

## WEST WENDOVER CITY COUNCIL MINUTES OF THE REGULAR MEETING ON AUGUST 1, 2006

The West Wendover City Council met for a regular meeting on August 1, 2006. The meeting was held at the West Wendover Library, Pilot Peak Room. Mayor Thaut presided.

Council Members Present: Emily Carter, Jimmy Carter, Jamey Christie, Johnny Gorum and Mike Miera

Others Present: Corinne Copelan, Bryce Kimber, Ron Supp, Arbie Stone, Leon Flinders, Cassie Fratto, Michelle Blake, Ivan Stone, Tom Coyle, Roy Briggs, Beverly Goheen, Devan Croasmun, Scott Bangerter, David Lockie, Craig Harasek, Joyce McPherson, 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 June 29, 2006, under Consent Calendar item h the sentence should read as follows: "*Leon Flinders stated that the monument had been in the middle of construction when the budget was done.*" The next change was under Consent Calendar item j the sentence should read as follows: "*Leon Flinders stated that this fund was formed when the City Hall was purchased, and it would be used to keep track of the New City Hall Complex.*" The last change is under New Business item a, the sentence should read as follows: "*Bryce Kimber explained that there had been some funds in the current budget to purchase a new truck and that a hook lift had already been purchased.*" Council Member Christie had a change to the minutes of July 5, 2006 under Communications the sentence should read as follows: "*Mayor Thaut stated that she is grateful to the REC District for the use of LaCombe Field, and thanked Chris Buxton for the great job he did.*" Council Member Christie made the motion to approve the minutes of the special meeting of June 29, 2006 and the regular meeting of July 5, 2006 with the changes as noted above and to forward the minutes of the West Wendover City Hall Architect Selection Committee meeting of July 11, 2006. The motion was seconded by Council Member Miera and passed unanimously.
5. **CONSENT CALENDAR**  
**\*a. Discussion and Decision to Forward Resolution #2006-20; A Resolution Establishing the Various License/Permit Fees and Applications Applicable to the Sexually Oriented Business Code and Repealing Resolution #2001-06**

Council Member Miera made the motion to forward this item to the next meeting. The motion was seconded by Council Member J. Carter and passed unanimously.

**6. NEW BUSINESS**

**\*a. Discussion and Decision Regarding Possible Amendments to City Code Title 3 Chapter 4 Dealing with Sexually Oriented Businesses and Other Matters Appropriately Related Thereto**

Tom Coyle explained that the attorneys for Scott Bangerter and the Southern X-posure are requesting that the City consider amending the Sexually Oriented Business Code. Tom explained that there were three options for the City to take, they included leaving the code as is and litigate whether the City has the ability to regulate in this fashion. The other options are to amend code pursuant to the request and the third option is to amend the code but require settlement of the lawsuit upon favorable conditions. Some of the concessions could include the following that the Southern X-posure is a sexually oriented business (SOB) within the meaning of the code and a firm definition of table dances, and a clear statement that the right of the Southern X-posure to operate at its present location terminates with any change in ownership due to sale or death and with any expansion of its present use. A clear statement that the Southern X-posure will not enlarge its present use at its present location, limitations of any other uses which are permitted to other SOB's under our code so that the Southern X-posure does not expand the types of conduct or activities which are permitted at its present location, and a dismissal of the pending lawsuit. Craig Harasek, attorney for Scott Bangerter, stated that if they comply with the ordinance as it is could put a SOB in an area where one is not wanted. Council Member Gorum made the motion to authorize the City Attorney to open negotiations regarding amending the City Code Title 3 Chapter 4 dealing with Sexually Oriented Businesses, and to extend the business license for Southern X-posure. The motion was seconded by Council Member J. Carter and passed unanimously.

