



# CITY OF ELY

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

## ELY CITY COUNCIL MEETING

January 11, 2018 5:00 p.m. – Ely Volunteer Fire Hall - 499 Mill Street-Ely, Nevada.

1. Mayor Van Camp called the regular meeting of the Ely City Council to order at **5:06 p.m.**, led in the Pledge of Allegiance, Pastor Bob Winder offered the Invocation and Mayor Van Camp asked for Roll Call.

Members present:

- Mayor Melody Van Camp
- Councilman Ernie Flangas
- Councilman Kurt Carson
- Councilman Tony DeFelice
- Councilwoman Jolene Gardner

Members absent:

- Councilman Sam Hanson

City Staff present:

- City Administrator Robert Switzer
- City Attorney Charles Odgers
- City Treasurer Janette Trask
- City Engineer B.J. Almberg
- City Building Official Brad Christiansen
- City Fire Chief Ross Rivera
- WPC Sheriff Scott Henriod
- Deputy City Clerk Jennifer Lee

Also in attendance: Members of the public signed in (appears below).

**PLEASE PRINT YOUR NAME**  
 Please print your **FIRST & LAST** name clearly for the  
 Ely City Council attendance list. 1-11-18

Pastor Bob Winder

Beri Wopschall

Andie Tomland

Ral Hildway

Caroline McVittay

Tamera Brown

Scott Henriod

George Chachas

Scott

Ray McMurray

Mark Bassett

William Robinson

Pat Robinson

Nichole Baldwin

## 2. PUBLIC COMMENT

Tamera Brown with the Nevada Small Business Development Center reviewed the U.S. Small Business Administration flyer appearing below and stated I've already talked to Tony DeFelice about attending the meeting. I think it would be very helpful for Joe; he's coming out to meet the communities and find out how rural communities differ from urban areas. So, I would like to have as many Councilmen attend as possible and other people who are involved in economic development or who own small businesses. I'm partnering with Rural Nevada Development Corporation.



**SAVE THE DATE!**

**Friday, January 26th**

**Meet with Joe Amato, New State Director for the  
U.S. Small Business Administration**

**Time:** 9 am to 10 am

**Who's Invited:** Small businesses, public officials, development authority members, economic development partners, and chamber members.

**Discussion:** State of small business, SBA priorities, economic activity and lending

**Where:** White Pine County Library  
950 Campton Street, Ely, Nevada

**ISVP:** Mary Kerner—775-289-8519, mary@rndcnv.org  
Tamera Brown—775-772-2891, tamerabrown@unr.edu



Can't Leave Your Business and Want to Participate?  
Tune in to KDSS 92.7 FM at 11:00 am for a live interview  
Call in to 289-6474 to ask your questions



U.S. Small Business Administration: The Nevada SBDC is funded in part through a Cooperative Agreement with the U.S. Small Business Administration. All services are extended to the public on a non-discriminatory basis. Reasonable accommodations for persons with mental or physical disabilities will be made if requested at least 5 days in advance. Contact Tamera Brown at 775-772-2891 to make arrangements. SBA cannot endorse any products, opinions or services of any external parties or activities.

George Chachas stated ongoing concerns regarding bringing the billing back to City Hall; incorrect billing of his property at 567 Ely Street; 790 Avenue K sidewalk replacement; completion of the valley gutter at Ruby and Orson; and members of the City Planning Commission and City Council being out of compliance. The City needs to solicit a newspaper and a cable company.

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

Mayor Van Camp stated I'd like to remove Item 8B-2.

City Attorney Odgers stated the Utility Board voted unanimously, with Mr. Holdaway abstaining, to table Item 7-1, since it is an incomplete agenda item; there were two cycles, '14 and '16.

Councilwoman Gardner moved to accept the agenda with Items 8B-2 and 7-1 removed. Councilman Carson seconded the motion. The motion carried unanimously.

