

**MINUTES OF THE
WENDOVER CITY COUNCIL MEETING
Wednesday, May 1, 2013 at 6:30 P.M.
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	Dennis Sweat
	Councilmember	Lamar Melville
	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: Tena Campbell, Jim Petersen, Tia Rowley, Sgt. Jeff Morgan, Brett Shelton, Chris Lund

3. PLEDGE OF ALLEGIANCE.

Lead by Councilmember Mandolin Hunt.

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

Motion made by Councilmember Karen Shepherd, seconded by Councilmember Gordon Stewart to approve the Ordinance Review Work Meeting Minutes of April 3, 2013. All in favor, motion passed.

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

Motion made by Councilmember Karen Shepherd, seconded by Councilmember Lamar Melville to approve the Budget Hearing #3 Minutes of April 3, 2013. All in favor, motion passed.

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

Motion made by Councilmember Karen Shepherd, seconded by Councilmember Dennis Sweat to approve the Regular City Council Meeting Minutes of April 3, 2013. All in favor, motion passed.

7. APPROVAL OF THE ORDINANCE REVIEW WORK MEETING MINUTES OF APRIL 17, 2013.

Motion made by Councilmember Gordon Stewart, seconded by Councilmember Lamar Melville to approve the Ordinance Review Work Meeting Minutes of April 17, 2013. All in favor, motion passed.

8. APPROVAL OF THE ANNEXATION PUBLIC HEARING MEETING MINUTES OF APRIL 17, 2013.

Motion made by Councilmember Lamar Melville, seconded by Councilmember Gordon Stewart to approve the Annexation Public Hearing Meeting Minutes of April 17, 2013. All in favor, motion passed.

9. APPROVAL OF THE REGULAR CITY COUNCIL MEETING MINUTES OF APRIL 17, 2013

Motion made by Councilmember Karen Shepherd, seconded by Councilmember Lamar Melville to approve the Regular City Council Meeting Minutes of April 17, 2013. All in favor, motion passed.

10. APPROVAL OF THE CDBG PUBIC HEARING MINUTES OF APRIL 23, 2013

Motion made by Councilmember Lamar Melville, seconded by Councilmember Gordon Stewart to approve the CDBG Public Hearing Minutes of April 23, 2013. All in favor, motion passed with Councilmember Karen Shepherd, abstained.

11. APPROVAL OF THE EMERGENCY CITY COUNCIL MEETING MINUTES OF APRIL 23, 2013

Motion made by Councilmember Gordon Stewart, seconded by Councilmember Lamar Melville to approve the Emergency City Council Meeting Minutes of April 23, 2013. All in favor, motion passed with Councilmember Karen Shepherd, abstained.

12. DEPARTMENT UPDATES:

A) SHERIFFS DEPARTMENT

The council was provided the monthly stats along with the new budget for next year. Sgt. Jeff Morgan reported to the council that he is looking into the cost of leasing the vehicles through Ken Garff to help save money. Mayor Crawford asked about the dispatch fee's being dropped. No answer was given as to why. Councilmember Shepherd asked what the term of the lease would be on the vehicles. Sgt. Morgan stated that they would be going with a 3 year lease. Mayor Crawford asked if they would be changing the vehicle types. Sgt. Morgan stated that they would be going with the Ford Police Interceptors, which are fuel-efficient and will have a greater savings in the long run.

B) FIRE DEPARTMENT

City Clerk, Mariah Murphy reported to the Council that no one from the Fire Department would be in attendance. The department had inspections done on all of the trucks last Friday by the Division of National Resources and they did not go well. Most of the trucks did not pass due to various reasons. Fire Chief, Mike Young is currently working on correcting the problems.

C) UTILITY DEPARTMENT

Councilmember Lamar Melville reported the City Workers got the gate in on the east side of the cemetery. City Administrator, Glenn Wadsworth reported that we have too much water coming in. Currently over 400 gallons.

D) TREASURER

City Treasurer, Darlene Trammell requested having a budget work meeting at the next City Council meeting. It is planned for May 15, 2013 at 6:00 P.M. Darlene asked the Council about the fee's collected for Public Notary Services not coming back to the City. The previous notary gave the fee's she charged back to the City. Council agreed on allowing City Clerk, Mariah Murphy to keep the fee's charged for Notary Public Services. Darlene expressed concern about the lowering of the Business License fee's for this upcoming year. She is not sure on what the revenue will be if they are altered.

