

**MINUTES OF THE  
WENDOVER CITY COUNCIL MEETING  
Wednesday, April 17, 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 Gordon Stewart  
Councilmember Lamar Melville  
Councilmember Karen Shepherd  
City Administrator Glenn Wadsworth  
City Treasurer Darlene Trammell  
City Clerk/Recorder Mariah Murphy

ABSENT: Councilmember Dennis Sweat

EXCUSED: Councilmember Mandolin Hunt

AUDIENCE: Gary Bean, Brett Shelton and Pamela Smith.

**3. PLEDGE OF ALLEGIANCE.**

Lead by Mayor Mike Crawford.

**4. APPROVAL OF THE ORDINANCE REVIEW WORK MEETING MINUTES OF APRIL 03, 2013.**

Motion was made by Councilmember Gordon Stewart, seconded by Councilmember Karen Shepherd to approve the Ordinance Review Work Meeting Minutes of April 3, 2013. Motion sustained. Item to be moved to the next City Council Meeting Agenda.

**5. APPROVAL OF THE BUDGET HEARING #3 MINUTES OF APRIL 03, 2013**

Item to be moved to the next City Council Meeting Agenda.

**6. APPROVAL OF THE REGULAR CITY COUNCIL MEETING MINUTES OF APRIL 03, 2013.**

Item to be moved to the next City Council Meeting Agenda.

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

**A) ANNEXATION**

Mark will work with City Clerk/Recorder Mariah Murphy to find out the remaining steps that need to be taken regarding annexing the cemetery property into City limits.

**B) PILOT AVENUE**

Mark has mailed a copy of the land survey consisting of two pages to Darrell Peterson. We are waiting to hear back from him on the matter.

**C) CODE ENFORCEMENT**

Mark presented the Council with a new proposed Courtesy Notice Form. This form is in compliance with the ACE program. Animal Control/Code Enforcement Officer, Gary Bean suggested to have animal control added to the form. City Clerk/Recorder Mariah Murphy will be reformatting the form to fit the City Letterhead.

Motion made by Councilmember Lamar Melville, seconded by Councilmember Karen Shepherd to approve the presented Courtesy Notice Form with formatting revisions to be made to fit City Letterhead and to allow City Staff to extend the deadline of the notice to the next City Council Meeting. All in favor, motion passed.

Mark has sent the proposed settlement agreement to Mr. Perry's Attorney. The Attorney is waiting to hear from Mr. Perry regarding this agreement before further action can be taken. Mark will be informing them of his meeting with the Council on May 1, 2013 and ask to have word back by then.

**D) WADMAN PROPERTY**

Mark explained to the Council the process in which we have gone through to purchase the Wadman Property. Tooele Title Company first sent out a report and has since amended that report. Mark explained further situations that have been resolved but have lead up to a Mr. Lynn Jenkins coming in stating that he owns the Wadman Property and requesting multiple documents. Further discussion on this matter is listed below. Mark explained to the Council the options they could take with regards to purchasing the property while having Mr. Lynn Jenkins looking into the matter on his behalf. Council agreed to continue with the purchasing of the property.

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**E) BEEHIVE SITE LEASE AGREEMENT**

A new rough draft agreement was requested for review by Wireless Beehive. Mark explained to the Council that the agreement currently in place with Wireless Beehive is extended by default so there is no need for a new agreement to be put in place. The agreement consists of a lease trade for a tower in the city for free Internet service for the City Office. Mark suggested that we don't do anything with the new agreement and contact Wireless Beehive to inform them that the agreement in place is extended by default.

**F) WATER AGREEMENT AMONG NEWMONT USA LIMITED, THE CITY OF WEST WENDOVER, NEVADA AND THE CITY OF WENDOVER, UTAH.**

Mark sent out an e-mail to the council regarding this matter. The concern with this matter is that both West Wendover City's Water Attorney and Wendover Cities Water Attorney had represented Newmont. Mark suggested that the City contact Steve Clyde with Clyde, Snow and Session and have them represent the City. Council agreed to have Mark contact Steve and move forward with this process.

**G) DIRECTION AND CONSEQUENCE OF INDIVIDUALS WHO HAVE EXPIRED BUILDING PERMITS.**

It was noted that Mark Bell and Mariah will meet to review the International Building Code and suggest a way to accommodate our residents accordingly and bring it back for the council to review.