**\*b. Discussion and Decision to Approve Amendment Number 1 to the Collective Bargaining Agreement Between the City of West Wendover and the State of Nevada Employees Association, American Federation of State, County and Municipal Employees, Local 4041 of July 1, 2005**

Chris Melville asked that the amendment be approved as proposed for a 2% cost of living adjustment. Council Member Christie made the motion to approve amendment number 1 to the Collective Bargaining Agreement between the City of West Wendover and the State of Nevada Employees Association, American Federation of State, County and Municipal Employees, Local 4041 of July 1, 2005. The motion was seconded by Council Member Miera and passed unanimously.

**\*c. Discussion and Decision for Time Extension for Crystal Sands Lounge/I. Brekke for Parking Lot/Sidewalk Installation and Other Matters Appropriately Related Thereto**

Ivan Brekke explained that due to some set backs and time delays he would like to have an extension of time to install the parking lot. Council Member Miera made the motion to extend the Crystal Sands Lounge/I. Brekke for parking lot/sidewalk installation to July 1, 2007. The motion was seconded by Council Member J. Carter and passed unanimously.

**\*d. Discussion and Decision Regarding Update on 21<sup>st</sup> Century Grant Program, Possible Donation and/or Sponsorship and Other Matters Appropriately Related Thereto**

Michelle Blake explained that this was the third year of the grant and they will lose \$10,000.00 and they need to show that they can match those funds and show community involvement. Council Member Miera made the motion to sponsor the 21<sup>st</sup> Century Grant Program in the amount of \$5,000.00. The motion was seconded by Council Member Christie and passed unanimously.

**\*e. Discussion and Decision Regarding Endorsement of Nevada League of Cities 2007 Legislative Package and Other Matters Appropriately Related Thereto**

Council Member Christie explained the Bill Draft Requests being proposed by the Nevada League of Cities (see attached). Council Member Miera made the motion to endorse the Nevada League of Cities 2007 Legislative Package. The motion was seconded by Council Member J. Carter and passed unanimously.

**\*f. Discussion and Decision Regarding Endorsement of Nevada League of Cities 2007 Legislative Advocacy Policy and Other Matters Appropriately Related Thereto**

Council Member Christie explained that the Legislative Advocacy Policy is the rules that the League will abide by during the upcoming Legislative Session. The Legislative Advocacy Policy include the tracking of all pertinent bills before the legislature, requesting position statements from each member city/municipality, formulating the Leagues position on each bill based on the position statements, and facilitating testimony on the position of the League. Determination of the League's position will include the following: when there is conflict between or among League members regarding a position on a specific bill mediation techniques will be used in an attempt to resolve the conflict. If a mutually agreeable solution cannot be reached, the League may take a position that it finds to be in the strong interest of the majority of its members without adversely impacting any members. If the League finds that such a position would adversely impact one or more members, the League will not take any position on the particular issue. In advocating its agenda, the League will make every appropriate effort to disclose the differences in its position and the position(s) of its members. The League will provide and expect full communication with dissenting member municipalities. No League position will be presented that is in conflict with the interest of the membership's majority. Council Member Miera made the motion to endorse the Nevada League of Cities 2007 Legislative Advocacy Policy. The motion was seconded by Council Member J. Carter and passed unanimously.

**\*g. Discussion and Decision Regarding Endorsement of Nevada League of Cities 2007 Legislative Compact and Other Matters Appropriately Related Thereto**

Council Member Christie explained that these are the items that the League thinks are critical (see attached). Council Member Miera made the motion to endorse the Nevada League of Cities 2007 Legislative Compact. The motion was seconded by Council Member E. Carter and passed unanimously.

**\*h. Discussion and Decision for Approval or Denial of Liquor License for Peppermill Concert Hall**

Council Member Gorum, E. Carter and J. Carter disclosed that they work for the Peppermill, Rainbow and Montego Bay Casinos but this item would not personally benefit them. Ron Supp explained that a background was done on the primary people and this is basically an extension of a current license. Council Member Miera made the motion to approve the liquor license for Peppermill Concert Hall. The motion was seconded by Council Member Christie and passed unanimously.

**\*i. Discussion and Decision to Approve Funds Used in the Aiding of Prosecution of Crimes Through Rewards**

Ron Supp stated that by giving rewards for information provided to help solve some crimes. General discussion was had regarding the amount of funds requested, and how the funds could be used. Council Member Miera made the motion to approve \$1,000.00 for use in aiding of prosecution of crimes through rewards. The motion was seconded by Council Member Christie and passed unanimously.