E) CLERK/RECORDER

Nothing to report.

F) PLANNING & ZONING

Chairman, Gary Bean informed the council that the commission is going through the Master Plan for the City and making progress. City Clerk, Mariah Murphy informed the Council that the Board of Appeals would be meeting tomorrow, May 2, 2013 to discuss Faustino Esparza's property.

13. RATIFY MOTION MADE ON APRIL 17, 2013 BY COUNCILMEMBER LAMAR MELVILLE, SECONDED BY COUNCILMEMBER KAREN SHEPHERD TO DONATE \$1,500.00 FROM THE PROMOTIONAL FUND TO THE WENDOVER HISPANIC HERITAGE COMMITTEE FOR THE CINCO DE MAYO CELEBRATION

Motion made by Councilmember Lamar Melville, seconded by Councilmember Karen Shepherd to ratify the motion made on April 17, 2013 by Councilmember Lamar Melville, seconded by Councilmember Karen Shepherd to donate \$1,500.00 from the promotional fund to the Wendover Hispanic Heritage Committee for the Cinco De Mayo Celebration. All in favor, motion passed.

MAYOR CRAWFORD CHANGED AGENDA ORDER TO ITEM 15

15. RATIFY MOTION MADE ON APRIL 17, 2013 BY COUNCILMEMBER LAMAR MELVILLE, SECONDED BY COUNCILMEMBER KAREN SHEPHERD TO APPROVE COURTESY NOTICE FORM WITH REVISIONS TO INCLUDE CITY LETTERHEAD AND ALLOW STAFF TO EXTEND THE DEADLINE OF NOTICE TO THE NEXT SCHEDULED COUNCIL MEETING.

Motion made by Councilmember Lamar Melville, seconded by Councilmember Gordon Stewart to ratify the motion made on April 17, 2013 by Councilmember Lamar Melville, seconded by Councilmember Karen Shepherd to approve the Courtesy Notice form with revisions to include City letterhead and allow staff to extend the deadline of notice to the next scheduled Council Meeting. All in favor, motion passed.

MAYOR CRAWFORD CHANGED AGENDA TO ITEM 14

14. OPENING OF BIDS FOR ROAD PROJECT 2013 AND MATTERS RELATED THERETO.

Beginning at 6:45 P.M. Tena Campbell presented the bids to the Council. Six (6) total bids were announced. Below are the following bids. Apparent low bidder is Kilgore.

1.	Granite Construction	\$68,675.00
2.	Preferred Paving	\$56,592.00
3.	Star Paving	\$39,035.59
4.	Bennett Paving & Construction	\$35,450.40
5.	Staker Parsons Company	\$37,980.00
6.	Kilgore	\$34,993.00

MAYOR CRAWFORD CHANGED AGENDA TO BE BACK IN ORDER.

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

A) ANNEXATION

Council was provided a copy of the new ordinance adopting the new Annexation Policy Plan.

Motion was made by Councilmember Karen Shepherd, seconded by Councilmember Gordon Stewart to approve Ordinance 2013–01. All in favor, motion passed.

Councilmember Karen Shepherd was concerned with not seeing any references to an exhibit. Mark stated that the exhibit is the Annexation Policy Plan.

B) PILOT AVENUE

Darrell Petersen has expressed to Mark that he does not want to be difficult to work with and wants to do what’s best for the City, but still would like to have enough room on his property to be able to develop it. Mr. Petersen’s idea is, if the City is willing, to accept a 10’ right-a-way he will convey it to the City. Mark recommended to the Council not to accept it. Councilmember Karen Shepherd suggested that we table the item and remove it from the agenda.

Mark expressed concern regarding the other alley ways within the city and will wait for further instruction from the City before moving ahead with them.

C) CODE ENFORCEMENT

Mark informed the Council that he met with both Gary and Mariah and discussed a number of items. The new Courtesy Notice has been reformatted and sent out for printing. A copy was provided to the Council. Mark expressed concern with regards to each violation needing different actions and what those different actions were. One of the items mentioned was those who have not received a dog license within the city; the steps taken on this matter will be a certified letter from Mark, to all residents not in compliance. The city office is working on keeping a month-by-month organization of items so that each month there is one specific violation being focused on.