## 4. CITY DEPARTMENT REPORTS

- FIRE CHIEF

City Fire Chief Rivera stated our calls went up considerably, the most we've ever jumped.

Mayor Van Camp asked mostly EMS?

City Fire Chief Rivera stated yes. Now that we are allowed to participate in the County's incidents, that pushed that up. At the end of the month, two of us will go to Sioux Falls and inspect the new fire truck.

- **POLICE CHIEF**

Sheriff Henriod reviewed the White Pine County Sheriff's Office 2017 statistics appearing below and stated our calls were up by 400, which is a little bit concerning.



Sheriff Scott Henriod  
Captain Jaime Swetich

## WHITE PINE COUNTY SHERIFF'S OFFICE

1785 Great Basin Blvd. Ely, NV 89301

Phone: (775)289-8808

Fax: (775)289-1468

### STATISTICS FOR 2017

	<u>CITY</u>	<u>COUNTY</u>	<u>TOTAL</u>
INCIDENTS:	13,327	4,518	17,845
TRAFFIC STOPS:	1,737	907	2,644
CITATIONS:	443	503	946
ARRESTS:	316	66	382
BOOKINGS:	542	147	689
DAYS SERVED IN JAIL:	6,138	1,508	7,646
COST @\$75 PER DAY, PER INMATE:	\$460,350	\$113,100	\$573,450

- **CITY ADMINISTRATOR**

City Administrator Switzer stated I had an opportunity to meet a couple of bank representatives looking to finance one of the hotel projects and am looking forward to it going through.

- **CITY ENGINEER**

City Engineer Almborg stated we have a meeting with NDOT over the 11<sup>th</sup> Street TAP funding on January 23<sup>rd</sup>. We're finalizing the 15<sup>th</sup> Street water project and the aeration project. We've been working with NDOT on the Aultman Street project.

## 5. NNRV FOUNDATION REPORT

NNRV President Mark Bassett stated everything's working as it's supposed to on *Locomotive 93*; its 109<sup>th</sup> birthday train is Saturday and it will also do the Fireworks Express. The little garage building hit by a car is close to being finished and we're pleased with the contractor's work; it was knocked off its foundation to the north and east. Preliminary sales for 2018 are 500 tickets.



# NEVADA NORTHERN RAILWAY

A NATIONAL HISTORIC LANDMARK



## Nevada Northern Railway Foundation

Depot: 1100 Avenue A, Ely, Nevada 89301

Mailing Address: PO Box 150040, Ely, Nevada 89315

Voice: (775) 289-2085 • Web: [www.nnry.com](http://www.nnry.com) • E-mail: [info@nnry.com](mailto:info@nnry.com)

### Monthly Operations Report for December 2017

1. Locomotive Status – Updated

- a. Locomotives in service: #40, #105, #109, #204, #310, Wrecking Crane A & Rotary B.
- b. Locomotive 93 – Locomotive 93 passed her federal boiler inspection and is now ready for service. She will premiere on January 13 at 1:00 pm when she hauls her 109<sup>th</sup> Birthday Train.

