

WEST WENDOVER CITY COUNCIL MINUTES OF THE REGULAR MEETING OF AUGUST 21, 2007

The West Wendover City Council met for a regular meeting on August 21, 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: John Hanson, Ron Supp, Maria Luna, Jose Luna, Bryce Kimber, Jeff Knudtson, Karen Shepherd, Brenda Flinders, Leon Flinders, Ivan Brekke, Aleta Kimber, Jackie Ratliff, Bill Ratliff, Reese Melville, Dawn Miles, Devan Croasmun, Refujio Flores, 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 Briggs had some changes to the minutes of July 17, 2007.

Under Approval of the Minutes the changes are as follows:

“Also under item A where it refers to bid schedule A and B they should be capitalized.”

Under Consent Calendar the changes are as follows:

“Chris Melville explained that we are still waiting for the appraisal to come back and would like to forward the approval of the resolution to the meeting on July 24, 2007.”

Council Member Christie has some changes to the minutes of July 17, 2007.

Under Consent Calendar the changes are as follows:

“Chris Melville explained that we are still waiting for the appraisal to come back and would like to forward the approval of the resolution to the meeting on July 24, 2007.”

“The resolution describes the 3.87 acres that are for sale, waives the parcel map, sets the minimum bid price, how the sealed and oral bids are to be handled, and includes the lease agreement for the Courthouse and Fire Station.”

“Chris stated that when the new City Hall is complete the Court and Fire Station will move their equipment but the buildings will belong to the new owner.”

Under New Business the changes are as follows:

Item c: *“Chris explained that the adjustments would change the square footage of the lots from 6,000 square feet to 8,000 square feet, and from 16 lots to 13 lots.”*

“General discussion was had regarding having a public sale for the lots, where the utilities are currently located and where they would be located if the lots were changed.”

Item f: *“Chris Melville explained that there were no bids received for this project and it would be going back through the process.”*

Under Communications the changes are as follows:

“Chris Melville stated that the Capital Improvements Project Plan would be on the meeting of July 24th.”

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

5. CONSENT CALENDAR

***a. Second Reading and Adoption of Ordinance #2007-02; An Ordinance Adopting Authority Granted by AB 462 of the 2007 Nevada Legislative Session Upon the City; Entitled “2007 Requirements for Sale or Lease of Real Property Owned by the City”; Creating Authority in Chapter 6 of Title 11 of the West Wendover City Code Allowing the City Hold a Public Hearing in Lieu of Having a Second Appraisal Conducted Before the Sale or Lease of Property; Adopting Other Changes Authorized by AB 462 and Providing Other Matters Appropriately Related Thereto**

Council Member Christie made the motion to adopt Ordinance #2007-02; an ordinance adopting authority granted by AB 462 of the 2007 Nevada Legislative Session upon the City; entitled “2007 Requirements for Sale or Lease of Real Property Owned by the City”; creating authority in Chapter 6 of Title 11 of the West Wendover City Code allowing the City to hold a public hearing in lieu of having a second appraisal conducted before the sale or lease of property; adopting other changes authorized by AB 462 and providing other matters appropriately related thereto. The motion was seconded by Council Member Briggs and passed unanimously.

6. NEW BUSINESS

***a. Discussion and Decision to Set a Public Hearing for a Zone Change Associated with 3.87 Acres of Land Described as: A Parcel of Land Located in the Northeast Quarter (NE1/4) of Section 16, Township 33 North, Range 70 East, M.D.B.&M. at the Southwest corner of the Intersection of Wendover Boulevard and Florence Way. A Portion of Land Owned by the City of West Wendover under Patent No. 27-2007-0027 as Filed with the Office of the Elko County Recorder on June 7, 2007, Doc #574514**

Chris Melville asked that September 4th be set for the public hearing for the zone change on the property the City is currently selling. The property is zoned Public and would be changed to C3. Council Member Christie made the motion to set the public hearing for a zone change associated with the 3.87 acres of land described for September 4, 2007. The motion was seconded by Council Member Briggs and passed unanimously.

***b. Discussion and Decision to Approve and Award the Successful and Responsive High Bidder Under City of West Wendover Public Land Sale 08-20-2007 per City of West Wendover Resolution # 2007-20 and Authorization for Staff to Prepare and Mayor to Execute All Necessary Agreements, Documents and/or Contracts and Other Matters Appropriately Related Thereto**

Chris Melville explained that this was to formally approve and award the successful and responsive high bidder as provided by the Council from the August 20, 2007. The high

bidder was Peppermill Casinos, Inc. represented by Albert Seeno, Jr. in the amount of \$1,252,000.00. The forms were complete and the required deposit had been made with the bid documents.

