

**MINUTES OF THE  
WENDOVER CITY COUNCIL MEETING  
Wednesday, February 6, 2013  
Wendover City, Tooele County Complex Building**

**1. CALL MEETING TO ORDER.**

Mayor Mike Crawford called this meeting to order at 6:30 p.m.

**2. ROLL CALL.**

PRESENT:	Mayor	Mike Crawford
	Councilmember	Lamar Melville
	Councilmember	Dennis Sweat
	Councilmember	Gordon Stewart
	Councilmember	Karen Shepherd
	Councilmember	Mandolin Hunt
	City Attorney	Mark Bell
	City Administrator	Glenn Wadsworth
	City Treasurer	Darlene Trammell
	City Clerk/Recorder	Mariah Murphy

AUDIENCE: Michael Young, Gary Bean, Faustino Esparza, F. Magallanes, Hector Narvaez, Dale Higley, Chris Lund, Izzy Gutierrez, Klansey Bateman.

**3. PLEDGE OF ALLEGIANCE.**

Led by Councilmember Mandolin Hunt.

**4. APPROVAL OF THE POLICIES AND PROCEDURES MEETING MINUTES OF JANUARY 16, 2013**

Motion by Councilmember Dennis Sweat, seconded by Councilmember Gordon Stewart to approve the Policies and Procedures meeting minutes of January 16, 2013. All in favor, motion passed.

**5. APPROVAL OF THE REGULAR CITY COUNCIL MEETING MINUTES OF JANUARY 16, 2013.**

Motion by Councilmember Dennis Sweat, seconded by Councilmember Lamar Melville to approve the regular City Council meeting minutes of January 16, 2013. All in favor, motion passed.

**6. DEPARTMENT UPDATES:**

**A) SHERIFF'S DEPARTMENT**

Sgt. Morgan presented the stats to the council. Tia Rowley talked about tagging problem. A suggestion was made to the council by Tia to look into offering a money reward to the person leading up to the capture of those involved.

**B) FIRE DEPARTMENT**

Mike Young presented the stats to the council.

International Arson Association is offering an annual Arson Investigation class being offered February 25<sup>th</sup>-27<sup>th</sup> here in Wendover. The association has offered to waive the fee's for our fire department provided they are on standby for the open burn. Two (2) firefighters at this time are interested in the training.

Mike Young reported that the department is currently staffed with six (6) firefighters with word that a few more people are interested.

**C) UTILITY DEPARTMENT**

Water leak down on the base caused the water to be shut off twice during the week. Water coming in is up. Currently at 100 Gallons/min.

**D) TREASURER**

Darlene Trammell expressed concerns regarding the audit not being in. She and Pelorus are currently working with the new auditors to get them all the information they need. With tax season the auditors are very busy.

**E) CLERK/RECORDER**

Mariah Murphy presented the council with the design of a new door hanger for the Code Enforcement Officer to use.

A new Investigation Report and Correction Notice was provided to the council for their review. Mariah suggested that the small print regarding the Ordinances need to be reviewed.

Mariah expressed concerns regarding the Notice of Violation reports and the procedures following the notice. A meeting will be held March 6, 2013 before the City Council Meeting with City Attorney Mark Bell to review this process and make any needed changes.

Mariah informed the council that she is in the process of reviewing the business license application process and fee's.

**F) PLANNING & ZONING**

The Annexation Policy Plan was approved by the Planning and Zoning Commission February 5, 2013 and a Public Meeting has been scheduled for March 5, 2013 starting at 5:30 p.m.

The City's General Plan was discussed at the meeting. Further research/information needs to be gathered.

Councilmember Karen Shepherd asked what the minimum square footage for an R-1 lot was. No exact footage was determined. Karen suggested that if the Tooele Housing Plan falls through then we should look into splitting up the property and sale it.

Faustino Esparza's site plan was reviewed by the Planning and Zoning Commission, but no decision was made at this point and time. The plans submitted are currently in the Plan Review process.

