



CITY OF ELY

501 Mill Street Ely, Nevada 89301
City Hall (775) 289-2430
Fax (775) 289-1463

ELY CITY COUNCIL REGULAR MEETING

April 22, 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.; Rajan Zed, President of the Universal Society of Hinduism, 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
- Councilwoman Michelle Beecher

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

- City Clerk Jennifer Lee
- City Treasurer-HR Director Janette Trask
- City Attorney Shain Manuele
- City Administrative Assistant Patti Cobb
- City Fire Chief Pat Stork
- Public Works Supervisor Mike Cracraft
- City Building Official Lee Walker
- City Engineer BJ Almberg
- Municipal Court Judge Mike Coster (Zoom)

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, Rajan Zed, Chris Natoli, and Misty Masini.

Ely City Council ATTENDANCE LIST

DATE: 4/22/2021

Print name below

DAREN KUNZ
George Chachas
Pastor Bob Winder

Print name below

2. PUBLIC COMMENT

Pastor Bob Winder stated I want to say what just took place I could not stop and that is ok. The Ministerial Association is in the position to schedule people to do the invocation and legally there was no way to stop it without causing a lot of problems. Thank you for allowing the White Pine Ministerial Association to do the invocations here.

George Chachas stated on Agenda Item 8B-7 you are to consider verbiage proposed by City Fire Chief Stork which states "BY SIGNING I AM ACCEPTING RESPONSIBILITY FOR ANY

DEBT CREATED BY THIS SERVICE AND ALL COLLECTION FEES, CHARGES AND INTEREST SHOULD THIS DEBT BE SENT TO AN OUTSIDE AGENCY FOR COLLECTIONS.” I have never seen anything this mean coming from any tax supported entity in my entire life. Those that are economically challenged will not use the service. The fees have been set too high and there will be some individuals that cannot pay. On April 16, 2021 I came to City hall to get a permit to allow me to rent my property with RV’s and motorhomes. I was denied and told only trailer parks could do that. Nevada Revised Statutes state you cannot put gaming or liquor within 1,000 feet of a school and putting a park near Love’s Truckstop should not happen. Mr. Chachas stated ongoing concerns regarding the rumor of embezzlement at the Railroad; and City codes not being enforced.

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

➤ **FIRE CHIEF**

City Fire Chief Stork stated the samples came back from the contaminated fuel and most of it was water. They ended up pumping approximately 300 gallons of water out of one diesel tank. I did provide them with a list of all our fuel filters and the fuel company will be paying for those. There have not been any more issues. We are still checking and draining some fuel lines and there doesn’t seem to be any long-term issues. The fuel delivery was an isolated incident with some vehicles in Wendover receiving some contaminated fuel as well.

➤ **CITY ATTORNEY**

City Attorney Manuele stated on March 25, 2021 we started our new abatement procedure with our new ordinance, and I wanted to report on that. In our efforts to clean the City we have sent ten letters since that time. The individuals have thirty days to clean up the property or five days to lodge an appeal on the letter sent. I have only seen two responses from letters sent and we are waiting the time frame to see if those properties are cleaned up before further steps are taken.

➤ **CITY TREASURER**

City Treasurer Trask stated I have sent the tentative budget off and next Wednesday we have a negotiations meeting with the Union. I am working on filling open positions in the City.

Councilman Alworth stated in the financials there was an account set up under the landfill to track the cost of recycling the tires which is \$28,000 of revenue so far this year and the metal revenue is \$34,000.00. One thing City Treasurer Trask pointed out to me is we are not tracking the revenue on tires delivered by the ton and that is something we should be tracking.

City Treasurer Trask stated we can start tracking the beginning of the fiscal year. I can separate that out into a separate revenue account.

➤ **CITY PUBLIC WORKS SUPERVISOR**

Councilman Flangas asked are we charging Q & D for loads of overburden material they are taking to the dump?