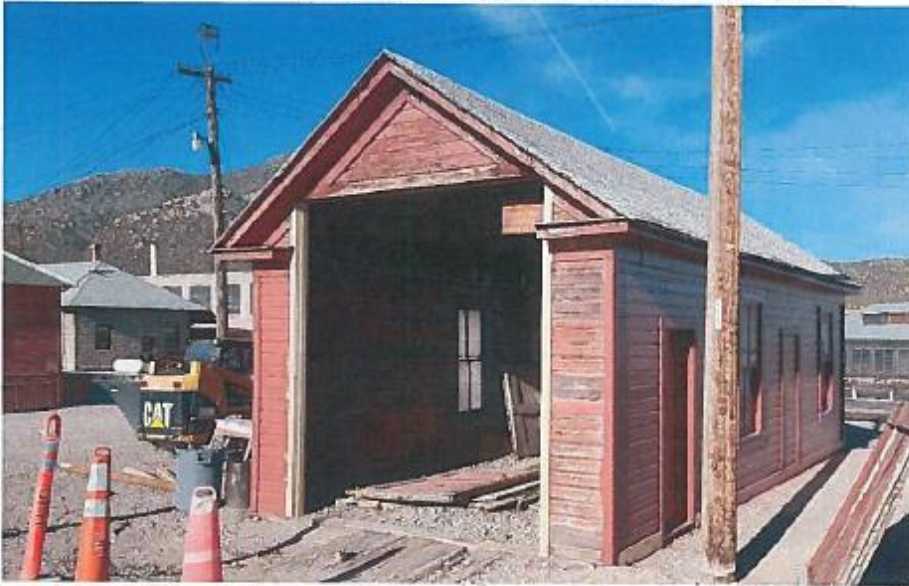


- c. Locomotives out of service needing moderate repairs: #45 – We have started repairs on this locomotive.
  - d. Locomotives waiting funding for restoration: Steptoe Valley Smelting and Mining #309, #81 and Rotary Snowplow B (for boiler overhaul.)
  - e. Locomotives out of service needing heavy repairs #801, #802, #81, #80 and the military locomotives
2. Rolling Stock Status – No change
- a. Passenger equipment in service: #07, #08, #09, Flatcar #23, Coach #5, Baggage Car/RPO #20, Outfit Car #06.

### **Award Winning Destination**

Nevada State Treasure – 2013 & 2012  
Trip Advisor Certificate of Excellence – 2017, 2016, 2015, 2014  
Best Preservation Effort in the West • Attraction of the Year – 2012  
Best Museum in Rural Nevada – 2017, 2016, 2014, 2013, 2010, 2009, 2008  
Best Event in Rural Nevada – The Polar Express – 2017, 2016, 2015, 2014 & 2013  
Best Museum - Special Recognition – 2010 • Favorite Nevada Attraction – 2008  
Best Place to Take the Kids in Rural Nevada – 2015, 2014, 2013, 2012, 2011, 2010, 2009, 2008, 2007

- b. Passenger equipment out of service: #10, #2 and #05 needing heavy repairs.
  - c. Caboose in service: #3, #6 and #22 are operational.
  - d. Caboose out service: #5
3. Track Status – No change
- a. Keystone Branch is open
  - b. Adverse Branch is open.
  - d. The Foundation received a \$347,670.22 grant to replace the signals at the US 93 crossing. The parts for the crossing have finally shown up. We will do the construction in the spring.
4. Building Status – No change
- a. We're working on the Carpenter Shop.
  - b. McGill Depot - Our next step is to do the electrical work, outlets, switches and lights.
  - c. The garage that was hit by a car is being repaired. It is really coming out grand!



5. Ridership and Ticket Sales – Updated
- a. In December we carried we carried 4,001 passengers. This is essentially the same as last year. We carried 18 passengers less than last year in December. The Polar Express Trains carried 4,751 passengers, a decrease of 70 passengers from last year. Considering that we had a 33% increase the year before, I was very pleased we maintained the increase.
  - b. Annual ridership was 16,026. This is an increase of 1,787 passengers or 13% over last year. 2017 was the largest year we have ever had.
  - c. Since operations began in 1987, we have carried 268,318 passengers.
6. Upcoming Events – Updated
- a. Locomotive 93's 109<sup>th</sup> Birthday Party Celebration Train, Jan 13<sup>th</sup> at 1:00 pm
  - b. Fire and Ice Fireworks Express, January 13<sup>th</sup> at 4:30 pm
7. \$30,000 First National Bank of Ely Challenge  
We blew past the \$30,000 challenge. Memberships and donations came in at over \$170,000 in December.

Mayor Van Camp stated I saw 'Race the Train' advertised in a big bicycle magazine in Utah and in a big newspaper.

