

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

2. PUBLIC COMMENT

Gayle Robison handed out information regarding cockroaches that was included in additional documents and can be reviewed on the website or by stopping by City Hall. She stated my husband and I live at 1118 East Aultman Street, and we have a really bad roach problem at the property next door to me. I brought two things with me that I want you to see; these are the glue traps that we have had to put down in our home (showed the large garbage bag of used glue insect traps) over this period of time. I also have a small container with traps so you can see what they look like and some of the traps have babies on them. I brought these things to show you how bad it is. The summer of 2021 we started seeing bugs in our home and we thought it was silver fish. We tried for months and months to get rid of the problem and it only got worse. We sent a picture to our grandson, Ty Robison, he works for Pest Friends in Tucson, Arizona and he informed us that it was not silver fish that it was German cockroaches. The infestation worsened over the next several months. Our sons Wade and Wynn, who live here in Ely, insisted I call Jess at Apex Control and get professional help. The German cockroach is not indigenous to Ely. In March of this year, I consoled myself with the problem and got professional help from Apex. He treated my home, the crawlspace, and the outside of our home. While in the basement of our home I detected a damp spot, I went outside and detected a hose was attached to a spicket on the south end of the apartment complex. Property Manager, Ray Reid, had attached a hose as he could not shut the water off.

George Chachas stated on your agenda item 8B-4 you are to consider a Request for Qualifications for engineering services or renewing with Basin Engineering. The City needs to request for qualifications for engineering services; Basin has too many conflicts. The City has failed to address the drainage on 7th Street and Avenue G.; the improper installation of curb and gutter at 488 Stevens for a second time; lack of ADA access along the NDOT project on Great Basin Boulevard, as well as East Aultman Street; failure to address the one foot drop on my property at 7th Street and Avenue G.; failure to install a water pit at 733 Great Basin Boulevard, as well as a sewer connection in front of the business as they did for others; failure to address the water shutoff at 745 Great Basin Boulevard and proper reimbursement to the injured party, my brother; to date two water lines that were taken out that serve my property behind Washington Federal Bank have not been replaced; failure addressing ADA access along the Murry Street Project, as well as notifying Mount Wheeler Power to relocate some of the power poles that block access to sidewalks; failure to enforce City Code that requires curb and gutter on new construction; failure to ensure sidewalks are a grade of concrete that are required by Code; failure to address the lack of curb and gutter across Ely Street and 7th Street to control drainage; to address ADA access along my property along the old school on 7th Street, as well as the improper drainage on the railroad tracks; and forcing pedestrians onto the street just to name a few. You have some major problems and you have not addressed anything. On your agenda item 8B-6 you are to consider paying fifty percent (50%) of consulting fees to a law firm regarding White Pine Pumped Storage; this needs to be denied. Councilman Alworth and Councilwoman Williams-Harper cannot properly represent the City view while representing the Railroad views as well. The Railroad is poorly run and cannot account for its revenues, doesn't operate under the Nevada Open Meeting Law, failed to collect almost twenty years of track rental from S & S Shortline; and now want to impede a project that may bring in significant revenues.

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

Councilman Spear moved to approve the agenda as presented. Councilwoman Williams-Harper seconded the motion. The motion carried unanimously.

4. CITY DEPARTMENT REPORTS

➤ CITY ENGINEER

City Engineer Almberg stated we completed the request that you had at the last City Council meeting about cost estimates for some improvements on Belfort Street and you have that to make some future decisions. I met with a citizen in Central Ely this week about concerns of the storm drain cutting through his property. We had a conversation about the process we would take to maybe revise and relocate it around his property

within the right-of-way. I want to thank Carl and his crew for helping locate the drain that is going through there. He is going to analyze this situation because he is trying to build a small house on this lot. He will get back with us and we will have further conversation. I have also been working on reviewing some things for the RNMC negotiations.

5. REPORTS

➤ COUNCILMAN ALWORTH

Councilman Alworth stated we received a letter from Greg Copeland with rPlus Energies. When he was here last meeting Councilman Flangas asked him how many of these pumped storage projects do you have in the United States. By looking at this map he provided there are about thirty-eight, but one thing he failed to mention was there are no pumped storage projects where they are taking ground water up a mountain, nowhere. They are all coming from rivers and lakes. The public needs to know this too.

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

A. CONSENT AGENDA

Councilman Alworth disclosed I am a past member of the Volunteer Fire Department and bills that are paid on behalf of the City of Ely Fire Department I believe are paid in the best interest of the citizens.

Mayor Robertson stated I would also like to disclose my spouse is a member of the Volunteer Fire Department.

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

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

1. Discussion/For Possible Action – Minutes
 - July 28, 2022
2. Discussion/For Possible Action – Bills
 - August 17, 2022

B. NEW BUSINESS

7. Councilman Alworth – Discussion/For Possible Action – Discussion regarding future disposition of Community Service funds, with possible allocations to specific categories.

Councilman Alworth stated the reason I put this on here was one of the areas we are looking at is housing and we have a gentleman in the audience that has information on possible solutions on the housing shortage we are having in our community.

Tim Vidrine with Vidrine, LLC stated I am a mobile home dealer. I sell mobile homes, tiny homes, and modular homes. The tiny homes I sell are not an RV style which if I remember are illegal in White Pine County. The tiny homes I have are built to HUD Code. They can be built to the forty-pound roof code which is a requirement in White Pine County. There is about a six month wait on those. I have the opportunity to gather about fifteen double wide trailers if we had someone to pick them up by the end of the year.

Councilman Spear asked how many different exteriors do you have?

Tim Vidrine with Vidrine, LLC stated you can order it how you want it. There are different sidings and colors to choose from. Champion does provide a one-year warranty on them and the good things about the Champion homes is I can install them and do any kind of warranty work. My rezoning did get passed and so we now have an official dealership for these homes in Ely. I do have one house sitting out there which is sold. If anyone is interested in looking at one, I do have a couple more coming.

