

CITY OF ELY

501 Mill Street Ely, Nevada 89301
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ELY CITY COUNCIL REGULAR MEETING

March 11, 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 5:02 P.M., Harry Rhea offered the invocation. 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

Members absent:

Councilwoman Beecher

City Officials and staff present in building or via zoom:

City Clerk Jennifer Lee
City Treasurer-HR Director Janette Trask
City Attorney Shain Manuele
City Administrative Assistant Patti Cobb
City Engineer BJ Almberg
Public Works Supervisor Mike Cracraft
City Fire Chief Pat Stork
City Police Chief Scott Henriod
City Building Official Lee Walker

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, Marietta Henry, Robert Herbert, Maureen Otzelberger, John Gianoli, Caroline McIntosh, Cameron Gresh, and Chris Stanko.

Ely City Council ATTENDANCE LIST

DATE: March 11, 2021

Print name below
George Chachas
Kyle Horvath
Bill Wolf
Mark Bassett
Lee Walker

Print name below

2. PUBLIC COMMENT

George Chachas stated agenda item 10B-6, Approval of Third Amendment to Development Agreement between the City of Ely and Nevada Northern Railway Foundation, Inc., needs to be denied until the Railroad is under the City of Ely’s oversight. They need to operate under the Nevada Open Meeting Law as they did originally. On Avenue A I am not seeing what the status is; is that City property or did the City install a utility on private Property? Mr. Chachas stated

ongoing concerns regarding the rumor at embezzlement of the Railroad; the whereabouts of the 490' 16-inch steel pipe from the Murry Street Project; public information request of the former code enforcement officer's log; curb/gutter codes not being enforced; and billing not being corrected to date for his properties.

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

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

4. CITY DEPARTMENT REPORTS

➤ **City Fire Chief**

City Fire Chief Stork stated interviews were conducted yesterday and tomorrow an offer will be made for the open position.

Council Alworth asked are the 25 volunteers included in the current staff?

City Fire Chief Stork stated they are included on the current staff listing and I am working on an additional report with the paramedic level calls that will clarify what level of care was given and not just interventions.

➤ **City Treasurer-HR Director**

City Treasurer-HR Director Trask stated I am working with Pool Pact on a policy regarding use of personal vehicles for work and because it is a policy, it will have to be brought in front of the City Council Board. I will be requesting a special meeting to possibly be held the end of next week. There are currently two open positions that are being advertised for and they are a Wastewater Treatment Plant Service Worker and a Utility Accounts Clerk.

➤ **Public Works Supervisor**

Public Works Supervisor Cracraft stated I have been talking with Terry Gust, John O'Flaherty, and Dave Huckabee; they are on the committee for the Vietnam Veterans Traveling Wall. It will be in Ely June 30, 2021 through the 4th of July weekend. The \$9,000.00 from the Tour and Rec Board for the bathrooms will be spent in the next week or so getting them up to Code and ready for the 4th of July weekend.

Councilman Alworth asked what are the plans for Parker Street and Stevens Street on fixing the roads?

Public Works Supervisor Cracraft stated from Ogden over to Orson, from North Street down, will be done with cold overlay with chip seal in late Spring.

Mayor Robertson asked on the Animal Control Report there were no citations issued for February?

Public Works Supervisor Cracraft stated he would have to check with Andrew but he did say that this time of year is slower and when the weather warms up those numbers increase.

➤ **City Water Operator**

Councilman Alworth asked about the concern of the blue chemical in the sewer pipe mentioned in the report and if there were any updates on that.

City Clerk Lee stated City Attorney Manuele sent two letters out to the companies that City Water Operator Naranjo referenced in his report and Public Supervisor Cracraft recommended that letters be sent to the larger entities in town that allow RV's to dump, so letters were also sent to them making them aware of the Code and illegal dumping.

➤ **City Engineer**

City Engineer Almborg stated I have been out of town for the last week and so I am getting caught up. The Murry Street and Aultman Street Projects are going well. The CDBG Exhibit is completed and to City Clerk Lee and will go on to CDBG.

