



CITY OF ELY

501 Mill Street Ely, Nevada 89301

City Hall (775) 289-2430

Cityofelynv.gov

ELY CITY COUNCIL REGULAR MEETING

August 14, 2025, 5:00 p.m. – Ely Volunteer Fire Hall – 499 Mill Street – Ely, Nevada

1. Mayor Robertson called the regular meeting of the Ely City Council to order at 5:01 P.M. Mayor Robertson led in the Pledge of Allegiance and asked for Roll Call.

Members present:

Mayor Nathan Robertson
Councilman Terrill Trask
Councilwoman Melody Van Camp
Councilwoman Michelle Yeoman
Councilman Dennis Perea
Councilwoman Jerri Lynn Williams-Harper

City Officials and staff present in the building or via video conference:

City Clerk Jennifer Lee
City Treasurer Janette Trask
City HR Director Desiree Ramirez
City Public Works Director Mike Cracraft
City Engineer B.J. Almberg
City Fire Chief Pat Stork
City Attorney Chris Arabia
City Building Official Don Hendrickson
City Police Chief Scott Henriod
City Administrative Assistant Patti Cobb

Also, in attendance: Members of the public in attendance at the Ely Volunteer Fire Hall signed in (appears below) and the following people attended via video conference: Geri Wopschall; Eugene Harper; Wyatt Cox, KELY; Chris Stanko, Maupin, Cox, and Legoy Law Firm; Lena Ocasio, USDA; Matt Bowers; and Paula Carson.

ELY CITY COUNCIL ATTENDANCE LIST

DATE: August 14, 2025

Print name below

Session Hendrickson
Fred Allivers
JANI Allivers
Don Bogtje
Kathy Ricci
Bryant Barnson
George Chackas
Arnet Mooten
William Ricci
Dean Reynolds

Print name below

2. PUBLIC COMMENT

George Chachas stated on agenda item 10-1 regarding the Morley Upgrade project, I did not see the installation of sidewalks, as the City has done with other CDBG projects, especially in those areas with low income, minorities, and blight. I want you to stop the discrimination and get a new engineer that is fair and balanced, that area needs sidewalks just like any place else. On your agenda item 10-3 regarding establishing a landfill Capital Improvement Fund, the increase should be 5-10%, not 15-20%. I want to remind you; the CPI is 3.1. On agenda items 10-5, 10-6, and 10-7, I'm not against the write-off, but I want to know if Jeremy Lilly paid the full \$2,261.50 to qualify for the write-off of \$1,134.20, On agenda item 10-6 did Doug Lilly pay in full \$9,530.79 to qualify for the write-off of \$6,630, and on agenda item 10-7, did Kelly Gubbine pay in full the \$6,095.24 to qualify for the write-off of \$5,316.91? I'm requesting a copy of the letter sent to them outlining the terms required of them for the consideration to write off penalties and interest on their properties and then be eligible for appropriate refunds. To date, I have not received a copy of the letters that supposedly the City sent to Ralph Jones, Tina Templer, Elaine Blackham, Chris Walker and James Montgomery. The Nevada Open Meeting Law says five days Mayor, not 5 years. On your agenda item 11B-6 regarding the consulting services between Basin Engineering and the City of Ely, the City needs to go out for a Request for Proposal as not all citizens are treated fairly by Basin Engineering and that needs to stop. On your agenda item 11B-10 regarding the approval that the mayor sign documents involving the railroad, you're an employee of the railroad, Mr. Mayor, and you have a conflict of interest. It needs to be a councilperson, other than the ones that sit on the railroad board, and not Councilwoman Van Camp, who failed to collect fifteen years of track rental fee; we don't want the same mistake twice. On Agenda Item 11B-12 regarding the income from Wireline Crossing - Easement agreements and 45G tax credit, that needs to go into the Landfill Capital Improvement Fund in order to pay for the proposed new compactor, which is needed; renovation of City Hall is not needed.

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

Councilwoman Van Camp moved to approve the agenda as presented. Councilwoman Williams-Harper seconded the motion. The motion carried unanimously.

4. CITY DEPARTMENT REPORTS

➤ CITY ENGINEER

City Engineer Almberg stated earlier this week I got a call from Cole, the new County Maintenance Superintendent, wanting to touch base with me to understand what's going on with the Golf Course well, and that was a good conversation. I think it's very important for him to understand what we are trying to accomplish, since ultimately our agreement is what's going to be his Bible on how he's going to operate that Golf Course in the future. Our Aultman Street project is still very busy, but so far, so good; it's actually going very well. We did start on the 7th Street Drainage project, which is a CDBG project. We are working on the design of that drainage in that area to try to solve some of the issues. Our goal is to try to complete those plans pretty quickly and get them back on the street a little bit later this Fall so that it can be completed this year. 7P well is back online and the City recently turned it back into the system. There are some things going on with the meter we are trying to figure out. The meter's kind of jumping, so the City is coordinating with the Mine to see if they can come look at that meter and get a better number of what's coming through that well.

