



CITY OF ELY

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

ELY CITY COUNCIL MEETING

February 28, 2019 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 **5:01 p.m.**, led in the Pledge of Allegiance, Ken Kliewer offered the Invocation and Mayor Van Camp asked for Roll Call.

Members present:

- Mayor Melody Van Camp
- Councilman Ernie Flangas
- Councilman Kurt Carson
- Councilwoman Jolene Gardner
- Councilman Sam Hanson

Members absent:

- Councilman Tony DeFelice

City Officials and Staff present:

- City Attorney Charles Odgers
- City Building Official Brad Christiansen
- City Parks/Cemetery Leadman Mike Cracraft
- City Fire Chief Ross Rivera
- City Police Chief Scott Henriod
- Deputy City Clerk Jennifer Lee

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

Ely City Council **ATTENDANCE LIST**

DATE: 2-28-19

<u>Print name below</u>	<u>Print name below</u>
<u>Geril Wapschall</u>	
<u>Ken Kliewer</u>	
<u>Tommy Bawle</u>	<u>NARDA</u>
<u>WENCHONG, YE</u>	
<u>George Chachas</u>	
<u>Brandon Bassett</u>	
<u>Kylie Smith</u>	
<u>Bill Sanford</u>	
<u>Mark Bassett</u>	
<u>John Bassett</u>	
<u>Michelle Bassett</u>	

2. PUBLIC COMMENT

Kerrie Pintar stated Kerri Pintar, 1417 Mill Street. I had a chance to talk to the Mayor and Jolene about our road this morning. Mr. Cracraft and his staff have changed how they plow our road; this has made a huge difference to those of us who are tracking mud into our homes. We're thrilled RTC took our road, but in the future, this would be a project best taken in the spring.

George Chachas stated ongoing concerns regarding ADA compliance at 790 Avenue I; encroachment on Park Avenue and Avenue K; that Avenue L was narrowed and the sidewalk not put in per Code; ADA access in the 400 block of Murry Street; and his October 2015 public information request of the Railroad Foundation. Mr. Bassett as manager and his wife as bookkeeper is a flagrant violation of NRS regarding nepotism.

Councilman Hanson stated you've received three letters from the State AG's office that they do not have to provide that information. I also told you have to contact the AG. We don't possess those records.

George Chachas stated let me have a copy of what you requested.

Councilman Hanson stated I did not put it in writing. I voiced it at the meeting of the Board of Directors.

George Chachas stated let me have a copy of the minutes.

Councilman Hanson stated I don't think they're going to give a copy of the minutes, but I will ask.

George Chachas stated on your agenda item to apply for a City credit card without a name on it; that needs to be denied. That could open up the City to possible misuse and unauthorized purchases that require prior approval and disregard for the spending caps that you have. On your agenda item 10B-1 you're to consider a membership of \$4,694.00 to be expensed from the Room Tax revenue; that expense has to come from another source. Those revenues are earmarked for roads.

Mark Bassett stated I wanted to address Mr. Chachas' comments. 1. We have never been in violation of the NRS for my wife and I working together. The Foundation has been, since its founding in 1984, a private corporation. As a private corporation, NRS does not address nepotism.

Ken Kliwer stated general manager of KELY radio here in Ely. With the elections coming, we have an open invitation to everyone seeking office to come to our station and we'll give you some free air time. It would be in the morning between 8 and 9, when we have the best listenership.

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

Councilman Hanson moved to approve the agenda. Councilwoman Gardner seconded the motion. The motion carried unanimously.

4. CITY DEPARTMENT REPORTS

- FIRE CHIEF

City Fire Chief Rivera stated I attended a three-day class this week on FEMA grant writing. We don't have a treasurer now and grant tracking is very important.

- DEPUTY CITY CLERK

Deputy City Clerk Lee stated the CDBG grant was submitted; the entire project is \$365,650.00. We submitted a request for \$245,735.00. Without *Basin Engineering's* expertise, I couldn't have gotten it done. The Mayor, B.J., Mike, Carl and I met regarding the contribution the City would put in; right now it would be thirty percent (30%) of the entire project, so that will be included in the budget for you to consider. We'll know by April if we got it. In Person Absentee Voting, formerly known as Early Voting, starts March 13th. The last day to register to vote in this Primary is March 12th.