➤ **City Building Official**

City Building Official Walker stated since my start date on March 1st I have been doing some inspections and checking on possible permit violations. There was a stop work order issued and that individual has come in for proper permitting and paid all penalties and is up and working again. I have purchased Residential Building Inspector B1 Study Guide from ICC Website and have been passing numerous quizzes and tests. This last week I took the timed examination on it, similar to the Building Inspector Exam and passed, so I'm hoping to take the actual test next week to get the Residential Building Inspector Certification. Today I shadowed former City Building Official Brad Christensen at the Justice Center.

Mayor Robertson passed the gavel to Councilman Alworth.

5. NNRV FOUNDATION REPORT

NNRV President Mark Basset reported the 2021 schedule is up and the first trains run this weekend. We are following State guidelines and planning on 50% capacity until we hear otherwise. Locomotive 81 is coming along quite nicely. We have been doing maintenance around the yard getting ready for the season. In February we did take a slight hit on our passenger load We carried 238 passengers which is a decrease of 74 passengers or 22%. The big news for February is the photo shoots that were well attended, and photos are included in the report.

Councilman Alworth passed the gavel back to Mayor Robertson.

6. REPORTS

➤ **CITY COUNCIL**

Councilman Alworth stated he saw an article from Reuters regarding the Poland's state-run mining company, KGHM, plans to sell its Robinson and Carlota copper mines in the United States and reinvest the proceeds in its domestic operations. I just wanted to put that information out there as we are dealing with the water situation with the mine and it is something that needs to be addressed.

➤ **MAYOR**

Mayor Robertson stated long time resident of our community. Louis Sandberg passed away this last week. Mr. Sandberg did a lot of charitable good work in the City of Ely helping with the Boy Scouts, and Cub Scouts; he will certainly be missed.

The Great Basin Heritage Area Grant that I put in for was funded for an extra \$20,000.00 for the masonry and window project on City Hall; this item will come before the City Council at the next meeting for acceptance.

To update where the committee for the Fire EMS Joint Agreement with White Pine County is at this time, the Committee has provided White Pine County a proposal and have yet to receive any counter proposal or any other request for information.

I did get a notification from the Polish Consulate regarding KGHM planning to sell its Robinson and Carlota copper mines in the United States and forwarded that to the general manager at the mine; she stated she was not aware they were for sale, so more information would be helpful.

Councilman Alworth stated I would like to follow up on that topic. In 1999 a similar event happened at a local mine and the workers got a phone call; they shut the gates without warning. I think getting more information to ease the worry on those that work for the mine would be beneficial.

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

1. Councilman Carson – City Tree Board Chairman Bill Wolf – Approval to Grant authority to Landfill Leadman to release clean wood chips deposited at the City Landfill to City of Ely Tree Board Members for beneficial community uses in perpetuity.

City Tree Board Chairman Bill Wolf stated there are companies that come into town as well as local companies that do tree trimming using a small chipper. The chips that are produced are easy to use for mulch around new plantings. We have asked if we can use those chips for projects around the community such as around trees at the golf course, trees at the old dog pound; they also make great bedding for down at the City Corrals and then make great compost when hauled out. There are a multitude of uses in the community rather than taking up space in the landfill, so I'm hoping to have the approval to use those.

Councilman Alworth asked are the wood chips are used to keep the weeds down and hold moisture in the ground?

City Tree Board Chairman Bill Wolf stated they can be used to suppress weed growth, help hold moisture in the ground, and they look nice in landscaped areas.

Councilman Carson stated this is a great idea. Thanks to City Tree Board Chairman Bill Wolf and the volunteers for coming up with this idea and putting it to good use as it is good for the community. This item came in front of the Municipal Utilities Board this morning and was recommended for approval.

Councilman Carson moved to approve granting authority to Landfill Leadman to release clean wood chips deposited at the City Landfill to City of Ely Tree Board Members for beneficial community uses in perpetuity. Councilman Alworth 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 \$1,089.03 from 60 North Fourth Street, McGill, Nevada at the request of the property owner, Steve Willis.

