



# CITY OF ELY

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

## ELY CITY COUNCIL REGULAR MEETING

April 11, 2019 5:00 p.m. – Ely Volunteer Fire Hall - 499 Mill Street-Ely, Nevada.

1. Mayor Van Camp called the regular Ely City Council meeting to order, led in the Pledge of Allegiance, 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 Public Works Supervisor Mike Cracraft
- City Engineer B.J. Almberg
- City Building Official Brad Christiansen
- Municipal Court Judge Mike Coster
- City Police Chief Scott Henriod
- 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: 4-11-19

<u>Print name below</u>	<u>Print name below</u>
<u>MAUREEN Otzelberger</u>	
<u>Tedd Haggie</u>	
<u>Kerri Pintar</u>	
<u>Beri Zapachall</u>	
<u>DEE DUGAN</u>	
<u>Lance Cole</u>	
<u>JOHN SCHEMPF</u>	
<u>George Chackos</u>	
<u>Michelle Beecher</u>	
<u>MARK Bissett</u>	
<u>Kay M. Murray</u>	
<u>Ross Rivera</u>	

## 2. PUBLIC COMMENT

Kerri Pintar stated Kerri Pintar, 1417 Mill Street. I am dismayed that the front headline is wanting to keep the community beautiful, with this trash dump on here; I only know of that house because my husband worked there for two days last week with raw sewage spilling out. I hear it's since been corrected, but if you want to enforce these rules you have an ordinance to do that. I turned in thirty-five residences to Mr. Switzer and he was too busy to do anything about it. My boss got a letter at his residence, it's the proposal to up the business license fees, starting July 1<sup>st</sup>. The residential rates are also buried in this to bring the enterprise funds back into a position that doesn't show using ending fund balances. When I came to you on March 25<sup>th</sup>; I told you 'You try to raise the fees, as a resident of this community I'm going to squawk.' My personal bill is going to go up \$8.53 a month; while that means little to me, it will mean a lot to other people. It's not the right time. It comes across that you're trying to fix irresponsible spending.

George Chachas stated at your last City Council meeting you gave approval for a \$200,000.00 loan. The Railroad needs to start operating under the Nevada Open Meeting Law.

City Attorney Odgers stated Mr. Chachas ignores the fact that the Attorney General ruled the Foundation is not a public entity.

George Chachas stated Madam Mayor, your budget message on your tentative budget speaks bad news for the taxpayer of possible ten percent increases in Water, Sewer, Landfill rates, as well as other fees. It speaks volumes of how you and the City Council operate the City, pathetic at best. Your first priority must be to hire an accountant as required by City Code. Ten percent (10%) increase? The Seniors got three percent (3%) and then Medicare took the biggest portion of that away. On your agenda Item 10B-2 you're to consider possible approval of Fire/EMS services with the County; the five-year term is too long. You forgot how you got burned with the police contract. What is the amount of overtime paid to the Fire Department? You need to clean up the tire mess in Central Ely. The owner of the business building in the 400 block of Murry Street has yet to comply with ADA access.

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

Councilman Hanson moved to approve the agenda as presented. Councilman Flangas seconded the motion. The motion carried unanimously.

## 4. CITY DEPARTMENT REPORTS

- FIRE CHIEF

Fire Chief Rivera stated White Pine County asked us to respond to calls, which we are.

- POLICE CHIEF

Police Chief Henriod reviewed the White Pine County Sheriff's Officer quarterly statistics appearing below.

### STATISTICS FOR THE CITY OF ELY JANUARY 2019-MARCH 2019

INCIDENTS: 2388  
TRAFFIC STOPS: 420  
CITATIONS: 138  
FELONY ARRESTS: 27  
MISDEMEANOR ARRESTS: 62  
NEW BOOKINGS: 89  
TOTAL DAYS SERVED IN JAIL: 775

- CITY ATTORNEY

City Attorney Odgers stated I handed out to you the request for comment that's required. At last budget hearing it was announced that the Mayor wanted to look at a 10% increase. Before you can increase any fees, it is required. There will be an announcement when the agenda is posted. During those agenda items, the Council will be able to do 10% or less. We're going to have to have a public hearing on it. Some of the rates haven't been increased since 2008, yet the cost of services continue to go up. The Water Conservation Plan may have some impact.

- CITY ENGINEER

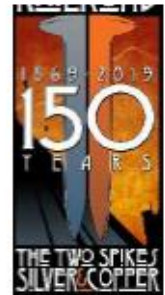
City Engineer Almberg stated we've been focused on our Aultman Street project. We had a meeting earlier this week with the Shoshone Tribe regarding their roads.

5.

NNRY President Mark Bassett reviewed his March 2019 report appearing below.

**NEVADA NORTHERN RAILWAY**  
A NATIONAL HISTORIC LANDMARK

**E A S T**  
**E L Y**



**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 March 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 are done! They should be here next week and we can begin assembly.