Council Member Gorum disclosed that he works for the Peppermill Corporation but would have no financial gain. Council Member E. Carter disclosed that she works for the Peppermill Corporation but would have no financial gain. Council Member J. Carter disclosed that he works for the Peppermill Corporation but would have no financial gain. Council Member Briggs disclosed that he works for the Peppermill Corporation but would have no financial gain. Mayor Thaut stated that as the Mayor she only votes in case of a tie or when vetoing but she disclosed that she also works for Peppermill Corporation but would have no financial gain.

Council Member Christie made the motion to award the successful and responsive high bidder under City of West Wendover public land sale 08-20-2007 per City of West Wendover Resolution #2007-20 and authorize staff to prepare and Mayor to execute all necessary agreements, documents and/or contracts to Peppermill Casinos, Incorporated in the amount of \$1,252,000.00. The motion was seconded by Council Member Gorum and passed unanimously.

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

Ron Supp asked that this be forwarded to the next meeting in order to do some more investigation. Council Member Gorum made the motion to forward this item to the next meeting. The motion was seconded by Council Member Briggs and passed unanimously.

***d. Discussion and Decision to Appoint Judges Pro-Tem for Eastline Justice Court**
Mayor Thaut asked if this was a yearly appointment. Judge R. Melville explained that it is a yearly appointment and the entire list would need to be approved in order to have a Judge available when needed. Judge R. Melville stated that Barbara Nethery is now a retired judge. Council Member Christie made the motion to appoint Phyllis Black, Patricia Calton, Alvin Kacin, Barbara Nethery and Marjean Kidner as Judges Pro-Tem for Eastline Justice Court. The motion was seconded by Council Member J. Carter and passed unanimously.

***e. 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 stated that the sidewalk and driveway are in and work may be completed on the lounge within the month. Ivan asked for another extension on the parking lot. General discussion was had regarding using the unpaved lot for parking, the time limit on paving the parking lot, the time limit on the grading of the parking lot and signage about where to park. Council Member Christie made the motion to grant the Crystal Sands Lounge and Ivan Brekke an extension for the parking lot/sidewalk installation of 90 days to complete rough grading and one year to complete the asphalt work. The motion was seconded by Council Member Briggs and passed unanimously.

***f. Discussion and Decision Regarding Donation for Great Basin Youth Football League and Other Matters Appropriately Related Thereto**

Karen Shepherd explained that she was representing the newly formed Great Basin Youth Football League and letters of interest had been sent out earlier in the summer. Karen explained that the League has had lots of interest in starting up the program and the League is a non-profit. Karen stated that there are currently three divisions with around 30 kids in each division. General discussion was had regarding the amount of a donation, amount of days left to sign up, how many players in each division and what the donation would be used for. Council Member Christie stated that this is a good program and these types of programs make the high school teams better. Council Member Gorum started to make a motion to donate \$1,000.00 to the Great Basin Youth Football League. Council Member Christie asked to donate more money since this will benefit more children. Council Member Christie made the motion to donate \$2,000.00 to the Great Basin Youth Football League. The motion was seconded by Council Member J. Carter and passed unanimously.

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

***g. Discussion and Decision on Voting for Candidates of the Wells Rural Electric Company 2007 Ballot for Members of the Board of Directors**

Chris Melville explained that the Council would need to select who they would like the City to vote for concerning the Board of Directors for Wells Rural Electric Company. Chris stated that Dr. Smith called and asked that the City support the incumbents. Council Member Christie made the motion to cast the four votes for the Board of Directors for the Wells Rural Electric Company 2007 Ballot to the four incumbents. The motion was seconded by Council Member Briggs and passed unanimously.

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

Ron Supp asked that the bids be rejected due to the payments not being split equally over a three year period. Ron stated that the first payment was almost double what had been budgeted. Ron explained that the program would be re-bid. Council Member Gorum made the motion to reject the bids for the Public Safety Computer Systems Upgrade Program. The motion was seconded by Council Member E. Carter 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 **August 21, 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: Refugio Flores; property located in a Residential (R-1) Zone.

1) **To adjust the minimum side yard setback on the Eastern property line from seven and one half (7 ½) feet to three (3) feet, for the construction of a carport:**

The property description is: Lot # 14, as shown on the Official Plat of West Wendover Highlands Unit No. 6, Block T, 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. Located at 1878 Pershing Circle, 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.

