



# CITY OF ELY

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## ELY CITY COUNCIL SPECIAL MEETING

**January 6, 2021 5:00 p.m. – Ely Volunteer Fire Hall - 499 Mill Street-Ely, Nevada.**

1. Mayor Robertson called the special meeting of the Ely City Council to order at **5:01 P.M.**, led in the Pledge of Allegiance, and Mayor Robertson asked for Roll Call.

**Members present:**

- Mayor Nathan Robertson
- Councilman Ernie Flangas
- Councilman Kurt Carson
- Councilman Ed Spear
- Councilman Jim Alworth
- Councilwoman Michelle Beecher

**City Officials and Staff present:**

- City Attorney Shain Manuele
- Fire Chief Pat Stork
- City Clerk Jennifer Lee
- City Treasurer-HR Director Janette Trask
- City Admin. Asst. Lupe Frank

Also, in attendance: Members of the public in attendance at the Ely Volunteer Fire Hall signed in (appears below) and the following persons attended via video conference: Geri Wopschall, Maureen Otzelberger, Building Official Christiansen, Kevin Roth, Gary Rogers, Jennifer Drew, Terri Borghoff, and Jim Green.

*CC Special Meeting 01/06/21* **ATTENDANCE LIST**

**DATE:** \_\_\_\_\_

**Print name below**  
George Chachas

**Print name below**  
\_\_\_\_\_  
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**2. Public Comment**

George Chachas asked, has the City notified Mount Wheeler that they have to move some of their power poles on Murry street on the blocks where the new water and sewer lines are going in? In some areas proper ADA access is not available. Mr. Chachas also said on the corner of Ogden and Crawford Street a new meter box was installed 11 ½ feet from the property line and a couple of bollards next to it. Mr. Chachas inquired if Keith Carson paid for the bollards and wanted to know why he did not install curb and gutter to protect the meter box and stop the erosion in that area. Mr. Chachas stated that Keith Carson is or was a contractor and should know better and states the bollards located more than four feet from the property line are a potential hazard on the city right of way; Mr. Chachas reported that codes need to be followed by everyone and questioned where the building inspector was

during the project. Mr. Chachas did not address all items he had wished in the allotted three minutes and stated he would be back.

City Attorney Shain Manuele stated Mr. Mayor I would like to make a comment and extend a warning in violation of the accusation that our building inspector was double dipping as slanderous and a personal attack.

### 3. ITEMS FOR DISCUSSION/POSSIBLE ACTION ONLY OF THE ELY CITY COUNCIL

1. Mayor Robertson – Discussion Only – Interview of candidates for City Building Official position; the applicants are Jim Green, Joseph Pankowski, Gary Rogers, and Kevin Roth.

City Treasurer-HR Director Trask reviewed that back in December she sent out an advertisement to the ICC; 7 resumes were received from this effort with 4 of them completing applications which are the candidates listed on the agenda. The candidates were not admitted to join the zoom meeting until it was their turn to be interviewed.

The following were interviewed for the open position of City of Ely Building Inspector:

Kevin Roth:

1. **What attracted you to Ely and have you been here before?** Mr. Roth has hunted in the Ely area and been a lifelong Nevadan up until just a few years ago when he relocated to Oregon for a job opportunity. He is wanting to move back to Nevada, which he considers home.
2. **What do you know about the City of Ely as a governmental agency?** Mr. Roth states he knows the economy is based on tourism, outdoor recreation, and a large part in mining.
3. **Give a description of your past work history/experiences and how it would apply to the Building Official/Inspector position you have applied for.** Mr. Roth states he started in construction when he was about 15 years old and has done construction as an occupation for most of his life. He was also a contractor in the late 80's for several years and got into building inspections after that and has worked with several jurisdictions over the years as a beginning inspector all the way up to a supervisor and building official. He states that he has broad experience in construction and full certification through ICC. He states one of the biggest things he has learned is the importance of resolving issues when the code is not black and white. He can interact with people professionally and politely to resolve the issues and carry out the intention of the code.
4. **What Licenses or certifications do you currently have?** Mr. Roth states he currently has all the residential certifications including structural, plumbing, electrical, and mechanical. He also has all the commercial building certifications from ICC which include structural, plumbing, electrical, mechanical and accessibility. He also has a building official certification from State of Oregon along with A-Level structural and A-Level Mechanical certifications from the State of Oregon.
5. **Are all your licenses current or able to get current?** Mr. Roth stated that they are all current with renewal a couple weeks ago.
6. **Are you familiar with the international codes?** Yes, very experienced with the international codes. He stated with his current jurisdiction, they are on the 2018 code cycle which is the same as the City of Ely.
7. **Can you explain what the International Codes are?** Mr. Roth explained the international codes many years ago were widely interpreted and applied differently throughout the country. The International Code Council put together a more unified application of codes for all towns, counties, and municipalities. The international codes cover all jurisdictions for disciplines for structural, plumbing, electrical, mechanical and energy.
8. **How would you handle individuals that are not following the international codes?** Mr. Roth states he has training in conflict resolution and feels he can listen to individuals and come to resolutions that follow the intention of the codes.

9. **Can you explain the term “authority having jurisdiction” and how it is applied?**  
The authority in having the jurisdiction to interpret and apply building codes and architectural and engineer plans to the best of our ability with the intent of the code and preserve life safety. The application of that is having an equal application to everyone.
10. **How much experience do you have in performing plan reviews?** Mr. Roth states he has been conducting plan reviews since 1998 on commercial and residential structures and has experience in doing civil projects whether it be storm drains, sewers, or sewer lift stations; he also has experience in reading elevations on plans.
11. **The position requires long distance traveling within White Pine County, approximately 30% of the time is spent travelling, does this pose any issue for you?** Mr. Roth stated he enjoys traveling, so this requirement is no problem. Mr. Roth stated he has been in Reno since 1963 but does have family in Elko.
12. **What areas, if any, do you feel you may be lacking as a Building Official/Inspector?** Mr. Roth stated one of his weaknesses would be in plan checks as he has been very involved in the inspection aspect from residential up to very large commercial projects. He would like to have more time to work on plan checks.
13. **The position requires you to be a resident of White Pine County, will this be an issue for you?** No, it will not be an issue. Mr. Roth stated he owns his home in Oregon and that it would take time to relocate but likes the small community atmosphere and looks forward to the opportunity.
14. **What would you describe as your goals five years from now?** Mr. Roth states that his 5 year plan is to be the supervisor of a Building department that is stable, financially secured, respected by the community and makes the community a priority by making sure they are safe and feel that they are being treated fairly. He hopes to look back in 5 years and have the community appreciate and respect his integrity and honesty in the work he has done. As a building inspector people can try to take advantage of you and it is important that there is a clear message of integrity and honesty.

Councilwoman Beecher asked Mr. Roth if the certifications he has up to date in Oregon will be reciprocal in Nevada.

Mr. Roth stated that the Oregon certificates are in addition to PAN certifications that he has from the International Code Council that have reciprocity nationwide. He stated he has all commercial and residential certifications that are valid in Nevada.

City Treasurer-HR Director Trask asked if February 1, 2021 would still be an attainable start date.

Mr. Roth confirmed it would be.

Mr. Roth asked in 2019 there was a surplus of \$122,000.00. Is your department funded through an enterprise fund or general fund? City Treasurer-HR Director Trask stated that the Building Inspector and his expenses are paid out of the general fund. Roth asked is the building department solvent and meeting their requirements? City Treasurer-HR Director Trask answered that all general funds are budgeted to each department and not based on revenue brought in by each department. Mr. Roth stated he currently works under an enterprise fund and was just confirming. Are there any big projects coming up? Brad, current building inspector, replied that there is a mine in the area that will be expanding within the year, water works, which is a power station going in that will be starting 18 to 36 months from now and last approximately 3 years. A new justice center including a jail and courthouse that is in progress now. The current staff was reviewed that there is a Building Inspector and administrative assistant and the Building inspector reports to the City Council. What are goals accomplished in the first few months. The Mayor stated that awareness of codes to the general public and continuity.