**7. APPROVE OR DENY THE PURCHASE OF VIDEO CAMERAS, AND BREATH TESTING APPARATUS AND ASSOCIATED EQUIPMENT. SAID EQUIPMENT TO BE PURCHASED FROM THE ALCOHOL FUND. PURCHASE OF EQUIPMENT NOT TO EXCEED THE ALCOHOL FUND BALANCE AND MATTERS RELATED THERETO. DISCUSSION/DECISION.**

Sgt. Morgan presented the Council with a quote of \$3,995.00 for Video Cameras and \$1,995.00 for the breath testing apparatus.

Motion made by Councilmember Lamar Melville, seconded by Councilmember Karen Shepherd to approve the purchase of video cameras, and breath testing apparatus and associated equipment not to exceed \$10,000.00. All in favor, motion passed.

**CHANGE OF AGENDA ORDER BY MAYOR CRAWFORD**

**20. DISCUSSION AND DECISION TO APPROVE THE LETTER OF UNDERSTANDING INCLUDING EXHIBIT "A", A DOCUMENT INCORPORATED THEREIN ENTITLED "WATER AGREEMENT FRAMEWORK BETWEEN NEWMONT USA LIMITED AND WEST WENDOVER/WENDOVER (JANUARY 7, 2013);" AND AUTHORIZATION FOR THE CITY MANAGER TO PROCEED WITH THE DRAFTING OF THE LEGAL AGREEMENT BETWEEN NEWMONT USA LIMITED AND WEST WENDOVER/WENDOVER TO BE PROVIDED TO THE CITY COUNCIL FOR APPROVAL AND OTHER MATTERS APPROPRIATELY RELATED THERETO.**

Pamela Smith addressed the council concerning the changes made to the Water Agreement framework between Newmont USA limited and West Wendover/Wendover.

Motion made by Councilmember Karen Shepherd, seconded by Councilmember Gordon Stewart to approve the letter of understanding including Exhibit "A," as it has been presented and give authorization for the City Manager to proceed with the drafting of the legal agreements on this matter. All in favor, motion passed.

**CHANGE OF AGENDA BACK IN ORDER BY MAYOR CRAWFORD**

**8. CITY ATTORNEY MARK BELL UPDATES AND PENDING MATTERS.  
DISCUSSION/DECISION**

**1) ANNEXATION**

In process and moving forward.

**2) CODE ENFORCEMENT**

Meeting planned to review code enforcement procedures and make sure all parties are on the same page.

The new proposed Investigation Report and Correction Notice will need to be reviewed before approval.

**3) PILOT AVENUE**

Mark has contacted Darrell Peterson. He is willing to move forward in the process of dedicating the road to the City but is concerned about the width of the street dedication. The standard size of thirty (30) feet was presented to him. Darrell is concerned that it will have a large affect on the ability to develop his property. City Administrator, Glenn Wadsworth will be looking into the matter to assure the size needed.

Other alleyways to be discussed following this matter.

**4) WENDOVER PROPANE WAIVER LETTER**

Mark has been in contact with Gary DeGrazia through e-mail. A few things are in need of revision on the proposed contract. Item is pending for the moment. A more definitive update to be given at the next City Council Meeting.

**5) UPDATE OF WENDY CROWTHER COUNCIL WITH RESPECT TO PILOT WATER**

Mark has talked with Wendy Crowther. The draft lawsuit that was given to the City has had NO action up to this point. There are change applications pending with the State Engineers Office for the water rights. No action has been taken with the State Engineers at this point.

Wendy Crowther has put together a draft application to move the cottonwood point of diversion up-stream to capture more water. Mark mentioned to the Council that to his understanding the City has requested that we discontinue this due to budget concerns. They are ready to move forward with the application when we are.

**UPDATE ON WADMAN INVESTMENT**

Mark presented the council with the Title Report titled "Commitment for Title Insurance." Some revisions are needed on the paperwork including the finalization of a lawsuit that is no longer in process regarding the property.

**9. FLOOD PLAIN DIALOGUE AND MATTERS RELATED THERETO. JIM TRAMMELL. DISCUSSION/DECISION.**

Item cancelled. Mariah Murphy updated the council on the process she has been taking on the matter. A meeting has been scheduled with the Region 8 FEMA representative for February 19, 2013.