Council Member Christie asked if this project had been discussed with the neighbors. It was stated that the project had been discussed with the neighbors and they had no problem. Council Member Gorum stated that a lot of neighbors in the area have carports. Jackie Ratliff asked if a translator should be present. Sheyla Mercado stated that she could translate. Sheyla stated that the only concern that the neighbor had was water running onto his property. General discussion was had regarding why the notices went out and if the neighbors have an issue with the variance they need to tell the Council now. Mayor Thaut thanked Sheyla Mercado for translating.

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

***Discussion and Decision Regarding Proposed Approval or Denial of Variance Located at 1878 Pershing Circle**

Council Member Gorum made the motion to approve the variance for 1878 Pershing Circle with a 3 foot setback from the east property line. The motion was seconded by Council Member Briggs and passed unanimously.

2) **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 **August 21, 2007 at 7:45 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: Santiago Mercado; property located in a Residential (R-1) Zone.

- 1) **To adjust the minimum side yard setback on the Eastern property line from seven and one half (7 ½) feet to three (3) feet, for the construction of additional living area and covered porch:**

The property description is: Lot # 20, as shown on the Official Plat of West Wendover Highlands Unit No. 1, Block I, 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. Located at 1798 Gold Street, 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

Council Member Christie asked if this project had been discussed with the neighbors. Council Member Christie asked if they understood that if the variance was approved they would still need to get permits and inspections for the project. Council Member Gorum stated that he spoke to the Building Inspector and project does meet standards. Chris Melville explained that the room addition is on the front and the porch is to be located on the back.

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

***Discussion and Decision Regarding Proposed Approval or Denial of Variance Located at 1798 Gold Street**

Council Member Christie made the motion to approve the variance for 1798 Gold Street. The motion was seconded by Council Member Briggs and passed unanimously.

Agenda taken back in order, New Business item g heard next, see above.

8. COMMUNICATIONS

Judge Melville asked if Council Member Christie was the representative for the City to the Nevada League of Cities. Council Member Christie stated that she is the City's representative to the Nevada League of Cities. Judge Melville explained that the court systems needed to be watched due to the States taking over the courts, once that happens the revenues then go to the State.

Chris Melville explained that evaluations of three Department Heads (Police Chief, Public Works and City Clerk) would need to be scheduled. Discussion was had regarding scheduling a date for the meeting, with September 17th at 6:30 p.m. being mentioned. Discussion was had regarding whether there would be a quorum on September 18th for the regular meeting. Chris explained that on the meeting of September 4, 2007 the sale resolution for the 15 residential lots would be on the agenda if the subdivision map was received. The sale would then take place at the end of September. Chris explained that the City would sponsor a lending fair, and the local banks and mortgage companies would be present.

Chris Melville went through the timeline for the City Hall Complex. The final review of the construction drawings would take place at the September 4th meeting. The timing of the bid would be around September 17th, and the USDA would be reviewing the project at the same time. The bid would be awarded in the middle of October with construction beginning in November, and completion date would be about 18 months. The bid for the Gene L. Jones Way project would close on September 6th. Discussion was had regarding setting a special meeting to award the Gene L. Jones project sometime the week of September 10th. General discussion was had regarding the city complex.

Council Member Gorum stated that he would be attending the Nevada League of Cities. Council Member Gorum mentioned the water leak that Public Works had been working on along Tibbets Boulevard. Council Member Gorum stated that he had a successful Wells Rural Electric Company function (golf tournament).

Council Member J. Carter apologized for missing the meeting on August 20, 2007 he had been attending a funeral. Council Member J. Carter explained that the First Responders Day picnic is moving ahead quickly and there are a few things planned such as entertainment. The First Responders Day is scheduled for September 25th from 5-7 p.m.

Chris Melville wanted to thank the Police Officers for responding to the vehicles running the stop signs along Pueblo Boulevard and Alpine Street.

9. *APPROVAL OF THE CLAIMS:

Council Member E. Carter made the motion to approve the claims for August 21, 2007. 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 September 4, 2007 at 7:00 p.m. at the West Wendover Library, Pilot Peak Room. Council Member E. Carter made the motion to adjourn at 8:05 p.m. The motion was seconded by Council Member J. Carter and passed unanimously.

ATTEST:

Anna E. Bartlome
City Clerk/Records Officer