



CITY OF WEST WENDOVER

P.O. Box 2825, West Wendover, NV 89883 Office (775) 664-3081 Fax (775) 664-3720

WEST WENDOVER CITY COUNCIL MINUTES OF THE REGULAR MEETING OF AUGUST 4, 2009

The West Wendover City Council met for a regular meeting on August 4, 2009. The meeting was held at the West Wendover Library, Pilot Peak Room. Mayor Andersen presided.

Council Members Present: Bryant Blake, Roy Briggs, Emily Carter, Johnny Gorum and Alan Rowley II

Others Present: Ron Supp, Mark McGarey, Dixie Melville, Bryce Kimber, Jeff Knudtson, Corinne Copelan, Orlin Kidner, Marjean Kidner, Sondra Schmidt, Aleta Kimber, Steve Weinstein, Amanda Weinstein, 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 Carter made the motion to approve the minutes of the regular meeting of July 7, 2009 and the regular meeting of July 21, 2009. The motion was seconded by Council Member Rowley II and passed unanimously.

5. NEW BUSINESS

***a. Consideration and Possible Approval, or Approval with Changes, of a Joint Development Agreement and Communications Site Lease Regarding Alltel Lease of City Property for a Communication Facility and Tower, an Associated Development and Collocation of City Communication Equipment at Said Facility, an Associated Easement for Ingress and Egress, an Associated Memorandum of Understanding for Recording with the Elko County Recorder Regarding the Agreement and Lease and Consideration of All Matters Relating to the Foregoing, the Location of the Proposed Communication Facility/Tower is, Generally, Within the City Property on Industrial Way at Section 16, Township 33 North, Range 70 East MDB&M**

Chris Melville explained that this project has been underway for two years and that during the process Verizon purchased Alltel. Chris explained that exhibit "D" had just been finalized and showed what equipment the City was authorized to have installed and maintain. The lease agreement is for five years with the option to renew for five terms of five years each, for a total of thirty years. The lease is \$400.00 a month with an increase of 15% every term. Mark McGarey, representing Alltel explained that this tower would improve the coverage area. Mark McGarey explained that Verizon and Alltel have merged and the divested regions

will be purchased by AT&T. Council Member Blake made the motion to approve the Joint Development Agreement and Communications Site Lease regarding Alltel Lease of City property for a communication facility and tower, an associated development and collocation of City communication equipment at said facility, as associated easement for ingress and egress, an associated Memorandum of Understanding for recording with the Elko County Recorder regarding the agreement and lease and consideration of all matters relating to the foregoing, the location of the proposed communication facility/tower is, generally, within the City property on Industrial Way at Section 16, Township 33 North, Range 70 East MDB&M. The motion was seconded by Council Member Carter and passed unanimously.

***b. Discussion and Decision to Approve and the Mayor Pro-tem to Execute the Memorandum of Understanding Between the City of West Wendover and the Nevada Department of Transportation and the Federal Highway Administration with Regard to the Application for the Break in Control of Access at Exit 410 in Satisfying the Conditions of the Access Justification Report with the Federal Highway Administration and Other Matters Appropriately Related Thereto**

Chris Melville explained that this would finalize the work that had begun a year ago with the Rusty Palm project. Chris explained some of the major points of the Memorandum of Understanding, which are as follows:

1. Frontage Road: By 2014, the City will identify along with NDOT a new location for street access (frontage road), providing access to the NDOT maintenance station. This is due to the needed removal of the existing frontage road given its location to the new intersection and street improvements on the north side of Exit 410. This condition in the MOU has in large part already been solved with the design and placement of the Leppy Hills Boulevard right of way under the agreement with Wendover Project, LLC.

Before March of 2019, the new street/frontage road will be constructed and removal of the existing frontage road, where conflicts exist will be completed.

2. Pedestrian Access: Before March of 2017 the City will complete pedestrian improvements from Wendover Boulevard north through Exit 410, ensuring pedestrian access to the area, which is nonexistent today. In addition, we will also agree that any further phases of the Rusty Palm project or future projects on other property will require this to be done if earlier than 2017. As well, this component we are already underway with. The City received about \$120,000.00 in stimulus funds through NDOT for use on State Classified Streets of a Major Arterial or Arterial classification. In our community there are only two areas where this exists. The first is a section of Wendover Boulevard from the intersection of U.S. 93A, east to the Utah/Nevada border. The second section is on Wendover Boulevard from the intersection of U.S. 93A, west to Exit 410 on Interstate 80. As such, Chris Melville is currently working with NDOT to use the funds available to construct a portion of the sidewalk that will be required from the intersection of Wendover Boulevard and Exit 410 going north.

3. Livestock Control: The City agrees to ensure that appropriate cattle guards, etc., are in place to provide control of livestock from entering the Interstate. This is being accomplished in part with the improvements that the Rusty Palm is making.

Council Member Gorum made the motion to approve and the Mayor Pro-tem to execute the Memorandum of Understanding between the City of West Wendover and the Nevada Department of Transportation and the Federal Highway Administration with regard to the application for the break in control of access at Exit 410 in satisfying the conditions of the Access Justification Report with the Federal Highway Administration. The motion was seconded by Council Member Blake and passed unanimously.

Corinne Copelan asked if the motion should be for the Mayor to execute the MOU since he was present. Mayor Andersen explained that because the agreement deals with NDOT and he works for NDOT he would not be executing the documents.