5. NNRY FOUNDATION REPORT

Mayor Robertson stated I would like to disclose I am a part-time employee of the Foundation, but this is not a voting item, and I don’t vote anyways.

NNRY President Mark Bassett reviewed the following report:

NEVADA NORTHERN RAILWAY

NATIONAL HISTORIC LANDMARK

NEVADA NORTHERN RAILWAY FOUNDATION

A Nevada 501 (c) 3 Non-Profit Corporation

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

EAST

ELY

NEVADA NORTHERN RAILWAY

40 Years

MUSEUM

Monthly Operations Report for July 2025

1. Locomotive Status – Updated
- a. Locomotives in service: 250, 109, 801, Wrecking Crane A & Rotary B.

b. Staff and volunteers are working on Locomotive 802 with the goal of bringing it back to service this summer.

b. On Locomotive 81 work is progressing on the pilot truck.

c. Locomotive 93 suffered a hub liner and crown brass failure on axle 4. We have dropped the axle and taken it to Salt Lake. Fortunately, the axle can be turned. The axle has been turned and the locomotive bearing bronze has been ordered.

d. During an inspection of the Doodlebug, we found a crack in the power truck frame. We are in the process of make a repair and returning the car to service.

e. Locomotive 105 is out of service for radiator leaks.

f. Locomotive 40 is out of service for her heavy repairs. We have started on her repairs; she will be out of service until 2027.

g. Locomotives out of service needing moderate repairs: #201

h. Locomotives waiting funding for restoration: Steptoe Valley Smelting and Mining #309 and Rotary Snowplow B (for boiler overhaul.)

i. Locomotives out of service needing heavy repairs #80 and the military locomotives.
3. Rolling Stock Status – No change
- a. Passenger equipment in service: #05, #07, #08, #09, Flatcar #23, Baggage/RPO #20, Outfit Car #06 and Caboose 6.

b. Passenger Coach 5 is in service but it needs to be lettered in gold leaf.

c. Passenger equipment out of service: #10, #2 and #05 needing heavy repairs.

d. Caboose in service: #3 #6 and #22 are operational.

e. Caboose out service: #5
4. Track Status – No change
- a. Keystone Branch is open.

b. Adverse Branch is open.

c. Museum Branch is open.
5. Ridership and Ticket Sales – Updated
- a. In July we carried 1,972 passengers, this was a decrease of 12% compared to the previous year.

Award Winning Destination

Best Adrenaline Rush in Rural Nevada – 2020

Best Historic Railroad of the West – 2023, 2022

Best Museum in Rural Nevada – 2022, 2020, 2017, 2016, 2014, 2013, 2010, 2009, 2008

Trip Advisor Certificate of Excellence – 2024, 2023, 2022, 2021, 2020, 2019, 2018, 2017, 2016, 2015, 2014

Best Place to Take the Kids in Rural Nevada - 2020, 2019, 2018, 2015, 2014, 2013, 2012, 2011, 2010, 2009, 2008, 2007

- b. So far this year we have carried 6,920 passengers, this was an increase of 1% compared to the previous year.

c. Since operations began in 1987, we have carried 386,889 passengers.
6. Economic Impact – The average non-gaming & gaming daily expenditure per overnight visitor \$174.
- Economic impact for July 2025 was 1,972 x \$174 = \$343,128.

Economic impact year to date was 6,920 x \$174 = \$1,204,080

These numbers only reflect the economic impact of our train passengers and does not include visitors who did not ride the train.
7. Social Media: Our reach on social media continues to expand:
- a. Our Facebook views was 2,818,186

