resolution Augmenting the Ad Valorem Capital Projects Fund for the 2009-2010 Budget of the City of West Wendover**

Sondra Schmidt explained that this augmentation was due to a change in the audited fund balance. Council Member Blake made the motion to adopt Resolution #2010-18, a resolution augmenting the Ad Valorem Capital Projects Fund for the 2009-2010 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 #2010-19, A Resolution Augmenting the Capital Projects Fund for the 2009-2010 Budget of the City of West Wendover**

Sondra Schmidt explained that this augmentation is due to a decrease in interest revenue and the City Hall Complex project not being completed in the prior fiscal year. Council Member Carter made the motion to adopt Resolution #2010-19, a resolution augmenting the Capital Projects Fund for the 2009-2010 budget of the City of West Wendover. The motion was seconded by Council Member Briggs and passed unanimously.

***m. Discussion and Decision to Adopt Resolution # 2010-20, A Resolution Establishing the Application and Procedures for Issuance of a Provisional Building Permit Under City Code 8-5A-6(C) and Other Matters Appropriately Related Thereto**

Chris Melville explained that the main difference with the provisional building permit is the Director of Public Works also has to sign off on the permit due to easement issues. Council Member Blake made the motion to adopt Resolution #2010-20, a resolution establishing the application and procedures for issuance of a provisional building permit under City Code 8-5A-6(C). The motion was seconded by Council Member Rowley II and passed unanimously.

6. NEW BUSINESS

***a. Discussion and Decision Regarding Potential Participation with a Complaint Intervention on behalf of the State of Nevada concerning JM Eagle and Ferosa with Regard to PVC Pipe and Other Matters Appropriately Related Thereto**

Chris Melville explained that it was the recommendation of the City Attorney, City Engineer, Public Works Director and City Manager to not participate in the potential lawsuit due to the limited benefit that could be received versus the cost of the litigation. Council Member Gorum made the motion regarding the potential participation with a complaint intervention on

behalf of the State of Nevada concerning JM Eagle and Ferosa with regard to PVC pipe that the City of West Wendover does not participate. The motion was seconded by Council Member Briggs and passed unanimously.

***b. Discussion and Decision with Regard to Proceeding with the Potential Sale of City Owned Residential Lots in Village One Phase One (Lots 1 and 2) and Village One Phase Two (Lots 33 through 45) and Other Matters Appropriately Related Thereto**

Chris Melville explained that the proposed idea would be to terminate the agreement with John McGee, hold another public auction in which the City could offer financing. General discussion was had regarding the potential cost of the lots, whether someone would have to build immediately and how the bidding process would work. Council Member Gorum made the motion to proceed with the potential sale of City owned residential lots in Village One Phase One (lots 1 and 2) and Village One Phase Two (lots 33 through 45). Chris Melville asked that the motion be rescinded and remade including the termination of the agreement with John McGee and to bring back the appropriate plan for Council approval. Council Member Gorum rescinded his previous motion and made a motion to terminate the agreement with John McGee and proceed with the potential sale of City owned residential lots in Village One Phase One (lots 1 and 2) and Village One Phase Two (lots 33 through 45). The motion was seconded by Council Member Rowley II and passed unanimously.

***c. Discussion and Decision Regarding Approval of a Police Department Reserve Officer Policy and Other Matters Appropriately Related Thereto**

Ron Supp explained that this would be a completely volunteer program and they would have all of the power of a police officer as long as they are with an officer. General discussion was had regarding the training of the reserves and cost of program. Council Member Carter made the motion to approve the Police Department Reserve Officer Policy. The motion was seconded by Council Member Rowley II and passed unanimously.

7. COMMUNICATIONS

Council Member Gorum that he attended the Recreation District meeting and the ball fields are moving along. Council Member Gorum stated that the district is still moving forward on the new recreation center.

Council Member Blake asked Chris Melville to look into a policy for when the press can speak or request documents at a meeting.

Chris Melville stated that Fronteer will be doing the mine presentation on June 24th. Chris stated that the car show would be the weekend of June 19th and 20th and the Bonneville 100 is June 26th.

Bryce Kimber had nothing to add to the memo he provided on the quotes for street striping. General discussion was had regarding the quotes being higher than budgeted and waiting till later in the fiscal year to do the striping if budget allows.

Jeff Knudtson stated he was late due to smoke coming out the roof of one of the casinos.

Sondra Schmidt explained that the annual fiscal report has been finished and will be published before the end of the month. Sondra stated that the State has accepted the final budget and the tax rate will be certified on June 25th at 0.9360.

Mayor Andersen stated that the 4th of July is coming along well and thanked everyone for helping. The next meeting of the July 4th committee will be on June 16th at 7:00 p.m. The events for July 4th are as follows:

Saturday, July 3rd
Run & Ride
Boy Scout Breakfast
Bingo

Sunday, July 4th

Parade
Park Events
Fireworks

General discussion was had regarding the fireworks and help for wiring the fireworks.

8. *APPROVAL OF THE CLAIMS:

Council Member Blake made the motion to approve the claims for June 15, 2010 and May hand checks. The motion was seconded by Council Member Carter and passed unanimously.

Corinne Copelan stated that the Council should read the rules on freedom of the press and that it is unacceptable to have the press wait to ask questions at the end of the meeting.

9. *NEXT MEETING DATE AND ADJOURNMENT

The next meeting date is a regular meeting on July 6, 2010 at 7:00 p.m. at the West Wendover City Hall, Council Chambers #137. Council Member Carter made the motion to adjourn at 7:57 p.m. The motion was seconded by Council Member Gorum and passed unanimously.

ATTEST:

Anna E. Bartlome
City Clerk/Records Officer