



CITY OF ELY

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

ELY CITY COUNCIL REGULAR MEETING

June 13, 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 **5:08 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

Newly Elected Officials present:

- Mayor-Elect Nathan Robertson
- Councilman-Elect Jim Alworth

City Officials present:

- City Clerk Jennifer Lee
- City Attorney Charles Odgers
- City Engineer B.J. Almberg
- City Building Official Brad Christiansen
- Public Works Supervisor Mike Cracraft
- Fire Chief Ross Rivera
- Police Chief Scott Henriod
- Municipal Court Judge Mike Coster

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

Ely City Council ATTENDANCE LIST

DATE: 6-13-19

Print name below	Print name below
<u>Tedd Haggie</u>	<u>M. Coster</u>
<u>Nathan Robertson</u>	<u>Jim Alworth</u>
<u>TONY DEFELICE</u>	<u>Shawn Bellander</u>
<u>MAUREEN OTZELBERGER</u>	<u>Lance Cole</u>
<u>July Wolf</u>	<u>Kerri Pintar</u>
<u>Bill Wolf</u>	<u>Maritella Stuley</u>
<u>SHARON MICHRECS</u>	
<u>Nathan Robertson</u>	
<u>Jaquette Trask</u>	
<u>John Alworth</u>	
<u>Sam Hanson</u>	
<u>Bill Wolf</u>	
<u>Janeke Robertson</u>	
<u>Keith Carson</u>	
<u>Dorena Bantu</u>	
<u>George Charles</u>	
<u>Denise Fisher</u>	

2. PUBLIC COMMENT

Bill Wolf stated I'm Bill Wolf, chairman of the Ely Tree Board, which has been in existence for ten years. The Arbor Day Foundation sent the City a Tree City USA award and we appreciate the City's support. I hope the City is aware of the White Top that's taking over in town again; there is a noxious weed ordinance.

Sean Bellander stated I'd like to talk about Item 11-2.

Tony Alferi stated I'm here to talk about the theft of copyrighted music. Music is owned by the person who composed it and there's been a culture in Ely where people are bringing bands in that are unlicensed. From the Ely Times April 12th: Club Rio raises money for summer musicians and 'HAPPY' will be the main entertainment. Whoever 'HAPPY' is, it's an unlicensed performance. Fair use – music licensing for public performances – public performance licenses give permission to perform music in public. The licensing agencies are ASCAP - American Society of Composers, Authors and Publishers; BMI – Broadcast Music Incorporated; SESAC – Society of European Stage Authors and Composers; and GMR – Global Music Rights. Examples of theft that have been going on around Ely: Jason Bath had a concert at Cave Lake May 2nd and he's doing another one in July, unlicensed; Arts in the Park last year, we had unlicensed musicians brought up from Las Vegas; the DJ at Broadbent Park last year for the Air Races played copyrighted music; and KDSS had their anniversary party at the Convention Center, sold tickets for a live band to perform there. The Central Theatre pays licensing fees for all music they play for the public and Polar Express of Nevada Northern Railway has to pay licensing fees, since Disney owns the rights to Polar Express; those seem to be the only two entities taking note of copyright laws and I hope we're able to straighten this out.

Councilwoman Gardner stated I went to Kyle at the Convention Center and told him your concerns; you need to talk to him. They do have some of the licensing done.

City Clerk Lee read Dale Derbidge's letter appearing below into the record.

Mayor Robinson
Ely City Council

June 12, 2019

Concerning item 11.1 on the June 13th agenda, I would like to remind the council that the Northern Nevada Railway Foundation requested to be an autonomous organization and have no ties to the City of Ely. A previous council granted their request. They are operating as a private business. Their meetings are not open to the public and they do not have to follow the open meeting law. Since the Foundation is a private business with a Will Serve Application, they should be required to pay the tap fee of \$4637.50. If the waiver is granted it will set precedence for every business and homeowner coming to the city for sewer and water services. The purpose of the tap fee is to build up cash reserves to maintain the city's infrastructure. If tap fees are waived, the cash reserve will soon dwindle to nothing, and where does that leave the city?

Thank you for considering my concerns.

Sincerely,


Dale Derbidge
City of Ely Resident

George Chachas stated ongoing concerns regarding not yet receiving reimbursement for curing a sewer problem at 681 Parker; the City paying for a \$60,000.00 water line extension; whether a backflow device has been installed at the RV Park next to the Copper Queen. On Item 11-1, you're to consider a waiver of tap fees in the amount of \$4,637 for the Nevada Northern Railway; I'm requesting that be denied. They need to pay just as everyone else does. The Foundation receives over \$230,000.00 or more from the County Tour and Rec. Board; they're not under the Open Meeting Law. The City just co-signed a loan for \$200,000.00. On Items 11-2 and -3 regarding the leasing of the Georgetown Ranch, there are now three different dates and scenarios, if you include the legal in the paper dated June 7, 2019. There is yet to be a dollar amount agreed on by both parties. The rumor is \$7,000.00 a year, plus 2% of the net profit.