Councilman Flangas asked do the homes have a peaked roof or flat roofs?

Tim Vidrine with Vidrine, LLC stated they do have slanted roofs and are built to HUD standards which are to the standards in White Pine County. I can get the homes in modular or mobile. A modular home comes in on a big flat bed and it must be put on a foundation, which converts your property to real property. By doing this it is better for tax purposes and people can get a mortgage on them. I also have a finance company and have talked to Rural Nevada Development Corporation (RNDC), and they are stating they are willing to help low-income people get down payments up to \$10,000.00 and I believe if their entire build is under \$175,000.00, they are willing to help out with that.

Councilman Alworth asked are the tiny homes just one bedroom?

Tim Vidrine with Vidrine, LLC stated the ones that I have pictures for are one bedroom, but we can order them how you want them.

Councilwoman Williams-Harper asked how long it the time frame from beginning to end to set one of these up?

Tim Vidrine with Vidrine, LLC stated it is six months from the time we order it until the time it is here and set up. Once they arrive, I can have it installed in a day. I can get the double wide homes here a lot quicker than the tiny homes if people are wanting them. They do come with Whirlpool Appliances and are really nice homes.

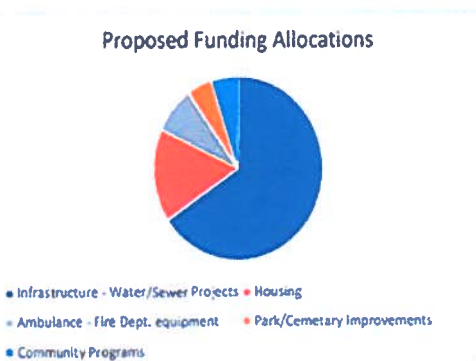
Mayor Robertson stated the other instigator on this item is there have been some changes in some of the funding the Council committed previously. The hospital has changed directions, and we didn't spend as much on advertising and some other things. We put this on so the Council could look at how we might divide this up and go back and dedicate it. There is in the ballpark of \$3,050,000.00 of the ARPA money left and uncommitted if we take out the hospital allocation, advertising, and \$200,000.00 for emergency fire fighter pay. My suggestion to the Council is if we can come up with a loose budget we can then go back and drill down where we are going to spend that.

Councilman Alworth stated one thing on the housing there is one individual that owns close to thirty lots and doesn't want to sell them. We as a community have to somehow get these people with these properties to convert them to put a nice home on. There Are people that want to move into them, but there are landowners that just do not want to sell them. If they see the tiny homes and modulares maybe that will get people to go that direction.

Tim Vidrine with Vidrine, LLC stated I know Reck Brothers has approximately two hundred lots and maybe you guys could work with them.

Mayor Robertson stated I would like to disclose that I am an employee of Reck Brothers and Reck Brothers has been working with Mr. Vidrine in a private capacity looking at projects. I don't feel like this is a conflict as I do not vote on this. I have come up with a suggestion and provided the breakdown.

	Total \$	3,050,000.00
Infrastructure - Water/Sewer Projects	\$	2,000,000.00
Housing	\$	500,000.00
Ambulance - Fire Dept. equipment	\$	250,000.00
Park/Cemetery Improvements	\$	150,000.00
Community Programs	\$	150,000.00



Mayor Robertson stated my suggestion would be that we allocate \$2,000,000.00 to infrastructure projects whether that be water, sewer, or streets and work with Public Works and the Engineer to identify what would fit in with that; reallocate the hospital funding of \$500,000.00 for housing whether that is the City developing lots to dispose of to a developer or working with Mr. Vidrine. I think that is a healthy amount to take a chunk out of that problem. The fire Department had some additional equipment needs whether that is an ambulance or other equipment. If we put \$250,000.00 towards that, \$150,000.00 towards park and cemetery improvements that we have talked about, and then the remaining \$150,000.00 towards community programs. I know Councilman Alworth and I have been talking to some different groups about business assistance programs or possibly scholarship programs for those going to trade schools here in our area. I think there is some opportunity there for the Council to consider some things. This would just be a general outline.

Councilman Alworth asked what is the deadline to have this money committed?

Councilman Spear stated committed by 2024 and spent by 2026.

Mayor Robertson stated just to be clear on this, and correct me if I am wrong, but the way we are reporting this we will have it all reported and we can spend this in any way and in any timeframe, we need to.

Councilman Alworth stated I would like to see another line in there of a possible reserve for our General Fund.

Mayor Robertson asked how much do you think you would like to put in that line?

Councilman Alworth stated I will say \$200,000.00 because that is a big cushion in case something goes haywire. I don't want it to be spent on budgetary items because we can do better if that is a problem. I would like to see it spent on special projects.

Mayor Robertson stated we could take \$50,000.00 out of each of those bottom four items and put it in a \$200,000.00 line for the General Fund.

Councilman Spear stated I am going to interject here because I do think an ambulance is something we are going to have to purchase and at today's rates \$250,000.00 may not even buy that.

Mayor Robertson stated a lot of these, as I was discussing with Councilman Alworth, could be doubled up with other current funding. For example, if we put this towards equipment for the Fire Department, we can double that up with our Capital Expenditures Fund to make that go further, some of these housing projects can be doubled up with the Redevelopment Fund and that way we are leveraging those ARPA funds with other funds we have. We don't have to just depend on this.

Councilman Spear stated that does make sense, but Jim is right on having a reserve. I think we should take the \$200,000.00 right off the infrastructure line and see where the other ones come in.

Councilwoman Williams-Harper stated I agree with the two of you and agree the ambulance is important.

Councilman Alworth stated more education is needed on the ambulances. We have more ambulances and if we break the contract with the County what are we going to do with all of them. Every time I turn around, we are needing another ambulance.

