

WEST WENDOVER CITY COUNCIL MINUTES OF THE REGULAR MEETING ON JUNE 20, 2006

The West Wendover City Council met for a regular meeting on June 20, 2006. The meeting was held at the West Wendover Library, Pilot Peak Room. Mayor Thaut presided.

Council Members Present: Jimmy Carter, Jamey Christie, Johnny Gorum, Mike Miera and Emily Carter arrived at 7:02 p.m.

Others Present: Donald Burnum, Dixie Melville, Alan Rowley, Bryce Kimber, Aleta Kimber, Beverly Goheen, Sandy Kelsey, Jeff Knudtson, Sonny Longson, Bob Loncar, Laura Grant, Craig Bulhholz, Corinne Copelan, Billie Cook, Donna Harriman, Doug Smith, Russ McMullen, Claude Fratto, Cassie Fratto, Toni Fratto, Leon Flinders, Brenda Flinders, John Hanson, Tom Coyle, Roy Briggs, Leeanna Briggs, Ron Vollmann, 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:

Toni Fratto explained the results of the National American Miss Pageant. Toni was honored with Volunteer First Runner Up, State Finalist, Best Thank You Card, and Spirit of America Trophies. Toni was also named State Ambassador and can compete at National in the All American Queen Pageant.

Sonny Longson representing Peppermill, Rainbow and Montego Bay, presented a \$10,000.00 donation to the West Wendover Fire Department for the purchase of a Semi Tractor Truck for the fire simulation trailer.

4. *APPROVAL OF THE MINUTES:

Council Member Christie made the motion to approve the minutes of the special meeting of May 11, 2006 and forward the minutes of the regular meeting of June 6, 2006. The motion was seconded by Council Member J. Carter and passed unanimously.

Agenda taken out of order, New Business item e heard next, see below.

5. CONSENT CALENDAR

***a. Second Reading and Adoption of Ordinance #2006-03; An Ordinance Entitled "All-Terrain Vehicle Use and Operation", Creating a New Chapter, Chapter 2 of Title 5 of**

the West Wendover City Code, Providing Rules and Regulations Governing the Operation and Use of All-Terrain Vehicles (ATV's) Within the City Limits of West Wendover, Nevada

Mayor Thaut read the above entitled ordinance. Chris Melville explained that the way currently written is that between the ages of 12-15 years old must be under direct visual supervision of someone 18 years and older, and 16 years old and above will have licenses. General discussion was had regarding what age to set as a limit, and what speed limit to allow them to go on the appropriate trails. Council Member Miera made the motion to approve Ordinance #2006-03, an ordinance entitled "All-Terrain Vehicle Use and Operation", creating a new chapter, Chapter 2 of Title 5 of the West Wendover City Code, providing rules and regulations governing the operation and use of All-Terrain Vehicles (ATV's) within the City limits of West Wendover, Nevada with the deletion to 5-2-2(B). The motion was seconded by Council Member J. Carter and passed unanimously.

***b. Second Reading and Adoption of Ordinance #2006-04; An Ordinance Entitled "Gaming Under Nonrestricted Gaming Licenses," Establishing Appropriate Regulations Which Limit Such Gaming to Rural Resort Hotels Within the City**

Mayor Thaut read the above entitled ordinance. Council Member Miera made the motion to adopt Ordinance #2006-04; an ordinance entitled "Gaming Under Nonrestricted Gaming Licenses", establishing appropriate regulations which limit such gaming to rural resort hotels within the City. The motion was seconded by Council Member J. Carter and passed unanimously.

Agenda taken out of order, New Business item a heard next, see below.

***c. Discussion and Decision to Adopt Resolution #2006-06; A Resolution of the Board of Commissioners of the City of West Wendover, Nevada Providing for the Transfer of the City's 2006 Private Activity Bond Cap to the Nevada Rural Housing Authority; and Other Matters Related Thereto**

Chris Melville explained that Gary Longaker from Nevada Rural Housing, and several other entities have contributed authorizing their bonding capabilities. This would be a one-time transfer for this year only. Discussion was had regarding changing from 60 days to 4 months, and to change the wording from Board of Commissioners to City Council. Council Member Gorum made the motion to adopt Resolution #2006-06, a resolution of the City Council of the City of West Wendover, Nevada providing for the transfer of the City's 2006 private activity bond cap to the Nevada Rural Housing Authority, with a change from 60 days to 6 months. The motion was seconded by Council Member Christie and passed unanimously.

***d. Discussion and Decision to Adopt Resolution #2006-07; A Resolution Appointing a Mayor Pro-Tem**

Chris Melville explained that in the past the Mayor had been appointing a Mayor Pro-Tem and should be appointed by the Council. Council Member E. Carter made the motion to adopt Resolution #2006-07, a resolution appointing Council Member Christie as Mayor Pro-Tem. The motion was seconded by Council Member Miera and passed unanimously.