City Lee Clerk stated on February 28, 2021 Mr. Willis paid the total balance due for his landfill fees of \$1086.97 and he is requesting that the penalty be removed.

Councilman Carson stated the Municipal Utilities Board did recommend approval to remove the past due utility fee penalties at the meeting this morning.

Councilman Carson moved to approve the removal of past due utility fee penalties up to the amount of \$1,089.03 from 60 North Fourth Street, McGill, Nevada at the request of the property owner, Steve Willis. Councilman Alworth seconded the motion. The motion carried with 4 to 1, Councilman Spear voting Nay.

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

A. CONSENT AGENDA

MOTION: Move to approve the Consent Agenda with corrections item 10A-1 Minutes and 10A-2 Bills.

Moved by: Councilman Spear Second by: councilman Flangas Vote: Unanimous

1. Discussion/For Possible Action –Minutes.
 - February 3, 2021
 - February 11, 2021
 - February 18, 2021
2. Discussion/For Possible Action –Bills.
 - February 21, 2021
 - February 25, 2021

The following corrections were made to the February 3, 2021 minutes: Mr. Chachas property address from 745 Aultman to 570 Aultman. The following corrections were made to the February 11, 2021 minutes: On the City Engineer's report changing the year 2020 to 2021 regarding starting the construction projects, and also under George Chachas public comment changing Chuck Flangas to Gus Flangas.

7. THE MAYOR WILL RECESS THE REGULAR CITY COUNCIL MEETING FOR A PUBLIC HEARING AT 5:30 P.M. ON THE FOLLOWING TOPICS.

1. Councilman Flangas – Public Hearing - Discussion Only – Approval of Second Reading of Ordinance 741, Bill 2021-04, amending Chapter 2 of Title 8 entitled Public Ways and Property, Cemetery of the City Code of the City of Ely replacing chapter 2 in its entirety and specifically updating operating hours, use of vehicles, headstones, and decorations of gravesites.

George Chachas stated on section 8-2-6 A3 states any border encasing the grave site must be flush with the ground and that is not being adhered to. On section 8-2-6 G, is not adhering to its rules; trees are to be planted on the outer perimeter of the cemetery and benches are prohibited, yet there are two on the upper part of the cemetery along Campton Street. There is nothing in the Ordinance closing off the entrance on Aultman after given hours; the lower gate needs to be reinstalled as people do not need to be going through the Cemetery at night.

Mayor Robertson stated I believe those sections referenced by Mr. Chachas are new codes to these sections.

City Attorney Manuele stated yes, they are new additions that have been added.

8. DISCUSSION/POSSIBLE ACTION ITEMS PERTAINING TO THE PUBLIC HEARING.

1. Councilman Flangas – Discussion/For Possible Action – Approval of Second Reading of Ordinance 741, Bill 2021-04, amending Chapter 2 of Title 8 entitled Public Ways and Property, Cemetery of the City Code of the City of Ely replacing chapter 2 in its entirety and specifically updating operating hours, use of vehicles, headstones, and decorations of gravesites.

Councilman Flangas moved to approve the second reading of Ordinance 741, Bill 2021-

4. Councilman Alworth seconded the motion. The motion carried unanimously.

B. NEW BUSINESS

1. Mayor Robertson – Councilman Alworth – Discussion/For Possible Action – Acceptance of PORTER Government and Business Solutions’ proposal to promote City of Ely interests in the United States Congress and Nevada Legislature for a monthly cost of \$4000.00 with March 15, 2021 – March 31, 2021 fee to be prorated.

Mayor Robertson stated there are members from the PORTER Group on Zoom to answer any questions tonight and the proposal is included in the agenda. Councilman Alworth has been working on the details of this, but it may be new information to some of the Council Members.