- CITY ATTORNEY

City Attorney Odgers stated so far we've received five completed application packets for the City Administrator; I will be sending them on to the evaluation committee to review.

5. NNRV FOUNDATION REPORT

NNRV President Bassett stated thank you for accommodating me the second meeting of the month. We had the opportunity to have a major production company come here and film an *AT & T* commercial; it should premiere in late April. The running gear has gone off to Salt Lake City to be machined and should be back mid-March. The Fireworks Express sold out again. In August of this year, should carry our 300th passenger. We've been featured on KTVN TV on Things to Do; this weekend they featured the Fireworks Express.

NEVADA NORTHERN RAILWAY
A NATIONAL HISTORIC LANDMARK



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

Monthly Operations Report for January 2019

1. Locomotive Status – Updated.
 - a. Locomotives in service: #40, #93, #105, #109, #204, #310, Wrecking Crane A & Rotary B.
 - b. Locomotives out of service needing moderate repairs: #45 – We have started repairs on this locomotive.
 - c. Locomotives waiting funding for restoration: Steptoe Valley Smelting and Mining #309, Kennecott 801 and Rotary Snowplow B (for boiler overhaul.)
 - d. Locomotives out of service needing heavy repairs #802, #81, #80 and the military locomotives.
 - e. Locomotive 81's drivers, drive boxes and rods have gone to Salt Lake City for machine work.



Award Winning Destination

Best Tour in Rural Nevada – 2017
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 Museum - Special Recognition – 2010 • Favorite Nevada Attraction – 2008
Best Event in Rural Nevada – The Polar Express – 2017, 2016, 2015, 2014 & 2013
Best Place to Take the Kids in Rural Nevada – 2018, 2015, 2014, 2013, 2012, 2011, 2010, 2009, 2008, 2007

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.
 - 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.
4. Buildings Status – Nothing to report.
5. Ridership and Ticket Sales – Updated
 - a. In January we carried 205 passengers. This is the same as the previous year.
 - b. Since operations began in 1987, we have carried 289,399 passengers.
 - c. We should carry our 300,000th passenger sometime in August. Just to review, we carried our 100,000th passenger in 2004 after 17 years in operation. In 2012, we carried our 200,000th passenger in just 8 years. Now we will have carried another 100,000 passengers just 7 years later.
6. Media Report Placements – Update
 - a. [KTVN, Things 2 Do This Weekend – Fireworks Express](#)

7. Two Spikes Celebration – No change

2019 marks the 150th Anniversary of the completion of the Transcontinental Railroad at Promontory Summit Utah on May 10th 1869. The Union Pacific Railroad and the State of Utah are planning a massive \$2,000,000 celebration of the event right, over the Nevada state border. With \$2,000,000 they are planning, "...the biggest and best party ever held in the state of Utah. I mean, move over Winter Olympics ... we're bringing back the golden spike..."

What does this mean to Nevada? A huge majority of those visitors will be coming through Nevada. Why? Because about 25% of the 1,776 mile transcontinental railroad was built and still exists in Nevada.

We are working on travel itineraries that will feature Nevada Rail History and of course feature the Nevada Northern Railway National Historic Landmark.

We have done a soft launch our yearlong Two Spikes promotion. The hard launch will be January 29, 2019 on **National Plan for Your Vacation Day**. Why two spikes? The completion of the transcontinental railroad was signified with three spikes, a Gold one from California, a Silver Spike

In cooperation with the Great Basin Heritage Area Partnership, and the White Pine Tourism and recreation Board we are building an event here in Ely for May 10, 2018.

We are going to start doing #TransconTuesdays to highlight different events that are happening during 2019 every Tuesday.

6. REPORTS

CITY COUNCIL

Councilman Hanson stated I attended one meeting regarding a specific land transfer with all of the involved parties.

MAYOR

Mayor Van Camp reviewed her report appearing below and stated I attended a Main Street meeting about getting our branding.

MAYOR'S REPORT

1. I approved Special Event Licenses to:

- The *Silver State Classic Challenge* for the Convention Center Events May 16-19, 2019 AND the Car Show at Broadbent Park May 18, 2019.

City Attorney Odgers stated we met with a new professional engineer on the NDOT project; it will be moved into next year and broken into two parts, 25 million on each one. There will be a meeting April 15th and 16th between NDOT and myself, B.J., Jennifer, Mike.