City Public Works Supervisor stated no we are not. I want to clear up rumors on the lights in Broadbent Park. I met with Terry Gust about two weeks ago. We turned on the lights and there were approximately twenty bulbs out. The only way to fix them is with a piece of equipment out of Elko that will reach them. The charge is \$2,500.00 each way to get here and then probably about \$2,000.00 to fix the bulbs so we are looking at roughly \$7,000.00. It doesn’t make sense for us to put all that in there for four nights when we are applying for SNPLMA money to take care of all that and they will be taken out anyway. In the meantime, Hank Blair, President of the Veteran’s Committee, called me and stated we don’t need to put all that money into the lights, all they need is for the

place to be lit up. Hank is going to come sometime next week, and we are going to go out in the night and see how they are working. Mount Wheeler Power has four power lights and all they want those lights for is to be on the Vietnam Wall itself. The other lights are more for security to light the place up. The lights that are there will remain on all night during the event.

Councilman Alworth asked how is the LED street light replacement project going?

Public Works Supervisor Cracraft stated it is going well, we have sixty done as of today and I have a list of ten more that will be completed next week.

➤ **CITY BUILDING OFFICIAL**

City Building Official Walker stated I have been shadowing Brad Christensen on Tuesdays, Wednesdays, and Thursdays when we need him on the inspections at the Justice Center Project, as well as other commercial projects that we have going on in the County.

5. REPORTS

No reports from Mayor Robertson or any Council Members.

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

1. Councilman Carson – Discussion Only – Consideration of Robinson Nevada Mining Company’s request that the City of Ely assume ownership of the wells located at 17th Avenue and M, 10th Avenue and M, the Terrace and the Golf Course.

Councilman Carson stated the mine asked in order to continue negotiations with dewatering efforts that the City take over ownership of the wells. I am not sure why they think they own them and would like to have legal counsel reach out to the mine and ask them to provide proof of ownership of these wells. They have worked on some of the wells in the past, but we have owned these wells for quite some time.

City Attorney Manuele stated I can reach out as part of the Negotiation Committee as this item is a discussion only.

Mayor Robertson asked is this a matter of just transferring the equipment they have purchased and installed?

City Attorney Manuele stated the mine is wanting the City to take on ownership, so it will have to be defined with proof of ownership.

City Treasurer Trask stated I am a little confused by what they have put into it as we have run it through our books as a revenue expense with Robinson Mine. We have booked those as assets, so I can’t see how they have ownership.

Mayor Robertson stated if you will get that information to City Attorney Manuele, he will look into the legalities of the ownership.

2. Councilman Carson – City Clerk Lee – Discussion/For Possible Action – Approval to remove past due utility fee penalties up to the amount of \$2,164.72 from 110 W 9th N., Lund, Nevada at the request of the property owner, Joe Masini.

Mayor Robertson stated this item failed at the last meeting due to lack of majority due to absences.

City Clerk Lee stated I just want to bring to everyone’s attention that the Masini’s did pay all the landfill charges due in the amount of \$1,524.00.

Mayor Robertson stated the outstanding amount that we are looking at today are late fees that have accrued; they have paid the principal.

Councilwoman Beecher moved to approve the removal of past due utility fee penalties up to the amount of \$2,164.72 from 110 W. 9th N., Lund, Nevada. Councilman Carson seconded the motion. The motion carried 3 to 2, Councilman Flangas and Councilman Spear voting Nay.

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

1. Chairman Wolf – Discussion/For Possible Action – Approval of Proclamation declaring May 8, 2021 Arbor Day in the City of Ely.

Councilman Spear moved to approve the Proclamation declaring May 8, 2021 Arbor Day in the City of Ely. Councilman Carson seconded the motion. The motion carried unanimously.

2. Chairman Wolf – Discussion/For Possible Action – Direction to City Attorney to draft ordinance revision changing Tree Board members from 9 to 5.

Councilman Carson moved to direct the City Attorney to draft an ordinance revision changing Tree Board members from 9 to 5. Councilman Spear seconded the motion. The motion carried unanimously.

3. Chairman Wolf – Discussion/For Possible Action – Approval to budget \$1,000.00 in FY22 for Tree Board projects to beautify the community.

City Treasurer Trask asked where will this money come from?

Mayor Robertson stated from the General Fund unless there is a Tree Fund set up.

Councilwoman Beecher moved to approve budgeting \$1,000.00 in FY22 for Tree Board project to beautify the community. Councilman Flangas seconded the motion. The motion carried unanimously.

