

CITY OF ELY

501 Mill Street Ely, Nevada 89301
City Hall (775) 289-2430
Cityofelynv.gov

ELY CITY COUNCIL REGULAR MEETING

October 14, 2021 5:00 p.m. – Ely Volunteer Fire Hall – 499 Mill Street – Ely, Nevada

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

Members present:

Mayor Nathan Robertson
Councilman Ernie Flangas
Councilman Kurt Carson
Councilman Ed Spear
Councilman Jim Alworth
Councilwoman Jerri-Lynn Williams-Harper

City Officials and staff present in the building or via video conference:

City Clerk Jennifer Lee
City Treasurer-HR Director Janette Trask
City Attorney Leo Cahoon
City Administrative Assistant Patti Cobb
City Public Works Supervisor Mike Cracraft
City Engineer BJ Almberg
City Fire Chief Stork
City Police Chief Henriod

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, Donna Crosson, Caroline McIntosh, Mary Kerner, Jennifer Drew, Cameron Gresh, Kris Porter, Congressman Porter, and John Baker. Luigi Resta with rPlus Energies was present.

ELY CITY COUNCIL ATTENDANCE LIST

DATE: October 14, 2021

Print name below

Allen Baker
Mark Basset
George Chachas
Renee Harshina
Gregory Rivero
Teresa Ciciliano
Wilson Hawwete
Pat Robinson
Alex Spina

Print name below

2. PUBLIC COMMENT

Renee Harshman stated I am here representing White Pine Construction. My concern is the Building Department. We are in the process of building a home and in the last phases. I asked for an inspection next Thursday and I was informed the Building Inspector is not going to be available. This will create havoc with the guy that owns the place and my subcontractors. I would like to know what you guys are going to do about it. All my subcontractors are scheduled, and the Building Inspector is going to be out for ten days and I can't always reschedule them as we are going into winter. The owner of the property would love to move in by December and I am asking can I take pictures, or do I tell my owner that we are delayed again and you might not be able to move in until next year.

George Chachas stated on your agenda item 7-1 you are to consider mandatory trash pickup, and this should be dismissed. Years ago, there was an attempt to mandate mandatory pickup and citizens from all over the County, including the City of Ely, filed a lawsuit that went all the way to the Supreme Court. The County lost the lawsuit and had to pay back \$180,000.00 to \$200,000.00 to the residents; we don't want to do that again. There was a concern at the Municipal Utilities Board this morning about storage of trash and if that is being done then that is a problem with enforcement. Mr. Chachas stated ongoing concerns regarding his request for a copy of all parking permits required on Great Basin Boulevard; the parking to his property on 710 Avenue G.; the curb and gutter installed at his property on Great Basin Boulevard, and RV permitting.

rPlus Energies President Luigi Resta and the proponent of the White Pine Pumped Storage Project stated it has been several months since we have been in and updated the City Council. Since we last met, we have completed all the environmental, cultural, and biological field studies and that was submitted as our part of our environmental assessment (EA) package to the Bureau of Land Management (BLM) for doing the Geotech exploration work, and this is the first phase. The Geotech work will direct the design aspects of the project. We had three bore holes; one on top of Duck Creek, one mid-mountain on the Steptoe side and one down lower towards the lower reservoir. We were denied a waiver by Nevada Department of Wildlife (NDOW) to go into the Sage Grouse Winter Habitat Period which starts November 1st so, our focus has been on bore hole number two which is halfway up the mountain. You folks may be seeing lights up on the mountain because they are working twenty-four hour shifts and working through the night to drill the bore hole which is 4 inches in diameter down to a depth of 1,900 feet. We will start with bore hole number one, which is the furthest west hole, in the coming week. We do have to complete our work by November 1st as described because of the Sage Grouse Habitat, but BLM did issue us permission to go out and get started.

City Administrative Assistant Cobb read the following into the record:

*To the members of the Ely City Council,
I am writing to you on behalf of the
Committee Against Child Hunger to thank
you for your donation to us.
As you may know, our program
exists because of donations to us
from our community and many
volunteers that pack & deliver these
food bags each month.
We have been amazed as we go along
at the tremendous need in our community
and this donation assured that we
can certainly continue. Our sincere
thanks to you all. Debra Fairman
CACH*

Alice Souza stated I have been inundated with advertising mail to buy insurance with the seal of the City of Ely in place of the return address. It does not show integrity and it has the beginnings of a scam. How many other people can use important seals to get people to do things because it looks official; that is misrepresentation and I object to it. I used to be an honorable journalist and I covered crime in California that would make your blood run cold, so I know when I see the makings of a misleading remark or picture. Ely deserves better than to have the seal of the City of Ely on advertisements to sell insurance. You are a City and you represent good government and not trying to get people to buy something for a company that they have hired. I find it disgraceful to the City of Ely. I didn't buy this insurance because a company should be responsible enough to repair what they tear up in the City including people's property.

Teresa Ciciliano stated I live off of 2101 South Street. I live in the middle of the cemetery and people are dying to live by me. The way they are grading the cemetery the water is coming down and ruining the only road into my house. They fixed the road a couple of years ago and I know it is unintentional, but the drainage is ruining the road. My question is how do I address this?

Mayor Robertson stated we cannot provide you any answers as this is public comment. Please reach out and contact us through the website and we can talk further about it.

3. Mayor – Discussion/For Possible Action – Approval of Agenda, including removal of agenda items.

Councilman Carson moved to approve the agenda as presented. Councilman Flangas seconded the motion. The motion carried unanimously.

4. CITY DEPARTMENT REPORTS

➤ CITY FIRE CHIEF

Councilman Alworth stated on the paramedic calls there were three administrations of fentanyl. How do you resupply your inventory?

City Fire Chief Stork stated we order it through the pharmacy at the hospital, and it is checked in through the Pharmacist and they maintain control of it until we go get it, and then it gets locked into our safe. In our protocol, for example the other day we had a call with an elderly male injuring his hip. We drew up 100 micrograms of fentanyl and we only administered 50 micrograms of it. When we get to the hospital, we let them know how much we administered and then a nurse verifies it, you go to the sink and waste the other 50 micrograms. The nurse and the EMT sign the document so it is double verified that the other portion has been wasted and the other portion is tracked as being in the patient. This is all Drug Enforcement Administration (DEA) rules.

Councilman Alworth asked do they supply you right then?