7. THE MAYOR WILL RECESS THE REGULAR CITY COUNCIL MEETING FOR A MEETING OF THE ELY LIQUOR LICENSING BOARD.

1. Board Members – Discussion/For Possible Action – Approval of Class III Liquor License to Wenchong Ye d.b.a. *Alpine Services, LLC*, located at 135 High Street, Ely, Nevada.

City Attorney Odgers stated there's no legal impediment.

Councilman Carson moved to approve a Class III Liquor License to Wenchong Ye d.b.a. *Alpine Services, LLC*, located at 135 High Street, Ely, Nevada. Councilman Flangas seconded the motion. The motion carried unanimously.

8. THE MAYOR WILL RECESS THE REGULAR CITY COUNCIL MEETING FOR A MEETING OF THE PROSTITUTION LICENSING AND CONTROL BOARD.

1. Board Members – Discussion/For Possible Action – Approval of House of Prostitution License to Wenchong Ye, d.b.a. *Alpine Services, LLC*, located at 135 High Street, Ely, Nevada.

City Attorney Odgers stated the brothel includes the massage parlor and there's no legal impediment.

Councilman Carson moved to approve a House of Prostitution License to Wenchong Ye, d.b.a. *Alpine Services, LLC*, located at 135 High Street, Ely, Nevada. Councilwoman Gardner seconded the motion. The motion carried 3 to 1, with Councilman Hanson voting Nay.

9. ITEMS FOR DISCUSSION/POSSIBLE ACTION OF THE ELY CITY COUNCIL AS RECOMMENDED BY THE CITY PLANNING COMMISSION.

1. Commission Members – Discussion/ For Possible Action – Approval of Home Occupation permit to Brandi Barney-Rodriguez to conduct a Housekeeping and Errand Running business, d.b.a. *Housekeeping Plus*, located at 790 Avenue L, Ely, Nevada.

City Attorney Odgers stated the Planning Commission moved to table this item. The property is listed under her father's name and we don't have written authorization to operate a business.

Brandi Barney-Rodriguez stated for *Jumping Jacks* there wasn't any requirement.

City Attorney Odgers stated the owner of the property is ultimately liable. As far as today, the Council can grant the license when she brings the authorization in.

Councilman Hanson moved to approve a Home Occupation permit to Brandi Barney-Rodriguez to conduct a Housekeeping and Errand Running business, d.b.a. *Housekeeping Plus* located at 790 Avenue L, Ely, Nevada, to be received as soon as she provides written authorization from the property owner to the City. Councilman Carson seconded the motion. The motion carried unanimously.

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

A. CONSENT AGENDA

MOTION: Move to approve the Consent Agenda item 10A-2 Bills.

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

2. Discussion/For Possible Action –Bills.
 - February 22, 2019

Deputy City Clerk Lee stated the minutes aren't ready. I had 2,446 voter records to make sure were correct before they were sent off to the ballot company and I had a deadline of today.

B. NEW BUSINESS

1. Mayor Van Camp – Northeastern Nevada Regional Development Authority Representative Donna Bath – Discussion/For Possible Action – Approval to renew the City of Ely's membership in the Northeastern Nevada Regional Development Authority in the amount of \$4,694.00 to be expensed from room tax revenue.

Donna Bath of the Northeastern Nevada Regional Development Authority (NNRDA) stated Northeastern Nevada Regional Development Authority is comprised of five counties and incorporated cities within the region: Elko, White Pine County, Humboldt, Lander and Eureka. Each entity that belongs to NNRDA selects a member to be their liaison and they represent their entity on that executive committee. NNRDA is made up of private and governmental entity bodies. The footprint of NNRDA encompasses about 45,000 square miles and we are responsible for forty-one percent of the State's economic development pursuits. NNRDA was established in 2012 as part of Nevada's economic development plan; prior to that, each county had its own economic development office. In 2012 the Governor's Office and Legislature

formed the Governor's Office of Economic Development that all regional developmental authorities sit under. I am a part-time contract employee with NNRDA and represent the County, Eureka County and the City, if you join. We're currently looking for someone to fill the *Shopko* building. I toured the Armory and gave that information to GOED. What brought this to our attention was Jennifer's request for our support on your Community Development Block Grant and as much as Sheldon wanted to do that, he felt it would be a conflict for the other entities who were members of NNRDA. In 2018 Sheldon and Kris ensured full CDBG funding for all of NNRDA's entities. Membership is based on population, \$1.10 per citizen. Whether you join or not has no reflection on my salary.

