



CITY OF ELY

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

ELY CITY COUNCIL REGULAR MEETING

March 14, 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 **5:04 p.m.**, led in the Pledge of Allegiance, Larry Dunton 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
- Councilman Sam Hanson

City Officials and Staff present:

- City Attorney Charles Odgers
- City Engineer B.J. Almberg
- City Parks/Cemetery Leadman Michael Cracraft
- City Fire Chief Ross Rivera
- Deputy City Clerk Jennifer Lee

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

Ely City Council ATTENDANCE LIST

DATE: 3-14-19

<u>Print name below</u>	<u>Print name below</u>
<u>Geri Waygoodall</u>	
<u>[Signature]</u>	
<u>Lance Gale</u>	
<u>Bill [Signature]</u>	
<u>[Signature]</u>	
<u>Bill Sanford</u>	
<u>George Chachas</u>	
<u>Lance Brown</u>	
<u>Larry Dunton</u>	
<u>Terry McInosh</u>	
<u>Myck Borsett</u>	
<u>Mark Waiser</u>	
<u>Richard Robertson</u>	

2. PUBLIC COMMENT

Richard Wade asked they say Aultman isn't going to be happening this year.

City Attorney Odgers stated it's been moved to approximately April of next year.

Richard Wade asked this allotment of land below Georgetown, how many animals are on it?

City Attorney Odgers asked 50 pair, Lance?

Lance Gale stated yes.

George Chachas stated on March 5th, and several days thereafter, I observed City crews working on private property located in the parking lot of the Ramada.

Councilman Carson stated George was told this morning exactly what that was about.

City Attorney Odgers stated Mr. Chachas made the same complaint at the Utility Board. That was a water main of the City's in the City's right-of-way. Mr. Chachas was informed of that this morning. Mr. Chachas was likewise informed that if he continued making false statements that as the City Attorney and as a private individual, I may end up filing a law suit against him. More importantly, the Open Meeting Law prevents him and Madam Mayor, you have an obligation to gavel him down when he starts making personal attacks and false statements. If he continues to make false statements, I will take him to court to have him permanently enjoined from coming to these meetings.

George Chachas stated on your agenda Item 9-2, you're to consider a possible title search for \$3,500.00. There's no need for a title search. The City Corrals need to stay with the City, not leased out to anyone; you're going to lose between \$16,000.00 and \$18,000.00 in revenue. The City Streets are falling apart and you have problems with your water/sewer utilities that you need to address. On your agenda Item 10B-1 you're to consider the possible purchase of the area known as Avenue A. The City doesn't need Avenue A; the Railroad might, but we don't know because they don't operate under the Nevada Open Meeting Law even though they receive hundreds of thousands of dollars in tax money. City monies need to be spent on present infrastructure needs. If the Railroad wants it, they need to pay for it. On your agenda Item B-4, you're to consider different City positions. Your first priority must be to hire an accountant as required by City Code. You're squandering taxpayers' money by outsourcing City needs. Salary ranges have been set for years; why are you reinventing the wheel? What is the total to date that the City has paid for overtime with the Fire Department? On your liens released report, it does not reflect how the liens were released, if they were paid in full and how much was collected. It needs to be updated, so the Council knows what revenue was brought in, if any. Jolene Gardner and Sam Hanson have yet to provide the public information request I made back in October of 2015.

City Attorney Odgers stated that matter's been addressed on more than one occasion. When that original request was made, Mr. Chachas received from the attorney for the Foundation at that time, Scott Husbands, a letter informing him, that the City didn't have that data and has no obligation under NRS 239 to provide data that it doesn't have or control. The issue that Mr. Chachas has is not with the City Council. The issue is with the Foundation; that is where the data was collected and stored. His issue of continuing to berate Sam and Jolene for failing to give him the documents that he has no entitlement to in today's way that the Foundation is set up, is a waste of time and repetitive. Madam Mayor, you should not allow this to occur.