City Fire Chief Stork stated no, we have a stock in our medication safe at the Fire Station.

➤ CITY CLERK

City Clerk Lee stated I am pleased to report that GOED did accept the Nevada Rural Water's Income Surveys for the two CDBG projects; Parker/Stevens Sewer upgrade and the Bell Avenue Water Pipeline project. I submitted both of those projects for eligibility yesterday. Hopefully they will pass, and we can complete the application later this year.

➤ CITY ENGINEER

City Engineer Almberg stated we were requested to do budgeting for some infrastructure projects that will possibly be funded by the American Rescue Plan Act (ARPA) funding. We met with Mike and some of the City staff to go over potential projects that are outside of the main priorities that we already have with the PORTER Group. We looked at some projects that are taking up a lot of time with maintenance and need to figure what the cost will be to bring back to you. We did meet with the County and the Mine to potentially get a well for the Golf Course irrigation system. Unfortunately, the prices are extremely high currently, so that project is on hold until that changes. The prices were based on the well drillers that the Mine currently uses up on their site. The Mine relayed all the information to the County and the County will be looking at some local well drillers to

see if the price is better to do the project. Unfortunately, it doesn't look like they will be on their own well next summer. We are compiling spreadsheets to show water usage regarding our ongoing negotiations with Robinson Nevada Mining Company (RNMC). I had a conversation with Alan, who is our hydrologist assisting us and I am waiting for some pumping information from RW-7P so that we can compile that and get that completed. The Terrace Well will be online, and we will start running it this winter in auto once a time delay is installed by SCADA. Based on our water usage right now we anticipate we can give the Murry Street boosters a break this winter and we would be able to keep up the Terrace Well. We are also working on getting all the information together for the long-term life of the cemetery.

Mayor Robertson passed the gavel to Mayor Pro Tem Williams-Harper

5. NNRY FOUNDATION REPORT

NNRY President Mark Bassett stated we have had an incredible month and late last night we found out our \$10 million SNPLMA Grant was approved to open the track over to McGill and funding will be available in December or January. We have been working on the McGill Depot for about fifteen years; so this will finish it, open the track, and make an impact on McGill's economy. The other big news is we finished Locomotive 81. The Trains Magazine was due to celebrate their 80th anniversary last year, but due to COVID that was not possible. I suggested to them they celebrate their 81st anniversary here in Ely, and they did, and it was very well attended. The other big news is two of our original Locomotives; 201 and 401. Locomotive 201 was purchased by Kennecott in 1951 and Locomotive 401 was purchased by Nevada Northern Railway in 1952 and they both left in 1983. The two different owners have offered them back to us. There were only 38 of Locomotive 201 made and the rest were scrapped. Locomotive 401 was the only diesel locomotive that Nevada Northern Railway purchased brand new and they did a special paint scheme on it called Desert War Bonnet. After it left here it ended up in Delta, Utah. They never changed the paint scheme, so it is still in its original paint scheme from 1952. We are raising money to bring both locomotives home. The following report was reviewed:

NEVADA NORTHERN RAILWAY A NATIONAL HISTORIC LANDMARK



Nevada Northern Railway Foundation
Depot: 1100 Avenue A, Ely, Nevada 89301
Mailing Address: PO Box 150040, Ely, Nevada 89315
Voice: (775) 289-2085 • Web: www.nnry.com • E-mail: info@nnry.com

Monthly Operations Report for October 2021

1. **Locomotive Status – Updated**
 - a. Locomotives in service: #81, #93, #105, #109, #204, Wrecking Crane A & Rotary B.
 - b. Locomotive 40 is out of service for her heavy repairs and will be out of service until 2023.
 - c. Locomotives out of service needing moderate repairs: #310 and #45
 - d. Locomotives waiting funding for restoration: Steptoe Valley Smelting and Mining #309, Kennecott 801 and Rotary Snowplow B (for boiler overhaul.)
 - e. Locomotives out of service needing heavy repairs #802, #80 and the military locomotives.
3. **Rolling Stock Status – No change**
 - a. Passenger equipment in service: #07, #08, #09, Flatcar #23, Coach #5, Baggage Car/RPO #20, Outfit Car #06.
 - b. Passenger equipment out of service: #10, #2 and #05 needing heavy repairs.
 - c. Caboose in service: #3, #6 and #22 are operational.
 - d. Caboose out service: #5
4. **Track Status – No change**
 - a. Keystone Branch is open
 - b. Adverse Branch is open.
5. **Ridership and Ticket Sales – Updated**
 - a. In September we carried 2012 passengers. This is an increase of 28% over 2020, and an increase of 28% over 2019. September was largest September we have ever had. After softening in August, September followed the trend from June and July, another record month.
 - b. Year to date we have carried 12,318 passengers. This is an increase of 89% over 2021 and a 15% over 2019. In fact we have carried more passengers this year than we did in all of 2020.
 - c. Since operations began in 1987, we have carried 324,642 passengers.
6. **Social Media: Our reach on social media continues to expand, in the last 28 days:**
 - a. We reached 3,561,929 people, a 10% decrease.
 - b. Post reach was 390,194, a 10% increase.

Award Winning Destination
Best Tour in Rural Nevada – 2017
Nevada State Treasure – 2013 & 2012
Best Adrenalin Rush in Rural Nevada - 2020
Best Preservation Effort in the West • Attraction of the Year – 2012
Trip Advisor Certificate of Excellence – 2020, 2019, 2018, 2017, 2016, 2015, 2014
Best Museum in Rural Nevada – 2020, 2017, 2016, 2014, 2013, 2010, 2009, 2008
Best Event in Rural Nevada – The Polar Express – 2017, 2016, 2015, 2014 & 2013
Best Place to Take the Kids in Rural Nevada 2020, 2019, 2018, 2015, 2014, 2013, 2012, 2011, 2010, 2009, 2008, 2007

- c. Our page likes increased 767, a decrease of 63%
- d. We have 113,049 page likes.
- e. 140,759 people follow our page.

7. Locomotive 81 Status – Locomotive 81 is back in service!



We now have two operating steam locomotives once again!

8. 201 – 401 Bring'em Home

We have been offered the chance to bring home - not one, but two of our original, very significant diesel locomotives, Locomotive 201 and Locomotive 401!