City Fire Chief Stork stated the one ambulance we have is not ours. It belongs to White Pine County, and we lease it for one dollar. If we break that contract, they will take that ambulance back and we will be down to two ambulances. Right now, I can go back through statistics and there is a ton of times we have all three of those ambulances on 911 calls in the city limits.

Councilman Alworth stated my counter on that is if we break the contract with the County and get a mutual aid to come into the City.

City Fire Chief Stork asked where are we going to get mutual aid?

Councilman Alworth stated I don't know Pat, but we are getting a million dollars' worth of ambulances, and I understand the need for ambulances, but every time budget time comes around, I hear we need another ambulance. I agree there are times all ambulances are out, and it is not our fault that somebody fell and broke their leg. We will do the best we can to get there.

City Fire Chief Stork stated exactly, I will go whatever direction you guys want to go, but when the heat comes back on us why we couldn't provide an ambulance I am directing the people to you guys.

Mayor Robertson stated let me be clear on what we are talking about today. This money is just money we will talk about where it will be spent. If I am not mistaken, your last ask for other equipment came up to at least this amount?

City Fire Chief Stork stated when we first put in requests for this money my initial list was close to \$3.8, and you had a bunch of concerns on it then and it was whittled down to about \$273,000.00. With the number of calls that we are responding to and ambulance service being non-existent in Ruth or McGill, we signed a contract with the County. If you guys want to get out of that contract that is up to you. Lund and Baker are the only two entities in White Pine County that assist us in any way, shape, or form on calls.

Councilman Alworth stated as much as I don't want to see that happen, we have got to put some of this back on the County. We are covering so much for the County and getting nothing for it. I want to see a little more pressure put on the County. How many ambulances do they have stacked around that big red building?

City Fire Chief Stork stated I think the only thing they have that is licensed is one that they were trying to put in Lackawanna and the last several calls out there we have had no help from them. I agree they need to step up and I brought this up at the Commission meeting the last time that we had some serious issues with them not attending training. It is slowly getting to the point that I feel we are getting more depended on and we are going to do everything; it's just not going to happen.

Mayor Robertson stated this is not a decision on whether or not to buy the ambulance tonight, it is just to allocate a rough budget number.

City Fire Chief Stork stated I would like to earmark the money and then we have to look at it when the time comes.

Councilman Alworth asked the title for the Fire Department line be changed to Fire Department/EMS.

Mayor Robertson stated if we did that and then did the suggestion from Councilwoman Williams-Harper and Councilman Spear is that we take the infrastructure from \$2,000,000.00 to \$1,800,000.00 with \$200,000.00 going towards the General Fund budgetary cushion.

Councilman Spear stated I disagree with Councilman Alworth on the need for that ambulance. What is the age of the City's oldest ambulance?

City Fire Chief Stork stated the first one the City bought brand new I believe was in 2016.

Councilman Spear asked if it were to break down how soon could you replace it?

City Fire Chief Stork stated when I talked to the salesman he said if we ordered an ambulance today, we wouldn't even see a chassis for two years and then you probably have an additional year to build a box.

Councilman Spear stated we are talking three years out, so I do think we need to put that in reserves.

City Fire Chief Stork stated the worldwide supply chain is a mess right now and in a couple of years it may not be that. I still agree, I think it would be nice to have that money earmarked.

Mayor Robertson stated just to be clear that money is being voted on to be earmarked it is just open ended at the moment and we will have the ambulance discussion at a future date. If those changes are amenable to the Council I will ask for a motion. We are doing \$1.8 million for

infrastructure, \$500,000.00 for housing, \$250,000.00 for Fire Department/EMS, \$150,000.00 for Parks and cemeteries, \$150,000.00 for Community Programs, and \$200,000.00 for General Fund reserves.

Councilwoman Williams Harper moved to allocate Community Service funds to the following categories: \$1.8 million for infrastructure, \$500,000.00 for housing, \$250,000.00 for Fire Department/EMS, \$150,000.00 for Parks and cemeteries, \$150,000.00 for Community Programs, and \$200,000.00 for General Fund reserves. Councilman Spear seconded the motion. The motion carried unanimously.

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

1. Council Members – City Building Official Peterson – Public Hearing – Discussion Only – Consideration of a petition for vacation or abandonment of a road or easement by applicants, Robert and Joseph R H Biamonte, who wish to have the streets and/or easements between APN's 001-141-02, 001-141-03, and 001-141-04 abandoned and also an 82' x 25' strip of Third Street abutting 001-141-02, Ely, NV. The general location is Ely Street and Third Street, Ely, NV.

Basin Engineering Survey Manager Buzz Rosevear stated I am representing the Biamontes. This item has been on the agenda before with a clerical error and that has been corrected.

George Chachas stated I support this change. I don't know what is going in there, but if it is a nice home, I want it known that just down the street on the corner you haven't addressed the encroachment of all the old cars and all of that. If we are going to improve and give these people a chance to improve the community, we need to reflect that in the surrounding area.

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

1. Council Members – City Building Official Peterson – Discussion/For Possible Action – Consideration of a petition for vacation or abandonment of a road or easement by applicants, Robert and Joseph R H Biamonte, who wish to have the streets and/or easements between APN's 001-141-02, 001-141-03, and 001-141-04 abandoned and also an 82' x 25' strip of Third Street abutting 001-141-02, Ely, NV. The general location is Ely Street and Third Street, Ely, NV.

Basin Engineering Survey Manager Buzz Rosevear stated the corrections have been done by changing the 82' X 15' to 82' x 25' as the original exhibit showed.

Councilman Alworth asked it also says an 82' x 25' strip on Third Street.

Basin Engineering Survey Manager Buzz Rosevear stated correct, the improvements are quite a bit inside. The 25' strip that is up for discussion on the abandonment, there are no road improvements on that currently. We are narrowing down to 60' which is in line with the rest of Third Street.