**\*j. Discussion and Decision to Approve the Agreement with the Nevada Department of Transportation for the Operation of the Welcome Center and Other Matters Appropriately Related Thereto**

Chris Melville asked that the agreement with Nevada Department of Transportation for the operation of the Welcome Center be approved. Council Member Gorum made the motion to approve the agreement with the Nevada Department of Transportation for the operation of the Welcome Center. The motion was seconded by Council Member Christie and passed unanimously.

**\*k. Discussion and Decision to Authorize Caselle Upgrades and Appropriate Augmentation to the 2006-2007 Budget**

Chris Melville explained that there are two upgrades to the Caselle program, which include the H/R program and the Clarity program. General discussion was had regarding the programs and what the use of the programs would be. Council Member Miera made the motion to approve the Caselle upgrades not to exceed \$24,000.00. The motion was seconded by Council Member Christie and passed unanimously.

**\*1. Discussion and Decision to Authorize Funds for an Employee Summer Party and an Annual Employee Christmas Party and Other Matters Appropriately Related Thereto**  
Chris Melville stated that the agenda item should only be for the employee summer party. The employee summer party is August 25, 2006 at the pool at 6:30 p.m. and golf will start at 1:30 p.m. Council Member Miera made the motion to authorize funds of \$1,200.00 for an Employee Summer Party. The motion was seconded by Council Member Christie and passed unanimously.

**7. DEPARTMENT UPDATES**

**Fire Chief** – Jeff Knudtson had nothing to add to memo, which included receiving the new semi tractor. The fire safety trailer will be taken in to Salt Lake County to show some of the different entities. The DOE for 2007 has allocated \$95,000.00 for the replacement of repeaters, fire radios and maybe some police radios.

**Police Chief** – Ron Supp had nothing to add to memo, which included the department responded to 475 calls for service, 14 adult arrests, 5 juvenile arrests, 16 arrest warrants, 104 citations, 2 field interviews and served 108 civil papers. Work has begun toward the refurbishment of the animal shelter. The new police vehicles are in the process of being ready for patrol. Two Officers have completed instructor development class, which will enable them to instruct other officers allowing for POST credit

**City Clerk/Records Officer** – Anna Bartlome stated that she would need to know who would be attending Nevada League of Cities so that room reservations and registrations could be completed.

**Chief Financial Officer** – Nothing.

**Public Works Director** – Bryce Kimber stated that the only thing to add to the memo was the new truck has been received. The memo stated that the former Women’s Clinic is finally in place but work still needs to be done on it to get it ready to use.

**City Manager** – Chris Melville explained that the ATV flyers are out and the Police will be putting into full force. Chris also stated that Annette Slagowski was back to work as of today. Chris asked the Council to stay for a union negotiation meeting.

**8. COMMUNICATIONS**

Council Member Gorum stated that he had met candidate for Senate Jack Carter when he was here and had talked to him about annexation.

Council Member Miera stated that the first Campaign Contributions and Expenses Report are due on August 8, 2006.

Mayor Thaut explained about the trip to look at newly built city complexes. Mayor Thaut stated that she feels very comfortable with the selection of the architect firm.

Council Member Christie explained that of the 2 facilities the smaller one had better planning.

**9. \*APPROVAL OF THE CLAIMS:**

Council Member Gorum made the motion to approve the claims for August 1, 2006 and the June hand checks. The motion was seconded by Council Member E. Carter and passed unanimously.

**10. \*NEXT MEETING DATE AND ADJOURNMENT**

The next meeting date is a regular meeting on August 15, 2006 at 7:00 p.m. at the West Wendover City Offices, Conference Room. Council Member Christie made the motion to adjourn at 8:10 p.m. The motion was seconded by Council Member E. Carter and passed unanimously.

ATTEST:

Anna E. Bartlome  
City Clerk/Records Officer