Councilman Carson refers in his memo dated June 3, 2019 of the fencing project with NDOT and BLM; where's the proof? Does the contract not allow for another person to assume it? The lease should be extended to the end of the year and then opened for bid. On Item 12B-3, you're to consider hiring an appraiser for Avenue A. You don't need any more dirt roads.

City Clerk Lee stated for the record, the City did not cosign on the loan the Railroad took out itself for \$200,000.00.

3. SWEARING IN NEWLY ELECTED OFFICERS BY CITY CLERK

1. Mayor - Four-year term or until city elections are held in November 2024, pursuant to Assembly Bill No. 50 becoming law.

Nathan Robertson was sworn in as Mayor of the City of Ely for a term until City elections are held in November 2024, as Nevada Assembly Bill No. 50 was signed into law.

2. Council Member Seat 2 - Four-year term or until city elections are held in November 2024, pursuant to Assembly Bill No. 50 becoming law.

Kurt Carson was sworn in as Council Member Seat 2 of the City of Ely for a term until City elections are held in November 2024, as Nevada Assembly Bill No. 50 was signed into law.

3. Council Member Seat 4 – Four-year term or until city elections are held in November 2024, pursuant to Assembly Bill No. 50 becoming law.

Jim Alworth was sworn in as Council Member Seat 4 of the City of Ely for a term until City elections are held in November 2024, as Nevada Assembly Bill No. 50 was signed into law.

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

1. Mayor – Council Members – Discussion/For Possible Action – Election of one City Council Member to serve as Mayor Pro Tem, per City Code 1-5-3.

Councilman Flangas moved to nominate Councilman Sam Hanson as Mayor Pro Tem. Councilman Alworth seconded the motion. The motion carried 4 to 1, with Councilman DeFelice voting nay.

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

City Attorney Odgers stated I would like to remove 12B-3; we will need to have a litigation session to discuss those contents.

Councilman Hanson moved to approve the agenda minus Item 12B-3. Councilman Carson seconded the motion. The motion carried unanimously.

6. CITY DEPARTMENT REPORTS

- FIRE CHIEF

City Fire Chief Rivera stated my staff and the Volunteers have worked hard to take care of the City and County.

- MUNICIPAL COURT JUDGE

Judge Mike Coster stated I want to let the new Council Members know, because of scheduling, Muni Court's report comes out for the second meeting of the month. I'm available by phone any time. I attempted to contact the Mayor, to see how he would like to modify the Community Service program; that's something we use particularly for first time offenders.

- CITY CLERK

City Clerk Lee stated I contacted the Legislative Counsel Bureau on AB50; the Governor has until tomorrow at midnight to veto it. If it becomes law, Councilman Carson, Mayor Robertson and Councilman Alworth will serve through November 2024; Councilman Flangas, Councilman DeFelice and Councilman Hanson will serve through November 2022. The annual business licenses haven't gone out yet because of the ordinances under consideration tonight. We've received word from NDOW that they need a construction manager for the building that's going up; we're under a deadline for those funds. The way the grant works is we receive the invoices from Schell Creek Construction, we pay them and then wait for NDOW to reimburse us. The Skeet Club has to come up with a match, so that NDOW will fully reimburse us.

- **CITY PUBLIC WORKS SUPERVISOR**

Councilman Alworth stated I'd like to see a report of what the Water Operator's feelings are on this shift change, working over the weekends; I'd like to see what they do on the weekends.

City Public Works Supervisor Cracraft stated we have a list of problem sewers. The plan is to start working valves on the fire hydrants. It will help with Animal Control and we won't have to have guys come in to check on the treatment plant. Snow removal. At the Cemetery for funerals on the weekends. It's not just the Water Department, everybody will be working together.

Councilman Alworth asked when they work in the Cemetery or Animal Control where do the wages get charged?

Public Works Supervisor Cracraft stated where they work.

Councilman Alworth stated that's good, but they can't be working all day in Animal Control or Recycling because the general fund cannot absorb the rate these guys are being paid. I'd like to see what they did, what valves they exercised.

Public Works Supervisor Cracraft stated the timesheets should show that. In talking with Eric Trujillo, NDOT will be removing the stoplight by the Hotel Monday.