The photo on the left are parts of the shoes and wedges that the drive boxes ride in. On the right are the crown brasses set in the drive boxes. There are eight total crown brasses and drive boxes. The drive boxes are original to the locomotive. The crown brasses are designed to be replaced as they wear out. The eight crown brasses are all new and the all eight drive boxes have been refurbished.

**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



All four axle sets have been refurbished. The tires were installed in 1949 and have been trued up. The shiny areas on the axles are where the crown brasses will ride.

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 March we carried 150 passengers. This is down 75 passengers or 32% from the previous year. The weather in March did not cooperate.
  - b. Year to date our ridership is at 675 passengers, down 70 passengers from last year or 9%
  - c. Since operations began in 1987, we have carried 290,074 passengers. We should carry our 300,000<sup>th</sup> passenger sometime in August. Just to review, we carried our 100,000<sup>th</sup> passenger in

2004 after 17 years in operation. In 2012, we carried our 200,000<sup>th</sup> passenger in just 8 years. Now we will have carried another 100,000 passengers just 7 years later.

6. Media Report Placements – Update
  - a. Vegasnews.com, <https://www.vegasnews.com/183184/fridays-spring-break-excursion-train-rides-start-mar-8.html>
  - b. Ely Times, <https://www.elynews.com/2018/04/06/nevada-northern-railway-returns-for-season-with-new-experiences-old-favorites/>
7. Two Spikes Celebration – Update  
2019 marks the 150th Anniversary of the completion of the Transcontinental Railroad at Promontory Summit Utah on May 10th 1869.

We are putting together our display in the depot on the completion of the Transcontinental Railroad. On display is the Copper Spike that was driven in by Mark Requa to signify the completion of the Nevada Northern Railway on September 29, 1906.



We purchase a new case to display and preserve the spike. The spike was made from copper that was mined at Ruth.

Our celebration starts on May 4<sup>th</sup> and goes through until May 12<sup>th</sup>. We have added extra trains and events for the week long celebration.

## 6. REPORTS

### CITY COUNCIL

Councilman Flangas stated I would like to encourage people in the City to clean up. We did a Clean Up campaign a few years ago. A junk yard on the main street is not pleasing.

### MAYOR

Mayor Van Camp stated Cathy LaPlant from National Main Street was here; the State was in town too. I've appointed Sam to be on the Main Street, to take that over.

## 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 Carson – Discussion Only – Approval of Second 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.

There was no public comment.

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

1. Councilman Carson – Discussion/For Possible Action – Approval of Second 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 can't believe we haven't had one in place for many years. I move to approve Ordinance 720.

Councilman Hanson seconded the motion. The motion carried unanimously.

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

1. Board Members – City Attorney Odgers – Discussion/For Possible Action – Recommendation of approval to extend 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, through June 30, 2019.

City Attorney Odgers stated the Utility Board recommended approval. It's on the agenda for two reasons. This contract expires April 30<sup>th</sup> and billings go onto the fiscal year cycle, so I would ask you to extend to June 30<sup>th</sup> on that basis. The second part is, pursuant to your direction, I met with Lance Gale; we had a discussion on trying to make that ground more profitable for him and Mr. Heggie. I've done my research. I've provided that information to Mr. Gale for him to calculate whether or not it would make sense for him. We will be getting together shortly to have that follow-on discussion and hopefully on May 11th you'll have his contract to review and approve, if he meets with your requirements.

Councilman Hanson stated as previously noted, I have a strong social relationship with both Mr. Heggie and Mr. Gale, but I don't think that would impair my ability to vote on this issue. I move to approve the Joint Development and Beneficial Use Agreement between Heggie and Gale Ranching and the Ely Municipal Utilities Board thru June 30, 2019. Councilman Carson seconded the motion. The motion carried 3 to 1, with Councilwoman Gardner voting Nay.

Lance Gale stated we've paid thru April 30<sup>th</sup>, so we'll come in and pay for May and June.

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

**A. CONSENT AGENDA** (These items may be approved in one motion by the Council as its first action of business under For Discussion/Possible Action items.) Approval of the Consent Agenda approves each of these items. Council Members may remove any item from the Consent Agenda by notifying the Mayor or Mayor pro tem.

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

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

1. Discussion/For Possible Action –Minutes.
  - [March 14, 2019](#)
2. Discussion/For Possible Action –Bills.
  - [April 3, 2019](#)

**B. NEW BUSINESS**

1. Council Members – McKay Hall, CPA, CISA, CITP, CFE, of *Hinton Burdick CPAs & Advisors* – Deputy City Clerk Lee – Discussion/For Possible Action – Approval of the City of Ely's Fiscal Year 2020 Tentative Budget, to be filed with the Department of Taxation pursuant to NRS 354.596.

Councilman Hanson moved to approve the Fiscal Year 2020 tentative budget. Councilman Carson seconded the motion. The motion carried unanimously.