Matt Weiser stated on Item B-4, I don't know what you're planning to discuss because there wasn't enough information on the agenda. You need to have a city administrator; I don't think you should divide that job up into other positions. You need to act like a real city and hire a professional to manage it. Take another stab at getting some solid applicants and raise the pay, if necessary. I think you were offering \$75,000.00 for that position and that's not enough. I want to address parking issues. Several months back there was an issue with illegal parking in Murry Canyon and you took some action to deal with that. The same issues are happening in Central Ely with people parking perpendicular to the sidewalk. There's lots of people parking on the curb, facing the wrong direction. I live in Ely.

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

City Attorney Odgers stated I'd ask to remove 9-4. I ran out of time to prepare this; it was continued on the Utility Board as well.

Councilman Hanson moved to approve the agenda, minus Item 9-4. Councilwoman Gardner seconded the motion. The motion carried unanimously.

4. CITY DEPARTMENT REPORTS

- DEPUTY CITY CLERK

Deputy City Clerk Lee stated all of the Absentee ballots have been sent, thanks to Chuck's new secretary. As you know, In Person Absentee voting started yesterday in City Hall and continues through the 29th.

- CITY ATTORNEY

City Attorney Odgers stated we hired Teri Doty as the temporary clerical assistant; she will be backing up staff downstairs on the election and tomorrow we'll start on liens. Councilman Flangas, Mike and I interviewed five applicants for the facility worker position and hired Mario Gonzales. We had a bump day before yesterday with 7-P and identified several issues affecting the rest of the water system. I have communicated with the mine; we have the meeting Monday at four o'clock to discuss the 10th and M well

and we have a meeting on April 4th to discuss the contract we've been working on for the last six months regarding the water system. We have a NDOT meeting Monday regarding the 11th St. project.

- CITY ENGINEER

City Engineer Alberg stated we completed multiple phases to get a water line from the Golf Course to Bell Avenue; later phases are connecting Avenue C with Aultman Street. We helped Jennifer compile the CDBG application; Mike and I will go in April to present. We also completed a review of the Tribe's new road by the Charter School. We've been working on the Water Conservation Plan. NDOT completed interviews for the CMAR contractor on Aultman; the contract from Ely to Ruth has been awarded.

5. NNRV FOUNDATION REPORT

NNRV President Bassett reviewed his February report appearing below.

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.nnrv.com • E-mail: info@nnrv.com

Monthly Operations Report for February 2019

1. Locomotive Status – No change
 - 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.
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 February we carried 320 passengers. This is about the same as the previous year. We had four photo shoots in February. Our normal two photo shoots, then a new event, a photo workshop and then the AT & T commercial.
 - b. Our year to date ridership is 525, three more than last year
 - c. Since operations began in 1987, we have carried 289,924 passengers. We should carry our 300,000th passenger sometime in August. Just to review, we carried our 100,000th passenger in

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

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. [“Northern Nevada Railway receives \\$50k donation, meets fundraising goal,”](#) KRNV - NBC, Reno.
 - b. [“Northern Nevada Railway receives \\$50k donation, meets fundraising goal,”](#) FOX 11- KRXI, Reno.
 - c. [“Mine Makes Donation to Railway,”](#) Ely Times.
7. Donation Received from Kinross. – Kinross made a \$50,000 Phoenix Dare donation to the Foundation to be used on restoring Locomotive 81.
8. AT & T Commercial – From February 11th through February 14 we were involved with a major commercial shoot with Furlined Productions. The commercial is for AT & T and should premier in late April or May. They brought about 100 people to town to film the commercial.

9. 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.



6. REPORTS MAYOR

Mayor Van Camp stated I attend the Main Street meeting held every couple of weeks and we’re moving forward on signage.

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

1. Board Members – City Landfill Leadman Lawrence – Discussion/For Possible Action – Review of received bids for 1998 or newer model caterpillar 826 G landfill compactor, not to exceed \$250,000.00, and awarding the bid based upon the recommendation of the Municipal Utilities Board.