**MR. LYNN JENKINS GRAMA REQUEST FOR A MAP OF THE CITIES WATER LINES.**

Mark brought up the Provision of State Code for GRAMA requests and based on that, he stated Mr. Jenkins has a right to receive record of a map of the water lines relative to his property, but not for the entire City. Mark will review the request before any further action is taken on the matter.

**UPDATING OF GOVERNMENT RECORDS ACT ORDINANCE WITHIN THE CITY.**

Mark expressed concerns with regards to updating the Cities Government Records Act Ordinance in the near future. He and Mariah will work on getting something put together within the next few months.

Mark announced to the Council that at the beginning of June or July he will be joining another law firm. There is a good possibility he will be asking for a fee increase within the next few months.

8. **RATIFY MOTION MADE ON APRIL 03, 2013 BY COUNCILMEMBER KAREN SHEPHERD, SECONDED BY COUNCILMEMBER GORDON STEWART TO INCREASE THE PETTY CASH AMOUNT FROM \$200.00 TO \$300.00. DISCUSSION/DECISION.**

Motion made Councilmember Karen Shepherd, seconded by Councilmember Gordon Stewart to ratify the motion made on April 3, 2013 by Councilmember Karen Shepherd, seconded by Councilmember Gordon Stewart to increase the petty cash amount from \$200.00 to \$300.00. All in favor, motion passed.

9. **APPROVE OR REJECT RESOLUTION 2013-02 A RESOLUTION TO AMEND THE CITY OF WENDOVER 2012-2013 ANNUAL BUDGET.**

Motion made by Councilmember Karen Shepherd, seconded by Councilmember Lamar Melville to approve Resolution 2013-02 to amend the City of Wendover 2012-2013 Annual Budget. All in favor, motion passed.

10. **COUNCIL TO PROVIDE DIRECTION TO CLERK/RECORDER ON STEPS TO BE TAKEN AGAINST INDIVIDUAL DOG OWNERS THAT HAVE FAILED TO PROVIDE PROOF OF RABIES INOCULATION AND LICENSES AND MATTERS RELATED THERETO. DISCUSSION/DECISION.**

Council advised City Clerk/Recorder to proceed with handing over the violations to the Cities Prosecuting Attorney, Rob Clegg for further legal actions.

11. **APPROVE OR REJECT JOHNSON SPRINGS TRANSMISSION SYSTEM 2013-2014 TENTATIVE BUDGET AND ANNUAL REPORT AND MATTERS RELATED THERETO. DISCUSSION/DECISION.**

Mayor Mike Crawford was concerned with the budgeting increase shown for the 2013 legal services. The reason stated for the increase was due to the Pilot Valley Water Rights. Mayor Crawford expressed concern that as 50/50 partners we as a City have not been informed on any matters relating to the Pilot Valley Water. City Attorney, Mark Bell mentioned segregating his time for the work he does on the matter. City Administrator, Glenn Wadsworth pointed out to the Council that the overall budget for the year, even with the increase in both legal services and engineering, was less than the previous year and would be even less for the upcoming year.

Motion made by Councilmember Gordon Stewart, seconded by Councilmember Karen Shepherd to approve the Johnson Springs Transmission System 2013-2014 tentative budget with a letter being sent in with regards to the concerns of the council in being informed of any and all matters through City Administrator, Glenn Wadsworth. All in favor, motion passed.

12. **APPROVE OR DENY THE “NOTARY PUBLIC SERVICE POLICY” DISCUSSION/DECISION**

Motion made by Councilmember Karen Shepherd, seconded by Councilmember Lamar Melville to approve the “Notary Public Service Policy.” All in favor, motion passed.

**13. WAIVE RENTAL AND CLEANING FEES ON COMMUNITY CENTER FOR VINCENT ROMNEY, SALT FLATS 100 MILE ENDURANCE RUN ON APRIL 25, 2013 FROM 5:00 P.M. TO 7:00 P.M. DISCUSSION/DECISION**

City Administrator, Glenn Wadsworth expressed concern regarding a conflict with it being Senior Citizens Night. Council expressed concern in making sure the City informed the Senior's about the event.

Motion made by Councilmember Karen Shepherd, seconded by Councilmember Lamar Melville to waive the Rental and Cleaning fees on the Community Center for Vincent Romney, Salt Flats 100 Mile endurance run on April 25, 2013 from 5:00 P.M. to 7:00 P.M. with a deposit still to be collected. All in favor, motion passed.