- **CITY ENGINEER**

City Engineer Alberg stated I've been working with NDOT on the Aultman project and we've also been assisting with some budgeting requests for grant requests.

- **CITY BUILDING OFFICIAL**

Councilman Alworth asked on your report, is there any way for you to say what they're doing?

City Building Official Christiansen stated yes, we can probably put another line item.

DRAFT

7. NNRV FOUNDATION REPORT

NNRV President Mark Bassett reviewed his report appearing below and stated we do five star trains a year and they're all sold out.

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 May 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 returned. We are starting the reassembly.
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. Ridership and Ticket Sales – Updated
 - a. In May we carried 1,557 passengers. This is up 176 passengers or 13% from the previous year.
 - b. Year to date our ridership is at 3,022 passengers, up 266 passengers or 10% from last year
 - c. Since operations began in 1987, we have carried 292,421 passengers. 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.

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



5. Buildings Status – Updated

- a. We have received a grant from the Commission Cultural Centers and Historic Places for the McGill Depot for floor repairs and other improvements. The above photo shows the new floor has been installed.
- b. We received a grant from the White Pine County Tourism and Recreation Board for a Star Gazing platform for our popular Star Trains. It was available for use before the first Star Train of the year.



6. Media Report Placements – Update
 - a. "What's New at Nevada Northern Railway in 2019," Ed Boitano
 - b. "Historic Trains in the West," Allison Belda, AAA feature
7. AT&T Commercial – The AT&T commercial that was filmed here in February was released on Memorial Day Weekend. Here's the link to the story on the commercial.
https://adage.com/article/behind-work/atts-mashup-cinema-campaign-gets-more-extreme/2173236?fbclid=IwAR1SdPOuSV_4LA3Waf0EpINyULy7Yz5FYXQrz_qkFQkCxAC9XbN-sFKkDII



NNRY.COM

Gotta Get Back On the Track at the Nevada Northern Railway

[Learn More](#)

141,589

People Reached

14,615

Engagements

[Boost Again](#)

Boosted on Jun 1, 2019
By Mark Bassett

Completed

People Reached

67.1K

ThruPlays

13.7K

8. REPORTS

CITY COUNCIL

Councilman Hanson stated a couple of weeks ago, I went to the NNRDA meeting and they put me in contact with Mark Stubbing of Southwest Gas, to see what we could do to get natural gas to Ely. Recent legislation passed by the Nevada Legislature two years ago has provided incentives for rural communities to develop natural gas. It looks like they're going to be running natural gas anyway for the hemp raising projects. The City owns the utility corridor that extends the length of the track, which extends several hundred feet in both directions. Donna will be finding out what the specific requirements would be. The cost would be about a million dollars per mile, but if the State helps subsidize it, we could get enough customers.

Councilman Flangas stated I've been working with the Nevada State Tax Commission with regards to the taxation of White Pine County and the City of Ely. We've raised our services of all kinds, and yet, our tax base isn't at its right formula.

MAYOR

Mayor Robertson stated I attended a research center workshop today with some people from Washington, D.C., in regards to broadband.

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

1. Councilman DeFelice – Public Hearing – Discussion Only – Approval of Second Reading of Ordinance 721, Bill No. 2019-04, An Ordinance establishing City Code Title 5, Chapter 3, Article D an Ordinance establishing the City of Ely’s Trap Neuter, Release program for feral cats.

George Chachas stated the pound is always struggling for money. The dog owners are the only ones footing the bill. The cat owners should pay their share.

2. Mayor – Public Hearing – Discussion Only – Approval of Second Reading of Ordinance 722, Bill No. 2019-05, An Ordinance amending Title 3, Chapter 3, Section 4 entitled COIN OPERATED AMUSEMENT MACHINES, License Fees, changing the rate for non-gaming coin operated amusement machines by three percent per year for the next three fiscal years, beginning July 1, 2019, with all other provisions not designated shall remain unchanged.

There was no public comment.

3. Mayor – Public Hearing – Discussion Only – Approval of Second Reading of Ordinance 723, Bill No. 2019-06, An Ordinance amending Title 3, Chapter 5, Section 4 entitled Gambling, License Fees, changing the rate for all gaming card games, gaming machines and coin operated amusement machines by three percent per year for the next three fiscal years, beginning July 1, 2019, with all other provisions not designated shall remain unchanged.

There was no public comment.

4. Mayor – Public Hearing – Discussion Only – Approval of Second Reading of Ordinance 724, Bill No. 2019-07, An Ordinance amending Title 3, Chapter 6, Section 10 entitled Prostitution, License Fees, making this provision consistent with other provisions of the City Code for business license categories, calculation of points, and the date upon which renewal licenses are due.