NNRY President Bassett stated oh yes! That was very successful last year. It should be just as successful, if not more so, this coming year. We made the \$30,000.00 *First National Bank of Ely* challenge and the money is still trickling in. With the money from *First National Bank* and the money that we've received from members and donors, we're up over \$210,000.00. The Sunday of Memorial Day Weekend, we're doing the first Iron Horse cook off. As part of the meeting with the Convention Center, we talked about Fire and Ice and next year they're going to plan events that won't be weather dependent.

## 6. REPORTS

### MAYOR

Mayor Van Camp reviewed her report appearing below.

#### 1. I approved Special Event/24-Hour Liquor Licenses to:

- Ely Volunteer Fire Dept. - Fireman's Ball at Convention Ctr. 12-31-17 to 1-1-18

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

2. Board Members – City Administrator Switzer – Discussion/For Possible Action – Review of survey report on sewer line in the 600 block of Parker Avenue AND *Alternative Service Concepts*’ response to the re-submission of the claim on behalf of John Chachas and George Chachas for expenses incurred to unclog the sewer line at 681 Parker Avenue in July 2017.

City Administrator Switzer stated Mayor Van Camp, Council Members, you have in your packet a report from *Basin Engineering*, as a result of the Council’s desire to re-submit this claim. You have the response from *Alternative Service Concepts*. In addition, I instructed *Basin Engineering* to conduct a test, an analysis of the slope of that, of that line, since that was part of the discussion in this whole claim. *Basin Engineering* did its analysis and you can see the report there in your packet. That’s where we’re at, at the moment, Mayor.

Councilman Carson stated this was also brought in front of the Utility Board this morning; they made a motion to table this and instruct Chuck to get with the contractor, *Ahlvers Plumbing*, and probably see what percentage of the job was done on City side and I think for the Chachases. And I’d like to go ahead and make that same motion at this time.

Councilwoman Gardner asked you made the motion.

Councilman Carson stated yep.

Councilwoman Gardner stated I’ll second it.

Mayor Van Camp asked is there any further discussion? All in favor?

Councilman Flangas voted Aye.

Councilman Carson vote Aye.

Councilman DeFelice voted Aye.

Councilwoman Gardner vote Aye.

Councilman Hanson voted Aye.

Mayor Van Camp asked opposed?

John Chachas asked Madam Mayor?

Mayor Van Camp stated yeah?

John Chachas asked may I have . . .

Mayor Van Camp stated sure.

John Chachas stated excuse me. For the record, my name is John Chachas. May I have the Engineer read his report into the record at this time?

Mayor Van Camp stated sure.

John Chachas stated thank you.

City Engineer Almborg stated it says: (appears below)



January 5, 2018

Mr. Robert Switzer  
City Administrator  
City of Ely  
501 Mill Street  
Ely, NV 89301

*Re: Parker Street Sewer Main Slope*

Dear Bob,

At your request, we surveyed the subject sewer main on January 3, 2018. The main was exposed by the City crews and the results of the survey results indicate the slope of the existing 4" sewer line to be 0.52%.

Per the Ten State Standards, "Policies For The Design, Review, And Approval Of Plans And Specifications For Wastewater Collection And Treatment Facilities 2014 Edition", all sewers shall be designed and constructed to give mean velocities, when flowing full, of not less than 2.0 feet per second, based on Manning's formula using an "n" value of 0.013. The sewer main in question would have a mean velocity of 1.5 feet per second.

Based on the minimum velocities of the existing sewer main and our discussions with yourself and Carl, it is our recommendation that sewer cleanout with a traffic rated lid be placed at the end of the 4" sewer main to allow access for routine maintenance.

If you need additional information regarding this matter, please feel free to call us at your earliest convenience. (775) 289-9800.