Councilman Alworth stated with our current administration in Washington our Country is in dire straits and we need to get things up and moving. I believe now it is so important to have people walking up and down the halls of the Capitol talking and meeting with Congressmen and Senators to discuss and push our wishes and hopes for our community. The last time we called it earmark support, back in former Senator Harry Reid’s days. The City of Fallon hired the PORTER Group and they benefited in the millions of dollars. I have personally talked with Mayor Tedford from Fallon and he strongly supports this group especially during this time to boost the economy. The PORTER Group has helped the Railroad and many other entities. It is a lot of money at \$4,000.00 a month but the offset could be unbelievable and we need to have this push right now with a voice for the City of Ely in Washington.

Mayor Robertson stated I support what Councilman Alworth said as there is money coming out and we want to get the share we can for our community. It appears the PORTER Group has gotten good results in the past by what they have provided and Councilman Alworth's research. I would also like to point out the terms; it is for one year, but can be cancelled upon a 30-day notice if that is something the Council chooses.

Councilman Alworth asked a member from the PORTER Group how often would the Council receive updates?

Robert Herbert with the PORTER Group stated there will be weekly update calls with the City of Ely to keep up on everything going on as it is very busy at this time. There will also be a monthly report sent to the City with all the work the PORTER Group has been doing in Washington on behalf of the City.

General Robert Herbert (Ret.) stated the President signed the American Rescue Plan today and the funds will be released immediately; that is something we need to get focused on and funneled to the City. There is a return of earmarks which we need to get to work to submit any kind of requests to work with the delegation. We would put together the applications for the earmark and submit those. We would then set up a Zoom meeting with the staff or members of Congress. In this case it would be Congressman Horsford and our two Senators. The other thing I would like to highlight since you have received our proposal is that we have a grant writer. In small communities this can be helpful to help write or fine tune any grants that are available and be as successful as possible. If you decide to bring us on board, we will be in Ely after COVID-19 restrictions lift to visit and look at what we can do personally to be able to bring those things back to Washington.

Councilman Alworth stated the PORTER Group members are Nevadans and they have our back and want to see us prosper.

Councilman Spear asked where are we going to get the \$48,000.00 annually?

City Treasurer Trask stated it would be budgeted in next year's budget and if we start this year, it would be a four-way split between the general fund and the three enterprise funds.

Councilman Spear asked isn't this considered lobbying?

City Treasurer Trask stated yes, it is. This year it would be an augmentation in the budget and identified as lobbying expense when submitted to the State. If the State does not approve it, it will have to start at the beginning of the new fiscal year. There is a specific page to give the State when submitting the budget.

Mayor Robertson stated in my opinion, the return of investment for that amount of expense to get some of our infrastructure projects funded. Principally getting the rest of the NDOT funding to finish off our downtown and the rest of the State project is a big benefit to the community, in addition to other things that you could identify as a Council.

Councilman Flangas stated he agrees with getting national attention and national funds, but I look at our community seeing Mainstreet America here for the last two years and have not seen anything being accomplished. The legislature right now is pushing this concept of community development. I am wondering spending \$4,000.00 a month what we could do with that money instead. If we can afford it, I am in support of it to get representation in Carson City and Washington.

Councilman Alworth stated in the late 1990's, the City was a recipient of a lot of this pork money. The City of Ely sewer plant put in the ponds and the fire station put in the solar panels for electricity and it didn't cost the taxpayers anything. The funding is out there and if Robinson Mine were to shut down what would that do to our tax base in this

community? Here is a chance that we can get money to finish the downtown street project. It is federal money telling the State you have got to finish this project instead of us. In Washington is where the money is getting handed out and that is where we need representation.

Mayor Robertson stated even if we spend \$50,000.00 and get \$500,000.00 back in projects to our community, you have spent 10% for a half million dollars and hopefully there is a lot more than that.

Councilman Flangas stated a while back we cut employees' wages and have not paid them back, and now we are spending this kind of money for something else. I am more interested in working in this community and hoping we can be successful with getting something done. If this is going to help, I am in favor of it.

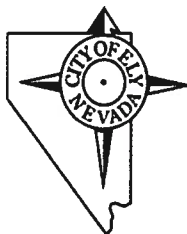
Councilman Alworth moved to contract with PORTER Government and Business Solutions to promote City of Ely interests in the United States congress and Nevada Legislature for a monthly cost of \$4,000.00 with March 15 - March 31, 2021 fee to be prorated, noting there is a 30 day out clause. Councilman Carson seconded the motion. The motion carried unanimously.