**10. DISCUSSION ON NOTICE OF VIOLATION FOR FRANCISCO MAGALLANES AT 428 UINTA STREET.**

Mr. Magallanes came before the council to discuss the matters related to the Notice of Violation he has received. Mr. Magallanes expressed to the council his concern of putting a secondary home on his property. The matter relating to his Notice of Violation dealt with the removal of a building not up to code. He was told that his concerns dealt with a two (2) step process. He first needs to remove the building on his property that is condemned and does not meet code standards. Second, he is to come in for a building permit with the city to have the matter of placing an additional home on his property discussed. Concerns were brought up in regards to not having enough space on the property to comply with Zoning set backs.

**11. APPROVE OR DENY CITY TREASURER TO ATTEND THE URS EMPLOYER EVENT TRAINING AT THE LITTLE AMERICA ON MARCH 20, 2013, AND MATTERS RELATED THERETO. DISCUSSION/DECISION**

Motion made by Council Member Dennis Sweat, seconded by Councilmember Lamar Melville to approve the City Treasurer to attend the URS Employment Event Training at the Little America on March 20, 2013. All in favor, motion passed.

**12. APPROVE OR DENY CLERK/RECORDER TO ATTEND THE BASIC RECORDS MANAGEMENT TRAINING IN SALT LAKE CITY ON FEBRUARY 7, 2013 AND MATTERS RELATED THERETO. DISCUSSION/DECISION**

Motion made by Councilmember Lamar Melville, seconded by Councilmember Gordon Stewart to approve the Clerk/Recorder to attend the Basic Records Management Training in Salt Lake City on February 7, 2013. All in favor, motion passed.

**13. APPROVE OR DENY CLERK/RECORDER TO ATTEND PERMIT TECHNICIAN SEMINAR ON MARCH 18<sup>TH</sup> AND 19<sup>TH</sup> 2013 IN SANDY, UTAH AND APPROVE A SEMINAR FEE OF \$100.00 AND MATTERS RELATED THERETO. DISCUSSION/DECISION.**

Motion made by Councilmember Karen Shepherd, seconded by Councilmember Dennis Sweat to approve two people to attend the Permit Technician Seminar on March 18<sup>th</sup> and 19<sup>th</sup> 2013 in Sandy, Utah including the fee for both persons to attend at \$100.00 each. All in favor, motion passed.

**14. APPROVE OR DENY CLERK/RECORDER TO ATTEND THE PELORUS CONVENTION ON MARCH 29, 2013 IN PROVO , UTAH AND MATTERS RELATED THERETO. DISCUSSION/DECISION.**

Motion made by Councilmember Karen Shepherd, seconded by Councilmember Dennis Sweat to approve Clerk/Recorder to attend the Pelorus Convention on March 29, 2013 in Provo, UT. All in favor, motion passed.

**15. APPROVE OR DENY BILLY FREEMAN TO ATTEND THE ANNUAL RWAU CONFERENCE IN ST. GEORGE., UT. THE LAST WEEK OF FEBRUARY, 2013 AND MATTERS RELATED THERETO. DISCUSSION/DECISION.**

Motion made by Councilmember Lamar Melville, seconded by Councilmember Mandolin Hunt to approve Billy Freeman to attend the Annual RWAU Conference in St. George, Ut the last week of February. All in favor, motion passed.

**16. WAIVE RENTAL, AND CLEANING FEE AT COMMUNITY CENTER FOR 10 YEAR CLASS REUNION AND MATTERS RELATED THERETO. SARA FRATTO. DISCUSSION/DECISION.**

Motion made by Councilmember Dennis Sweat, seconded by Councilmember Gordon Stewart to waive rental and cleaning fees for the Community Center for the 10 Year Class Reunion scheduled for February 8, 2013 at 11 A.M. Sara Fratto. All in favor, motion passed.

**17. APPROVE OR DENY CODE ENFORCEMENT OFFICER TO ATTEND UTAH ORDINANCE COMPLIANCE ASSOCIATION CONFERENCE ON MARCH 13 – 15, 2013 AT THE RAINBOW CASINO AND APPROVE \$65.00 ANNUAL DUES AND \$195.00 CONFERENCE ATTENDANCE AND MATTERS RELATED THERETO. DISCUSSION/DECISION.**

Motion made by Councilmember Karen Shepherd, seconded by Councilmember Gordon Stewart to approve the Code Enforcement Officer and another person to attend the Utah Ordinance Compliance Association Conference on March 13-15, 2013 at the Rainbow Casino in West Wendover, NV and approve the \$65.00 annual dues and \$390.00 conference attendance for two people. All in favor, motion passed.