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Councilmember Karen Shepherd expressed concerns regarding the amount of fee's being occurred before the notice is sent to Prosecuting Attorney, Rob Clegg. Mark, stated that the fee's are based on how long they have been out of compliance. Karen also expressed concern in regards to the cost of pursuing those in violation (attorney costs, certified letter cost, etc.) on the city's part. Audience member Brett Shelton expressed concern about sending out notices from the attorney in batches being unfair to those who may have received a notice before another and the accrued cost being more for one then for another. Mark stated that it is the property owners' responsibility, once given the Notice of Violation, to come into compliance.

D) WADMAN PROPERTY

The property deed has come back. Mark spoke with Dave Wadman and was informed that Jay (the father) did pass away and therefore the names on the deed would need to be changed. The work on that has been completed and sent back to the Wadman's for their signature. Mark stated that we should have it back within the next few days.

Mark also informed the council that Mr. Lynn Jenkins has been contacting Tena Campbell to receive further documentation.

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

Mark informed the council that he would be having a meeting with Wendy Crowther (old water attorney) and Steve Clyde (the new water attorney) tomorrow May 2, 2014 at 4 P.M. City Administrator informed the council that West Wendover has retained another water attorney to be their representative. His name is Taggert.

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

Mark informed that council that we will be planning on using Tooele County's methods and procedures in regards to how they handle expired building permits. Further information to be provided at a later date.

17. RATIFY MOTION MADE ON APRIL 17, 2013 BY COUNCILMEMBER LAMAR MELVILLE, SECONDED BY COUNCILMEMBER GORDON STEWART TO PUBLISH NOTICE TO SELL THE CITY'S REAL SURPLUS PROPERTY.

Motion made by Lamar Melville to ratify the motion made on April 17, 2013 by Councilmember Lamar Melville, seconded by Councilmember Gordon Stewart to publish Notice to Sell the City's Real Surplus Property. Motion dies.

Councilmember Dennis Sweat expressed concerns regarding putting a stipulation on the property that would insist that anyone who purchased the property develop it within a specified timeframe. City Attorney, Mark Bell expressed concerns with this because it is a lot more complicated to do so. City Administrator, Glenn Wadsworth stated that at this point we are unsure if the property is listed as a RP&P (Recreation and Public Purposes). Mark suggested we hold off on making a decision on this for another 2 weeks until further research is conducted and we properly identify the property in question within the motion.

18. 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.

Direction previously discussed under Code Enforcement.

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

Item postponed.

20. WAIVE RENTAL FEES ON COMMUNITY CENTER FOR THE CHRISTIAN CHURCH BINGO TO BE HELD ON MONDAY, MAY 13, 2013 DISCUSSION/DECISION.

Motion made by Councilmember Mandolin Hunt, seconded by Councilmember Lamar Melville to waive the rental fees on the Community Center for the Christian Church BINGO to be held on Monday, May 13, 2013. All in favor, motion passed.

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

With the increasing concern of the Tooele County Budget cuts the Mayor has been trying to keep updated on the things going on and has also been working with other Tooele County Mayors to possibly meet up to determine what it means for them. Councilmember, Karen Shepherd asked if Tooele County has the option to hold the City's room tax revenue as their own? Comments made indicated that the room tax revenue can be used for promotional uses only. As to whether the county could hold it, comments indicated that it could be possible, but for promotional uses only.

Mayor informed the Council that the city was approved for the funding of the low income housing. Currently five (5) homes have been approved and if other residents qualify there is a possibility of getting up to seven (7) homes approved.

Council was informed that the City workers would be conducting a survey to just about everyone in town for the CDBG grant. Mayor urged the council to fill them out.

Mayor proposed moving the city shop. The Wadman property is currently being considered.

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

Glenn presented the Council with the modified Personal Policies & Procedures manual. Glenn has asked the council to review it and bring back changes at the next council meeting.

23. UNFINISHED BUSINESS:

None.

24. NEW BUSINESS:

None.

25. COMMENTS FROM AUDIENCE:

None.

26. EXECUTIVE MEETING:

Not needed.

**27. NEXT REGULAR CITY COUNCIL MEETING TO BE HELD MAY 15, 2013 @ 6:30 P.M.
WITH A BUDGET WORK MEETING BEGINNING AT 6 P.M.**

28. ADJOURNMENT:

Motion made by Councilmember Dennis Sweat, seconded by Councilmember Mandolin Hunt to adjourn the meeting. All in favor, motion passed.

Wendover City Mayor Mike Crawford

Wendover City Clerk – Mariah L. Murphy

Date