City Treasurer-HR Director Trask stated that Mr. Roth was welcome to stay online through the other interviews and then number 2 on the agenda will be to appoint the position.

**Gary Rogers:**

1. **What attracted you to Ely and have you been here before?** Mr. Rogers has not ever been to Ely. He does love Nevada and would like to make it his home. He saw the job advertised on ICC Job website and decided to apply. He is interested in learning more

- about Ely and be able to hike and walk to explore the area. He also has interest in trains.
2. **What do you know about the City of Ely as a governmental agency?** Mr. Rogers stated he does not know much about the City of Ely besides what was posted on the website and the ICC website.
  3. **Give a description of your past work history/experiences and how it would apply to the Building Official/Inspector position you have applied for.** Mr. Rogers states his construction experience goes back many years as he started as a construction laborer, followed by the Operating Engineers Apprentice Program for equipment operator/surveyor then into journeyman training for general building inspector which also included special inspector. He states he has experience in using all kinds of heavy equipment to include surveying, grade checking which led to building inspection which led to anything he could get certified in all the way up to green energy. He worked as a temporary employee in 2008 for Clark County Building Department and for Nevada State Public Works Board in 2009 as a temporary employee. He has experience running his own business over the years, has experience working at public sites, but does not have experience in the capacity of building official.
  4. **What Licenses or certifications do you currently have?** Mr. Rogers stated he has all specialty building combination certifications to include green energy, welding inspection certification, plumbing certifications, electrical certifications, and a full range of abilities and skills. He stated he continues to learn and likes to attain certificates as he can.
  5. **Are all your licenses current or able to get current?** Mr. Rogers states he renewed all certifications December of last year and they are current.
  6. **Are you familiar with the international codes?** Mr. Rogers said yes to being familiar with the international codes.
  7. **Can you explain what the International Codes are?** Mr. Rogers states the codes are keeping people safe.
  8. **How would you handle individuals that are not following the international codes?** Mr. Rogers stated that he would train people so they are aware of the codes as he feels most people that don't follow the codes may not be educated on what they are and try to bring them up to speed and clarify the importance of the codes.
  9. **Can you explain the term "authority having jurisdiction" and how it is applied?** Mr. Rogers stated the Building Official, who is hired by the City Council, has the final say giving him authority over decisions.
  10. **How much experience do you have in performing plan reviews?** Mr. Rogers stated he started in the mid 1990's doing plan reviews and would not do any plan reviews that he was not certified for. He stated that he does not have electrical, plumbing, or mechanical as he doesn't have the experience of doing the work in those areas. However, he does have building structure certifications.
  11. **The position requires long distance traveling within White Pine County, approximately 30% of the time is spent travelling, does this pose any issue for you?** Mr. Rogers states he does not have any issues with traveling for the job.
  12. **What areas, if any, do you feel you may be lacking as a Building Official/Inspector?** Mr. Rogers stated he does not lack experience as an inspector, but does not have experience as a Building Official. He has experience with family members in business, but not with managing staff.
  13. **The position requires you to be a resident of White Pine County, will this be an issue for you?** Mr. Rogers stated that becoming a resident of White Pine County will not be an issue.
  14. **What would you describe as your goals five years from now?** Mr. Rogers states 5 years ago he set a goal to work as a Building Official for someone that could use him in their area. He stated that if he gets hired, he plans to stay and be loyal.

Councilman Ed Spear stated your certifications expired November 30, 2020.

Mr. Rogers stated he would be able to send the renewals.

City Treasurer-HR Director Trask asked Mr. Rogers to verify start date; Mr. Rogers cannot give a specific date at this time due to medical concerns with his wife but would estimate late February.