There was no public comment.

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

1. Councilman DeFelice – Discussion/For Possible Action – Approval of Second Reading of Ordinance 721, Bill No. 2019-04, An Ordinance establishing City Code Title 5, Chapter 3, Article D an Ordinance establishing the City of Ely’s Trap Neuter, Release program for feral cats.

Councilman Carson moved to approve Ordinance 721. Councilman Hanson seconded the motion.

Councilman Alworth asked how are we at the City going to know how much grant money there is? What account is this in? How is it being recorded? If we don’t have the grant money, are the cats just going to run loose? How’s the Animal Control Officer going to know whether we have money to do this?

City Clerk Lee stated we’ve got \$25,000.00 from Maddie’s Pet Project and the accountant set up account 10-33-710.

Councilman Alworth stated on page 3, 5-3C-4 Criminal Penalty: “. . . unless otherwise specified, any person”. Does that include the Animal Control Officer?

City Attorney Odgers stated the issue is if you attempt to interfere with the Trap/Neuter/Release.

Councilman Alworth stated I think that “any person” is very vague. If the Animal Control Officer violates this, is he going to be punished up to the \$1,000.00 fine and six months in jail.

City Attorney Odgers stated it falls under the definition of any person, but again, we go back to what the intent of this is. This was reviewed by the Animal Control Advisory Board and the Animal Control Officer.

Councilman Alworth stated as long as the minutes reflect “any person” includes the Animal Control Officer.

Councilman Carson’s motion carried unanimously.

2. Mayor – Discussion/For Possible Action – Approval of Second Reading of Ordinance 722, Bill No. 2019-05, An Ordinance amending Title 3, Chapter 3, Section 4 entitled COIN OPERATED AMUSEMENT MACHINES, License Fees, changing the rate for non-gaming coin operated amusement machines by three percent per year for the next three fiscal years, beginning July 1, 2019, with all other provisions not designated shall remain unchanged.

Councilman Hanson moved to approve Ordinance 722. Councilman DeFelice seconded the motion. The motion carried unanimously.

3. Mayor – Discussion/For Possible Action – Approval of Second Reading of Ordinance 723, Bill No. 2019-06, An Ordinance amending Title 3, Chapter 5, Section 4 entitled Gambling, License Fees, changing the rate for all gaming card games, gaming machines and coin operated amusement machines by three percent per year for the next three fiscal years, beginning July 1, 2019, with all other provisions not designated shall remain unchanged.

Councilman Carson moved to approve Ordinance 723. Councilman Hanson seconded the motion. The motion carried unanimously.

4. Mayor – Discussion/For Possible Action – Approval of Second Reading of Ordinance 724, Bill No. 2019-07, An Ordinance amending Title 3, Chapter 6, Section 10 entitled Prostitution, License Fees, making this provision consistent with other provisions of the City Code for business license categories, calculation of points, and the date upon which renewal licenses are due.

Councilman Flangas moved to approve Ordinance 724. Councilman Alworth seconded the motion. The motion carried unanimously.

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

1. Councilman Hanson – NNRy President Mark Bassett – [Discussion/For Possible Action](#) – Approval of Nevada Northern Railway Foundation’s Will Serve Application for Sewer Services at 900 Avenue A; applicant requests waiver of \$4,637.50 tap fees.

Mayor Robertson turned the gavel over to Mayor Pro Tem Hanson due to personal conflicts on this item.

City Attorney Odgers stated the Utility Board recommended approval of the tap, but not the waiver of fees. op

NNRY President Mark Bassett stated White Pine County received a SNPLMA grant to put bathrooms in the engine house; as part of increasing parking and streetlights. In the Development Agreement we operate under, the Foundation raises all the money. We are constantly raising money to improve the buildings we jointly own. We have a contingency fee built into this grant: One was asbestos on a pipe, so the loan will be paying to remedy that. On the bathroom, the Council voted to waive the hookup fees. I would ask if you don’t waive the entirety, please waive half.

Councilman Carson asked since I was not present, what was the vote?

City Attorney Odgers stated 3 to 0. The other two members weren’t present.

Councilman Alworth asked was the connection fee in the original grant application?

NNRY President Bassett stated no, based on precedent.

Councilman Alworth asked how much will the asbestos abatement be?

NNRY President Bassett stated around \$5,000.

Councilman Alworth stated the sewer fund is a stand-alone business. If we waive this fee, the next person is going to want us to waive the fee too. Are we setting precedent? I see in the budget they’re giving \$130,000 to the sewer fund because they need money, so why would we not collect that money?

NNRY President Bassett stated the unique thing here is our joint ownership of the complex.