City Attorney Odgers stated we received no bids for this. However, Mike and Tom have been in contact with *Wheeler Machinery*, which has offered to charge \$600.00 to look at the compactor we have now.

2. Board Members – City Attorney Odgers – Discussion/For Possible Action – Recommendation of approval to order a title search to establish ownership on the Water Department’s Georgetown Ranch property where the City Corrals are located for a minimum fee of \$3,500.00 to be expensed to the Municipal Water Department, services and supplies.

City Attorney Odgers stated you will recall last year the Corral Association proposed leasing the Corrals from the City and there appears to be a disagreement between the County and City regarding ownership. The Utility Board recommended approval.

Councilman Hanson moved to approve ordering a title search to establish ownership on the Water Department’s Georgetown Ranch property. Councilman Flangas seconded the motion.

Councilman DeFelice stated I would like you to amend your motion to spend no more than \$3,500.00

Councilman Hanson amended his motion to reflect the same. Councilman Flangas so amended his second. Councilman Hanson’s amended motion carried unanimously.

3. Board Members – City Attorney Odgers – Discussion/For Possible Action – Recommendation of approval to renew or renegotiate the terms and conditions of the Joint Development and Beneficial Use Agreement between Heggie and Gale Ranching and the Ely Municipal Utilities Board, an operating agency of the City of Ely for the lease of approximately 1,980 acres of the Georgetown Ranch **OR** open the Georgetown lease for additional bids.

Lance Gale reviewed the *Heggie & Gale Ranching* summary appearing below and stated the Utility Board wanted to make sure to recommend they put out to the Council to put it out to bid and that we had first shot. In the agenda item, two years ago this same thing happened. The south side is leased to the Hanson family; when it came up in 2017 – we were thinking we might want to bid on that – Mr. Carson made the motion to renew at the same price; we’re asking for the same consideration. One of the items discussed at the Municipal Board was that we will negotiate and come back with a higher lease amount. We’ve done all our projects to combat ‘no water’.

HEGGIE & GALE RANCHING
73 Grant Avenue
Ely, Nevada 89301

March 12, 2019

Ely City Council / Ely Municipal Utilities Board
 501 Mill Street
 Ely, Nevada 89301

RE: Georgetown Ranch Joint
 Development & Beneficial
 Use Agreement

*CURRENT LEASE TERM: May 1, 2009 – April 30, 2019

1) RANCH IMPROVEMENTS:

a)	Heggie & Gale Use Fees Paid (Previous Lessee paid \$3510/yr)	\$4,025.00 (annually) =	\$ 40,025.00
b)	Weed Control Program (2009-2019) Ditches, Fields, Pasture		\$ 72,363.00
c)	North 490 Pasture Seeding Project Brushing (2011, 2012, 2013)		\$ 33,000.00
d)	Heritage Pasture Brushing/Seeding Project (2010)		\$ 2,200.00
e)	Fence Repair/Replacement (2009-2019)		\$ 2,000.00
	TOTAL		\$149,588.00

2) MAINTENANCE PERFORMED:

- a) Disc North Sewer Ponds as requested
- b) Allowed sewer treatment water to be distributed on cultivated fields only
(To control Nitrate levels)
- c) Allowed FULL access for City of Ely Departments to Ranch at all times
- d) Installed electric fencing on boundary fences to keep cows off Lackawana Highway (for safety to drivers)
- e) Dedicated 5 acres of pasture to the State of Nevada to fence off livestock for studying and testing Seed/Weed Control