Councilman Alworth volunteered to sit in on the weekly calls.

2. Councilman Alworth – Discussion/For Possible Action – Review and possible approval of the City of Ely's list of prioritized interests to submit to PORTER Government and Business Solutions.

Councilman Alworth stated the list (appears below) was discussed with City Clerk Lee and input from City Engineer Almborg.

City Council Approved 3-11-2021



CITY OF ELY

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City of Ely Prioritized Interests Requiring Funding

1. Full Completion of NDOT Ely Rehabilitation Project which includes broadband fiber installation downtown.
2. SNPLMA Round 19: Broadbent Park Redesign
3. Water and Sewer infrastructure projects recommended by the 2010 Regional Water and Sewer Preliminary Engineering Report for White Pine County.

Councilman Spear asked regarding the water and sewer infrastructure is there a possibility of getting the runoff water rerouted to be a solution for the golf course? I believe the water and sewer infrastructure needs to be higher on the list of priorities.

City Engineer Almborg stated I have had conversations about what to do with the runoff water. It goes to the lessee at the Georgetown Ranch. The Preliminary Engineering Report (PER) is about \$30 million in projects and in the last ten years there have been projects done, but there's still a lot to complete.

Councilman Carson moved to approve the City of Ely’s list of prioritized interests to submit to PORTER Government and Business Solutions. Councilman Spear seconded the motion. The motion carried unanimously.

3. Councilman Alworth – White Pine County Tourism Director Kyle Horvath – Discussion/For Possible Action – Approval of support letters for Forest Service – Ely District proposal for the Ward Mountain Trail System Expansion.

White Pine County Tourism Director Kyle Horvath stated the Ward Mountain Trail System is the trail system that includes Ice Plant Canyon all the way up to the campgrounds and links directly into downtown. The Trail System is used for events such as Fears, Tears, and Beers; Ely Outdoor Enthusiasts events; and by the local Middle and High School mountain bike teams. It has great benefits to the local community in addition to being one of our main trail systems for mountain biking as a tourism asset. A great video by Beta MTB was released today and went out nationally promoting the trail system in Ely. This Ward Mountain Trail Expansion Proposal started ten years ago with Great Basin Trails Alliance working with the Forest Service to develop a 30 to 50-mile expansion plan. The proposal was submitted in round 17 and round 18 of SNPLMA and was not recommended for funding. This is a major economic development project as trails bring in massive benefits to communities both financially and physically. This is a community that appreciates its recreation and outdoors. We have a 45 day public comment period before the BLM and Department of Interior make their final recommendations and what I am asking for is a letter of support from the City of Ely recognizing this trail system is directly related to the success of downtown Ely. This trail system would not only cause excitement outside and inside of the community, but bring people right to the downtown businesses.

Councilman Carson moved to approve letters of support for the Forest Service – Ely District proposal for the Ward Mountain Trail System Expansion. Councilman Alworth seconded the motion. The motion carried unanimously.

4. Councilman Alworth – White Pine County Tourism Director Kyle Horvath – Discussion/For Possible Action – Approval of support letter for Trail Alliance Building Course to be located in White Pine County, Nevada.

White Pine County Tourism Director Kyle Horvath stated the Ward Mountain Trail Expansion is part of what facilitated this idea. The 20 miles of trail expansion that the International Mountain Bike Association is working on at Garnet Hill is part of another project and is part of this trail expansion plan as well. Our goal is to have 100 miles of single track that would be suitable for hiking, mountain biking, and horseback riding and all be accessible from downtown Ely. The problem is we don’t have enough people moving dirt to build these trails that are being improved in my lifetime, so a lot of these proposals include hiring trail crews. There are about five trail crews in the State of Nevada that are licensed to build these trails. Ely is not the only community putting their efforts into expanding their outdoor recreation trying to support their economy. All these trail crews are backlogged for projects around the State. What this trail building university is addressing is what communities across the country are dealing with and that is a lack of qualified trail builders to hire. We want to develop a regionally significant trail building university out of Ely, Nevada where our mountains are the classroom for people from all over the West to come and learn to properly build trails and get their Sawyer Certifications, heavy machinery operator’s license, wilderness first aid and first responder certifications which puts Ely in the center of making people’s lives better and giving them career development choices. We are not the first ones to think about this; there is a school in Colorado and Bentonville Arkansas. We have support letters from trail crews in Utah, California, and throughout Nevada saying if there were graduates of this program, they would hire them right now at \$20.00 an hour and still need more