Councilman Alworth asked would you consider a 50/50 split?

NNRY President Bassett stated I would surely consider a 50/50 split.

Councilman Alworth stated I move to reduce our contribution by fifty percent of the connection fees. Councilman Carson seconded the motion.

City Clerk Lee stated for the record, that amount is \$2,318.75.

Councilman Alworth's motion passed 3 to 1, with Councilman Flangas voting Nay.

Mayor Pro Tem Hanson turned the gavel back over to Mayor Robertson.

2. Councilman Carson – Lance Gale of *Heggie and Gale Ranching* – Discussion/For Possible Action – Approval to extend the Joint Development and Beneficial Use Agreement between *Heggie and Gale Ranching* and the Municipal Utilities Board, an operating agency of the City of Ely, through June 30, 2020.

Sean Bellander stated as a potential bidder, it makes more sense to run the lease January through December. By moving it into July, you will lose a year of production. I urge the Council to leave the term of the lease as previously decided last month.

City Attorney Odgers stated the Utility Board moved to extend the lease through the end of September 2020.

Lance Gale stated our lease with the City of Ely was scheduled to be renewed May 1st, so we approached the City Council back on March 14th and the City Council voted to continue leasing to Heggie Gale Ranching. Then thirty days later on April 11th, based on Attorney Odgers' recommendation, the City Council voted to extend the current lease to July 1. Then on May 9th, with the proposal made by Mr. Bellander, the Council decided to put the ranch out to bid after they'd already approved it. Now it's currently out to bid. Our concern was, based on the March 14th decision, we purchased livestock. If we have to come off by January 1, that doesn't allow us to calve and it's the wrong time of the year climatic wise to move livestock. We raise hay to feed the cows. The project with BLM/NDOT is nine months, so we wouldn't be allowed to finish that project. With a five-year contract, we would have the same problem of having to come off in the wintertime. The recommendation of September 30th was to allow the full year of hay season. If you approve this motion, Mr. Odgers had a formula of what we would have to pay; we will pay that increased level.

Councilman Carson moved to approve the Utility Board's recommendation through September 2020. Councilman Flangas seconded the motion.

Councilman Hanson stated I am close friends with Lance Gale and Tedd Heggie, but don't have a financial obligation.

Councilman Carson's motion carried unanimously.

3. Board Members – City Attorney Odgers – Discussion/For Possible Action – Approval to direct Georgetown Ranch bid documents to be amended and reposted to reflect a revised possession date of July 1, 2020 and new submission deadline/opening/award dates.

City Attorney Odgers stated based on the action you just took, I'd ask to amend that to read October 1, 2020.

Councilman Hanson moved to direct approval for Georgetown Ranch bid documents to be amended and reposted to reflect a revised possession date of October 1, 2020. Councilman Carson seconded the motion. The motion carried unanimously.

4. Board Members – City Public Works Supervisor Cracraft – City Landfill Leadman Lawrence – Discussion/For Possible Action – Review of March 28, 2019 Wheeler Machinery T-A Inspection of Caterpillar 826C Compactor and Acceptance of *Wheeler Machinery's* proposal to rebuild the Caterpillar 826C Compactor in the amount of \$211,416.80 and selection of one of three tire options (2 used or 1 retreading) ranging from \$15,825.00 to \$35,601.10.

City Attorney Odgers stated the Utilities Board recommended approval with approval estimate No. 3 for the tires.

Public Works Supervisor Cracraft stated it was \$26,405.

Mayor Robertson asked that was for used ones?

Public Works Supervisor Cracraft stated that was to retread. We put this out to bid for a rebuilt one for \$250,000.00 and got zero bids. We decided to have Wheeler come out and go through our compactor; they said it's in good shape, but we would need to have it rebuilt.

Councilman Hanson moved to approve Wheeler Machinery's proposal to rebuild the Caterpillar 826C Compactor in the amount of \$211,416.80 with tire selection option 3. Councilman Alworth seconded the motion. The motion carried unanimously.

5. Councilman Carson – City Public Works Supervisor Cracraft – Discussion/For Possible Action – Acceptance of *Watertech, Inc.* quote in the amount of \$7,329.00 for Polymer Make Down System for Waste Water Treatment Plant, per the *Andritz Separation, Inc.* technician’s and City Water Operator’s recommendations.

City Attorney Odgers stated the Utility Board recommended approval. This is also a recommendation by the Nevada Rural Water Authority people.

Councilman Carson stated this was budgeted for.

Public Works Supervisor Cracraft stated we got the centrifuge finally working properly.