Mayor Robertson asked would it be correct to say it is part of the right-of-way, but not part of the road.

Basin Engineering Survey Manager Buzz Rosevear stated correct, it is part of the designated right-of-way.

Councilman Spear stated what it ends up being is 50' of street and 5' on each side for sidewalks for a 60' right-of-way when this is done, right?

Basin Engineering Survey Manager Buzz Rosevear stated that would be the intention.

Councilman Spear moved to approve the request of Robert and Joseph R H Biamonte, to have the streets and/or easements between APN's 001-141-02, 001-141-03, and 001-141-

04 abandoned and also an 82' x 25' strip of Third Street abutting 001-141-02, Ely, NV. The general location is Ely Street and Third Street, Ely, NV. Councilman Alworth seconded. The motion carried unanimously.

B. NEW BUSINESS CONTINUED

11. Council Members – Building Official Craig Peterson – Discussion/For Possible Action – Approval of an emergency abatement action pursuant to Ely City Code 4-1-22 to exterminate and remove a cockroach infestation at 1128 East Aultman Street, Parcel No.: 00206803, determined by the City Building Official to be a public nuisance that places the public in immediate danger of health, safety, or welfare.

City Building Official Peterson stated I want to give everyone a quick timeline how this thing started and how it has progressed. I was contacted by the Sheriff's Department on July 7th of this year regarding an infestation that was causing quite a nuisance in the area. I did investigate that day and found that we did indeed have a problem. I made contact with the property owner on July 7th and advised he get professional management on that date, and I had some informal communication between then and the 29th of July which he told me the professional help was going to start on August 1st. On August 1st I was contacted by the property owner asking if I knew any remediation professionals that would be able to assist with this problem and I put him in contact with Jess with Apex, who is our local pest control professional. I was told on August 12th the property owner and Jess had an agreement for treatment to begin on August 13th. I was then contacted on August 15th by Apex that informed me that no deal had been made and no treatment had been started and that is why we put this item on the agenda. I do have a small update. I did get a work contract between a remediation contractor from the Las Vegas area and the property owner with a proposed start date of September 1st. With that being said, I am still asking for the emergency abatement authority just in case this deal goes how the others have gone and does not materialize. I would like the authority to immediately step in and hire a contractor at that point. September 1st is the earliest I could get a contractor there as well. Whether we need to spend the funds and abate this situation will depend on the action taken September 1st.

Mayor Robertson asked who is the owner of the property?

City Attorney Cahoon stated it is Jack Schofield. I did have a brief discussion with him prior to the meeting and he stated he would not have any comment.

Councilman Alworth stated these folks have a real concern because it says a cockroach can produce eight thousand in a year and it is unfortunate that we can't get it handled quicker.

Gayle Robison stated they can produce ten thousand in one year.

City Building Official Peterson stated correct, I wanted to give the property owner an opportunity to remediate the situation on his own and help to facilitate that success. I was promised repeatedly it was going to be taken care of in a timely manner, followed up as much as I could, and to my disappointment every time I followed up there seemed to be a change in the game plan. Since then, to stop the festering I have ordered the water be shut off, all units have been vacated, and I have closed all units to occupancy. It does help us address the situation from a vacant building standpoint.

Mayor Robertson stated to be clear the current plan is to start remediation next Thursday?

City Building Official Peterson stated correct, that is what has been conveyed to me and I have seen a contract from the company in Las Vegas that is going to be handling this. I was in communication with the gentleman that owns that company today and I told him September 1st is the hard date.

Mayor Robertson stated you are seeking authorization to abate from the Council in the case that doesn't proceed as planned?

City Building official Peterson stated correct. I do have money in my budget that will cover the abatement and then how we recover that is outside of my specialty.

Councilwoman Williams-Harper asked how do we know the contractor he hired will do as good of a job as the one you would hire? Are there any guarantees?

City Building Official Peterson stated they are a licensed contractor in the State of Nevada. They do serve a large clientele in the Las Vegas area. I am not a pest control expert and have reached out to pest control experts. I am not going to say that what I have been told by the pest control experts I have talked to necessarily line up with the remediation method that is proposed by the company from Las Vegas. I have learned more about German cockroaches in the last forty-five days, and I hope to never have to deal with this type of situation again. It is a very serious problem. I have seen one other infestation that was even remotely close to as bad as this. I made a visit to the site on Wednesday to get more photographic evidence and there were still cockroaches climbing out the windows as I was there.

Councilwoman Williams-Harper asked do you know enough that once it is treated how long it will be before we will see some results?

City Building Official Peterson stated the company right now is proposing fumigation which is going to be an immediate solution to the problem. Part of their proposal was a granule treatment around the property to prevent the spread to the neighboring properties, which we already have, but to hopefully scale it down from getting worse. I have conflicting information from the people that I have talked to as far as the best practice and I do not feel qualified to speak to the best practice. The disagreements are seemingly minor.

Gayle Robison stated I want you guys to know how bad it is. The information I handed out states ten thousand can be produced in one year and you probably have that many down in the basement of that house already. On page four it states what diseases it causes and that is why I am so upset about this because I know three of the neighbors that have found cockroaches in their home have immune system deficiencies in which my husband is one of them. We need to take care of it right of way. I have cockroaches running across my patio. I have a grandson from Tucson that came to visit and got with Jess trying to put a plan together for us and it has worked in our home. Another thing is all the belongings that belong to those people that lived in those apartments went some place and they were cockroach infested so wherever they are living now will have them. My husband described the situation perfectly by saying the apartment complex is an incubator for the cockroaches.

Robert Robison stated we have a real bad infestation with a creature that carries bad diseases, and a lot of the neighbors are older like me and have compromised immune systems. It really bothers me when I want to sit on my patio, I have disease carrying bugs running all over.