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 2006-2007 Funds**

Russ McMullen explained that the POOL is member owned and member lead, and the members are proactive about preventing losses. General discussion was had regarding deductibles for each and every Wrongful Acts, program costs and why there is an increase in costs. Council Member Christie made the motion accept the renewal proposal from Nevada Public Agency Insurance Pool (POOL) for \$140,076.72, waiving the optional wrongful acts deductible and approval of payment from fiscal year 2006-2007 funds. The motion was seconded by Council Member Miera and passed unanimously.

Russ McMullen explained the optional Pollution Legal Liability, which included \$10,000,000.00 with an occurrence amount of \$2,000,000.00, and the deductible amount is \$25,000.00. The cost of the Pollution Legal Liability is \$51,845.00. Council Member Christie amended her previous motion to include the renewal of the Pollution Legal Liability at a cost of \$51,845.00. The motion was seconded by Council Member Miera and passed unanimously.

Agenda taken back in order, Consent Calendar item c heard next, see above.

***b. Discussion and Decision Regarding a Donation and/or Sponsorship of a September 11th Program and Other Matters Appropriately Related Thereto**

Alan Rowley explained that there will be an orchestra for the event and the cost is \$3,000.00. General discussion was had regarding what type of a program will be held, and what mood would be conveyed. Council Member Miera made the motion to donate \$3,000.00 to the September 11th Program. The motion was seconded by Council Member Gorum and passed unanimously.

***c. Discussion and Decision Regarding the City of West Wendover Filing a Community Facilities Loan Application with the USDA-Rural Development for the Purpose of Financing a City Hall/Government Complex to Meet the Present and Future Needs and Demands of the City of West Wendover. The Service Area/Boundary of the City of West Wendover is: Sections 7, 8, 9, 10, 15, 16, 17 and 18 of Township 33N. Range 70E. M.D.B.&M.**

Chris Melville explained that this is one of several steps involved in the project. Council Member Christie made the motion to approve the City of West Wendover filing a Community Facilities Loan Application with the USDA-Rural Development for the purpose of financing a City Hall/Government Complex to meet the present and future needs and demands of the City of West Wendover. The motion was seconded by Council Member J. Carter and passed unanimously.

***d. Discussion and Decision Regarding the City of West Wendover Filing a Community Facilities Loan Application with the USDA-Rural Development for the Purpose of Financing a Public Works Facility to Meet the Present and Future Needs and Demands of the City of West Wendover. The Service Area/Boundary of the City of West Wendover is: Sections 7, 8, 9, 10, 15, 16, 17 and 18 of Township 33N. Range 70E. M.D.B.&M.**

Chris Melville explained that this item is similar to above but is for the Public Works Facility. Discussion was had regarding the amount that had been placed in the budget, it was stated that the amount budgeted is for a payment. Council Member Christie made the motion to approve the City of West Wendover filing a Community Facilities Loan Application with the USDA-Rural Development for the purpose of financing a Public Works Facility to meet the present and future needs and demands of the City of West Wendover. The motion was seconded by Council Member E. Carter and passed unanimously.

***e. Discussion and Decision to Authorize Staff to Research and Prepare a Change to City Code Title 1, Chapter 9, Section 4 with Regard to the Office of Ex Officio Municipal Judge, the Appointive Office of Municipal Judge and Other Matters Appropriately Related Thereto**

Chris Melville explained that this was to get official approval of the Council to prepare a change with the ordinance. General discussion was had regarding whether to change the City Code Title 1, Chapter 9, Section 4 from an Ex-Officio Municipal Judge or appointed Municipal Judge. Discussion was also had regarding not changing the City Code, which would allow the election of the Justice of the Peace who would also serve as the Ex-Officio Municipal Judge. Council Member Christie made the motion that the Municipal Court Judge remains Ex-Officio. The motion was seconded by Council Member J. Carter and passed unanimously.

Agenda taken back in order, Consent Calendar item a heard next, see above.

***f. Discussion and Decision to Award or Reject Bids for City Timeline Wall Mural**

Chris Melville stated that all bids should be reject all bids for the City Timeline Wall Mural for either not meeting the cost or design criteria. Chris explained that the grant for this project does not expire until May of 2007. Council Member Christie made the motion to reject all the bids for the City Timeline Wall Mural for either not meeting the design criteria or the budget amount. The motion was seconded by Council Member J. Carter and passed unanimously.

7. COMMUNICATIONS

Council Member Christie explained that she provided copies of the information for the Nevada League of Cities Legislative meeting, which is being finalized. There will be a vote at the annual conference on the Legislative packet.

Chris Melville asked the Council and Mayor to stay for a union negotiation meeting.

8. *APPROVAL OF THE CLAIMS:

Council Member E. Carter made the motion to approve the claims for June 20, 2006. The motion was seconded by Council Member Gorum and passed unanimously.

9. *NEXT MEETING DATE AND ADJOURNMENT

The next meeting date is a special meeting on June 29, 2006 at 5:00 p.m. and a regular meeting on July 5, 2006 at 7:00 p.m. both meetings will be held at the West Wendover Library, Pilot Peak Room. Council Member Christie made the motion to adjourn at 8:55 p.m. The motion was seconded by Council Member J. Carter and passed unanimously.

ATTEST:

Anna E. Bartlome
City Clerk/Records Officer