people. With Great Basin College focusing on workforce development this would be another work force development, program that would bring people to Ely. We are asking the City of Ely to write a letter of support to the Economic Development Association (EDA), which is who we are applying for this grant from, to help us plan and develop this course and convince them to approve it.

Councilman Alworth moved to approve support letters for Forest Service-Ely District proposal for the Ward Mountain Trail System Expansion. Councilman Carson seconded the motion. The motion carried unanimously.

5. Councilman Alworth – Discussion/For Possible Action – Six-month Performance Evaluation of City Fire Chief Pat Stork including, but not limited to consideration of character, alleged misconduct, professional competence, or physical or mental health. Possible action includes, but is not limited to, termination, suspension, demotion, reduction in pay, reprimand, promotion, endorsement, engagement, retention, or “no action.”

City Attorney Manuele stated I received questions whether this should be an open or closed session. In Section 8.03 in the Open Meeting Law Manual, it indicates when closed sessions may not be held; it is for these exact situations. This is a six-month review and it is for an appointed public officer. In discussing his ability to serve as an appointed public officer, those are held open. If we were to get into anything outside of his job description those sessions would be closed, so we will keep this within his job description and his service as an appointed official.

Councilman Alworth disclosed I am a past thirty-six-year member of the Ely Volunteer Fire Department. I have gone on hundreds of calls with City Fire Chief Stork and I am still a licensed EMT for the State of Nevada. I think I can conduct this review with no bias.

Councilman Carson disclosed I have been good friends with City Fire Chief Stork for the last twenty years, but do not feel like it will have an effect on my decision.

Councilman Alworth stated this is the first time we have had a Council appointed Fire Chief. It goes back to June of 2019 when the Mayor noticed we didn't even have a job description for this position. The volunteers basically hired the Fire Chief for the City of Ely for over one hundred years. That is how the process started to create a job description with input from individuals. The current Fire Chief at that time became ill and Pat Stork filled that position for four and a half months. On August 13, 2020 we interviewed Pat. Prior to that, we had a closed session with a list of questions on the operation of the Fire department and the volunteers which was well attended, trying to get input for the job description. There was a gamut of items that we wanted Fire Chief Stork to work on such as policies and procedures and plans for supporting the Volunteer Fire Department. Pat has been working on these items and that is what this review is for to evaluate the progress on the items listed in the job description. When we offered Fire Chief Stork the job, the pay range was \$55,000.00-\$85,000.00 and we offered \$80,000.00 and he agreed with a six-month review. The things I wanted to follow-up on was the EMS billing and it is good; I have checked with the Treasurer and unfortunately, 35% is usually what we get back. The other area of the billing was the motor vehicle accident billing and I have talked with City Fire Chief Stork and will let him elaborate on that.

City Fire Chief Stork stated what happened when we did the motor vehicle accident billings was the billing company had some confusion with the way things were done. We have since gotten back with the billing company and have been keeping Councilman Alworth in the loop of what has been going on with that conversation. The billing company just resubmitted all these claims and during this transition, there was a backlog of payments that needed to go to the collection agency. In the past month we have turned approximately \$66,000.00 over to the collection agency and hopefully we can start recouping some of that. I do have some information I need to get with the attorney on. The billing company did recommend adding in to our language on the bottom of our tablet when people are signing that shows all the services being rendered that should they

not pay the bill and end up going to collections, there will be a 30% fee added on their bill; this is what the collections agency charge, so that we can recoup our revenue.