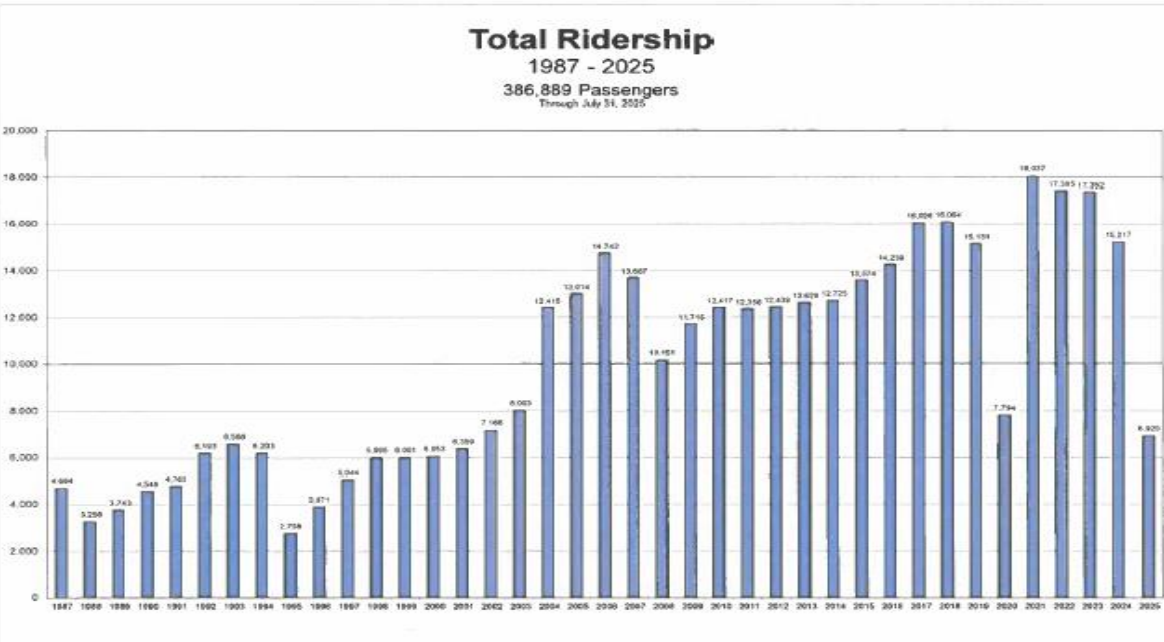
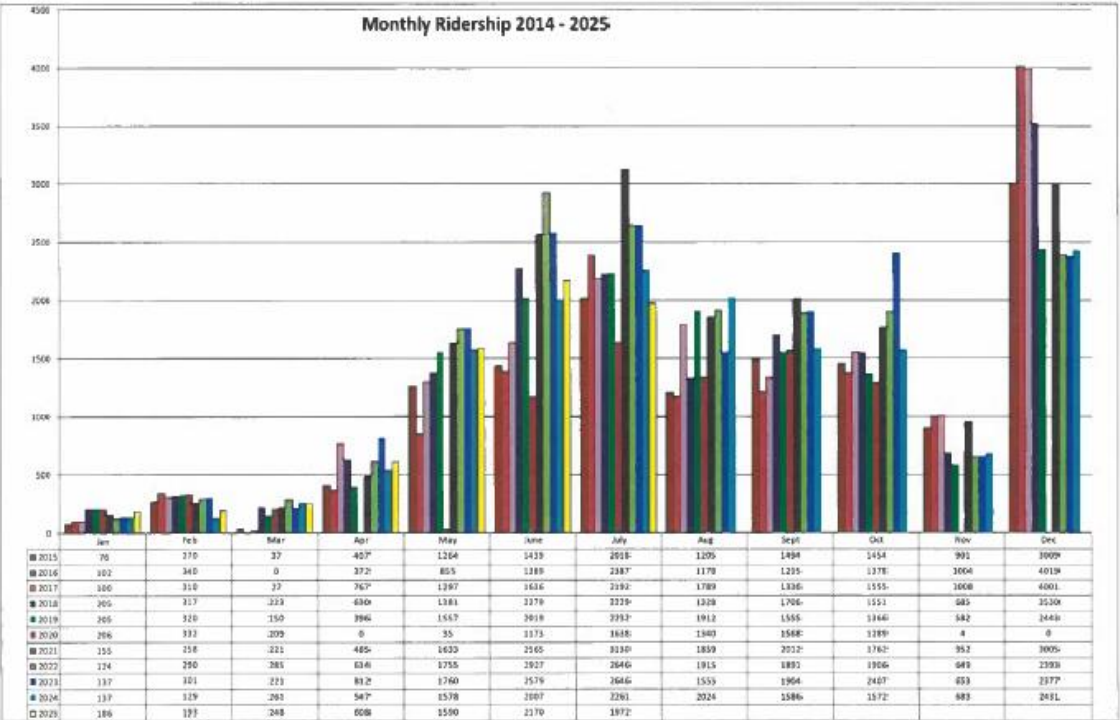
b. Our Facebook reach last month was 937,143

c. We have 135,600 page likes.

d. 205,476 people follow our page.
- b. Locomotive 250 has entered service hauling excursion trains.



9. Train Schedule Trains operate daily through September.



6. REPORTS

➤ COUNCILWOMAN VAN CAMP

Councilwoman Van Camp stated I attended the Utility Board meeting this morning, and the only other thing I have is Trash Troopers have had another successful cleanup. This past weekend we cleaned the roadway behind Love's Truck Stop. NDOT is now helping us with signage and supplies. Love's Truck Stop also has offered help in fixing that mess, and any assistance that we need in supplies. The next cleanup will be Saturday, August 23, 2025. I would also like to thank the City Attorney for his assistance with the waivers and any issues I have had, and he was speedy about it. I had a citizen call me today, and she would like me to thank the Water Department for their fast, quick job on a leak; kudos to them.