- f) Developed the 490 Pasture with ditching and culverts to receive spring water run-off from Steptoe Creek. Also to keep water permit (10 second feet) active for City of Ely.
- g) Worked with KGHM Robinson Mine & City of Ely to receive 6,000 gallons per minute of water for 30 days during the test period of new well at WP Golf Course.
- h) Continuous efforts to keep ranch clear of debris from Landfill (paper, etc.) Excess wood is piled up and gifted to low-income families for firewood.
- i) Maintained BLM Allotment springs and fences.
- j) Worked with Ely State Prison on Hwy 490 fencing. Worked with NDOT to install cattle guard in Smith Valley to keep cows off highway for Prison employee driver safety.
- k) Heggie & Gale has maintained Liability Insurance on the ranch for the duration of Lease Agreement (10 years) with NO CLAIMS.
- l) Worked with WP Golf Course for seeding, drilling, weed control on fence line, and helped with geese control efforts.
- m) Worked with KGHM to receive water from their de-watering projects; developed ditches and culverts for water flowage to Ranch from Gleason Creek and Murry Springs.

3) COMMUNITY SUPPORT:

- a) Allowed bird-watchers full access to Ranch
- b) Allowed hunters access to Ranch
- c) Allowed families access to Ranch for community garden
- d) Worked with Coyote Motorcycle Club to run their race through the Ranch (Every 3 years)
- e) Worked with Silver State Classic Car Racing to move cows from Hwy 490 "shoot-out" race area (bi-annually)
- **f) Under Tedd Heggie's capacity as White Pine High School Ag Teacher the Ranch has been used for Agriculture Industry teaching opportunities for many students

4) FUTURE PLANS:

- a) Continue to develop weed control programs
- b) Continue to repair and replace boundary fences
- c) Continue with brushing and seeding projects to develop livestock feed
- d) Work with City of Ely Departments on future Ranch development projects
- e) Work with BLM on Allotment boundary fencing and development projects

5) RANCH FACTS:

- a) During the term of use agreement (2009-2019) there was no guarantee of water
- b) During the ten years under the use agreement Heggie & Gale Ranch only had enough water to harvest a 2nd crop of hay four (4) of the ten (10) years.
- c) Due to lack of feed Heggie & Gale has only been able to use the BLM Allotment annual term of 7 months to its full capacity six (6) of the ten (10) years.
2018 four (4) months only

Heggie & Gale Ranching would like to thank the City of Ely for the current Joint Development and Beneficial Use Agreement. We respectfully request the Municipal Utilities Board and Ely City Council to approve a renewal of this Use Agreement for the Georgetown Ranch. Thank you for your consideration in this matter.

Sincerely,

Heggie & Gale Ranching
Tedd Heggie
Lance Gale

Councilman Hanson stated these two individuals are personal friends of mine.

City Attorney Odgers asked in what capacity? Just church goers?

Councilman Hanson stated there's that capacity, plus I was a colleague of Mr. Heggie's when I taught at White Pine High School.

City Attorney Odgers asked are you in business with them?

Councilman Hanson stated no.

City Attorney Odgers asked are you committed in any personal capacity to help them get this passed?

Councilman Hanson stated no.

Councilman Carson stated it's a short deadline. I don't see anything wrong with continuing.

Councilman Hanson moved to allow the City Attorney to enter into negotiations to come back with a modified lease with *Heggie Gale Ranching*. Councilman Carson seconded the motion. The motion carried 4 to 1, with Councilwoman Gardner voting Nay.

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

1. Councilman Hanson – Discussion Only – Approval of Second Reading of Ordinance 719, Bill No. 2019-02, An Ordinance amending Title 1, Chapter 6 adding a new section identified as 1-6-6 titled Requirement to be a Resident of White Pine County within six (6) calendar months of being hired as an employee of the City and excluding the requirement for current employees.

George Chachas stated you should be fair and equal to everybody and that includes those employees you have presently now. The conditions have to be the same.

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

1. Councilman Hanson – Discussion/For Possible Action – Approval of Second Reading of Ordinance 719, Bill No. 2019-02, An Ordinance amending Title 1, Chapter 6 adding a new section identified as 1-6-6 titled Requirement to be a Resident of White Pine County within six (6) calendar months of being hired as an employee of the City and excluding the requirement for current employees.