Councilman Alworth stated during City Fire Chief Stork's term, we have started a contract with the County on the EMS program and we have our first female firefighter, which is a milestone, and working out well. We have people wanting to apply for the open jobs. The Volunteers need to become more active in the department. There are 19 Volunteers; back in our era we had a waiting list. The Volunteers need to take the lead in recruitment.

City Fire Chief Stork stated there have been discussions on this and recently we got a new member; he is a gentleman that works at the mine from Poland that was on a mine rescue there and he has been active in participating in training. The volunteerism is down, but we will continue to keep reaching out.

Councilman Alworth stated City Fire Chief Stork has not missed a call during his term which is important. What do you feel is the long term forecast for our Volunteer Fire Department? We have eight career people. 3 travelers and the rest are in town. We need the volunteers to keep a strong Volunteer Fire Department and have well attended trainings.

City Fire Chief Stork stated attendance is getting better, but I did send a schedule to County Fire Chief North because I don't think all the information is getting out to the departments. We do have a training schedule put together from now through the last week of June. I typed up the schedule of trainings and sent it to Brett and asked him to get it out to the other departments. I am hoping with warmer weather and outdoor trainings we will get better attendance.

Councilman Spear stated I have been really impressed with the work Fire Chief Stork has done and is doing. When the Volunteers were asked about the job being done by Fire Chief Stork, they all gave good reviews. I love the report you provide and thank you for doing a good job.

Councilman Carson stated you are doing a great job and thanks for moving the Ely Volunteer Fire Department in a positive direction.

Mayor Robertson stated cultural change in a department is a hard thing and you have tackled it head on. It's going to take some time, but we appreciate the effort and I think the Council is well pleased with the results so far.

City Treasurer-HR Director Trask stated Fire Chief Stork is very conscious of his budget and staying within the budget that got cut last year.

Councilman Alworth asked can we make a motion to entertain a pay increase based on his first six-month evaluation now or do we need to do that at another time.

City Attorney Manuele stated a motion can be made now. The language in the item is pulled directly from the Open Meeting Law Manual. The language gives unlimited options, so promotion is included as well as taking no action.

Councilman Alworth stated a 3% raise would be approximately \$2400.00 and asked what the budget would allow. I believe the evaluation warranted an increase in pay.

Councilman Carson stated there is not a lot of room to move up the pay scale percentage wise with only a \$5,000.00 maximum increase.

Mayor Robertson stated I don't think it would be out of order to continue 3% raises to keep people moving along.

City Treasurer-HR Director Trask stated it is not a large amount and something I believe we can work with.

Councilman Alworth moved to approve a satisfactory report for the Six-month Performance Evaluation of City Fire Chief Pat Stork and an increase of \$5,000.00 annually to bring his annual salary up to \$85,000.00. Councilman Spear seconded the motion. The motion carried unanimously.

City Fire Chief Stork stated he has an open-door policy if anyone has any questions. The Mayor has attended some staff meetings. There have been several policies completed if anyone wants to stop by and look at those.

Mayor Robertson passed the gavel to Councilman Alworth.

6. Councilman Alworth – Discussion/For Possible Action – Approval of Third Amendment to Development Agreement between the City of Ely and Nevada Northern Railway Foundation, Inc., extending the term of the agreement to October 1, 2021.

Councilman Spear moved to approve the Third Amendment to Development Agreement between the City of Ely and Nevada Northern Railway Foundation, Inc., extending the term of the agreement to October 1, 2021. Councilman Carson seconded the motion. The motion carried unanimously.

Councilman Alworth passed the gavel back to Mayor Robertson.

7. Council Members – City Treasurer Trask - Discussion/For Possible Action – Review of proposals received for Certified Public Accounting Services to complete the City of Ely’s fiscal year 2021, 2022, and 2023 audits with possible acceptance of a proposal; proposals under consideration are: Hinton Burdick CPAs & Advisors and Keddington & Christensen, LLC.