***c. Discussion and Decision to Approve and the Mayor Pro-tem to Execute the Direct Sale Intent to Purchase Agreement with the Nevada Department of Transportation for the Control of Access Rights in Relation to Proposed Break In Control of Access at Exit 410 (Surplus No. SUR 08-42) and Other Matters Appropriately Related Thereto**

Chris Melville explained the purchase agreement for the control of access rights in relation to the proposed break in control at Exit 410. Chris explained that this is the second component in making the access occur. The purchase agreement is required by NDOT, which must have the access valued. An appraiser was hired and set the break in control at \$450,000.00. Negotiations were done with NDOT to use the construction costs from the MOU for the value of the break in control. The purchase agreement goes with the MOU that was approved above. Council Member Blake made the motion to approve and the Mayor Pro-tem to execute the direct sale intent to purchase agreement with the Nevada Department of Transportation for the control of access rights in relation to proposed break in control of access at Exit 410 (Surplus No. SUR-08-42). The motion was seconded by Council Member Briggs and passed unanimously.

***d. Discussion and Decision to Approve Change Orders No. 40, 41 and 43, with Regard to the West Wendover Government Complex and Other Matters Appropriately Related Thereto**

Chris Melville went through the change orders 40, 41 and 43, which are as follows:

Change Order #40: Cost to move pre-action system to the janitor closet and cost to add metal blinds for the dispatch office. For an increase of \$2,124.33.

Change Order #41: Credit for not painting the basement as originally specified. For a decrease of \$1,764.55.

Change Order #43: Cost to provide low voltage and Fire Marshall revisions. For an increase of \$5,003.35.

Chris explained that with approval these changes would go to USDA for their concurrence before being processed. Council Member Carter made the motion to approve change order numbers 40, 41 and 43 with regard to the West Wendover Government Complex. The motion was seconded by Council Member Briggs and passed unanimously.

***e. Discussion and Decision Regarding Possible Donation to the Great Basin Youth Football League and Other Matters Appropriately Related Thereto**

Anna Bartlome explained that the Great Basin Youth Football League had been in existence for three years and children can participate from a young age until they begin high school football. Council Member Blake made the motion to donate \$470.00 to the Great Basin Youth Football League. The motion was seconded by Council Member Carter and passed unanimously.

***f. Discussion and Decision to Select the Candidates for the Wells Rural Electric Company 2009 Ballot for Members of the Board of Directors**

Chris Melville explained that three candidates need to be selected. Orlin Kidner, who is one of the candidates, explained the WREC is doing well and that the members are put first. Discussion was had regarding the candidates and the candidates being very qualified. Council Member Gorum made the motion to select the candidates for the Wells Rural Electric Company 2009 ballot for Members of the Board of Directors as Ronald Springsteel, Mary Wright and Orlin Kidner. The motion was seconded by Council Member Briggs and passed unanimously.

6. DEPARTMENT UPDATES

Fire Chief – Jeff Knudtson explained the quotes received for fireworks for July 4, 2010, which were from Fireworks West at \$12,029.00 and Lantis at \$15,200.00. The memo stated that we are still waiting for the final go ahead on the second phase of the DOE grant for the Police and Public Works radios.

Police Chief – Ron Supp had nothing to add to memo, which explained that Officer Tangaro was at POST and Officer Abrams was receiving Intoxilyzer Certification.

The department responded to the following for the month of July.

	July
Calls for Service	653
Adult Arrests	16
Warrants Served	4
Juvenile Arrests	0
Citations Issued	65
Transports	16
Field Interviews	0
Civil Papers Served	81

City Clerk/Records Officer – Nothing.

Chief Financial Officer – Nothing.

Public Works Director – Bryce Kimber explained that the pavement in front of the Library along Camper Drive would be completed by Staker Parson when they come to do other work in the community. The memo stated that there had been a water leak in Desert View Mobile Home Park. The Fire Department did the annual fire hydrant tests this month and there are some that will need some repair. The contractor for the Rusty Palm project has been installing the water and sewer lines for the project and is now doing the pressure and bacteria tests. All Shafter Wells have been performing well except for Shafter Well #5, which had a computer board go out and is in the process of being repaired. Two clarifiers went down at the Reuse plant. The last of the spare parts for the old clarifiers had been used. The new Class-1 and Class-3 Landfill permit application has been submitted and is awaiting approval.

City Manager – Chris Melville explained that the hold up with the City Hall Complex is the elevator issue. The next Council meeting will be held at the library. The punch list items are coming along well, the warranty work on the pavement is to be done by Staker Parsons, and the lighting should be here by the end of August and should not affect the move. The memo stated that the two CDBG grant documents have been executed and with the completed environmental paperwork submitted. Additional paperwork associated with the grants for the solar array for the City Hall Complex and the sidewalk for Gene L. Jones has been submitted. The funding agreement for the Waste Water Phase 2 project has been sent to Sacramento for approval and it should be back sometime in September. The Waste Water Phase 1 project is awaiting the completion of the environmental publication from SRF and approval from the Air Force. We are still awaiting approval from the Air Force for the property for the new Public Works building. There have been two potential homebuyers for the residential lots that the City owns.

7. **COMMUNICATIONS**

Mayor Andersen acknowledged the Boy Scouts in the audience who were working on their communications and citizenship badges.

8. ***APPROVAL OF THE CLAIMS:**

Council Member Gorum made the motion to approve the claims for August 4, 2009, May insurance and June insurance. The motion was seconded by Council Member Carter and passed unanimously.

9. ***NEXT MEETING DATE AND ADJOURNMENT**

The next meeting date is a regular meeting on August 18, 2009 at 7:00 p.m. at the West Wendover Library, Pilot Peak Room. Council Member Carter made the motion to adjourn at 7:34 p.m. The motion was seconded by Council Member Briggs and passed unanimously.

ATTEST:

Anna E. Bartlome
City Clerk/Records Officer