Bill Wilson stated I am a neighbor that lives across the alley from the apartment complex and I have to sing a song. "I woke up Monday morning and looked up on the wall, the roaches and the bedbugs were having a game of ball. The score was one to nothing, the bedbugs were ahead but then the roaches hit a home run and knocked me out of bed." I learned that song and in New York in the 1930's that was an appropriate jingle and I certainly hope Ely doesn't see the need for another version of that. I want to thank Mr. Peterson for his work and helping us get our plan together. We have found two or three roaches in our garage which is closest to the alley. We do appreciate any help we can get from the City.

Weslianne Coble stated I also live across the alley from the cockroaches and anything you can do to expedite this would be wonderful. They are out of control, and it is just really nasty. We appreciate everyone's help.

Councilman Spear stated it looks like it takes their eggs about thirty days to hatch so it is going to be a couple of times of treatment to eradicate these guys and maybe even three.

I think we need to make sure we have a plan not only for this guy to come and spray them but come back a couple of times after that.

City Building Official Peterson stated the proposal that is being made by the remediation company right now is for fumigation, so they are going to pump the toxic gas into the house in order to kill them all in one shot. The method that has been proposed to me by other professionals is the boric acid and the growth inhibitor treatment which is a multiple step treatment which generally takes two or three visits. Again, I am getting conflicting information from professionals. I need it treated and if they go through with the fumigation and it is unsuccessful and we still have the issue, if I have the authority, I can approve the other treatments to come in without any further action.

Councilman Spear moved to approve an emergency abatement action pursuant to Ely City Code 4-1-22 to exterminate and remove a cockroach infestation at 1128 East Aultman Street, Parcel No.: 00206803, determined by the City Building Official to be a public nuisance that places the public in immediate danger of health, safety, or welfare. Councilwoman Williams-Harper seconded the motion. The motion carried unanimously.

1. Mayor Robertson – Discussion/For Possible Action – Annual 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 Clerk Lee read the following comment into the record from Councilman Carson: I am sorry I cannot attend the meeting tonight, but I do believe Pat Stork is a great Fire Chief. He is not only committed to the City of Ely, but the County as well. He is a great leader and does a wonderful job with the staff and the public. I am in full support of a raise for him. I urge the Council to please consider the State’s average wage for a fire chief and you will probably notice that Mr. Stork is one of the most underpaid fire chiefs in the State of Nevada.

City Fire Chief Stork stated I am going to give you a rundown of the last year. I’ll start out with a staff update. We have been running one to two people short the last year and a half. With the help of the Volunteers, career staff, and myself we have covered every call that has come in. It includes being on auto accidents and calls in town all at the same time. Sean Pena has been promoted to probationary Assistant Fire Chief. We are still looking to fill the firefighter A or in training. The one applicant we had that remained on our hiring list I called him yesterday and he turned down the job offer. I reported earlier in the year that our ISO score went from a class five to a class four. We are one and a half points away from being a class three department. This is the first time in history this fire department has ever been below a class five. Part of that is being double staffed has helped, and we have increased our training frequency up to one to two times a week instead of one to two times a month. We have been doing all the hydrant, hose, and pump testing with Carl’s guys. Helping annually has helped with our response time and using our preplanning software has helped. Our ambulance service is now able to run at a paramedic level. We are a tiered service which gives us flexibility with response on calls. We have a nurse on the Volunteers who is able to run and use all the paramedic skills also along with the paramedic who just left and went to the Sheriff’s Office but is still actively participating in the Volunteers. We did just have another nurse pick up an application for the Volunteers. Volunteer numbers are still way below where we would like to have them. We have been aggressively seeking volunteers by word of mouth, and weekly posts on Facebook. The bottom line is volunteerism is down everywhere. It is an ongoing struggle, but we are working through it and will continue. The new 48/96 schedule that we implemented, according to Janette, saved us about \$80,000.00. It has increased the annual salary of the workers. They work more hours a year than they did with the old schedule, but I do believe this schedule has helped with projects having two consecutive days to work on stuff. The ARPA money was used to upgrade equipment and other supplies that we ordered. Our maintenance this year has been kept to a minimum with my staff and myself doing almost all the maintenance. We have hardly had to farm out any maintenance and what we have has been under warranty. Last year’s training

funds were used mostly to cover overtime expenses. This year I already have Jacob Stark scheduled to go to a weeklong class in October to become a Fire Service Instructor II which will help us proctor our own test here in White Pine County. I am trying to commit all our training funds to our career staff that will be here for years to come and is going to benefit the Department in the future. I don't see a need for me to be going to meetings, expos, and rubbing elbows with people for nothing as I am at the tail end of my career. I want to commit this money to the staff that is going to be here long term and make it the most beneficial. We have a young staff right now and have a lot of training to get everyone where they need to be in their competencies. We have had a very busy year so far, from January until today we have run on nine hundred and thirty (930) calls. When I started in 1988, we used to run about one hundred and twenty-eight (128) calls a year.

Councilman Alworth stated that's a great break down of what the Fire Department does. I have known this guy for a long time. He has been in the fire service for over thirty years, and we have worked together for many years. I am not going to vote on this because I am not willing to jeopardize a friendship over a part time job. I have to have the best interest of the City in mind. I was in the Department for thirty-six years and we fought a lot of fires together. A lot of the stuff he said is true and the number of calls is because we are running in the County. We used to have several fireman waiting to get in and I think with time the retention problem is going to go away. I wish Councilman Carson was here to say his piece because in some places they are all volunteers, and we can't compare to surrounding areas. We are doing a great job with twenty some Volunteers and the Volunteers will make you or break you. There are more volunteer Firemen and EMS than there are professionals. Pat is doing a great job there is no doubt about it and I don't want to lose a friendship over how I feel regarding the betterment of the City and what I was voted in for. I had to get out of the Fire Department when I was voted in on the City Council because of a conflict that took over two years to get my slate clean. There are a great group of people, and that man is the right man for the job. That is all I will say at this time.