But, there is a catch! We will have to pay the transportation costs to bring'em home. The estimated cost of the move is just over \$250,000. As of October 12, we raised an incredible \$112,589! That covers 450 miles of our 1,008 mile trip or 45%!

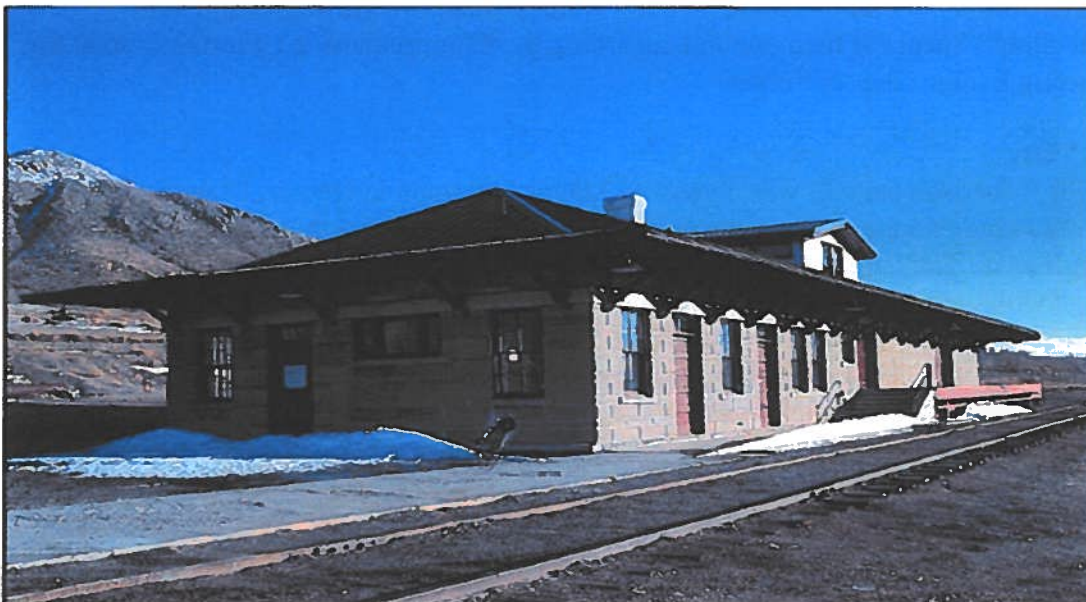


9. Southern Nevada Public Lands Management Act (SNPLMA) Round 18 Grant.

White Pine County has been awarded a \$10,168,421 Southern Nevada Public Lands Management Grant (SNPLMA) grant to open the Nevada Northern Railway track to the McGill Depot!

The project is multi-faceted:

- Rehabilitate and restore to operation 16.35 miles of historic railroad track from Ely to McGill Nevada, including the highway railroad crossings to Federal Railroad Administration Class 2 standards.
- Complete the McGill Depot restoration to include three restrooms.
- Build a parking lot at the McGill Depot 10,000-15,000 square feet with lighting.
- Build a railroad turntable at the McGill Depot to turn the locomotives around.
- Build a .5 to a .8 mile lighted walking trail with outdoor displays at the McGill Depot area.
- Combine the existing trail system parallel to the railroad's right-of-way with six designated safe crossings of the railroad track.
- Grade 10,000 feet of a multiuse trail within the railroad right of way between Ely & McGill joining existing trails located on BLM land.
- Purchase four electric-railbikes.
- Install directional signage for trail users along the trail system.

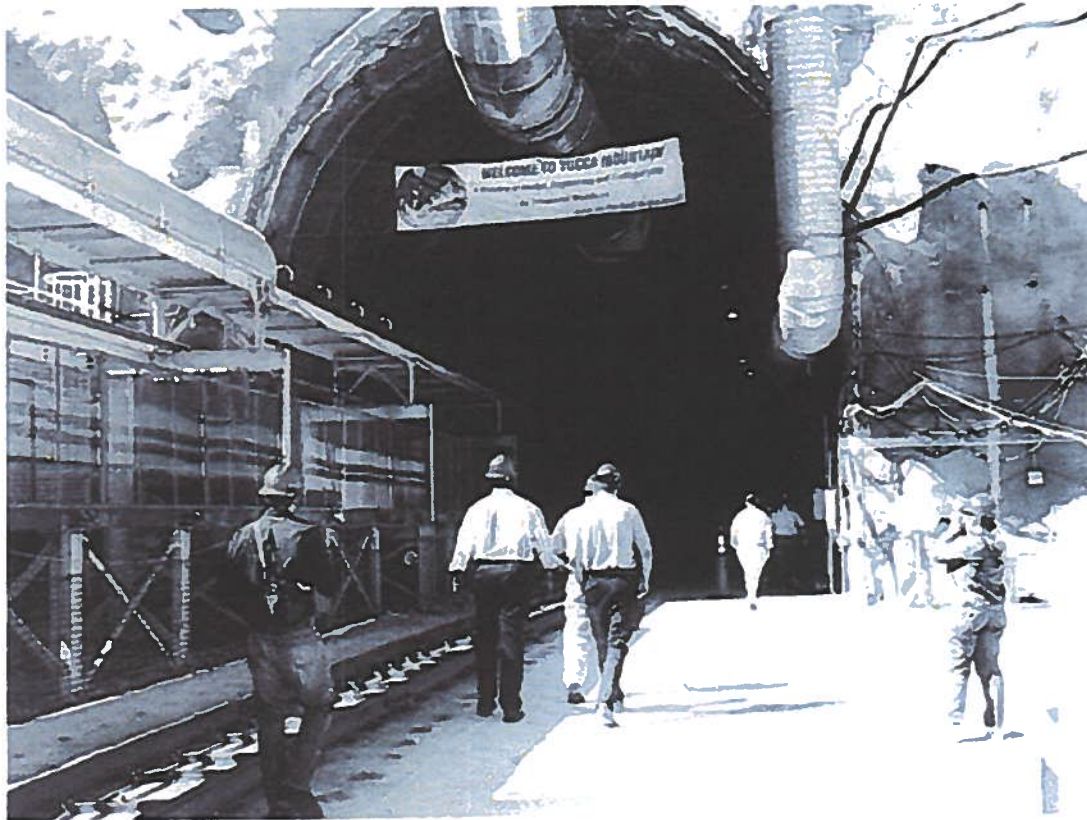


Mayor Pro Tem Williams-Harper passed the gavel back to Mayor Robertson

6. REPORTS

➤ COUNCILMAN ALWORTH

Councilman Alworth stated I attended the County Commission Meeting and listened to Luigi Resta on his presentation covering the White Pine Pumped Storage Project. People need to understand the magnitude of this project. The bore holes they are going to drill down in the top of the summit, down the side of the mountain and out to where the turbines are going to be is ninety feet below the surface and the diameter is 24 feet. I gave you all a picture of Yucca Mountain when they did theirs, which is 25 feet in diameter, and it is huge. Please digest what this is about to do to our area. Drill hole B-2 is going back nineteen hundred and sixty-two feet and as of yesterday they were approximately seven hundred feet into there.