2. Councilman Carson – Discussion/For Possible Action – Review of and possible Approval for Mayor to sign the Interlocal Agreement between the City of Ely and White Pine County for Fire/EMS Services, as approved by the White Pine County Commission on April 10, 2019.

Councilman Carson moved to grant approval for the Mayor to sign the Interlocal Agreement between the City of Ely and White Pine County for Fire/EMS Services. Councilman Hanson seconded the motion. The motion carried unanimously.

3. Councilman Carson – Discussion/For Possible Action – Approval to send a letter to the County Commission requesting to purchase fuel for City of Ely vehicles from White Pine County.

Councilman Carson stated the County has the most inexpensive fuel in town.

Councilman Hanson moved to approve sending a letter to the County Commission requesting to purchase fuel for City of Ely vehicles. Councilman Carson seconded the motion. The motion carried unanimously.

4. Mayor – [Discussion Only](#) - Interview of candidates for City Clerk position, the applicants are LaVern E. Haefele, Jennifer Lee, Zachary Payne and John Schempf.

Mayor Van Camp and the City Council Members interviewed Jennifer Lee and John Schempf individually.

Mayor Van Camp recessed the Ely City Council Meeting at **6:56 p.m.**

Mayor Van Camp reconvened the Ely City Council Meeting at **7:09 p.m.**

5. Mayor – Discussion/For Possible Action – Acceptance of the Mayor’s selection for appointment as the City Clerk.

Mayor Van Camp stated this position is driven towards the budget and that’s so important to us. I’m going to choose Jennifer Lee.

Councilman Hanson moved to appoint Jennifer Lee as City Clerk of the City of Ely. Councilwoman Gardner seconded the motion. The motion carried unanimously.

City Attorney Odgers stated I have told Mr. Schempf that the City Council did not authorize me to cover his travel expenses today, but I’m putting that before the Council.

Councilman Hanson moved to approve payment of John Schempf’s travel expenses to interview.

John Schempf stated I’m not out anything on the flight. I am renting the car and gas.

Councilman Hanson moved to modify his motion accordingly. Councilwoman Gardner seconded the motion. The motion carried unanimously.

6. Mayor – [Discussion/For Possible Action](#) – Make a job offer to the selected candidate and negotiate wages and other potential terms of employment not set by statute or adopted personnel policies and procedures and may include, but is not limited to, annual rate of pay, start date, and moving expenses.

Councilman Hanson moved to enter into negotiations on a salary range with Jennifer Lee. Councilwoman Gardner seconded the motion. The motion carried unanimously.

## **11. PUBLIC COMMENT**

Kerri Pintar stated Kerrie Pintar, 1417 Mill Street. Back to Beautification, I would like to encourage the residents to call the Sheriff’s Office to report nuisances; they respond better than coming to the City to get that cleaned. As to George, I don’t know why he thinks we need a treasurer because as I heard tonight and at the budget meeting I attended on the 25<sup>th</sup>, Chuck is the one driving the budget; he’s the one doing this rate increase proposal and he’s well versed on everything you’re giving him the authority to do. Thank you, Jennifer for the clarification that the budget reflects a ten percent (10%) increase you’re expecting. You guys shouldn’t be budgeting a ten percent increase anywhere when that hasn’t gone through a public hearing. If that does not fly, you find yourself in a worse predicament than you are now. Using Chuck’s analogy about a static rate schedule for these fees, everything in Ely is static. We’ve got a poor selection in our grocery store, we have limited restaurants, our housing situation is dismal, and the roads are almost beyond repair. Quality of life is going up everywhere but Ely. Ely is static, so I hope you guys can find a solution to that because Ely is isolated. Everybody has to travel out of here to get things. I hope you can find the materials to make this a great place to live again. If

this can't get resolved and fiscal management in being responsible, dis-incorporation is the charge I'm going to lead.

Deputy City Clerk Lee stated I am the one that suggested the ten percent (10%) rate increase across the board. In discussions with McKay, he said you need to cut your staffing – we have no place to cut – or you need to increase your revenue. Chuck is just carrying out the orders of the mayor.

Mayor Van Camp stated Bruce at the Waste Water raised his Services and Supplies by \$1,000.00; same thing with Carl. Our insurance has gone up. Everything's going up, but our rates.

George Chachas stated ongoing concerns regarding ADA at 790 High Street; encroachment on Great Basin Boulevard; the curb/gutter on Orson Avenue; in-house utility billing; misbilling him; the City needing to hire someone with a Bachelor's degree in accounting; non-compliance of Planning Commission members and Councilman Flangas and the two junkyards near the new two-million dollar hotel. You're wasting money. I don't feel sorry for you. There are people that are struggling. Look at your downtown area.

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

Councilman Hanson moved to adjourn the April 11, 2019 regular meeting of the Ely City Council at **7:26 p.m.** Councilwoman Gardner seconded the motion. The motion carried unanimously.

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**MAYOR**

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**ATTEST**