Mr. Rogers stated he would like additional information sent to him regarding the White Pine area to become more familiar and visit even if not offered the position.

City Treasurer-HR Director Trask stated Mr. Rogers can stay on the line through the remainder of the interviews.

**Jim Green:**

1. **What attracted you to Ely and have you been here before?** Mr. Green stated he is an outdoors guy and has been to Ely; while traveling through, he was impressed with the small-town atmosphere.
2. **What do you know about the City of Ely as a governmental agency?** Mr. Green stated he has read about Ely on the internet and on Wikipedia. He is familiar with city governments as he was a councilman in a different jurisdiction.
3. **Give a description of your past work history/experiences and how it would apply to the Building Official/Inspector position you have applied for.** Mr. Green stated his background is in construction as a second-generation contractor. He was contracted for 25 years prior to focusing and dedicating his career in building inspection. He was also in the Navy CB's which is a builder as a Petty Officer. He was also involved with building inspections in the City of Reno, NV, climbed the ladder and was also the president of the Northern Nevada Chapter of the ICC for three years in Reno. He states he has a lot of experience with combination inspections up to Supervisor of Plan Review in Reno. He has also worked in four other jurisdictions as Building Official. The last one being Jackson, Wyoming. He returned to California as his wife was terminally ill but would like to get back in the workforce and prefers a small community, he is fully certified residentially and commercially.
4. **What Licenses or certifications do you currently have?** Mr. Green stated that he has a combination program for all the trades as well as plan review certification. He also holds certification for contracting services since 1992.
5. **Are all your licenses current or able to get current?** Mr. Green stated all licenses he has are current as they were renewed about six month ago.
6. **Are you familiar with the international codes?** Mr. Green has used and enforced the International codes in his work in Reno, NV and Jackson, WY. He stated as the past President of Northern Nevada Chapter of the ICC, he participated in conferences on any changes and updates.
7. **Can you explain what the International Codes are?** Mr. Green stated that it was a compilation of three code bodies that came together in the United States to develop a single set of codes that could be used internationally. In late 1998 the transition to International codes was established for residential and commercial use.
8. **How would you handle individuals that are not following the international codes?** Mr. Green stated that individuals need to be informed and that is part of the building Department's job as a joint effort between the Government and the private industries or citizens to have a combination team approach to building safety and to have the codes. He has printed out codes and reviewed those with the citizen to clarify the intent of the code.
9. **Can you explain the term "authority having jurisdiction" and how it is applied?** Mr. Green stated that jurisdiction refers to county, city, and several all over the nation. The jurisdiction that you are working in with the building department.
10. **How much experience do you have in performing plan reviews?** Mr. Green has about 24 years of experience.
11. **The position requires long distance traveling within White Pine County, approximately 30% of the time is spent travelling, does this pose any issue for you?** Mr. Green likes to multi-task, enjoys getting out in the field and staying informed of what is happening within the county he is working in.
12. **What areas, if any, do you feel you may be lacking as a Building Official/Inspector?** Mr. Green states he has a lot of experience in the building department and has worked a wide variety of jobs within this scope, but agrees continued training is beneficial. He states he could use training in computer programs and would like to get his Master Code Professional Certification as he only lacks one certification to achieve this.

13. **The position requires you to be a resident of White Pine County, will this be an issue for you?** Mr. Green stated that he lives alone with his dog and would be happy to relocate to Ely and be part of the community.
14. **What would you describe as your goals five years from now?** Mr. Green stated he would like to be in Ely being a public servant and helping people by contributing his experience and education in this field. He would like to stay on board for the remainder of his career which he hopes to be 5 years or longer.

City Treasurer-HR Director Trask stated she would like confirmation on a start date.

Mr. Green confirmed he could start within a week or two after being notified.

Mr. Green asked the reason for the opening.

Mayor Robertson stated that it is open due to the current Building Inspector retiring.

The final candidate, Joseph Pankowski, was not available for interview; Mayor Robertson closed the interview session of the meeting.