25 Foot Diameter

➤ COUNCILWOMAN WILLIAMS-HARPER

Councilwoman Williams-Harper stated I want to thank Mayor Robertson and Councilman Spear for their support regarding the Comprehensive Learning Plan at the Learning Bridge Charter School.

➤ MAYOR

Mayor Robertson stated I was a guest to Mayor Peterman in Helper, Utah last weekend. She was kind enough to show me around and talk to me about their “Dark Sky” compliance. They are a “Dark Sky” community and they have done some amazing things with their tourism there all with a \$1 million-dollar annual budget, which is the smallest city budget I have ever heard of. They also have a railroad and mining history and have applied for some great grants. If any Council Members would like to talk further about that please let me know.

7. ITEMS FOR DISCUSSION/POSSIBLE ACTION OF THE ELY CITY COUNCIL AS RECOMMENDED BY THE MUNICIPAL UTILITIES BOARD.

1. Board Members - Councilman Carson - Councilman Spear – Discussion/For Possible Action – Approval to move forward with mandatory trash pickup.

Councilman Carson stated the Municipal Utilities Board did not act on this item, but we did have some good discussion. This is something we have been working on and I didn't want to waste the staff and the City Attorney's time if it wasn't the pleasure of the Council to pursue this. I think it would be advantageous if you got everyone to do mandatory pickup. The revenues would go up for the trash pickup company, but it would be cheaper per household for some. I think you would avoid people loading their trucks up for a month and then taking it to the dump and having it blow all over. It would also limit our traffic in and out of the landfill.

Mayor Robertson stated this is also in response to the hazardous disposal that happened and burned down our compactor. This would provide some insurance that hazardous materials were not being improperly disposed of at the landfill?

Councilman Carson stated yes.

Councilman Spear stated the City's landfill is an Enterprise Fund and when that life runs out the City itself is the only entity that will be responsible to close the landfill and it is \$3.4 million. I have been an advocate since we had this discussion back in the eighties with the County, for them to have their own landfill. The residents of the County are getting a sweetheart deal at our landfill on the backs of the City residents. I think mandatory pickup would help to know what is going in and out of the landfill. The County is going to have to come up with an equal type of program or maybe they are going to have to do a transfer station. If the landfill continues to go at the rate it is going, and we don't come up with some sort of mechanism to change this, it is going to be taller than Squaw Peak. I don't think it is going to fly this time either, but I think it is time we really start looking at it. This is very preliminary, but we need to start in the very near future looking at options.

Councilman Alworth stated I can see the mandatory pickup because we would be able to control how the household trash is brought in; it is terrible and blowing all the way to Cross Timbers right now. Would everyone still be able to bring white metal, tires, and class III to the site?

Councilman Carson stated Yes, I would say so.

Councilman Alworth stated so this mandatory pickup is for household trash.

Mayor Robertson stated many communities in our State are already doing this type of program and we would not have to invent it from scratch.

Councilman Spear stated the question on the agenda is if the Council should continue to work on going that direction or drop it at this time.

Councilman Alworth moved to move forward with researching the feasibility of mandatory trash pickup. Councilwoman Williams-Harper seconded the motion. The motion carried unanimously.

2. Board Members – City Clerk Lee– Discussion/For Possible Action – Approval to remove past due utility fee penalties up to the amount of \$590.72 from 30 Avenue B, McGill, Nevada at the request of tenant/prospective buyer, James Stroud; property owner Sheryl Parmley is deceased.

Councilman Carson stated the Municipal Utilities Board recommended approval this morning on this item.

Councilman Spear stated this is one of those conditions that I agree this should happen.

Councilman Carson moved to approve the removal of past due utility fee penalties up to the amount of \$590.72 from 30 Avenue B, McGill Nevada. Councilman Alworth seconded the motion. The motion carried unanimously.

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

A. CONSENT AGENDA

MOTION: Move to approve the Consent Agenda item 8A-1 Minutes and 8A-2 Bills.

Councilman Alworth disclosed I was a past member of the Volunteer Fire Department, and I will abstain from voting on any bills that were paid in supply of the Fire Department and the Volunteers.

Moved by: Councilman Carson Second by: Councilman Flangas Vote: Unanimous with abstention from Councilman Alworth on bills related to Fire Department and the Volunteers.

1. Discussion/For Possible Action –Minutes.
 - September 9, 2021
2. Discussion/For Possible Action –Bills.
 - September 27, 2021
 - October 7, 2021

B. NEW BUSINESS

1. Mayor Robertson – Rural Nevada Development Corporation (RNDC) CEO Mary Kerner – Discussion/For Possible Action – Approval of Proclamation declaring October 23-31 as Red Ribbon Week in the City of Ely.

City Administrative Assistant read the following Proclamation into the record:



Proclamation City of Ely

Whereas, Alcohol and drug abuse in this nation has reached epidemic stages; and

Whereas, it is imperative that visible, unified prevention education efforts by community members be launched to eliminate the demand for drugs; and

Whereas, working collaboratively represents a key opportunity for communities to create significant, sustainable improvements in health and equity outcomes; and

Whereas, the National Red Ribbon Campaign offers citizens the opportunity to demonstrate their commitment to drug-free lifestyles (no use of illegal drugs, no illegal use of legal drugs); and

Whereas, The National Red Ribbon Campaign will be celebrated in every community in America during Red Ribbon Week, October 23-31; and

Whereas, business, government, parents, law enforcement, media, medical institutions, religious institutions, schools, senior citizens, service organization, and youth will demonstrate their commitment to healthy, drug-free lifestyles by wearing and displaying red ribbons during this week-long campaign; and

Now Therefore, Be It Resolved the City of Ely, does hereby proclaim the week of October 25th 2021 as RED RIBBON WEEK, and encourages its citizens to participate in drug prevention education activities, not only during Red Ribbon Week, but all year long, making a visible statement that we are strongly committed to a drug free community.