City Treasurer-HR Director Trask stated I have worked with both entities and they are both professional, competent, and do a good job, so the decision will probably come down to the cost which would be Keddington & Christensen, LLC at \$19,295.00 with an additional \$500 per grant for the single audits; they have done the audit for the last five or six years.

Councilman Spear moved to accept the proposal from Keddington & Christensen, LLC at \$19,295.00 with an additional \$500.00 per grant for the single audits to complete the City of Ely’s fiscal year 2021, 2022, and 2023 audits. Councilman Flangas seconded the motion. The motion carried unanimously.

8. Council Members – City Fire Chief Stork– Discussion/For Possible Action – Approval of Cooperative Fire Protection Agreement between The City of Ely Fire Department and the USDI, Bureau of Land Management Ely District.

City Fire Chief Stork stated this agreement is standard and required to renew every five years. The pricing in the agreement has changed some and is built in by the federal pay scale. There are instances the rate can be negotiated if needed. We try to do our initial attack with them and help. When they get their main resources on scene, we come back to do our main job which is to protect the city. They have a lot of federal firefighters that do the jobs out in the wildlands, so we don’t do a lot of that. However, there is money to be made and possibly something to pursue in the future if we can generate enough revenue on the guys on the off shift to pay them overtime to run the engine if it is in our district. On the same hand, I don’t want to deplete our resources of protecting the City of Ely, which is our main interest.

Councilman Spear moved to approve the Cooperative Fire Protection Agreement between the City of Ely Fire Department and the USDI, Bureau of Land Management Ely District. Councilman Carson seconded the motion. The motion carried unanimously.

9. Council Members – City Fire Chief Stork – Discussion/For Possible Action – Approval for City Fire Chief to seek individuals who may be interested in purchasing Engine 7’s eight tires and rims previously advertised.

City Fire Chief Stork stated these tires and rims have already been advertised and there was no interest in them. I don’t think most people that could use these tires are seeing the advertisements. There are several ranchers in the area that could maybe use them, and this would give me or any of you the opportunity to seek out proposals to possibly make something on them and not have them go to the landfill. I would bring back the proposals to the Council for approval.

City Attorney Manuele confirmed that the process would be to search out for proposals and bring them back to the Council to approve the sale to the highest bidder.

Councilman Alworth approved for the City Fire Chief to seek individuals who may be interested in purchasing Engine 7’s eight tires and rims previously advertised. Councilman Carson seconded the motion. The motion carried unanimously.

10. Council Members – City Attorney Manuele – Discussion Only – Review of research findings in connection with previous City Council action to draft ordinances making the Tree Board and Animal Control Advisory Board clerk-appointed committees.

City Attorney Manuele stated a couple meetings ago I was asked to review the potential of making the Tree Board and Animal Control Advisory Board clerk-appointed committees, pulling them out of the open meeting law requirements. The concern was the expense associated with the lack of staff to comply with the rigorous open meeting law requirements. As I researched the potential of making them clerk-appointed committees I started with the ordinances that created them. They were created and specifically organized to operate under open meeting laws, and I think it is appropriate and it is my recommendation they continue to work under open meeting laws as they would be public bodies. They expend or disburse taxpayer revenues, or they advise us or give recommendations to our board on the expending or disbursement of taxpayer revenue. There would be other potential options. As long as they were functioning under the City, the open meeting laws are required. If individuals of that organization seek out to become a non-profit or seek out another type of group that handles tree board or animal control issues, they could contract with the City. My recommendation is there be no ordinance draft changes as I believe they do need to function under Open Meeting Law if they are functioning in their current capacity.

11. PUBLIC COMMENT

George Chachas stated he would like to know if the Railroad is included in the expenditure of public monies in the Open Meeting Law. George Chachas stated ongoing concerns regarding billing not being corrected to date for his property at 490 High Street; utility billing; beatification efforts not being adhered to; Squatters RV’s and if they are billed for City sewer and water; and curb/gutter codes not being enforced.

12. 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 7:36 P.M. Councilman Carson seconded the motion. The motion carried unanimously.



Mayor



Attest