Councilman Carson moved to accept *Watertech, Inc.*’s quote in the amount of \$7,329.00 for Polymer Make Down System for the Waste Water Treatment Plant. Councilman Hanson seconded the motion. The motion carried unanimously.

6. Councilman Carson – City Public Works Supervisor Cracraft – Discussion/For Possible Action – Acceptance of *W-Cubed Inc.* quote in the amount of \$5,317.00 for Waste Water Treatment Plant Influent Gate, per Nevada Rural Water’s and City Water Operator Naranjo’s recommendations.

City Attorney Odgers stated the Utility Board recommended approval.

Public Works Supervisor Cracraft stated this was approved at \$4,600.00, but they have had to adjust the gate. This is budgeted.

Councilman Carson stated this is a safety hazard. It’s considered a confined space entry

Councilman Hanson moved to approve *W-Cubed Inc.*’s quote in the amount \$5,317.00 for a Waste Water Treatment Plant Influent Gate. Councilman Alworth seconded the motion. The motion carried unanimously.

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

A. CONSENT AGENDA

MOTION: Move to approve the Consent Agenda item 12A-2 Bills.

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

2. Discussion/For Possible Action –Bills.

- May 21, 2019
- May 31, 2019
- June 5, 2019

City Attorney Odgers stated Mr. Mayor you’ll need to disclose that on the May 22nd 31st, you received a payment on the Main Street program.

Mayor Robertson stated I received a reimbursement payment that was funneled through the City from GOED.

Mayor Robertson recessed the Ely City Council meeting at 6:33 p.m.

Mayor Robertson reconvened the Ely City Council meeting at 6:40 p.m.

B. NEW BUSINESS

1. Councilman Hanson – NNRDA Eastern Economic Development Officer Donna Bath – Discussion/For Possible Action – Approval of support letter for the Northeastern Nevada Regional Development Authority’s (NNRDA) 2019 application for Economic Development Services.

Donna Bath stated this is a letter of support to GOED. NNRDA is an off shoot of the Governor’s Office on Economic Development; I am contracted with them in a part-time position and am responsible for White Pine and Eureka counties. Your NNRDA dues are based on your population and are just over \$3,000.00; what the City gained out of that was a letter of support for your CDBG grant and the City was successful in obtaining \$273,000.00. I have shown your armory building. I met with Sam. I’m also working with the County on the hemp farm and broadband.

Councilman Hanson moved to approve a support letter for the Northeastern Nevada Regional Development Authority’s 2019 application for Economic Development Services. Councilman Carson seconded the motion. The motion carried unanimously.

2. Mayor – City Clerk Lee – Discussion/For Possible Action – Selection of decorative light pole preference and least desired for NDOT Aultman Street project, per NDOT’s request.

Councilman Flangas passed around a picture of a lamp pole he preferred.

Mayor Robertson stated these options from NDOT are all dark light certified. I picked No. 1 because it matches what we’ve had historically.

City Engineer Almborg stated the City of Ely picked a light in the project, but NDOT wanted to get another option due to costs.

Councilman Flangas moved to discuss decorative light pole selection with the State Highway Department and come up with something else. The motion died for lack of a second.

Councilman Hanson moved select option one, with option two as least preferred, directing B.J. to contact the State regarding a greater height on the lamps. Councilman Carson seconded the motion. The motion carried unanimously.

4. Mayor – Discussion/For Possible Action – Appointment of Councilman Jim Alworth, with City Council’s consent, to serve as an Appointed Director on the Nevada Northern Railway’s Board of Directors.

Councilman Carson moved to appoint Councilman Jim Alworth as a Director on the Nevada Northern Railway’s Board of Directors. Councilman Hanson seconded the motion. The motion carried unanimously.

5. Mayor – Discussion Only – Interview of candidates for City Treasurer position, the applicants are Robert Dugan, Mary Herrera and Janette Trask.

City Attorney Odgers stated each of you have a copy of the matrix and each candidate will be asked the same questions by the Mayor.

Robert Dugan

Mayor Robertson asked please provide a brief description of your accounting experience.

Robert Dugan stated during my tenure as the Youth Probation Director in New York, I was required to keep a dual set of books, so at any given point I knew exactly where all of my money was going. When I was the Administrative Services officer at the prison, I supervised all the accounting functions.

Mayor Robertson stated please detail your experience and the processes you have used to communicate complex financial concepts to governing boards, including, but not limited to, making recommendations on revenue increases and reductions of expenditures.

Robert Dugan stated most of my experience is with the federal government in which everything is pretty much fixed. We are told what your increase is, we’re given very little in the way of discussion. When I was working at the prison I had a little more flexibility, in that I could essentially ‘sell’ some of my vacant positions back to the State and get cash back for necessities.