City Attorney Odgers stated if I may address Mr. Chachas' issues, it is an issue of collective bargaining and all our current employees do meet this requirement. The U.S. Supreme Court has held it's appropriate for an employer to require City residency. We want our employees to contribute to the tax base of the County. This will be an issue of mandatory bargaining; I've informed the Union about that.

Councilman Hanson moved to approve the Second Reading of Ordinance 719. Councilman Carson seconded the motion. The motion carried unanimously.

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

A. CONSENT

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

1. Discussion/For Possible Action –Minutes.
 - January 24, 2019
2. Discussion/For Possible Action –Bills.
 - March 8, 2019

Councilwoman Gardner moved to approve the January 24, 2019 Minutes and the March 8, 2019 Bills. Councilman Carson seconded the motion. The motion carried unanimously, with Councilman Hanson abstaining on the January 24, 2019 minutes, due to his absence at that meeting.

B. NEW BUSINESS

1. Council Members Gardner and Hanson – Discussion/For Possible Action – Approval to begin the purchase process, including obtaining an appraisal, for the area known as "Avenue A" currently owned by Mike Lemich as Trustee of the Lemich Family Trust, to bring back before the City Council for approval.

Terry McIntosh stated live at 1301 Avenue B and it's also on the corner of what's Avenue A and 13th Street East. I request that I be notified of the progress of this motion. I know that the land Mike owns backs up to my back fence. There's five residences going east on 13th Street. If you decide to go forward with this, are we going to be denied rear access to our properties?

George Chachas stated the City doesn't need any more streets. If the Railroad wants it, they need to buy it. Take care of the streets you have now: North, Ogden. If he wants to donate it, that's fine.

City Attorney Odgers stated about a month ago, Mike Lemich approached myself, Sam and Jolene. It's a complicated issue. Mike Lemich is the successor in interest of *Ely Land Company*. The main issue is the City has an 8" sewer main and a 6" water line that runs down Avenue A; I would argue we have a prescribed easement for those. Mr. Lemich is seeking to sell to the City Avenue A, which would be approximately 6.9 acres. Avenue A is not maintained by the City: We don't plow or grade it. If you want to obtain Avenue A, my suggestion is we do what's known as a Friendly Eminent Domain. It is the best highest use. The Foundation has submitted for grants to do a lot of upgrades on the frontage of Avenue A;

the owner has the ability to deny the Foundation attaching to our sewer/water. You have to obtain an appraisal, title search and survey before you make the decision to buy it. This is only the authorization to start the title search.

Mayor Van Camp asked who pays for the appraisal?

City Attorney Odgers stated we do. Mr. Lemich has paid for an appraisal by somebody out of Utah; it's a few years old.

Councilman DeFelice asked what is the . . .

City Attorney Odgers stated approximately \$90,000.00.

NNRY President Mark Bassett stated when we did our SNPLMA project, we found out that Avenue A is not City property. The Foundation is very interested in clearing this up. We're putting in a sewer lift station.

Councilman Hanson stated I don't think there's any of us that don't appreciate the tremendous value of the train to the City of Ely. I move to begin the purchase process of Avenue A by obtaining an appraisal. Councilwoman Gardner seconded the motion.

Councilman Carson asked what do we think this is going to cost?

City Attorney Odgers stated I can reach out to appraisers and come back to the Council.

Councilman Hanson's motion carried unanimously.

2. Councilman Carson – Discussion/For Possible Action – Approval of First Reading of Ordinance 720, Bill No. 2019-03, An Ordinance creating Title 1, Chapter 11 establishing an ambulance service franchise for the City of Ely, the method of applying for such a franchise, the terms and conditions before a franchise can be awarded and setting forth the method by which patients can be billed and how those bills are to be set by the City Council.

Councilman Carson stated I would like to table this until our next meeting. I received word last week that the County may give us a counter proposal on Fire. Councilman Hanson seconded the motion. The motion carried unanimously.

3. Council Members – City Attorney Odgers – Discussion/For Possible Action – Update on applications received and direction on whether to continue recruiting for the position of city administrator or take other action.