Sincerely,  
**BASIN ENGINEERING CORPORATION**

Emil W. Almberg, Jr., P.E./P.L.S.  
Principal

1070 E. Aultman Street • Ely, Nevada 89301 • (775) 289-9800 FAX (775) 289-9802

Mayor Van Camp stated thank you. Would there be everything else?

John Chachas asked I have a question. So, does your report find that that sewer line was installed to Code and is functional with the grade that is installed?

City Attorney Odgers stated Madam Mayor, I'm going to object to the question. At this particular point in time, during what period is referring to because the pipe, according to Mr. Chachas, was installed in the 1950's, so the Code of the 1950's or the Codes from today? So, as far as I know this is not a hearing. As far as I know the motion's been made and then passed upon. And this is not an opportunity for Mr. Chachas to attempt to cross examine a member of the City staff.

John Chachas stated I'm asking for clarification is all, before this goes to trial.

City Attorney Odgers stated then we'll wait. If he's now invoking trial, I'm going to advise Mr. Almberg, who is a client to the City, not to respond.

Mayor Van Camp stated and so, thank you. Thank you.

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

### A. CONSENT AGENDA

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

Moved by: Councilwoman Gardner Second by: Councilman Carson Vote: Unanimous

1. Discussion/For Possible Action –Minutes.
  - November 9, 2017
  - December 14, 2017
2. Discussion/For Possible Action –Bills.
  - December 14, 2017
  - December 21, 2017
  - December 28, 2017

City Attorney Odgers stated there is not a quorum present today of the members present for the November 9, 2017 meeting.

Mayor Van Camp stated in the December 21, 2017 bills my business got paid \$60.00 for flag repairs.

The December 14, 2017 Minutes and the December 14, 21, and 28, 2017 bills were approved.

### B. NEW BUSINESS

1. Mayor Van Camp – Discussion/For Possible Action – Appointment of White Pine County Sheriff Scott Henriod as City of Ely Chief of Police, pursuant to NRS 266.530.

Councilwoman Gardner moved to appoint Sheriff Scott Henriod as the City of Ely Chief of Police. Councilman Flangas seconded the motion. The motion carried unanimously.

White Pine County Sheriff Scott Henriod was sworn in as City of Ely Chief of Police.

3. Council Members – City Administrator Switzer – Discussion/For Possible Action – Selection of proposal for City Hall janitorial Services; the company which submitted a bid is *Accurate Building Maintenance*.

City Administrator Switzer stated at your place you should have the bid for City Hall cleaning services; this was a result of prior City Council action. *Accurate Building Maintenance* is proposing a monthly fee of \$361.00 per month; they were the only bidder.

City Treasurer Trask stated I recommend we don't move forward at this time.

4. Mayor Van Camp – City Hall Renovation Project Manager Nathan Robertson – Discussion/For Possible Action – Approval to expend the remaining \$2,317.83 of the Commission for Cultural Centers and Historic Preservation grant received by the City of Ely, not to exceed \$2,317.83, to repair some of the exterior metal cladding on top of the building or other City Hall renovation projects. All requests for reimbursement must be submitted to the State no later than April 22, 2018.

Nathan Robertson stated in the interest of expending this money we received from the State, we did get all the reports paid for and there's some money left over. The State will let us spend this on other items and these are items brought up in the historical structures report. Some of that cap on top of the building has been coming off in the wind. I spoke with some roofing contractors this week; they said repairing that and replacing it in total is within the budget we have. This will help prevent some further deterioration on that capstone on top of the building and keep the masonry in good shape for when we do our full renovation. If there's extra money, I did talk with them, we could do some gutter work or work on that green facia that's having some problems.

Councilman Carson moved to approve expending the remaining \$2,317.83 of the Commission for Cultural Centers and Historic Preservation grant received by the City of Ely, not to exceed \$2,317.83, to repair some of the exterior metal cladding on top of City Hall. Councilman Flangas seconded the motion. The motion carried unanimously.