4. Board Members – Public Works Supervisor Cracraft – Discussion/For Possible Action – Approval to budget \$6,000.00 in FY22 to remove dead trees in City Cemetery.

Councilman Spear moved to approve budgeting \$6,000.00 in FY22 to remove dead trees in the City Cemetery. Councilwoman Beecher 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.

Moved by: Councilman Alworth Second by: Councilman Carson Vote: Unanimous

1. Discussion/For Possible Action –Minutes.
 - March 25, 2021
2. Discussion/For Possible Action –Bills.
 - April 9, 2021

B. NEW BUSINESS

1. Mayor Robertson – White Pine County Public Health Officer Daren Kunz, PharmD – Discussion Only – Presentation on current COVID-19 pandemic status in the City of Ely.

White Pine County Public Health Officer Daren Kunz, PharmD reviewed the report provided on the following page and stated as of today the Department of Health and Human Services for the federal government has extended the pandemic until at least July 31, 2021 and could possibly be extended to the end of the year from what I am reading. We are very fortunate as we have plenty of vaccine for those who want them; the

problem is the lack of arms to put them in. The commissioners have voted to open White Pine County completely pending State approval. All citizens have been impacted by COVID 19 and it is time to cut people loose and let them make their own decisions. I hope that people will be respectful to each other whether they are wearing a mask or not and if business owners are requiring masks. We need to have our summer events but, continue to take precautions to keep everyone safe.

Councilman Alworth asked the 36.07% of those vaccinated, what age and ethnicity are they?

White Pine County Public Health Officer Daren Kunz, PharmD stated the tribe is offering \$250.00 to individuals that get vaccinated. The tribe is currently 44% vaccinated. As far as the individuals in our community that are getting vaccinated, it's those with pre-existing conditions and 65 and older. The older age group remember when smallpox was alive and well and remember that the vaccine worked, so they are more willing to get the vaccine.

Mayor Robertson asked will William Bee Ririe continue to offer testing in the morning hours?

White Pine County Health Officer Daren Kunz, Pharm D stated they will continue to offer free testing from 8:00 a.m. to noon in the drive-up clinic, and then will call the patient with the results.

Mayor Robertson stated I was under the impression that the County's reopening plan had been approved?

White Pine County Health Officer Daren Kunz, Pharm D stated that is not the case, the plan has been approved by the County, the Rural Nevada Hospital Association, and is now in the Governor's group's hands. The comment we are getting back is they felt there really wasn't much of a plan.

Mayor Robertson asked is there a timeframe for them to respond and will they send something back?

White Pine County Health Officer Daren Kunz, Pharm D stated they will probably send something back, but I do not have an exact timeline. It should also be noted that I was not, as a public health officer, involved in any way with the writing of the plan for White Pine County.

Mayor Robertson stated in my discussions with White Pine County Health Officer Daren Kunz, I don't think the City would benefit at all from implementing their own restrictions. I feel pretty strongly we should have a statement out for May 5, 2021 working off of the White Pine County Health Officer's recommendations outlining a number of these things such as if you have symptoms go get tested, making them aware of vaccination opportunities, and continued communication with the Public Health Officer if there is an outbreak to minimize any unnecessary shutdowns.

Daren B. Kunz Pharm D, Chief Health Officer,
Officer Richard Howe, Commissioner
Travis Godon, Commissioner
Shane Bybee, Commissioner
Ian Bullis, Commissioner
Laurie L. Carson, Commissioner
Scott Hanford, Sheriff



801 Clark Street, Suite 4
Ely, Nevada 89301
Tel: (775) 293-6509
Fax: (775) 289-2544

Nichole Baldwin, Ex-officio Clerk of the Board

**White Pine County
Board of Public Health**

WPClerk@whitepincountynv.gov

From:
Dr. Daren B. Kunz
White Pine County Health Officer
775-289-2238 dbkunz@wbrhely.org

TO:
Mayor Robertson & the Ely City Council
April 22, 2021

Ely city has been extraordinary during the Covid-19 Pandemic. The support to the business district and the citizens of not only Ely, but all of WPC has been a huge success. Mayor Robertson has done an excellent job in keeping all citizens informed through weekly communications via the radio and other media sources. Thank You.