Dated this _____ day of October, 2021

By: _____
Mayor

With a quorum present of the Ely City Council and voting this _____ day of October, 2021.

Councilman Spear moved to approve the Proclamation declaring October 23-31 as Red Ribbon Week in the City of Ely. Councilwoman Williams-Harper seconded the motion. The motion carried unanimously.

Mary Kerner clarified that the item was represented by the Ely Elks Lodge and not Rural Nevada Development Corporation (RNDC).

2. Mayor Robertson – Discussion/For Possible Action – Appointment of Municipal Utilities Board member with term through December 31, 2023; Nominee for seat: Gregory D. Rivero.

Mayor Robertson stated Greg has been involved in surveying in our local community in various construction and utility projects. We are still looking for one more position on the Municipal Utilities Board, but I think Greg will be a great addition.

Gregory Rivero stated I would just like to do my part.

Councilwoman Williams-Harper stated I don't know what we would have done without Greg during the build of the Charter School. Greg has an amazing personality and has sound advice.

Councilman Spear moved to confirm the appointment of Gregory D. Rivero to the Municipal Utilities Board with a term through December 31, 2023. Councilman Flangas seconded the motion. The motion carried unanimously.

3. Mayor Robertson – Discussion Only – Interview of candidates for City Building Official position; the applicants are Allen Becker and John Baker.

City Treasurer-HR Director Trask stated the Mayor will ask the candidates questions and follow-up to the response can be made by other Council Members.

Allen Becker: My Name is Allen Becker from the City of Henderson and I am applying for the Building Official Position. I have worked for the City of Henderson for twenty-three years and prior to that I worked for the City of Las Vegas. I am certified in building plans examination, code enforcement, and building inspection. I have nineteen certifications and am well qualified

What attracted you to this position with the City of Ely?

My wife and I were looking for our forever home between Arizona, Utah, and here. We have been coming to Ely for twenty years; bringing our kids to the KOA. I hunt and fish and get tags for this area. I make four or five trips to Ely a year and the beginning of this year we bought land at Blue Diamond Estates. We are ready to start building, but I didn't want to build unless I was going to be a permanent resident. When this position opened, timing was everything and now is our chance to come to Ely. We love it here and want to spend the rest of our lives here.

What were the responsibilities of your last or current position?

My current position is a Combination Plans Examiner, so I do plan examinations on anything residential and commercial. I do anything from trash enclosures and swimming pools up to commercial buildings. Prior to that I worked in code enforcement when we had a reduction in force. I also worked in building inspections for twenty-five years between the City of Henderson and Las Vegas as a Combination Inspector. We inspected everything including houses, swimming pools, hospitals, and high-rise buildings. My background is in construction. I started out as an electrician; served my apprenticeship in IBW and am a licensed journeyman plumber. Construction has been my business throughout my life.

This position requires working with the public. Please explain how you deal with the public when it comes to the City's adopted building codes when they might not agree?

I look to find a way to solve a problem. I am not here to create problems, and not here to make problems worse. I want to work together and solve problems. When I get those phone calls we try to go through and understand the codes and the interpretation and intent of the code. I'm not here to stop them from building or tell them they can't do anything. The code is open to a lot of methods and materials and we want to find a way

to make it work. We have people that are investing a lot of money to build these projects and it is good business to work with people.

This position requires traveling within the greater White Pine County area. Are you comfortable with that kind of travel?

I have spent many miles driving and my driving record is clean, so I have no problem driving.

Do you feel you can fill both roles as the Inspector and the Official?

Yes, I do believe I can. The Building Inspector is another arm of the Building Official when you get to some job sites. You are trying to solve problems and not create something that will go to the Building Official and they have to make the call. You want to be able to solve it within the intent of the code.

Why are you leaving your current position?

I am the most tenured person in my department, but my wife and I love it here and want to live here. Our City we currently live in is the second largest in Nevada and it's busy and takes thirty to forty minutes to get 12 miles. I love the view of the mountains every morning and this is where I want to be.

Do you have any questions for the Council or myself?

No, I have already talked to Janette and several people that I have met along the way and all my questions have been answered.

Councilman Spear stated you were here earlier when a resident came forward with a unique situation on a project they are working on. If you were the Building Inspector and could not be in town or available for that inspection because of the timeline would you agree to having them take photos, or would they have to stall the project?

Allen Becker stated in our jurisdiction where I am at now, we prefer to do a video conference. We do have virtual inspections due to hazards of roof tops and such. If that is not available depending on background, we do accept pictures. Again, it is one of those things you must work together on. In cases we cannot provide that service we have to go with our good judgment. We verify the address, location, and the work being done and that is the next best thing to being there in person.

John Baker:

What attracted you to this position with the City of Ely?

What attracted me to the Building Inspector/Official position is leaving the State of California. I have lived here too long, and it feels like it is getting more crowded every day.

What were the responsibilities of your last or current position?

I am currently a Building Inspector and do plan checks. I work closely with the Building Official in the jurisdiction I am working in right now. Our jobs coincide with each other when it comes to the plans whether it be residential or commercial.

This position requires working with the public. Please explain how you deal with the public when it comes to the City's adopted building codes when they might not agree?

I have been a General Contractor since 1992 and bring my knowledge and experience to the table from the field. I have knowledge of the codes from working with different jurisdictions. When there is a disagreement, I can share knowledge from both sides of the fence by seeing the builder's point of view and letting them know what I need to do. I refer to this as "moving the bus along." The whole idea is to form a relationship with whoever I am working with. The people I am working with now I am not there to be the

Building Inspector but to help them “move their bus along” and get projects accomplished whether it be a commercial or residential.

This position requires traveling within the greater White Pine County area. Are you comfortable with that kind of travel?

I drive my car everyday doing inspections, so it will not be a problem.

Mayor Robertson stated I assume you have been to our area before?

John Baker stated I have not been to your area but have looked at it and the area looks very pleasing to me.

Do you feel you can fill both roles as the Inspector and the Official?