Councilman Flangas stated I was at the meeting with the Mayor, Donna and Jolene. I think it's very necessary that we go on this because we have a greater amount of possibilities to bring industry in.

Councilman Hanson moved to authorize the expenditure of \$4,694.00 from Room Tax revenue to re-join the Northeastern Nevada Regional Development Authority. Councilman Carson seconded the motion. The motion carried unanimously.

Donna Bath stated the City of Ely will have its own page.

2. Mayor Van Camp – City Attorney Odgers – Discussion/For Possible Action – Ratification of the Mayor's acceptance of Nevada Department of Wildlife Basic Hunter Education grant in the amount of \$372,393.00, as a pass-through contract, the agreement for which needed to be signed and returned to the Nevada Department of Wildlife on or before February 8, 2019, for purposes of improving the availability to Hunter Education and shooting sports in the area. This project will allow for courses to be taught in the winter and summer months while allowing improvements for safety, range improvement and special needs access for everyone to participate in shooting sports.

Councilman Carson stated I have been working on this project. I was a board member with the rifle association doing this.

City Attorney Odgers stated there's no conflict. There may be some off-site work in addition to this. It's a wonderful opportunity. Realize this is a pass through: They turn in the bill, we pay the bill and State reimburses us. If the Trap Club gives up the lease agreement, the City must allow it to be used for Hunter Safety and Outdoor Activities.

Councilman Hanson moved to ratify the Mayor's acceptance of Nevada Department of Wildlife Basic Hunter Education grant in the amount of \$372,393.00 as a pass-through contract. Councilman Carson seconded the motion. The motion carried unanimously.

3. Councilman Flangas – Discussion/For Possible Action – Approval to hire a temporary part-time (20 hours a week) clerical assistant for the City Attorney at \$12.00 per hour, not to exceed six months, to be expensed between the Finance, Water, Sewer and Landfill funds.

Deputy City Clerk Lee stated with Ed Spear running, I've lost an election worker and this part-time secretary would only be up to six months and could assist.

City Attorney Odgers stated I did not request this.

Mayor Van Camp stated you do the civil and criminal and I think it's a shame you don't have a secretary.

Councilman Hanson moved to approve hiring a temporary part-time clerical assistant at \$12.00 per hour for the City Attorney, to be shared with the Deputy City Clerk, not to exceed six months. Councilwoman Gardner seconded the motion. The motion carried unanimously.

4. Council Members – Deputy City Clerk Lee – Discussion/For Possible Action – Designation of *Keddington & Christensen, LLC* to complete the City of Ely's fiscal year 2019 Audit, pursuant to NRS 354.624, the City must notify Taxation of the designation April 1 this year.

Deputy City Clerk Lee reviewed the email from Gary Keddington of *Keddington and Christiansen, LLC* appearing below.

From: gary@kccpaoffice.com
Sent: Monday, February 11, 2019 2:28 PM
To: JenniferLee
Cc: "Melody Vancamp"; Steven Rowley
Subject: RE: FY19 Auditor Designation

Jennifer,

As you can see we did not increase the fee for the first three years. We would propose to increase the fee 3%, basically a cost of living increase, which is approximately \$580.00 which would put the service at \$19,960.

If you have any questions please let me know.

Gary Keddington

Councilman Hanson moved to designate *Keddington and Christensen, LLC* to complete the City of Ely's fiscal year 2019 Audit. Councilman Carson seconded the motion. The motion carried unanimously.

5. Council Members – Deputy City Clerk Lee – Discussion/For Possible Action – Pursuant to NRS 293C.527 (2) and (3) (a), approval to be open for Primary Election Voter Registration until 5:00 p.m. versus 7:00 p.m. March 11th and 12th, 2019 and General Election Voter Registration until 5:00 p.m. May 13 and 14, 2019.

City Attorney Odgers stated NRS requires us to be open until 7 p.m. unless you approve to close at 5.

Councilwoman Gardner moved to be open for Primary Election Voter registration until 5:00 p.m. March 11th and 12th, 2019 and General Election Voter registration until 5:00 p.m. May 13th and 14th, 2019.

Councilman Flangas seconded the motion. The motion carried unanimously.