Covid-19 Update:

Total Cases: 575 Deaths: 6
Active: 6 Recovered: 563
Initiated Vaccines: 36.07% (state: 42.74%)

White Pine County Commissioners:

Voted to open WPC completely on May 1st 2021 and reversing all the State requirements and mandates. WPC will continue to monitor for outbreaks and if 3 out of 4 (75%) of the Covid-19 beds become utilized at the hospital, hold emergency meetings to slow the spread and deal with outbreaks.

Suggestions for Ely City:

- Continue to educate and inform Citizens as the needs arise.
 - Ely's business and citizens know how to prevent the spread and steps to take.
- Encourage business/citizens to respect each other's rights to wear/not wear masks and then be respectful of that choice.
- Continue to monitor for out breaks or events linked to certain business or activities.
 - If a pattern emerges address the concern quickly while working to keep activities going and commerce open.
- Support vaccine efforts as the needs arise
- Upcoming Events:
 - Longer parade routes to spread people out!
 - Increased hand sanitization stations at events.
 - Increase public restroom cleaning if done daily, consider 2x a day etc...
 - Encourage social distancing if possible.
 - HAVE THE EVENTS, the Citizens are ready for life to return to, "NORMAL"!

Respectfully,

Dr. Daren B. Kunz, Public Health Officer.

2. Mayor Robertson – White Pine County Public Health Officer Daren Kunz, PharmD – Discussion/ For Possible Action – Approval of City of Ely statement regarding State of Nevada COVID-19 Roadmap to Recovery Transition Plan effective May 1, 2021.

Mayor Robertson stated it should be noted the State is looking at turning control on restrictions back to the Counties as of May 2, 2021; but masks are still required by the State.

White Pine County Health Officer Daren Kunz, Pharm D stated my understanding is the Governor has recommended June 1, 2021 and the County Commission has already voted for it to be May 1, 2021, so we will see. Many local businesses are not following the guidelines anymore. I think it is important that we respect each other regarding wearing or not wearing a mask.

Councilwoman Beecher moved to approve a statement from the City of Ely referencing the first four bullet points under Suggestions for the City of Ely on the White Pine County Health Officer's report. Councilman Carson seconded the motion. The motion carried unanimously.

3. Councilman Spear – Councilman Alworth – Discussion Only – Update on PORTER Group efforts on behalf of the City of Ely.

Councilman Alworth stated earlier this month, Mayor Robertson, City Engineer Almberg, Councilman Spear, myself and the PORTER Group met with a representative from the office of Congressman Horsford to discuss the City of Ely's Prioritized funding

requests. These requests were the ones identified last month and once again, there were three projects; each project we are shooting for is two million dollars. PORTER and the City of Ely have completed the earmark submission process necessary to solicit federal support for these projects in the House, with no further action needed at this time. The House will now review the earmark requests it has received, and the House Appropriations Committee will begin working with staff to identify ideal candidates for funding. Congressman Horsford's staff will work with the House Appropriations Committee to include our requests in this year's federal appropriations package. The submission process for the Senate is undecided currently. Last month, President Biden signed the American Rescue Plan act of 2021 into law. This legislation appropriated billions of dollars of federal aid funding to state and local governments across the country, including the City of Ely. This funding is on its way to the City of Ely and PORTER is working with the Nevada Congressional delegation and City officials to answer questions and identify next steps on acquiring and utilizing this aid. If you remember our allocation is \$3.6 million and will be divvied out over a period of two years with our first payment arriving July 11, 2021. PORTER continues to work with the City of Ely to appraise City officials of Congress' current and upcoming topics of interest. This month, Congress has spent much of its time focused on President Biden's American Jobs Plan, which is a comprehensive \$2.5 trillion infrastructure investment proposal the White House released several weeks ago. We have plans and projects we are seeking for this earmarked funding. The same presentation will be given to the Senate Committee when the time comes.

Councilman Spear stated City Engineer Almborg jumped through hoops to provide information when needed and at times things were changing quickly. I commend City Engineer Almborg for having things ready to help us in this request for funding.

4. Councilman Alworth – Discussion/for Possible Action – Approval of monthly balance sheets for general fund, street fund and enterprise funds.