Mayor Robertson stated please present your experience preparing monthly, quarterly and annual reports to the IRS, Department of Taxation, Worker’s Compensation, Employment Security, etc.

Robert Dugan stated every month with the federal government you had to look back at what we were spending our money on. Once we had an IRS certified financial system, they could see it per. My experience with the State has been we had to report monthly back to Carson City what we were spending the money on.

Councilman Alworth asked in your activity at the prison, were you responsible for preparing vouchers for payroll taxes?

Robert Dugan stated all the payroll was handled through Carson City. We were not allowed any involvement in the payroll process.

Mayor Robertson asked does any of your experience relate to payroll?

Robert Dugan stated when I worked for the federal government, we had direct approval of all payroll.

Councilman Alworth asked did you input the payroll?

Robert Dugan stated I would figure out the payroll and then one of my Human Resources people would input it.

Mayor Robertson stated please describe in detail your experience in performing Human Resource functions, including but not limited to making payroll, personnel files, overseeing payroll administration, dissemination of employee benefit information and providing payroll and benefit information for new employees.

Robert Dugan stated one of my duties when I worked for the federal government was human resources, so we had payroll and nineteen different health programs.

Councilman DeFelice asked do you have the ability to do payroll yourself?

Robert Dugan stated I was probably one of the original users of Excel.

Janette Trask

Mayor Robertson asked please provide a brief description of your accounting experience.

Janette Trask stated I've worked in the accounting field forty years. I worked for the City twelve years, gone through the budgeting process and all aspects of the audits. I've done payroll, accounts payable, accounts receivables. Prior to working for the City, I worked for private entities. When I worked for the City, I handled all the quarterly reports, all State reports and filings.

Councilman DeFelice stated you've felt our financial woes. Are you able to put together a financial plan from where we are to where we need to be?

City Treasurer Trask stated I believe I can. I know where it used to be. I was a part of that. I need the Council to understand that they are the ones making the hard decisions. I feel I have the background and care about the City. I will give you my reports and my honest opinions. It's a partnership working with you. If the money's not there you can't spend it. It's just my position that you don't give away money here at the City. You're always looking at your revenues and if they're not coming in, you've got to cut.

Mayor Robertson stated please detail your experience and the processes you have used to communicate complex financial concepts to governing boards, including, but not limited to, making recommendations on revenue increases and reductions of expenditures.

Janette Trask stated I read my reports into the minutes and my door is always open.

Mayor Robertson stated please present your experience preparing monthly, quarterly and annual reports to the IRS, Department of Taxation, Worker's Compensation, Employment Security, etc.

Janette Trask stated payroll: you've got your quarterlies, your 941s, unemployment.

Mayor Robertson stated I understand you did that for the Railroad as well.

Janette Trask stated and the School District. I've never been late. You have State reports and PERS.

Councilman Alworth stated sometimes wages have to go back to a certain project. How did you handle it if wages outran grant money?

Janette Trask stated we always knew ahead of time because we tracked that. As soon as they were paid, I was putting in a reimbursement request for it. I am a firm believer that each fund needs to put their time where they actually work because that's where it needs to be expensed to. The perception that they're allowing the enterprise funds to support the general fund is against the law. If I get the job, I don't let the payroll system calculate it itself because, unless you go in and change the percentages in the system to match what they did in that two-week period, it's not going to do it for you.

Mayor Robertson asked how many years have you been doing this?

Janette Trask stated I have forty years experience in payroll.

Mayor Robertson stated please describe in detail your experience in performing Human Resource functions, including but not limited to making payroll, personnel files, overseeing payroll administration, dissemination of employee benefit information and providing payroll and benefit information for new employees.

Janette Trask stated I have a lot of experience in it because I've had a lot of HR training from POOL PACT, thanks to the City. You have to be very conscious that payroll records are separate from medical records, which are separate from personnel records, which are separate from even your I-9s. I have been involved in the hiring process. I've advertised for positions. I've done the actual interviews. I've done disciplinary interviews. I've done employee trainings.

Mayor Robertson recessed the regular City Council meeting at 7:32 p.m.

Mayor Robertson reconvened the regular City Council meeting at 7:47 p.m.

6. Mayor – Discussion/For Possible Action – Acceptance of the Mayor’s selection for appointment as the City Treasurer and determination of salary.

Mayor Robertson stated after reviewing the interview matrixes with the attorney, it would appear that Janette Trask is the most qualified and the one that I would recommend to the Council.

Councilman Carson moved to accept Mayor Robertson’s selection of Janette Trask for appointment as City Treasurer. Councilman Hanson seconded the motion.