6. Council Members – Deputy City Clerk Lee – City Attorney Odgers – Discussion/For Possible Action – Approval of Resolution 2019-01 Authorizing Staff to apply for a City of Ely credit card without a staff name on card.

City Attorney Odgers stated the City's current credit card is in Bob Switzer's name. In order to get the credit card, Bob's Switzer's credit is being hit. An incident occurred at the end of January where, for some reason, our credit card wasn't paid during the normal process, so Bob gets a notice from the company that monitors his credit cards that he didn't pay his bill. I got on the phone day before yesterday with *US Bank*. There's a couple of problems. I'm not listed on any items to have discussions about our credit cards and neither is Jennifer. The only people that are listed are Bob and Janette Trask and they're both gone. When I talked to them they gave me a process to utilize so that the City of Ely can order a credit card in the City of Ely's name and instead of using somebody's name as a contact, we will use the title as the contact, so the city clerk, city clerk/treasurer, city administrator and the deputy city clerk; those are the four job descriptions/titles that you would want to utilize because council members are only here for a short time. We can send off to them on letterhead, 'The contact person is the deputy, the contact person is the city clerk/treasurer or administrator'. We had to do the resolution in 2017, so Bob and Janette could even talk to *U.S. Bank* about those cards. This should resolve some of those issues. If you approve it, the credit cards issued in Bob Switzer's name will be closed and another card would be issued. Those cards would stay in the jurisdiction of the clerk, administrator, treasurer; it will be controlled and in order for somebody to utilize it, they have to come to Jennifer, identify what they're doing, and have a purchase order.

Councilman Hanson moved to approve Resolution 2019-01 authorizing staff to apply for a City of Ely credit card without a staff name on the card. Councilwoman Gardner seconded the motion. The motion carried unanimously.

11. PUBLIC COMMENT

Brandi Barney-Rodriguez handed in authorization from the owner of 790 Avenue I, Ely, Nevada for her to conduct a Housekeeping and Errand Running business, d.b.a. *Housekeeping Plus*, out of his home and stated thank you very much. I appreciate the opportunity to do business for myself and I'd like to let you know that it will not just be a housekeeping business. The title is *Housekeeping Plus*. The "Plus" is going to involve running of errands. I'm hoping to have some response with grocery shopping for business people and elderly.

Bill Sanford stated yesterday I went to the County Commission meeting and the Interlocal agreement was brought up. Where was the representation from this Board? This is a significant agreement.

Councilman Carson stated I had a prior commitment, but I've been to two of these now trying to pitch an interlocal agreement and it's not fun. I don't want to bring myself down to that level.

Councilman Hanson stated I have studiously avoided going to other meetings where there could be other members of the City Council, to avoid the appearance of getting into a big battle.

William Sanford stated they brought your letter up that you gave them back in June.

City Attorney Odgers stated I have been to every one of those meetings, stood up in front of the County Commission and been berated. The offer was made. It was incumbent on them to determine whether they wanted to accept the offer and having somebody from this Council present wouldn't have made a damn bit of difference.

William Sanford stated how do we know?

Councilman Carson stated like my letter said, I wanted them to talk amongst themselves and if they wanted to come up with something else . . .

Bill Sanford stated it wasn't so much the Board I was concerned about because the Board wants to do an agreement. It was the projection that the fifty other people were clueless about this agreement and then the rumors. . .

Councilman Carson stated you can talk to them until you're blue in the face, you're not going to change their mind.

Bill Sanford stated I just think it's wrong that someone doesn't go to their meetings and stand up for the City. How many times have you invited them to come here?

City Attorney Odgers stated many times.

George Chachas stated ongoing concerns regarding the 490' of Murry Street project pipe; reimbursement for curing the sewer problem at 681 Parker; the \$60,00.00 water line upgrade from *Love's* to the Charter School; bringing the utility billing back to City Hall; misbilling him; ADA access in the 400 block of Murry and Code violations on Avenue F. That credit card fiasco is an embarrassment. How long has Jeanette been gone? You need to bring an accountant in. It was brought up at the County Commission meeting that you guys cancelled the agreement.

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

Councilman Hanson moved to adjourn the regular meeting of the Ely City Council at **6:15 p.m.** Councilwoman Gardner seconded the motion. The motion carried unanimously.

MAYOR

ATTEST