5. Councilman Hanson – City Administrator Switzer – Discussion/For Possible Action – Approval of Cooperative Agreement for Election Services between White Pine County and the City of Ely, pursuant to NRS 277.180 .

City Administrator Switzer stated number one it will be much more efficient to have our elections coincide. Number two is the cost savings. Each election cycle we spend \$14,000.00 and by this cooperative agreement with the County, our cost would amount to about \$535.00 per election. Those monies come directly from the General Fund.

City Attorney Odgers stated I reviewed this Inter Local agreement; this is the final version the District Attorney's office has approved. There is one typographical error on page 3 where we go from Article 2 to Article 4; I've corrected that and renumbered Article 4 through 11 to Article 3 through 10. The District Attorney and I both strongly recommend approval of this.

Nichole Baldwin stated Nichole Baldwin, for the record County Clerk. I think it's in the best interests of the City and the County to combine this seemingly duplicative effort for election services. I'm more than willing to do this at a minimal cost to the City of the 15 cents per registered voter. It wouldn't be much more work for me at all and any more work, Bob would help with proofing and on Election Day. It would definitely benefit City of Ely citizens, saving taxpayer money.

Councilwoman Gardner moved to approve the Cooperative Agreement for Election Services between White Pine County and the City of Ely. Councilman DeFelice seconded the motion. The motion carried unanimously.

6. Councilwoman Gardner – Discussion/For Possible Action – Approval of Intergovernmental Agreement for Road Maintenance between White Pine County and the City of Ely.

Councilwoman Gardner stated this is a good deal. There's no money involved.

City Attorney Odgers stated the District Attorney and I have gone through this. White Pine County has already approved this.

Councilwoman Gardner moved to approve the Inter Local Agreement for Road Maintenance between White Pine County and the City of Ely. Councilman Carson seconded the motion. The motion carried unanimously.

7. Council Members – City Building Official Christiansen – Discussion/For Possible Action – Approval of General Guideline for Medical Marijuana Operations in the City of Ely.

City Building Official Christiansen stated this is something that I pulled off of the City of Las Vegas to come up with this. We can hand this out to any potential businesses for sales or growing; it shows required building codes and what has to be submitted to the City for review. We can add this to the building codes we have.

City Attorney Odgers asked is the intent to have this adopted as an ordinance?

City Building Official Christiansen stated we probably should.

City Attorney Odgers stated so Madam Mayor, City Council, the motion you wish to make is to instruct me to incorporate this into an ordinance.

City Building Official Christiansen asked if we get the vote on this tonight, can I use this now?

City Attorney Odgers stated yeah.

Councilman Carson moved to instruct the City Attorney to incorporate General Guideline for Medical Marijuana Operations in the City of Ely into an ordinance. Councilman Flangas seconded the motion. The motion carried unanimously.

8. Council Members – City Treasurer Trask – Discussion/For Possible Action – Acceptance of Corrective Action Plan for Findings noted in City’s FY 2017 audit.

City Treasurer Trask reviewed the Corrective Action Plan for Findings noted in the City’s Fiscal Year 2017 audit appearing below.

### **Corrective Action Plan**

#### 2017-001 Closure and Post Closure Financial Assurance: Allowable Mechanism

The Landfill Fund’s cost for the landfill closure and post closure funding plans to be in compliance with NAC 444.68525 by the end of fiscal year 2018 with the one of the auditor’s recommended forms:

1. A trust fund as described in NAC 444.683;
2. A surety bond guaranteeing payment or performance as described in NAC 444.68535;
3. A letter of credit as described in NAC 444.6854;
4. A policy of insurance as described in NAC 444.6855;
5. A mechanism approved by the solid waste management authority pursuant to NAC 444.6856;
6. An assumption of responsibility by the State as described in NAC 444.6856; or
7. Any combination of the options listed in subsection 1 to 6, inclusive.