Councilman Alworth asked what was budgeted for City Treasurer?

City Clerk Lee stated \$55,000.00.

Councilman Carson’s motion carried unanimously.

Janette Trask accepted the position and stated I need to give two weeks notice and can start July 1st. I have told Mark if I got the position I would still, on my own time, help him out.

7. Council Members – City Clerk Lee – Public Works Supervisor Cracraft – Discussion/For Possible Action – Designate Public Works Supervisor Cracraft as Animal Control Supervisor.

Councilman Carson moved to designate Public Works Supervisor Cracraft as Animal Control Supervisor. Councilman Hanson seconded the motion. The motion carried unanimously.

8. Council Members – City Attorney Odgers – Discussion/For Possible Action – Ratification of Mayor Van Camp’s prior approval to allow recruitment for a temporary legal secretary intern. Former temporary legal clerical assistant, Teri Doty, resigned her position effective June 7, 2019.

City Attorney Odgers stated Teri was assigned to work for me, but primarily worked with Jennifer. The intern will end the middle of August 2019.

Councilman Hanson moved to ratify Mayor Van Camp’s prior approval to allow recruitment for a temporary legal secretary inter. Councilman Flangas seconded the motion. The motion carried unanimously.

9. Mayor – Discussion/For Possible Action – Appoint heads for the following four departments from Council Membership, per City Code 1-5-6: Public Safety; Health and Sanitation; Street; and Parks and Recreation. The Mayor is responsible for the Administration Department.

Mayor Robertson stated this is how this is organized in the Code. Kurt would you rather be on Street or Sanitation?

Councilman Carson stated probably the Sanitation side.

Mayor Robertson asked is there a Councilman who would like the Street Department?

Councilman Alworth stated I’ll throw my name in.

Mayor Robertson stated we’ve got public safety. Sam, how do you feel about that?

Councilman Hanson stated it ties in well with my previous life’s background, so that would be fine.

Mayor Robertson asked the last one would be Parks and Recreation. Ernie, how do you feel about being on Parks and Recreation?

Councilman Flangas stated I’m well experienced in it and will accept it.

Mayor Robertson stated I’d like those appointments to be made as such. Is there anyone who could make a motion to that effect?

Councilman Hanson moved to accept Mayor Robertson’s recommendations for City Council department heads. Councilman Flangas seconded the motion. The motion carried unanimously.

10. Mayor – Discussion/For Possible Action – Confirmation of Mayor’s appointment of Councilman Jim Alworth to the White Pine County Regional Transportation Commission, White Pine County Tourism and Recreation Board, White Pine County Board of Equalization, White Pine County Debt Management Commission and Eastern Nevada Landscape Coalition.

City Clerk Lee stated the City doesn’t have a designated seat on the Eastern Nevada Landscape Coalition, so that needs to be removed from the item.

City Attorney Odgers stated we are a member, so we should attend. We can get reduced prices for chemicals for weed abatement through them.

Mayor Robertson stated I would like to take the Tourism and Recreation Board off, so I can make another assignment.

Councilman Hanson moved to approve the appointment of Councilman Jim Alworth to the White Pine County Regional Transportation Commission, the White Pine County Board of Equalization and the White Pine County Debt Management Commission. Councilman Carson seconded the motion. The motion carried unanimously.

12. Mayor – Council Members – City Clerk Lee – Discussion/For Possible Action – Approval to place Mayor, two City Council Members, City Clerk and City Treasurer on the signature cards for the City’s accounts at *First National Bank of Ely*.

Mayor Robertson stated I would like those other two Council Members to be the Mayor Pro Tem, as well as Jim Alworth.

Janette Trask stated your auditors would have a stroke if the City Treasurer were on there, whereas the City Treasurer is doing payroll, printing checks and balancing the bank statements.

Councilman Hanson moved to place Mayor Nathan Robertson, Mayor Pro Tem Sam Hanson, Councilman Jim Alworth and City Clerk Jennifer Lee on the signature cards for the City’s accounts at *First National Bank of Ely*. Councilman Carson seconded the motion. The motion carried unanimously.

13. PUBLIC COMMENT

George Chachas stated ongoing concerns regarding the City needing to do in-house utility billing; misbilling him; the City needing to hire someone with a Bachelor’s Degree in accounting; completion of the valley gutter at Ruby and Orson; and the junkyards next to the new million dollar hotel. You don’t have a dollar amount on the New Business report. There’s a sink hole on Ely Street that needs to be addressed.

14. 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 **8:05 p.m.** Councilman DeFelice seconded the motion. The motion carried unanimously.

MAYOR

ATTEST