➤ COUNCILMAN PEREA

Councilman Perea stated I was able to attend a meeting with Mr. Bassett and the BLM to talk about a 25-year running issue of having the surveys taken care of so that they can actually deed over the land to the City, and it sounds like we're making good progress there. There was an interesting conversation about the High Line, it seemed more of a clerical error, which seemed to cause more delays in one section of it, but they are patenting over the land to the City in the very near future is what they're saying.

➤ COUNCILWOMAN WILLIAMS-HARPER

Councilwoman Williams-Harper stated I will say that we had the inaugural run of Tour de Schell on Saturday, and BJ did a fine showing. It's a pretty tough race, and we're looking for that to grow. It's sponsored by the Rotary. It's about 118 miles and they all made it back in one piece. A lot of people worked together to put that on, so thank you to Rotary.

➤ MAYOR ROBERTSON

Mayor Robertson stated I would like to let the Council and public know that preparations for America's 250th have started in earnest here in White Pine County. I signed a letter that Patti and Jennifer graciously put together for me to support a grant application for Main Street to get some PR funding for filming and things like that. We've been in contact with Senator Cortez Masto's office to request a military band and flyovers for our parades next year, and they seem very positive about the possibility of that. I'd like to remind everybody about the Town Hall for Congressman Amodei on the 18th in the morning, I believe it's from 8 a.m. to 10 a.m. at the Convention Center, about the r-Plus project specifically, is what they said.

7. GEORGETOWN RANCH QUARTERLY REPORT

Georgetown update 4/1/25- 6/30/25

From Betsy Vogler
Date Mon 7/21/2025 4:13 PM
To Jennifer Lee <CityClerk@cityofelynv.gov>

Hi Jennifer,

4/5/25- Paid lease for the year plus 1.5% as agreed on the original contract.

4/10/25- Letter sent in for city agenda concerning the water since all of Georgetown is flood irrigation only.

5/21/25- NRCS and Engineer looked at Georgetown to put together a plan for a possible contract with me for piping for irrigation for the surface water to improve irrigation.

5/24/25 Water from the mine was diverted for construction downtown. No surface water going to Georgetown for irrigation or livestock.

5/27/25- Contacted the City to find out when water would be flowing again. Very little water in ditches left for livestock and was dependent on wastewater.

6/3/25- Was informed 700GPM would be flowing from North Street well while construction (NDOT Ely downtown Project). Road and Highway builders requested Robinson mine to divert water while construction was going on for the large storm drain installation.

6/4/25- Signed contract with NRCS for Georgetown improvements.

6/23/25-6/26/25 - Very little water flowing

6/26/25- Water started flowing again for irrigation.

For the next quarter I've decided not to hay. It would be better for grazing this year with the lack of water from construction diversions and lack of weather. I will be mowing brush in the next few weeks along with fence improvements and spraying thistle. I will be bringing cattle in a few at a time currently there are 15.

B. NEW BUSINESS

9. Councilwoman Williams-Harper - Discussion/For Possible Action - Approval of Wireline Crossing Agreement, effective as of August 14, 2025, by and among Nevada Northern Railway Foundation, Inc., the City of Ely, Nevada, Great Basin Transmission, LLC, and GBT Northbound, LLC (the "Agreement"), which provides for the granting of multiple easements and associated licenses to Great Basin Transmission, LLC, and GBT Northbound, LLC, on certain property on or near the Northern Line of the Nevada Northern Railway located in White Pine County, Nevada, and Elko County, Nevada.

Mayor Robertson stated I'll again disclose that I'm a part-time employee of the Foundation. I'm not voting on this item, because I don't vote on these, but, as is required by law, I sign the contracts that the Council approves.

NNRY President Mark Bassett stated this is part of the high-voltage connection between Robinson Summit. It goes up to Twin Falls and Steptoe Valley, and they'll be crossing our tracks ten different times. What this agreement does is create easements for them to cross the tracks, and they'll be using some of the service road, too. We've been working on this agreement for a couple of years, and we've gone through it with a fine-tooth comb.

Councilwoman Williams-Harper moved to approve the Wireline Crossing Agreement, effective as of August 14, 2025, by and among Nevada Northern Railway Foundation, Inc., the City of Ely, Nevada, Great Basin Transmission, LLC, and GBT Northbound, LLC (the "Agreement"), which provides for the granting of multiple easements and associated licenses to Great Basin Transmission, LLC, and GBT Northbound, LLC, on certain property on or near the Northern Line of the Nevada Northern Railway located in White Pine County, Nevada, and Elko County, Nevada. Councilman Perea seconded the motion. The motion carried unanimously.

10. Councilwoman Williams-Harper - Discussion/For Possible Action - Approval to a authorize and direct Nathan Robertson, in his capacity as Mayor of the City of Ely, Nevada, to execute the Wireline Crossing Agreement, effective as of August 14, 2025, by and among Nevada Northern Railway Foundation, Inc., the City of Ely, Nevada, Great Basin Transmission, LLC, and GBT Northbound, LLC (the "Agreement") on behalf of the City of Ely, Nevada, and to execute all associated Easements pursuant to the Agreement on behalf of the City of Ely, Nevada.