City Fire Chief Stork stated one of the things I am leading into is one of the things Councilman Alworth is talking about. To give you a little history, I have been with this Fire Department for thirty-four years and am the most senior employee within the City right now with almost twenty-four years full time. I have devoted and worked close to half my life for the City. I stayed working during a time we had a City Council that would not negotiate with us, we went four years with no contract or raise and then the next year all we got was an extra holiday. Several of those years we got a percent or a percent and a half when everywhere else was giving a cost of living around four to five percent. I respond after hours, weekends, holidays, and during my vacation time if I am in town. I am taking the task on right now of keeping our billing current. We have such a new staff there right now that I cannot put any more workload on those guys until they get their basic skills they need. If I start piling things on them, they are going to fail and then we are back down to nothing. I think I have taken this Department in a positive direction. Right now, with the 7.5% raise that went into effect last week, my assistant chiefs are making more money than me. The County Chief makes about \$10,000.00 more a year than I do and has no people under him and does not have near the workload that I do. I am getting towards the end of my career. I have about three and a half to four years and then I am at my maximum. At that point I am going to bale for sure, but right now for me to stay with everything that is going on it takes me away from my family and I am going to need a raise that is worth me staying. Right now, there is nobody even close to retirement; I'm it. I am the only guy that stuck it out, everyone else has left. You want to know why they left; I am going to tell you why they left, it's money. Six months ago, when we were hiring firefighters, we were competing with McDonalds at fifteen dollars an hour we were offering; that is a slap in the face. With the current salary you guys invoked I think it is still low but if you look a one-year assistant chief makes more than an entry level fire chief. Eleven years ago, our City Clerk was making \$70,000.00 a year and today our City Clerk is \$3,000.00 above that. I can tell you over the years the employees that have worked for the City have taken a beating. I have the time to retire and I am not going to stay and take a beating any more for pennies on the dollar.

Councilman Spear stated from the beginning when we hired you, I went and did some research, and I am going to tell you I think you have done an impeccable job at that Fire Department. I am totally impressed and understand the issues you have with the salaries. The only reason Jennifer is more than the \$70,000.00 is we gave her more of a raise than what she asked for.

City Fire Chief Stork stated I am going to be straight up honest with you guys I have looked at this list and pondered it. I am not looking at this as a percentage of what I want. I am looking at it for how long I have been here and how long I have devoted to this department. I watched you hire a guy a year ago that is making within \$5,000.00 of what I make and I have been with the City for twenty four years. I would like to be at the top of this pay scale, but at the bare minimum I would like to have at least \$105,000.00 a year and that gives me a reason to stick around another two or three years. If I stay here for another three years my plan is to be at that top wage. You have to look at it from my aspect when it comes down to my quality of life and retirement. Every year I stay here it only makes 2.67% more on my retirement and when you break that down day by day and you guys know I have other businesses that I can make up that little bit of change. I would like to hear your thoughts.

Mayor Robertson stated with one missing Council Member and one abstaining there will have to be a unanimous vote among the three remaining Council Members. As my time as the Mayor here I appreciate that every time I have called on City Fire Chief Stork he has certainly stepped up to the plate. My spouse is part of the Volunteer Fire Department and there is nothing quite as unnerving as waking up in the middle of the night to find your significant other gone on a call and it offers me consolation knowing that he is out with a well-trained group of people that work together. The number of trainings they have bumped up has been significant. Knowing that our department is well equipped and well trained in the situations they go into, that the staff is willing to go into those situations as often as they are, and to perform as well and professional as they have is not only a point of pride for me but a point of pride for our City. I appreciate the work and the part that you have played in that Chief Stork immensely.

Councilman Alworth stated when we hired Pat, he was our best candidate, and we were stuck with a no-good wage scale that the City had for twenty years. I know years ago they would give us more time off because they couldn't afford to pay us more. I understand the pay scale is the problem. What we have going on now is we have given out raises over and above the budget which averages out to be about \$5,000.00 on average. I have two plans to throw out there. Pat makes more than the career staffs base pay, but they now have built in overtime because we went from forty-eight to ninety-six. I will give you an example Firefighter A has a base pay of \$77,282.00 and with the overtime built in it goes to \$88,199.00 annually which is more than the Chief. You take one of the newest firefighters in training and their base pay is \$48,900.00 and with overtime it goes to \$55,000.00. Firefighter C is at \$87,000.00 with overtime. In many Counties their career staff make way more than the fire chief. One of my ideas is align him with the last few people. The Attorney had money added into his budget and there was nothing added in the budget for the Fire Department because of the pay raise. We maybe didn't have the foresight. Councilman Carson sat right there at the last meeting and said how can we keep going over the budget, but he is not here to defend his statement. My point is what do we do? We have four individuals that we have given them what they wanted or more and I am not pulling numbers out of the air. What I did was went off his base pay of \$85,000.00 and added 10.5% because that is what the career staff got and that brings you up to \$93,925.00.

City Fire Chief Stork stated it makes me want to go peddle the County for a job because they pay more.

Councilman Alworth stated when he was a career staff there were only two or three of them that had Life Safety and Inspector Safety. He is the only one that has that now so throw another 2% on that and it makes it \$95,804.00. Where are we going to sit as a Council and say enough is enough. Again, I am not saying he is not worth it, but we are responsible for the budget of this City and that is why I am asking for another \$200,000.00. We had a budget committee, and it went south because there was no

oversight. My recommendation is based on numbers available to the City. You can't compare us with the County because they have more money. We are running in the County and doing their work and they are getting the big money. If Chief Stork put in for a job with the County, they would have snatched him up in a hurry.