Yes, I can. I feel I can fill both roles based on my experience, knowledge, and the way I go about sharing my knowledge with the people around me and being open to hear others knowledge.

Why are you leaving your current position?

I still do have my position and they know that I might be leaving and are happy that I applied for this position. The reason I am leaving my current position is to get out of California.

Do you have any questions for the Council or myself?

I do not have any questions. What I see on my computer is that it is a small town with a smaller population, which is fine with me. It gives me a possibility to slow down a bit and enjoy the people around me which you are not able to do in a fast pace area like this.

Councilman Spear stated I would like to pose the same question I asked the other candidate. Earlier when a resident came forward with a unique situation on a project they are working on. If you were the Building Inspector and could not be in town or available for that inspection because of the timeline would you agree to having them take photos or would they have to stall the project?

John Baker stated my idea on that project is if I had been the inspector all the way up to that point and built a relationship with the contractor and know his work, I would accept video or pictures.

Councilman Alworth asked how current are your ICC Certifications?

John Baker stated my ICC Certifications went inactive and I am currently working on them right now. I need 1.5 more CEU's to activate them. The reason they went inactive is California shut down all CALBO and the contract company I work for stopped going to CALBO. I have been diligently working on them and have no problem getting them reactivated in the next week.

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

Mayor Robertson stated I would like to note a couple of things. This City position is a little bit different than the others in that the Mayor does not make an appointment. The individual works directly under the motion and acceptance of the Council. There was another candidate that applied but would have to be interviewed at the next meeting. I am very pleased with the quality of the applicants we got in this first round.

Councilman Alworth asked was there a deadline the additional applicant was supposed to meet when it was posted?

City Treasurer-HR Director Trask stated we have been posting openings “open until filled.” I have talked to this applicant through email. He was camping and was out of cell service to be able to send it in.

Mayor Robertson stated housing is always an issue with our applicants and to have somebody that is already a property owner in the area, knows the area, and knows the housing issue in the area is a bonus. Not to take anything away from the qualifications of the other candidate, but the Council is aware we have offered the job once or twice before, and the candidate has not been able to find housing.

Councilman Spear stated last round we had some qualified applicants that chose to not take the position. I am really pleased with what I see here tonight. I would be ready to move forward tonight.

Mayor Robertson stated I would recommend that if the Council likes one of these two candidates that we do move forward based on the time constraints we are under.

Councilman Alworth stated I think a question that should have been asked and wasn't was when can they start?

Allen Becker stated I put on my application I could start within two to four weeks. I have to do due diligence in my other jurisdiction, and I need to find a place to live as I don't have a house on my property yet. I would like to start as soon as I could because I know you are in a bind. There is nothing holding me there, but I do need to give proper notice.

Councilman Alworth stated you mentioned you stayed at KOA Campground. Do you have a camp trailer?

Allen Becker stated no, I am in one of the new lodges.

Mayor Robertson stated the same question for Mr. Baker.

John Baker stated I could start in thirty days to give the jurisdiction I am working for time to get another building inspector.

Mayor Robertson stated the salary range in the code is between \$50,000.00 and \$80,000.00.

Councilman Alworth asked the Treasurer what will your budget handle?

City Treasurer-HR Director Trask stated the previous Building Official was at \$50,000.00 annually and Brad Christiansen was just under \$80,000.00 annually.

Councilman Alworth stated I would throw out there \$75,000.00 annual salary.

Mayor Robertson stated Mr. Becker would you be willing to accept the position for \$75,000.00 annually plus benefits?

Allen Becker stated I would. I do have one more request that I forgot to ask about earlier. If you look at my resume you will notice that I sit on the Board of Director for International Association of Plumbers and Mechanical Officials (IAPMO) which write the uniform plumbing codes and uniform mechanical codes which we are currently adopting. My commitment with the Board since we oversee all our operations in the world is there are times, I would need time off. I talked to HR and possibly will need to take about five weeks a year to meet my obligations; I would be willing to take those without pay. There is traveling involved, but the IAPMO covers that. I do have the dates as they are put out several years in advance. They are in November, January, July, September, and then in November again and there would be five meetings on the code cycle years.

Councilman Alworth stated during the winter it is slower here and I like your idea on the question Councilman Spear asked you about if you were not here or available accepting video or pictures for inspections. I don't see a problem with you being gone for these meetings. It's important that you remain on that as you worked hard to get there.

Allen Becker stated it is important to me. It took me sixteen years to get on the Board of Directors.

Councilman Alworth moved to appoint Allen Becker to the position of City Building Official with an annual salary of \$75,000.00 plus benefits. Councilman Spear seconded the motion. The motion carried unanimously.

Councilman Alworth stated I would like to thank Mr. Baker for applying.

5. Councilman Spear – Councilman Alworth – Discussion Only – Update from PORTER Group representatives regarding their efforts on behalf of the City of Ely.

Councilman Spear stated I would like to introduce Congressman Porter with the PORTER Group. We met with him on Monday and it was a great meeting.

Mayor Robertson stated Congressman Porter has served the State of Nevada in a variety of capacities and he has been working with us since we have hired the PORTER Group and has been a great asset.

Congressman John Porter stated as you know we have had a tragic loss on our team. General Herbert served with dignity, respect, and thoughtfulness over twenty plus years. There was probably not a project when he worked with Senator Reid and the PORTER Group that he did not touch. I have spent a lot of time in Ely with my family and when we talk about the families in Ely it is with great passion and great respect. The PORTER team consists of ten members that are bipartisan. Our job is to make it work no matter if there is a Democrat or Republican in office, we know it is cyclical and things change. It looks like from an environmental perspective that Republicans may take control of the House of Representatives, know that we are conscious of that and we work very closely with Nevada Delegation. Nevada does have a small delegation and so we reach out to national leaders on your behalf all over the country. One other thing is you have met Cameron Gresh who is a rockstar on our team. Cameron is a Nevadan and a graduate of the University of Reno. Some of you may have met Racheal and she is on the phone as well. Racheal adds to our team of knowledge and to our compassion. All of us at the PORTER Group work on all projects collectively and most of us are Nevada grown and influenced. We work closely with the League of Cities and we are going to see some changes with the League of Cities next year. I am as conservative as can be, but when we saw the advent of earmarks coming back, I am pleased to say with your direction from the Council that we have been very active on your behalf. Senator Cortez-Masto and Senator Rosen have submitted under the community-based project requests for the lower east Ely water line upgrade project for about \$3 million, Central Ely Sewer Upgrade Project for approximately \$3 million, and the Downtown Upgrade Project for \$26 million. On behalf of General Herbert and Cameron they have told me how well B.J. has done with the Nevada Delegation. We have had staff from the Senator's office say Mr. Almberg has given one of the better presentations and they believe in your projects and that is kudos to your staff and Council. We are looking forward to the next stages of the appropriation bill passing hopefully in the next few weeks. We are looking for childcare funding under the American Rescue Plan Act as a top priority for us from now and moving into next year, and also to work with the Economic Development Administration (EDA). We know that this is an evolving process and you are at the table right now with the top leaders in Nevada that represent us in Washington D.C. I will always think highly of your community and everyone that lives there and look forward to coming there soon.