Mayor Robertson stated again, I'll disclose I'm a part-time employee of the Foundation, I'm not a voting member of the Council, and I'd be signing this in my capacity as mayor per NRS.

NNRY President Mark Bassett stated this is all part of the agreement. We've broken out the individual crossings, and so you'll be able to sign ten of them.

Councilman Trask moved to approve authorizing and directing Nathan Robertson, in his capacity as Mayor of the City of Ely, Nevada, to execute the Wireline Crossing Agreement, effective as of August 14, 2025, by and among Nevada Northern Railway Foundation, Inc., the City of Ely, Nevada, Great Basin Transmission, LLC, and GBT Northbound, LLC (the "Agreement") on behalf of the City of Ely, Nevada, and to execute all associated Easements pursuant to the Agreement on behalf of the City of Ely, Nevada. Councilwoman Yeoman seconded the motion. The motion carried unanimously.

11. Councilwoman Williams-Harper – Discussion/For Possible Action - Approval of Easement Agreement by and among Nevada Northern Railway Foundation, Inc., the City of Ely, Nevada and Bell Atlantic Mobile Systems LLC d/b/a Verizon Wireless (the “Agreement”), which provides for the granting of an easement to Bell Atlantic Mobile Systems LLC d/b/a Verizon Wireless, on certain property on or near the Northern Line of the Nevada Northern Railway located in Elko County, Nevada.

Mayor Robertson stated I'll make the same disclosure, that I am a part-time employee of the Foundation, not a voting member of the Council, and I sign these as part of NRS requirement as the mayor.

NNRY President Mark Bassett stated This particular request from Verizon does not cross the tracks, it crosses part of the City and the Foundation's property. They're putting in a new tower there, and once their tower is active, it will provide cell service for that particular section of US 93.

Councilman Trask moved to approve the Easement Agreement by and among Nevada Northern Railway Foundation, Inc., the City of Ely, Nevada and Bell Atlantic Mobile Systems LLC d/b/a Verizon Wireless (the “Agreement”), which provides for the granting of an easement to Bell Atlantic Mobile Systems LLC d/b/a Verizon Wireless, on certain property on or near the Northern Line of the Nevada Northern Railway located in Elko County, Nevada. Councilwoman Van Camp seconded the motion. The motion carried unanimously.

1. Mayor Robertson – City Clerk Lee – Discussion/For Possible Action – Approval to waive landfill construction waste disposal fees and contribute up to \$50,000, to be expended from Capital Improvements, for the completion of the Steptoe Valley Trap Skeet (SVTS) Hunter Education Building in order to meet the match requirements of a Nevada Department of Wildlife (NDOW) 2025 Shooting Range Grant; SVTS will be providing cash, equipment donations, materials, and volunteer labor towards the match.

City Clerk Lee stated the total project cost was reduced to \$732,531.40 by removing almost \$50,000.00 in unnecessary line items, including construction landfill disposal fees. We are currently in negotiations with NDOW for a manageable match percentage based upon this reduced project cost. Steptoe Trap has committed to providing sealants, paint, equipment donations, and the labor for finishing work. The City of Ely's financial donation would purchase acoustic ceiling tiles, bathroom accessories, and assist with contractor invoices.

Mayor Robertson stated the Trap and Skeet Club has worked really hard with our Building Official on identifying things that they can do to contribute as match, and funds that they can also provide. NDOW has graciously agreed to make this their entire grant for this cycle, so they're using all of their available granting funds for this one project to get this across the line.

City Clerk Lee stated as far as meeting the match, we still have to get the approval from NDOW to reduce the percentage they initially asked for; I'm waiting for that answer. This will be an important piece if the Council approves it tonight, then I can email NDOW back and say the City has voted to contribute cash towards this.

Mayor Robertson stated that being said, and correct me if I'm wrong Clerk Lee, but the way the process works is, even after we vote tonight, NDOW has to approve it and we still have to get contractor quotes. There's a number of steps in which, you know, if the whole thing falls apart, the City and everybody will have to regroup and try something else, but this is a plan that Clerk Lee has spent a lot of time coming up with in conjunction with the Trap and Skeet Club and working with NDOW as well.

City Clerk Lee stated just for the record, NDOW itself went out for septic installation quotes and a building completion quote and that's what this initial total project cost is based on.

Councilman Trask moved to approve waiving landfill construction waste disposal fees and contribute up to \$50,000, to be expended from Capital Improvements, for the completion of the Steptoe Valley Trap Skest (SVTS) Hunter Education Building in order to meet the match requirements of a Nevada Department of Wildlife (NDOW) 2025 Shooting Range Grant. Councilwoman Williams-Harper seconded the motion. The motion carried unanimously.