#### 2017-002 Budgetary Compliance

The General Fund’s function budgets will be monitored and analyzed monthly. Adjustments, appropriations or augmentation as allowed by NRS will be used to bring these function budgets into compliance. Our outside accounting firm, Hinton & Burdick, will also be reviewing and making professional recommendations as needed.

Councilman Carson moved to accept the Corrective Action Plan for Findings noted in the City’s Fiscal Year 2017 audit. Councilwoman Gardner seconded the motion. The motion carried unanimously.

9. Councilman Hanson – Discussion/For Possible Action – Re-Consideration of a Petition for a partial Vacation or Abandonment of Road or Easement. The proposed property abandonment is the section of roadway abutting Belfort Avenue and South Avenue, Ely, NV, APN 001-127-01. The Petitioner is Andre H. Bouchard.

City Attorney Odgers stated in your packet you have a map that I specifically asked B.J.’s office to prepare for today’s date.

Andre Bouchard stated in view that Councilman Hanson is not here, I’d like to table for the January 25<sup>th</sup> meeting.

Councilman Carson moved to table this item. Councilwoman Gardner seconded the motion. The motion carried unanimously.

11. Council Members – City Administrator Switzer – Discussion/For Possible Action – Hearing to determine whether condition of **1105 Mountain View Dr.**, APN 002-164-12 owned by Jerrold Meyer, Trustee, *c/o Reverse Mortgage Solutions, Inc.*, is a nuisance and direction to property owner to abate such nuisance within thirty (30) days of the hearing date.

City Administrator Switzer stated I took some photographs, but wasn’t able to print them off yet. I viewed this property in the front, rear and in the alleyway; the condition is the same as the date of the original notice. I recommend approval to put this property on official notice for thirty-day abatement.

Councilwoman Gardner moved to put 1105 Mountain View Drive on official notice for thirty-day nuisance abatement. Councilman Carson seconded the motion. The motion carried unanimously.

12. Council Members – City Administrator Switzer – Discussion/For Possible Action – Approval of Cooperative Ely Complete Streets Agreement between the State of Nevada and the City of Ely, necessary for receipt of \$750,000.00 in federal Transportation Alternatives Program (TAP) funds for the East 11<sup>th</sup> Street Project.

City Administrator Switzer stated it's a grant for \$750,000.00 to enhance pedestrian safety/aesthetics from Aultman to the Train Depot and it's a grant project we've been working on for the past ten months. The City will participate by doing most of the demolition work.

City Attorney Odgers stated I've reviewed the contract. This is a grant agreement, so there is no termination clause. B.J. will be administering this.

Councilman DeFelice asked what is the estimated cost to the City?

City Administrator Switzer stated about \$32,000.00.

City Attorney Odgers asked that would be 'in kind' services?

City Administrator Switzer stated that's 'in kind'.

City Attorney Odgers asked this will coincide to some degree with the work on Aultman Street by NDOT?

City Administrator Switzer stated correct. Although, we will have to seek a contractor for the work that would be separate from NDOT's work. Depending on the timeframe, a competitive bid may come in from the contractor or contractors working on the Aultman/Great Basin Boulevard project.

City Engineer Almborg reviewed the E. 11<sup>th</sup> Street project plan appearing below and stated it won't go all the way to the Depot.

**ATTACHMENT A**  
**SCOPE OF WORK**  
**ELY COMPLETE STREETS**

The project consists of the narrowing of the roadway and construction of a round-about, ADA ramps, parking and pedestrian improvements. The improvements are located on 11<sup>th</sup> Street, from Avenue D to Aultman Street (Avenue F), as depicted below.



Councilwoman Gardner moved to approve the Cooperative Ely Complete Streets Agreement as presented at this time between the State of Nevada and the City of Ely, necessary for receipt of \$750,000.00 in federal Transportation Alternatives Program (TAP) funds for the East 11<sup>th</sup> Street Project. Councilman Carson seconded the motion. The motion carried unanimously.