**18. APPROVE OR DENY FUNDING OF \$3000.00 TO HAVE CITY OWNED LAND APPRAISED AND MATTERS RELATED THERETO. DISCUSSION/DECISION.**

Motion made by Councilmember Karen Shepherd, seconded by Councilmember Dennis Sweat to approve funding of \$3,000.00 to have City owned land appraised. Appraisal company to be determined by City Administrator, Glenn Wadsworth. All in favor, motion passed.

**19. APPROVE OR DENY 2013 MEMBERSHIP TO BONNEVILLE NATIONALS INC. AND SUBMIT DUES IN THE AMOUNT OF \$70.00 AND MATTERS RELATED THERETO. DISCUSSION/DECISION.**

Motion made by Councilmember Gordon Stewart, seconded by Councilmember Karen Shepherd to approve the 2013 membership to Bonneville Nationals Inc. and submit dues in the amount of \$70.00 from the tourism fund. All in favor, motion passed.

**21. MAYOR MIKE CRAWFORD UPDATES AND PENDING MATTERS AND MATTERS RELATED THERETO.**

Mayor was approached by Shriners Hospital to borrow the Community Building from 10AM – 5PM on March 12, 2013. Council will need to waive the fee's.

**22. CITY ADMINISTRATOR GLENN WADSWORTH UPDATES/PENDING MATTERS AND MATTERS RELATED THERETO.**

Seven (7) CDBG applications were submitted this year. Mayor Crawford mentioned that we are working on getting the parts for the storm drainage project.

**23. UNFINISHED BUSINESS:**

Mariah updated the council on the City receiving the Building Inspection Code Books and David Shelton is currently working on studying for the IRC license.

Councilmember Dennis Sweat updated the council on the meeting with Steve Perry. The council is going to work with Steve (away from lawyers) concerning the notice of violation he was given. Steve is going to continue on cleaning up the property. The council somewhat agreed to allow Steve to leave the one trailer on the property and possibly move another one on while bringing the trailers up to code and putting in privacy slats around the wrecking yard. Council's opinion and approval needed before final approval to Steve Perry. Councilmember Karen Shepherd mentioned specifically that this agreement is for Steve Perry and Steve Perry only as long as he owns the property. Once the property is sold this agreement is no longer in place. Gary Bean asked about what type of license he would need. Councilmember Gordon Stewart asked about a time limit on the matter and also getting this in writing. City Attorney, Mark Bell suggested writing up a draft agreement. Mark will be contacting two of the City Councilmember's to get a better understating of the matter and get a draft agreement written up and sent to Steve Perry's Lawyer.

**24. NEW BUSINESS:**

The Mayor would like to host a Cinco De Mayo event to be held on April 29, 2013. Event would be a carnival with the location to be later determined. Suggested location is on Karen Dixon's property kiddy corner from the City Offices.

Chris Lund approached the council about getting the cleaning fee's waived for renting the community building on February 25, 2013 for a Bingo night to benefit the Community Outreach Center.

Motion made by Councilmember Karen Shepherd, seconded by Councilmember Dennis Sweat to grant permission to the Wendover Community Outreach Center to use the Community Building on Monday, February 25, 2013 for Bingo and waive fee's and cleaning deposit.

**25. COMMENTS FROM AUDIENCE:**

None.

**26. EXECUTIVE MEETING:**

None.

**27. NEXT REGULAR CITY COUNCIL MEETING TO BE HELD FEBRUARY 20, 2013 @ 6:30 P.M**

**28. ADJOURNMENT:**

Motion made by Councilmember Karen Shepherd, seconded by Councilmember Gordon Stewart to adjourn the meeting. All in favor, motion passed.

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Wendover City Mayor – Mike Crawford

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Wendover City Clerk – Mariah L. Murphy

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Date