City Attorney Odgers stated to date I have received thirty applications. Of the thirty, nine responded to the supplemental questionnaire. Of the nine, three meet the minimum qualifications, but none of them have a background in financial reporting/budget design, but all of them have some experience to administer a budget; one from Arizona, one from Nevada and one from Wisconsin.

Councilman Hanson stated since we're not going to be able to satisfy our desires for a city manager, I move to cease advertising for that position.

Councilman Carson stated it's almost a two-person job. My opinion is we need a city clerk and a city treasurer.

Councilman Defelice seconded the motion. The motion carried unanimously.

4. Council Members – City Attorney Odgers – Discussion/For Possible Action – Reorganization of city administrator into a city clerk and city treasurer OR city clerk/treasurer and the creation of a public works supervisor position, establishing salary ranges and method for recruitment.

Councilman Carson stated my end goal is to bring our books back here. I move to recruit for a city clerk and a separate city treasurer.

City Attorney Odgers stated I ask that based on the clerk position, that I notify the three that I indicated to you were potentials on the administrator and ask them for their permission to transfer their applications over to the city clerk position.

Councilman Hanson moved to advertise locally for the city clerk position and nationally for the treasurer position on *Indeed* and ICMA (International City/County Management Association). Councilman Carson seconded the motion. The motion carried unanimously.

City Attorney Odgers stated I recommend that the public works supervisor be paid ten percent (10%) above the highest paid leadman: approximately \$29.36 or \$61,068.80 annually. Part of the downfall of the leadmen positions is they don't have the ability to discipline. This would not be an appointed position. My recommendation is this would be an internal promotion open to all of leadmen.

Councilman Hanson moved to establish the exempt position of public works supervisor and advertise internally for ten days. Councilman Carson seconded the motion.

City Attorney Odgers stated I would ask that you amend that to put the salary range at ten percent permanently.

Councilman Hanson amended his motion to set the public works supervisor's salary range at ten percent (10%) higher permanently. Councilman Carson seconded the motion. The motion carried unanimously.

5. Council Members – City Attorney Odgers – Discussion/For Possible Action – Authorization to hire a part-time accounting clerk at \$15.42 hourly, not to exceed 1,039 hours annually.

Councilman Hanson moved to authorize a part-time accounting clerk at \$15.42 an hour, not to exceed 1,039 hours annually.

City Attorney Odgers stated I would ask you to add that it be a temporary position.

Councilman Hanson stated as a temporary position.

Councilman Flangas seconded Councilman Hanson's motion.

Councilman DeFelice asked I would find out from Jennifer, what do you think?

Deputy City Clerk Lee stated right now I just need to scan everything to Candus and I know payroll will be right. I'm not having to deal with Candus training this person long distance and me trying to supervise a person while I'm doing two other full-time jobs.

Councilman Hanson withdrew his motion.

11. PUBLIC COMMENT George Chachas stated contrary to what was reported before, City personnel and equipment have been used on Avenue A to fill in pot holes, water down the dust. Any improvements that were put on Avenue A were approved by the engineer at the time; that individual needs to pay for Errors and Omissions. You folks violated the law. You cannot put improvements on private property. For years the City had a clerk/treasurer, case in point was Nick Orphan, Bob Spellberg, George Holland and the City's population was approximately 6,000. Now it's around 4,000. Some didn't have computers at the time. You need to recruit at different universities. Bob implied initially that he could do the accounting, then he said he couldn't do it; you gave him a raise. What for? Councilman DeFelice, you need to address your lack of attendance at City Council meetings. On the 16" steel pipe from the Murry Street project . . .

Mayor Van Camp stated we've had that discussion.

George Chachas stated . . . was any of it paid for? The City has yet to reimburse me for curing the sewer problem at 681 Parker.

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 **7:17 p.m.** Councilwoman Gardner seconded the motion. The motion carried unanimously.

MAYOR

ATTEST