**14. RECOMMENDATIONS WITH RESPECT TO BUSINESS LICENSE FEES AND MATTERS RELATED THERETO. DISCUSSION/DECISION.**

Item to be moved to the next City Council Meeting Agenda.

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

- Cinco de Mayo Celebration lined up for May 5<sup>th</sup> at Scobie Park. A second celebration planned for some time in September being called the Wendover Heritage Days. Mayor Crawford was approached by the Cinco de Mayo committee asking for a donation of \$1,500.00 to come out of the promotion fund.

Motion made by Councilmember Lamar Melville, seconded by Councilmember Karen Shepherd to approve \$1,500.00 from the promotional fund to go to the Wendover Hispanic Heritage Committee for use at the Cino de Mayo celebration. All in favor, motion passed.

- The City has the appraisal on the 40 acres located out by the water treatment plant. City is ready to move forward with putting the property up for bid. City Administrator, Glenn Wadsworth suggested putting a stipulation on it where no one working for the City can bid on the property. City Attorney, Mark Bell expressed concerns with putting any stipulations on the property. Property was mention to be in a MU-40 zoning by audience member Brett Shelton. City Administrator, Glenn Wadsworth will be looking into past property that was sent out for bid to emulate what was done with them with regards to this being "Real Property."

Motion made by Councilmember Lamar Melville, seconded by Councilmember Gordon Stewart to approve putting out a bid for the virgin land between the reservoir and the water treatment plan consisting of 40 acres as surplus real property whereas the City has the right to approve or deny any and all bids. All in favor, motion passed.

- City Clerk/Recorder Mariah Murphy approached Mayor Crawford regarding dark streets and the need of additional lighting. Mariah is working with Wells Rural Electric to find cost of replacing lights for L.E.D. as well as putting in new ones.

- Mayor Crawford has a meeting at the State Capital next Thursday, April 25, 2013 to discuss the Tooele Housing's proposal of low income housing to be placed on the Conley Acres/Pruitt Property owned by the City.
- City Shop Relocation. Mayor Crawford expressed concerns regarding the agreement in place with Tooele County where we as a City have free rent on the property being used as the City Shop in return for the County not being charged for water. Mayor Crawford suggested possibly using some of the money retained from the selling of City property to go towards relocating the shop to possibly being on the Wadman Property.
- Mayor Crawford reminded the Council that the Carnival will be in town next week and will be placed on the Museum site. The City will retain income from the event but to be later determined by the Mayor.
- Phase one on the road construction for the new drain pipe is completed. Phase two is awaiting the street survey for the center line. New water and drainage going down Eighth Street needs to be completed before the road is paved. Pavement is currently out for bid.
- Mayor Crawford informed the Council that the City received the first approval on the CDBG Grant Money. City Administrator, Glenn Wadsworth will be going in for a second meeting on April 30, 2013 to learn more about the following steps needed to complete our application. The projects for the fire hydrants and Cedar Springs will be spanned over a two year period.

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

Community Assessment in conjunction with West Wendover will be holding a meeting on April 23, 2013 from 4:00 PM – 5:00 PM. at the Community Center.

The Sheriffs agreement with the City expired June 30, 2012. City Administrator, Glenn Wadsworth stated that they did however submit a budget for this whole year. Councilmember Karen Shepherd stated that because they submitted the budget before the expiration date we are assuming they are continuing with status quo.

Councilmember Lamar Melville updated the Council on the changes happening in Tooele County dealing with the budget cutbacks. Lamar mentioned to the Council that he will no longer be attending meetings for the Board of Health due to the cutbacks. Councilmember Gordon Stewart updated the Council on Terry Linares's retirement as Superintendant for the School District along with the Vice Superintendant as well.

**17. UNFINISHED BUSINESS:**

No unfinished business mentioned.

**18. NEW BUSINESS:**

No New Business Mentioned.

**19. COMMENTS FROM AUDIENCE:**

No comments made.

**20. EXECUTIVE MEETING:**

No meeting needed.

**21. NEXT REGULAR CITY COUNCIL MEETING TO BE HELD MAY 01, 2013 AT 6:30 P.M. WITH AN ORDINANCE REVIEW WORK MEETING AT 6 P.M.**

**22. 2<sup>ND</sup> PUBLIC CDBG HEARING TO BE HELD APRIL 23, 2013 @ 6:00 P.M.**

**23. ADJOURNMENT:**

Motion made by Councilmember Lamar Melville, 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