2. Mayor Robertson - Human Resource Director Ramirez - Discussion/For Possible Action
- Approval of procedure to evaluate the performance of appointed officials.



CITY OF ELY

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

Appointed Official Performance Evaluation Procedure

1. At the beginning of each fiscal year, performance evaluations will be completed for each appointed official.
2. A performance evaluation form will be given to each council member for each appointed official to be filled out.
3. Evaluations will be reviewed by the Mayor and the HR Director and reports compiled to summarize the consensus of the council members' evaluations.
4. A prepared summary will be placed on an agenda and presented to the City Council in a public meeting and the report will also be given to the appointed official.
5. Should there be any evaluations that need to be addressed, a personnel session may be placed on an agenda at the next regularly scheduled council meeting.
6. All evaluations and the report will be filed in the appointed official's personnel file.
7. Raises for appointed officials will be addressed during the budgeting process and effective at the beginning of the next fiscal year. Should an appointed official request an unbudgeted increase, the official will need to secure a council member sponsor to have an agenda item for their request at the next regularly scheduled meeting.

City HR Director Ramirez stated we are looking to change the procedure to evaluate the appointed officials. It will be done yearly with a form sent out to each one of you. You will evaluate them and turn those back into the Mayor as stated on the procedures in your packet. He will then go over them with me and we will compile a summarization and present a report at a Council meeting. Our policy manual states that appointed officials will be evaluated annually, but it doesn't really describe how that's done.

Mayor Robertson stated Human Resource Director Ramirez and previous Human Resource Director Trask, both came up with some ideas on how to make the process a little more detailed, complete, streamlined, and still have a public, facing aspect to it. The idea is that the Council reviews everybody on paper, and a summary of that is presented to the public. If there are issues that stand out, they still have the option to call a personnel session, but this kind of removes the Spanish Inquisition aspect of it from the past. It also would make the raises that are budgeted just automatic. If a department head wants or would like to request a raise in and above that, they would still have to come before the Council in a public meeting to request that. We're open to tweaking this. This was a draft that we got together to pitch. I hope everybody's had a chance to review it.

Councilman Perea asked on item 4, will they get the courtesy of seeing this report before the meeting?

Mayor Robertson stated they will get it at the same time everybody else does, so five days before the meeting. If there is an item that's brought up, for example, let's say one of

the council members says, “I really have a problem with X, Y, and Z,” there would be the opportunity for that councilperson to come in to see me, and the HR Director, to discuss and see if a personnel session is needed. Any council member can call a personnel session, that doesn't have to be a unanimous thing. If you decide there's a problem, Dennis, you can call a personnel session on anybody.

Councilman Perea stated I just wanted to make sure they weren't surprised by anything.

Councilman Perea moved to approve the procedure presented to evaluate the performance of appointed officials. Councilwoman Yeoman seconded the motion. The motion carried unanimously.

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

1. Council Members – City Fire Chief Stork – Public Hearing - Discussion Only – Approval of Resolution 2025-06, a resolution amending the Emergency Medical Service (EMS) billing rate schedule, pursuant to City Code 1-11-10.

Fire Chief Stork stated we checked with Elko, Winnemucca, and a bunch of other places, and we're way behind the curve, and what kind of spurred this was cost of our medical supplies really went up this year. We started looking at what we budgeted and where we were at on expenses and we have to make sure we're covering all of our costs. One of the big ones is mileage. Most of the calls we go on are out on the highways that we're doing these long-distance runs. They are people that are not from the community but traveling through. So, when we have got the fuel, and we got all the added expense of everything, it's falling back on the taxpayers, and it shouldn't be falling back on them. We need to increase the rates to where this is more self-sufficient, and it's not costing the taxpayer money, but the people utilizing the services are paying for it. The 3.4% CPI that I quoted is for medical care.

George Chachas stated in regard to the billing rate schedule for EMS, the increases are anywhere from 30% to 100% and that is out of line, way too much. Increases need to be in line with CPI, which was a 3.1% increase; not everyone has a silver spoon or a government job. Those people that need the service are billed by the City or whatever aid they give to them and if the rates need to go up, they need to go up every year, not all at once after five or six years. It seemed to me that we just did some rate increases a year or so ago. As a taxpayer, I'm telling you, I'm fed up with increasing taxes, and I can't get anything back.

2. Councilwoman Van Camp – Public Hearing – Discussion Only – Approval of Second Reading of Ordinance 763, Bill No. 2025-03, An Ordinance amending Title 5, Police Regulations, Chapter 1, General Offenses, Section 16(G)(1), under Prostitution, of the City of Ely Municipal Code, to designate the area in which such activity is permitted as the following: on High Street from an eastern boundary of Second Street to a western boundary that is 550 feet west of Second Street.