2. Mayor Robertson – Discussion/For Possible Action - Appointment of individual from interviewed applicants as City Building Official and determination of salary.

Councilman Spear stated the City has received incredibly qualified candidates for this position, but he is in favor of the last interviewed candidate, Jim Green as he answered the questions appropriately and has a good vision for his 5-year goals. He completed the scoring process for the candidates and Jim Green was the highest scored candidate.

Councilman Alworth echoed the same comments.

The Council discussed making a motion on the chosen candidate and the salary range provided by City Treasurer-HR Director Trask. City Treasurer-HR Director Trask stated she researched the salary range on Nevada Transparency regarding communities relatable to the City of Ely for comparison.

Councilman Carson questioned the attorney if this position was appointed by the mayor and voted on by the Council.

City Attorney Manuele clarified that it is not spelled out that way in the current code and after discussion with Janette there is potential of changing it for the future.

City Treasurer-HR Director Trask stated that the current Building official's salary is between \$78,000 and \$79,000 annually. Councilman Spear recommended to start the new candidate \$65,000 to \$70,000 if it was allowable within the budget, City Treasurer-HR Director Trask stated that it was well within the parameters. Councilwoman Beecher stated she felt that the recommendation for salary was way too low regarding the number of certifications this position is required to have and recommended the wage be no less than \$75,000.00 annually.

Councilman Alworth asked City Treasurer-HR Director Trask since the County is involved with this position as well, whatever is decided regarding salary goes along with the contract? Janette answered that the contract is what it is right now. When the contract was initiated it was based off half of this expense and it has only increased about 2% a year. Mayor Robertson and City Treasurer-HR Director Trask clarified that the contract with White Pine County was regarding the service provided and the City is in charge of the hiring process.

Councilwoman Beecher moved to extend an offer to Mr. Jim Green with an annual starting salary of \$75,000.00 with standard City benefits. Councilman Alworth seconded the motion; the motion carried unanimously.

Mayor Robertson addressed Mr. Jim Green in stating that the Council has made an offer to him for the Building Official with a salary of \$75,000 annually and benefits; Mr. Jim Green accepted the position and will follow up with City Treasurer-HR Director Trask .

The Council thanked all applicants for the experience and qualifications they brought to the table.

**4. Public Comment**

Mr. Chachas mentioned the billing on his property at 490 High Street has yet to be corrected and states that he has told the City Council repeatedly. Mr. Chachas stated that vehicles were removed from the property. The vehicles were not parked along the street and he would like to know who gave permission to have the vehicles removed and would like the vehicles returned. Mr. Chachas stated that he told former Mayor VanCamp at the August 9, 2018 City Council Meeting that the City Council is selectively enforcing city codes by taking and impounding people's vehicles. Mr. Chachas requested a list of property owners that have had vehicles or property removed with detailed information of the whereabouts of property and where they were stored and what people were reimbursed for their loss of property. Mr. Chachas stated he is tired of being stonewalled and would like answers to his questions. Mr. Chachas stated at the December 10, 2020 meeting Councilman Alworth brought forth at the Utility Board Meeting that the golf course has used approximately 111 million gallons of water that has not been paid for and stated that this needs to be addressed. The City staff can't straighten out his bill and let 111 million gallons go down the drain without being paid for, prior to that was the duck pond, West End Trailer Park, the Railroad had a leak and Mr. Chachas feels that these are examples of selective enforcement. Mr. Chachas went on to say he has received two citations for having people on his property, but others have RV's on the street and others have RV's without permits; he asks the selective enforcement to stop.

**ADJOURNMENT: THE MEETING MAY BE ADJOURNED BY APPROPRIATE MOTION OF THE CITY COUNCIL.**

Councilman Alworth moved to adjourn the Special meeting of the Ely City Council at **6.15 p.m.** Councilwoman Spear seconded the motion. The motion carried unanimously.

  
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**MAYOR**

  
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**ATTEST**