Councilman Spear stated I know how much time a fire chief puts in and a volunteer; I lived with one for a long time. Jim, I understand the budget problem, but I will tell you right now that we could not replace this man for the \$105,000.00, he is asking. I have to commend you Pat because you could have gone to the top of that scale. You felt that was what you needed after twenty-four years. We do have a volunteer problem here in White Pine County as well as all over the country. Here in White Pine County, it is because most people are working ten and twelve hour shifts and traveling an hour and a half each way to work. They just don't have the energy or the time to become volunteers, so it becomes more and more of a burden on your paid staff. I would support the \$105,000.00.

Councilwoman Williams-Harper stated I am going to stand in the gap here. I feel there is merit on both sides with what Councilman Alworth is saying in that we need to anticipate and do a better job ahead of time with our budgeting. I also understand fire chiefs, police chiefs, and other people like that we pay them for the pressure, unexpected things that may come up and making sure that nobody underneath them is making a mistake because they are always liable for that mistake. I also believe if we were to lose him tomorrow it would be a huge problem for the City. I respect the fact that everyone is working hard, and we need to be a little more transparent in the budget. I am not saying that we are not, but we need to be a little more anticipatory of what people might want or where they want to go, so we can start much earlier in our budget process.

Councilman Flangas stated I have known Pat for several years and he is devoted. We couldn't replace him with what we are offering, and I think it is time we become realistic in the City and stop losing people because they can go somewhere else and make more money. When you have someone that is as devoted as Pat has been, the work that has been accomplished, and how he runs his department; I am surprised he didn't bounce earlier. I am thoroughly impressed with him and think he has done a fantastic job and I am in agreement with what he is asking for.

Councilman Spear stated I think in our budget process we need to consider what these people would cost to replace.

City Fire Chief Stork stated I am not coming in here trying to strong arm you. You have to look at I have time invested here and I can retire tomorrow, and I look at people and think do I want to keep doing this or do I want to be fishing with the retired guys. I have thought about it long and hard and if I am going to keep doing this it has to be worth it to me to do and that is the number I came up with. My plan is to stay the next three to three and a half years and I am shooting for that top number, and I am telling you that now so the budgeting lady can start budgeting.

Councilwoman Williams-Harper stated this is an extremely important position and with you staying I would like to see you start some kind of program or some kind of training so when you leave in three years there is someone that can replace you.

City Fire Chief Stork stated I have had that discussion with Janette and like I said right now it is so tough because we have such a young department we are working with. Right now, I have two guys that have some knowledge and career time behind them. It is going to be a work in progress.

Councilman Spear moved to accept the annual performance evaluation of City Fire Chief Pat Stork and increase his annual pay to \$105,000.00. Councilman Flangas seconded the motion. The motion passed with three ayes and one abstention from Councilman Alworth.

Mayor Robertson recessed the regular Ely City Council Meeting 6:30 P.M.

Mayor Robertson reconvened the regular Ely City Council Meeting at 6:36 P.M.

2. Mayor Robertson – Discussion/For Possible Action – Approval for Mayor, City Council members and City staff to attend Governor Sisolak’s Infrastructure Summit September 30, 2022.

Mayor Robertson stated the information you received in your packet is all I have received. I wanted to put it before the Council to see if they saw value in sending staff and/or elected officials to that.

Councilman Spear stated I am really excited because Jim and I have been working with the PORTER Group on infrastructure issues. However, I got some really great news today that they are going to be putting my shoulder back together on the 28th so I will not be able to attend, but I think someone needs to go.

Mayor Robertson stated B.J. would be a good person to send to this infrastructure summit.

Councilman Spear moved to approve up to three elected officials and the City Engineer to attend Governor Sisolak’s Infrastructure Summit September 30, 2022. Councilwoman Williams-Harper seconded the motion. The motion carried unanimously.

3. Councilman Flangas – City Public Works Supervisor – Discussion/For Possible Action – Review of bids to purchase City of Ely personal property, specifically playground equipment, no longer required for public use with possible awarding of bids.

Mayor Robertson reviewed the bid tabulation:



City of Ely
Personal Property Sale
Bid Tabulation

CITY OF ELY
501 Mill Street Ely, Nevada 89301
City Hall (775) 289-2430
Fax (775) 289-1463
Cityofelynv.gov

Bid Items	Bidder Candi Ashby	Bidder Jamie Tweedy	Bidder Jake and Jennifer Brunson	Highest Bid for Property
Six (6) playground horse swings To be sold as a set or separately individual horses will require a frame to install. Minimum Bid: \$50.00 per swing	No Bid	No Bid	\$350.00 for all six (6) playground horse swings.	Jake and Jennifer Brunson \$250.00 for all six (6) playground horse swings.
Two (2) playground horse bounce teeter totters. Minimum Bid: \$50.00 per teeter totter	No Bid	No Bid	No Bid	No Bid
Two (2) playground rocket bounce toys. Minimum Bid: \$50.00 per bounce toy	\$300.02 total for both rocket bounce toys.	\$50.02 total for both rocket bounce toys.	No Bid	Candi Ashby \$300.02 for both rocket bounce toys.

Present for Bid Opening: City Clerk Lee and Administrative Assistant Cobb

The City of Ely is an equal opportunity provider and employer.

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Councilman Alworth moved to award the City of Ely personal property, specifically playground equipment, no longer required for public use to the highest bidders. Councilman Flangas seconded the motion. The motion carried unanimously.

4. Councilman Carson – Discussion/For Possible Action – Approval to release a Request for Qualifications for engineering services OR renew the City of Ely’s contract with Basin Engineering.

Mayor Robertson stated correct me if I am wrong, but the Council has two options here either to renew with Basin Engineering or request RFQ’s and choose from that.