George Chachas stated, Mr. Mayor, this needs to go before the Regional Planning Commission and proper notices need to be sent out to those involved and a public hearing held, you're circumventing the Planning Commission, and you can't do that. You had better see how you folks set it up; this special interest crap has got to stop. The surrounding property owners, as far as I know, have not gotten any notices. I'm on a Regional Planning Commission and I haven't seen anything. Again, Mayor, we either have rules and regulations for everybody or there's no rules and regulations for anybody. You need to stop selective enforcement and stop the discrimination.

3. Mayor Robertson – Public Hearing – Discussion Only – Approval of Second Reading of Ordinance 764, Bill No. 2025-04, An Ordinance amending Title 1, Administration, Chapter 6, City Officers and Employees, Section 6, Requirement to Be a Resident of White Pine County, Part 1, Purpose, and Part 2 Requirement, to bring the Ely Municipal Code into alignment with Nevada Revised Statutes 266.400 by exempting the City Attorney from the requirement that City employees reside in White Pine County.

George Chachas stated again, Mayor, the Council cannot keep changing the rules for certain employees. If you pass this ordinance you need to re-advertise for a city attorney because the rules have changed. There are other attorneys who would do the job for less if they don't have to live in Ely. I have no concerns, and I don't have anything against Chris, I think he is doing a great job. \$140,000 part-time, and I can't make a nickel. I admire you, but when we're talking about a City employee, you have to follow procedure and if you change the procedure, that pertains to everybody. The City keeps changing rules for prospective employees, and again, discrimination needs to stop. You need to read your Title VI plan, Mayor.

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

- 1. Council Members – City Fire Chief Stork – Discussion/For Possible Action - Approval of Resolution 2025-06, a resolution amending the Emergency Medical Service (EMS) billing rate schedule, pursuant to City Code 1-11-10.

RESOLUTION 2025-06

A RESOLUTION AMENDING THE EMERGENCY MEDICAL SERVICE (EMS) BILLING RATE SCHEDULE.

WHEREAS, N.R.S. 266.105 empowers the Ely City Council to pass resolutions necessary or proper for the municipal government and the management of the affairs of the city, for execution of all powers vested in the City; and

WHEREAS, the Ely City Council has determined that fees should be assessed for certain Ely City Fire Department Emergency Medical Services; and

WHEREAS, the Ely City Council is amending the fees to comply with general billing practices for these services; and

WHEREAS, the Ely City Council wishes the Ambulance Service to generate revenues to be collected through invoicing to assist with self-sustaining the operational and capital costs; and

WHEREAS, this is an Ambulance Service Franchise created under ordinance 720; and

WHEREAS, Ely Municipal Code (EMC) 1-11-10(B) requires that amendments to the fees specified in the franchise agreement must be approved by the City Council by resolution and only following a public hearing; and

WHEREAS, the service fees contemplated herein are reasonably related to the cost of the services provided and supplies consumed in the emergency calls; and

WHEREAS, per the U.S. Bureau of Labor Statistics, as of July 15, 2025, the CPI for Medical Care Professional Services is 3.4%; and

WHEREAS, this resolution shall be accounted for in the General Fund and used to support fire/ambulance operations and other General Fund fiscal needs.

NOW THEREFORE BE IT RESOLVED AND ORDERED by the Ely City Council that Resolution 2022-05 is hereby revoked on August 15, 2025, and that the following service fees shall be adopted effective August 15, 2025:

Emergency Medical Services (EMS) Rate Schedule		
Code:	Description:	New Rate:
EMS18	BLS non-Emergent	\$1037.00
EMS19	BLS Emergent	\$1187.00
EMS20	ALS-Non-Emergency (Remove)	REMOVE
EMS21	ALS Emergent Level 1	\$1,484.00
EMS22	ALS Emergent Level 2	\$1,779.00
EMS21	ALS – Level 1	\$1,484.00

EMS22	ALS – Level 2	\$1,779.00
EMS23	Critical Care Transport (CCT)	\$2,654.00
EMS24	Treatment W/O Transport	\$300.00
EMS25	Jail Check (Write Off)	\$0.00
EMS26	BLS/ALS Transport Mileage	\$46.00
EMS27	Standby Time	\$125.00 (per hour)
EMS28	Standby mileage per mile	\$2.50 per mile
EMS29	Backboard	\$75.00
EMS30	Cervical Collar	\$77.00
EMS31	Defib-Pads	\$72.00
EMS32	IV Supplies	\$90.00
EMS33	IV Peds	\$77.00
EMS34	KED	\$77.00
EMS35	Oxygen	\$71.00
EMS36	Vacuum Splints	\$58.00

BE IT FURTHER RESOLVED AND ORDERED by the Ely City Council that all Emergency Medical Services (EMS) rates will increase by 3.5% on July 1st of each year going forward.

DATED this ____ day of _____, 2025.