Councilman Alworth stated I reviewed these documents and I feel comfortable. Things are looking good and it is nice to see a generous fund balance. If we keep everybody working and working smart, we can end up with a good fund balance again; thank you City Treasurer Trask.

Councilwoman Beecher moved to approve the monthly balance sheet for general fund, street fund, and enterprise funds as presented. Councilman Spear seconded the motion. The motion carried unanimously.

5. Councilwoman Beecher – Public Works Supervisor Cracraft – Discussion/For Possible Action – Acceptance of Tri-County Weed Control's (TCWC) proposal to the City of Ely for herbicide application within City limits during 2021; SNPLMA grant funds require a twenty percent (20%) match from the City of Ely in the amount of \$2,000.00.

Mayor Robertson stated this is the same program as we had last year for weed control.

Councilman Alworth stated two weed seasons ago Jose Noriega came from the Forest Service, before the COVID pandemic, and there was several million dollars for weed abatement and a lot of it could have been used on the Georgetown Ranch. Last year with COVID nobody did anything with it and I don't know if that money is still available. The Georgetown Ranch has a lot of white top there. There is also a lot of white top near Lane City. I am in favor of this I just want to know what SNPLMA money this is coming from?

City Clerk Lee stated the proposal on the table is SNPLMA funds and from what I understand it is administered through Tri-County Weed Control. They receive the money and then they have split that into three years' worth of grants; I will follow-up with Jose Noriega.

Mayor Robertson stated I think that is a different program that Jose Noriega uses. I think this was a grant that Tri-County Weed got and they have been using it around our community.

Councilman Spear stated if we don't kill the white top upstream, there is no end to it. Is Tri-County Weed allowed to go on private property as there are several properties on Mill Street that are inundated with white top?

City Clerk Lee stated my understanding is this funding is for City right of ways and City property.

Councilman Alworth stated the City of Ely has an ordinance that prohibits noxious weeds.

Mayor Robertson stated Councilman Spear, if you would like to identify those properties to the City Clerk, letters will be sent.

Councilman Spear moved to accept the Tri-County Weed Control's (TCWC) proposal to the City of Ely for herbicide application within City limits during 2021. Councilman Alworth seconded the motion. The motion carried unanimously.

6. Council Members – City Fire Chief Stork – Discussion/For Possible Action – Acceptance of Gracien Uhalde's offer of \$200.00 to purchase Engine 7's eight tires and rims previously advertised; the City Council granted approval for Fire Chief to seek offers on these tires March 11, 2021.

Councilman Alworth moved to accept Gracien Uhalde's offer of \$200.00 to purchase Engine 7's eight tires and rims. Councilwoman Beecher seconded the motion. The motion carried unanimously.

7. Council Members – City Fire Chief Stork – Discussion/For Possible Action – Approval of the following addition to the City of Ely Emergency Medical Services (EMS) Consent for Treatment form: "BY SIGNING I AM ACCEPTING RESPONSIBILITY FOR ANY DEBT CREATED BY THIS SERVICE AND ALL COLLECTION FEES, CHARGES AND INTEREST SHOULD THIS DEBT BE SENT TO AN OUTSIDE AGENCY FOR COLLECTIONS."

City Fire Chief Stork stated this verbiage was entertained by the billing company. Contrary to Mr. Chachas beliefs' it is not going to bankrupt anybody. The biggest problem we have with people that go to collections are people not from this area that are traveling through and get in a car wreck or have some sort of accident and need our services. Ninety percent of those in collections are from outside of White Pine County. If we put in the fees the collection agency charges us, then we are not out our revenue.

Councilman Flangas stated I would like to compliment the City Fire Chief and his crew for acting fast to incidents.

Councilman Alworth moved to approve the additional verbiage to the City of Ely Emergency Medical Services (EMS) Consent for Treatment form. Councilwoman Beecher seconded the motion. The motion carried unanimously.

9. PUBLIC COMMENT

George Chachas stated the marijuana dispensary is not compliant and stated ongoing concerns with permitting of RV's; his public information request for the recent PORTER Group report; curb/gutter codes not being enforced; and selective enforcement of City Codes throughout the City.

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 6:02 p.m. Councilwoman Beecher seconded the motion. The motion carried unanimously.



MAYOR



ATTEST