City Attorney Cahoon stated I have obtained some additional information in the last couple of days, and I would like to ask the Council to table this item. I will be drafting an amendment to extend B.J. 's contract for an additional month as his contract does end on September 18th. In that time, I will figure out how we go about this; an RFQ may be required is why I would like this tabled

Mayor Robertson stated I should have mentioned this earlier, but this is on the agenda because his contract term is up, and we need to decide what to do with that.

Councilman Spear moved to table the approval to release a Request for Qualifications for engineering services OR renew the City of Ely's contract with Basin Engineering. Councilman Alworth seconded the motion. The motion carried unanimously.

5. Councilman Spear – Councilman Alworth – Discussion Only – Update on Porter Group efforts on the City of Ely's behalf to secure federal and State funding.

Councilman Alworth reported there has been no change at this time.

6. Councilman Alworth – Discussion/For Possible Action – Approval to pay fifty percent (50%) of consulting fees for Marvin Griff, Esq. of *Thompson Hine*, up to \$25,000, to advise regarding Federal Energy Regulatory Commission (FERC) laws in connection with the White Pine Pumped Storage Project to protect the interests of the Nevada Northern Railway Foundation and the City of Ely; Mr. Griff's hourly rate is \$750.00.

Councilman Alworth stated the Railroad hired this gentleman and he is an expert in the field of the Federal Energy Regulatory Commission (FERC). The last communication I had with Mark Bassett was they have paid a substantial amount so far. I have no idea if \$25,000.00 is going to be enough.

City Treasurer/HR Director Trask stated I would also like to recommend if they have already hired him that this go into effect from this day or tomorrow forward and not be retroactive back to anything they have spent so far.

NNRY President Mark Bassett stated I agree with City Treasurer Trask. If the Council approves this, I would like to request that it goes towards fees moving forward starting tomorrow.

Mayor Robertson stated I will disclose that I am a part time employee of the Railroad Foundation and not a voting member of this body so I will not be abstaining.

Councilman Spear stated the \$25,000.00 actually equates to \$50,000.00 because the Railroad picks up the other \$25,000.00, which would put it at about 66.66% hours total and I think he will eat that up pretty fast. It doesn't say in there if the \$750.00 covers his travel or any other expenses.

City Attorney Cahoon stated based on my experience they will bill a lower amount if they are traveling, but they do still charge for it.

Councilman Alworth moved to approve paying fifty percent (50%) of consulting fees for Marvin Griff, Esq. of *Thompson Hine*, up to \$25,000, to advise regarding Federal Energy Regulatory Commission (FERC) laws in connection with the White Pine Pumped Storage Project to protect the interests of the Nevada Northern Railway Foundation and the City of Ely; Mr. Griff's hourly rate is \$750.00 effective August 26, 2022. Councilwoman Williams-Harper seconded the motion. The motion carried unanimously.

8. Councilman Alworth – Discussion/For Possible Action – Approval of Sourcewell Membership Agreement to provide competitively solicited cooperative purchasing for the City of Ely.

Councilman Alworth stated this is another tool.

Councilman Spear stated it doesn't say what the membership fee is?

City Clerk Lee stated it's free.

Councilman Spear moved to approve the Sourcewell Membership Agreement to provide competitively solicited cooperative purchasing for the City of Ely. Councilman Alworth seconded the motion. The motion carried unanimously.

9. Councilman Alworth – Discussion/For Possible Action – Review of Public Works Supervisor and Street Leadman's recommendation on street sweeper, to be purchased with FY23 budgeted Public Transit Funds, with possible selection of either the 2023 Elgin Whirlwind1 or 2023 JohnstonV65h model.

Public Works Supervisor Cracraft stated both models will work great. There is confusion on the recommendation from the Street Leadman, so I ask this be tabled until the next meeting for clarification.

Councilwoman Williams-Harper moved to table the review of Public Works Supervisor and Street Leadman's recommendation on street sweeper, to be purchased with FY23 budgeted Public Transit Funds, with possible selection of either the 2023 Elgin Whirlwind1 or 2023 JohnstonV65h model. Councilman Alworth seconded the motion. The motion carried unanimously.

10. Councilwoman Williams-Harper – Discussion/For Possible Action – Direction to City Human Resources Director to form a committee tasked with reviewing job descriptions for appointed officials and recommending possible revisions thereto.

Councilwoman Williams-Harper stated I stated previously we wanted to know what those job descriptions were, so I would like to see this happen.

Councilwoman Williams-Harper moved to Direct City Human Resources Director to form a committee tasked with reviewing job descriptions for appointed officials and recommending possible revisions thereto. Councilman Spear seconded the motion. The motion carried unanimously.

9. PUBLIC COMMENT

George Chachas stated his ongoing concerns regarding if the City ever collected in full for water, sewer and landfill services from the Historical Railroad when they owned the White Pine Trailer Park; collected in full from Garnett Mercantile; If Councilman Spear has collected amusement tax from when he was in office previously; and collected in full for utilities from the Golf Course. My property at 622 High Street, the old Ely Grade School, got broken into again within thirty days of the last time and the individuals had to cut barb wire and use a sledgehammer to gain access. I have asked for the City streetlight to be changed on the corner of Ely Street and 7th Street. You are allowing the downtown area to look like a ghetto. If we can't make a living downtown, you have no right to expect us to support the salaries you are giving your employees. You have no business supporting the hospital for housing when there is housing available. Councilman Alworth said there was an individual with thirty lots that won't sell them. I want to know who that individual is. The County sold lots for \$7.10 and now they are being sold for \$35,000.00 plus by the individual. Where are you going to get the new revenue? You can't sustain the raises you are giving out to everybody; not that they don't deserve it, but you have to show revenue and you're not. You are just talking about increasing things.

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

Councilman Spear moved to adjourn the regular meeting of the Ely City Council at 6:56 p.m. Councilwoman Williams-Harper seconded the motion. The motion carried unanimously.


ATTEST


MAYOR