Mayor Robertson the work that has been done on the earmarks has really been great. Councilman Spear, Councilman Alworth and B.J. along with our engineering department have put in a great amount of work on those. For the interest of making sure we are utilizing you guys to the fullest extent, is there something your office can do to help us

access the American Rescue Plan Act (ARPA) funding from the State and making sure we get our share of that spent here in our community?

Congressman Porter stated we are happy to help you in any way we can whether that is in the federal government or State government.

Mayor Robertson stated I think it would be advantageous to reach out and start working with some State Officials. If the PORTER Group has some connections at the State level; we have lost our best connection in Kate Marshall and I will take some blame for that. Kate was so easy to contact that I didn't bother reaching out to anyone else.

Congressman Porter stated all government loops around whether it is local, State, or in Washington D.C. and we are happy to help make those connections.

6. Councilman Alworth – Discussion/For Possible Action – Direct City Police Chief to conduct a traffic study regarding possible future removal of two STOP signs that are placed on North Street at the intersection of Ogden and North Street and to provide the results of that traffic study to the City Engineer in order for both officials to make recommendations at the City Council meeting following completion, pursuant to City Code 6-3-2(B).

Sherriff Henriod stated I just want to clarify are you looking for the traffic on North street or on Ogden?

Councilman Alworth stated the traffic on North Street.

Councilman Alworth moved to direct City Police Chief to conduct a traffic study regarding possible future removal of two STOP signs that are placed on North Street at the intersection of Ogden and North Street and to provide the results of that traffic study to the City Engineer in order for both officials to make recommendations at the City Council meeting following completion, pursuant to City Code 6-3-2(B). Councilman Carson seconded the motion. The motion carried unanimously.

7. Council Members – City Treasurer Trask – Discussion/For Possible Action – Approve Budget Committee's recommendation of the American Rescue Plan expenditures, to include, modify or exclude the following: Ely Fire Department COVID Supplies Request in the amount of \$331,571.00; Ely Fire Department Volunteer EMS Training Conference for five volunteers in the amount of \$6,580.80; *Sentinel One* Anti-Virus software in the amount of \$5.00 per computer monthly, approximately \$1,500 annually; and hiring of *Hinton Burdick CPAs & Advisors* at a consultation rate up to \$250.00 hourly or a retainer to be determined for advisement on American Rescue Plan expenditures and reporting.

Mayor Robertson stated these are items that came before the Budget Committee. They vetted them and put them on the agenda for the Council's approval, recommendation or changes.

Councilman Alworth stated I would like to disclose that I was a past member of the Volunteer Fire Department. I have some questions for the City Treasurer and the City Fire Chief on this. I believe the questions that I am asking are not only to satisfy my own curiosity but possibly help the citizens of the City of Ely. I have talked to the City Attorney on whether I should vote on these items. On the EMS Training it says it is for six Volunteers and it is true that your paid staff are on the Volunteer list, correct?

City Fire Chief Stork stated yes, they are on the roster.

Councilman Alworth stated the fire training that I used to attend was hands on and slide show trainings. The EMS training could benefit their position, correct?

City Fire Chief Stork stated yes, the people signed up for this course is all Volunteers and none of the career staff.

Councilman Alworth stated on the COVID supply request list, the Stryker Power Load for \$46,621.00; the quote is for two, but the quantity is one.

City Fire Chief Stork stated that is an error on my part the quote reflects two Stryker Power Loads and two gurneys, the front sheet has the typo. The current equipment we have was put in six to seven years ago and is completely out of warranty and the ambulance owned by White Pine County also has older equipment. The newer equipment has the bariatric equipment that will lift up to a seven-hundred-pound patient. Rescue Six is owned by the County but by contract the City is responsible for all the equipment within. There is no installation charge as we can install them ourselves as the wiring and everything is built in.

Councilman Alworth asked what is Mobile RIMS Communication System?

City Fire Chief Stork stated I want to get a couple more quotes for the Mobile RIMS Communication System that are updated. If you would like to table this item until I am able to get those accurate quotes, that would be fine. This system will have updated information from the Sheriff's Office and come up on the screen instead of going across radios and everyone with scanners being able to hear sensitive information. We could go with three at this time and make sure it is going to work properly before the purchase of all six.

Councilman Spear stated this is something I am really in favor of as well as childcare and foodbanks. I think it should be tabled for a couple weeks to provide more accurate numbers.

City Fire Chief Stork stated I am ok with that. I was told to come with a wish list that could better our department. I have thought of things that would be cost prohibitive for us to do and not have ongoing expenses that we have to try and budget in the General Fund.

Councilman Alworth asked on the quote that you are going to get an update on that is dated April 23, 2019. Why hasn't the Fire Department been trying to budget this in?

City Fire Chief Stork stated at a total price of \$50,000.00 I am not going to fit that into my regular budget with all the cuts we got and the things we are doing going forward. It is just not something that is realistic to put in the General Fund Budget.

Councilman Alworth stated it would not be the General Fund it would be the Capital Fund.

City Fire Chief Stork stated last year we had a truck budgeted out of the Capital Fund and for this year I went with the \$60,000.00 in extrication equipment.

Councilman Alworth asked for clarification on the quote for twenty-five Mission Dual-Certified pants and coats.

City Fire Chief Stork stated those are for extrication.

Councilman Alworth stated after thirty-six years in the department when we would go on a wreck you were lucky if there were six guys on scene. I would make the recommendation to go with three of each. I know it is only about \$18,000.00, but I think you are going to have those sitting around and nobody is going to wear them. I would also like clarification on The Harris Radio Replacement Communications for approximately \$22,000.00.