13. Council Members – City Attorney Odgers – Discussion/For Possible Action – Approval of 2018 Victim/Witness Service Program Memorandum of Understanding. There is no fiscal impact to the City of Ely.

City Attorney Odgers stated the purpose of the Victim Witness Service program is to assist victims of domestic violence as it pertains to our court. I strongly recommend approval.

Councilman Carson moved to approve the 2018 Victim Witness Service Program Memorandum of Understanding. Councilman Flangas seconded the motion. The motion carried unanimously.

14. Mayor Van Camp – Discussion/For Possible Action – Re-appointment of Councilman Kurt Carson to the White Pine County Local Emergency Planning Committee.

Councilwoman Gardner moved to re-appoint Kurt Carson to the White Pine County Local Emergency Planning Committee. Councilman DeFelice seconded the motion. The motion carried unanimously.

15. Mayor Van Camp – Discussion/For Possible Action – Direction to City Attorney to amend City Code 12-14-1 to reflect elimination of the Home Occupation annual fee, while maintaining an initial Home Occupation application processing fee.

City Attorney Odgers stated this came up in December when an individual informed me that they not only pay a regular business license, but also an annual Home Occupation license. Why are we hammering individuals for an additional \$50.00?

City Administrator Switzer stated there will be some fiscal impact if we move forward with this. If the \$50.00 recurring fee goes away, we have approximately fifty Home Occupations, so that would be \$2,500.00.

Councilman Flangas moved to instruct the City Attorney to amend City Code 12-14-1 to reflect elimination of the Home Occupation annual fee. Councilman Carson seconded the motion. The motion carried unanimously.

16. Councilman Carson – City Administrator Switzer – Discussion/For Possible Action – Establishment of requirement that all City of Ely elected/appointed officials and staff route potential engineering questions through the City Administrator, with the City Administrator determining which items will be submitted to *Basin Engineering*.

Councilman Carson moved to table this item and stated it was brought to my attention this morning at the Utilities Board meeting that this was not brought forward to them, so maybe we can run it through next month on the Utility Board.

Councilwoman Gardner seconded the motion. The motion carried unanimously.

## 9. PUBLIC COMMENT

George Chachas stated ongoing concerns regarding whether Campton Street was narrowed, the access road to the Aquatic Center, Winter Road, Home Occupation lists, a refund for his roofing permit and his October 2015 public information request to the Railroad. At a previous meeting Councilwoman Gardner voted against the partial abandonment of a hundred-foot roadway for a ten to twelve million dollar Hotel/Motel project; supposedly because it wasn't up to City

standards. Councilwoman Gardner, I'd like to know what the City paid you – five or ten thousand dollars or whatever it is – when the City re-routed the drain line or whatever utility through your property? I want to know if Home Occupations are paying the commercial fees; they have one leg up on businesses in general. They pay a lower property tax. Are they paying commercial landfill, water, sewer like a brick and mortar business? You want to shrink your brick and mortar business? By all means go ahead, but don't come back to the taxpayer looking for more revenue. I get checks from so-called businesses and I don't see them on the Home Occupation list. Now you're going to give a possible benefit to those in a Home Occupation? Let them step forward and pay the costs the rest of us are doing.

Paul Holdaway stated Paul Holdaway, business owner with a Home Occupancy. I do have a business license and do pay the Home Occupancy fee. My license cost me \$150.00 a year, plus another \$50.00 for the license, so I'm happy to see this and I do pay the business portion of the landfill fees. Thank you for making the effort to work with Home Occupancy business owners.

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

Councilwoman Gardner moved to adjourn the regular meeting of the Ely City Council at **6:21 p.m.** Councilman Carson seconded the motion. The motion carried unanimously.

\_\_\_\_\_  
**MAYOR**

\_\_\_\_\_  
**ATTEST**