City Fire Chief Stork stated those are handheld radios. The State is revamping all of their 800-megahertz system and right now there is no more room on their system to add anymore radios. We are having to call on our cell phones because the radios are not functioning. These will be mobile 800-megahertz handheld radios that are updated and are dual band so we can talk with the Sheriff's office and the hospital if needed because they are two different radio transmissions.

Councilman Alworth stated I agree with Councilman Spear as I would like to see harder prices before we vote on these items. I would like to have the HR Director explain to the Council the difference when a paid staff member versus a Volunteer go to a paid training. Why I question this, is if it is paid staff let's try to put that salary in this request. I am not questioning their integrity of going, but the financial expense.

City Treasurer-HR Director Trask stated according to the Fair Labor Standards Act (FLSA) Laws if a firefighter does any required training, they have to be paid. We are required to pay them for anything they do that lines up with their regular duties; they cannot be Volunteers if they are paid staff.

City Fire Chief Stork stated it is very specific that you cannot volunteer for an organization in which you draw a wage from in the same capacity. The paid staff can volunteer in other cities, but not within the one they are a paid staff in. If they want to go on trainings they have to come to me and I have to make sure it is in the budget because we are going to be paying overtime, the cost of the training, per diem, and the travel. I don't want to deter anyone from going to trainings they would like to go to, but if it's not in the budget and I am not requiring them to go then it is on them.

Mayor Robertson stated when you bring this item back, can I ask that you break out what is a one-time expense and what could be a reoccurring expense.

Councilwoman Williams-Harper stated Jim I appreciate your expertise and Pat I want you to know it is very exciting for me that we have an opportunity to outfit our Fire Department. We are in the middle of nowhere and you guys are in impossible situations sometimes. I am glad that we are able to provide most of these funds, if not all of these funds, to make sure our firemen and paramedics are safe in what they are doing and have the proper equipment to continue to save lives. I know time is of the essence as some of your supplies are two years out from receiving.

City Clerk Lee stated to clarify, we have to have the funds committed by the end of 2024, but do not have to have them all spent.

Councilman Spear stated I think we should move on the training tonight as the training is in November and that will give them time to register.

Mayor Robertson stated we have the EMS Volunteer Training, the anti-virus software for all city computers, and hiring of Hinton Burdick CPA's as advisors to run all of our questions through to make sure we have an extra set of eyes and make sure we are meeting the American Rescue Plan Act (ARPA) funding requirements. I think it is a good housekeeping item that was recommended by our Treasurer.

City Treasurer stated I recommend setting an amount for services by Hinton Burdick CPA's and if it is working out, we can always come back and ask for an additional amount.

Councilman Alworth stated we could start with up to \$5,000.00.

Councilman Spear stated I have an issue with this. This is a CPA Firm and Janette I want you to read me the second sentence in that correspondence.

City Treasurer-HR Director Trask read Depending on what the consultation needs are....

Councilman Spear stated, "what does that say, and these people are going to tell us how to spend our money?" You can't read that and make sense out of it.

Mayor Robertson stated let's not crucify someone over an email.

Councilman Spear stated I hope whoever wrote that to you is not doing the American Rescue Plan Act (ARPA) research.

City Treasurer-HR Director Trask stated I have confidence in McKay to do a good job.

Councilman Spear stated I don't have the confidence that you have. I have a question for the City Attorney. Can I vote yes on part and no on the CPA, or is it one motion?

Mayor Robertson stated there is a motion on the table, so I think you either have to vote for or against it.

Councilman Spear stated I am going to have to vote for it because I really feel strongly about the Volunteers, but I am not a bit happy with that piece of correspondence from the CPA.

Councilman Alworth moved to approve the Budget Committee's recommendation of the American Rescue Plan expenditures, to include the Ely Fire Department Volunteer EMS Training Conference for five volunteers in the amount of \$6,580.80; *Sentinel One* Anti-Virus software in the amount of \$5.00 per computer monthly, approximately \$1,500 annually; and hiring of *Hinton Burdick CPAs & Advisors* at a consultation rate up to \$250.00 hourly not to exceed a total of \$5,000.00 for advisement on American Rescue Plan expenditures and reporting. Councilman Carson seconded the motion. The motion carried unanimously.

8. Council Members – City Clerk Lee – Discussion/For Possible Action - Approval of contract between City of Ely and *Westnet Nevada, LLC, Inc.* for Wireless Area Network (WAN) Project to serve the City of Ely's facilities.

City Clerk Lee stated this contract has been updated to reflect the higher bandwidth that was requested by the Council when the Wireless Area Network Project was approved.

Geoverse Account Executive Wilson Navarrete stated I am here to answer any questions regarding the contract.

Councilman Alworth asked is the fiber running to the wastewater treatment plant included in this quote.

City Clerk Lee stated it is not. A quote was provided, and it is what Wilson stated in the meeting. It is \$100,000.00 which includes \$75,000.00 to get the cable out there and \$25,000.00 to do the spurs to each building. The Budget Committee looked at that quote, and they wanted more of a breakdown of exactly what was in that \$100,000.00.

Mayor Robertson stated there were some questions if that quote included patching the street and such.

City Clerk Lee stated Wilson's team is working on that.

Councilman Alworth moved to approve the contract between City of Ely and *Westnet Nevada, LLC, Inc.* for Wireless Area Network (WAN) Project to serve the City of Ely's facilities. Councilwoman Williams-Harper seconded the motion. The motion carried unanimously.

9. PUBLIC COMMENT

Teresa Ciciliano stated what brought me to this meeting today was the \$300,000.00 being spent for the Fire Department through COVID Relief Funds. I have not seen a hard number on how much White Pine County actually got. That is a lot of money and have you guys considered creating jobs out of it? I just heard you approve the Wireless Network and did that create any jobs for us here locally?

George Chachas stated ongoing concerns regarding RV permitting and requested a complete list of those that are permitted; selective enforcement; the lack of access to the west side of his hotel property on Great Basin Boulevard; ADA compliance on the Great Basin Boulevard Project; Building Department discrepancies; and nuisances around the community.

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

Councilman Alworth moved to adjourn the Regular meeting of the Ely City Council at **7:05 p.m.** Councilman Spear seconded the motion. The motion carried unanimously.



MAYOR


ATTEST