AYES: _____

NAYS: _____

ABSTAIN: _____

APPROVED:

ATTESTED TO BY:

CITY OF ELY

NATHAN ROBERTSON, MAYOR

JENNIFER LEE, CITY CLERK

Councilwoman Van Camp moved to approve Resolution 2025-06, a resolution amending the Emergency Medical Service (EMS) billing rate schedule, pursuant to City Code 1-11-10. Councilwoman Williams-Harper seconded the motion. The motion carried unanimously.

2. Councilwoman Van Camp – Discussion/For Possible Action – Approval of Second Reading of Ordinance 763, Bill No. 2025-03, An Ordinance amending Title 5, Police Regulations, Chapter 1, General Offenses, Section 16(G)(1), under Prostitution, of the City of Ely Municipal Code, to designate the area in which such activity is permitted as the following: on High Street from an eastern boundary of Second Street to a western boundary that is 550 feet west of Second Street.

**BILL NO. 2025-03
ORDINANCE NO. 763**

An Ordinance amending Title 5, Police Regulations, Chapter 1, General Offenses, Section 16(G)(1), under Prostitution, of the City of Ely Municipal Code, to designate the area in which such activity is permitted as the following: on High Street from an eastern boundary of Second Street to a western boundary that is 550 feet west of Second Street.

WHEREAS, N.R.S. 266.105 empowers the Ely City Council to pass ordinances necessary for the municipal government and the management of the affairs of the City, for execution of all powers vested in the City, and for making effective the provisions of Chapter 266 of the Nevada Revised Statutes;

WHEREAS, the City Council for the City of Ely has approved the proposed amendment of Title 5, Police Regulations, Chapter 1, General Offenses, Section 16(G)(1), under Prostitution, of the City of Ely Municipal Code, to designate the area in which such activity is permitted as the following: on High Street from an eastern boundary of Second Street to a western boundary that is 550 feet west of Second Street.

NOW, THEREFORE, the City Council of the City of Ely **DOES AMEND ELY MUNICIPAL CODE TITLE 1, CHAPTER 5, SECTION 16(G)(1) AS FOLLOWS:**

Section 1. Ordinance Enactment.

Title 1, Chapter 5, Section 16(G)(1) is hereby amended to the following:

G. Houses Of Ill Fame:

1. **Permitted In Certain Areas:** It shall be unlawful for any owner, or agent of any owner, or any other person, to keep any house of ill fame or any place to which persons may resort for lewd or lascivious purposes or purposes of prostitution or to let or rent to any person whomsoever, for any length of time whatever, to be kept or used for any purposes above-named any house, room, structure, house trailer or other mobile equipment adapted for human habitation, within the city other than High Street from an eastern boundary of Second Street to a western boundary that is 550 west of Second Street. The city reserves the right to limit the number of such establishments which may operate within the area specified herein. (Prior Code § 15-26)

Section 2. Effective Date. This ordinance shall become effective twenty days after its passage, approval, and publication according to law.

Section 3. Proposing Party. The foregoing ordinance was proposed by Councilwoman Melody Van Camp, at the regularly scheduled meeting of the Ely City Council on June 12, 2025, read by title and referred to the City Council of the City of Ely, as a committee of the whole.

Section 4. Notice. Notice of filing of such ordinance, City of Ely Ordinance 763 (2025-03) was duly given by publication as required by law.

Section 5. Reading. It was read in full at the regular meeting on _____ by the following vote:

VOTE: **AYES:** _____
 NAYES: _____
 ABSENT: _____
 ABSTAIN: _____

Approved this _____ day of _____ 2025

NATHAN ROBERTSON, MAYOR

ATTEST:

JENNIFER LEE, CITY CLERK

Approved as to form and content:

Chris Arabia, Esq., City Attorney

Councilwoman Yeoman stated I read the original, and I was just wondering how much this is really changing the boundary, if I could have some background on that.

Mayor Robertson stated the Code has just been vague on where this actually happens, and so this is just bringing our Code into alignment with what we have been doing.

City Clerk Lee stated true, the original Code didn't take in the Stardust, which has been open since 1954.

Councilman Perea moved to approve the Second Reading of Ordinance 763, Bill No. 2025-03, An Ordinance amending Title 5, Police Regulations, Chapter 1, General Offenses, Section 16(G)(1), under Prostitution, of the City of Ely Municipal Code, to designate the area in which such activity is permitted as the following: on High Street from an eastern boundary of Second Street to a western boundary that is 550 feet west of Second Street. Councilman Trask seconded the motion. The motion carried unanimously.

- 3. Mayor Robertson – Discussion/For Possible Action – Approval of Second Reading of Ordinance 764, Bill No. 2025-04, An Ordinance amending Title 1, Administration, Chapter 6, City Officers and Employees, Section 6, Requirement to Be a Resident of White Pine County, Part 1, Purpose, and Part 2 Requirement, to bring the Ely Municipal Code into alignment with Nevada Revised Statutes 266.400 by exempting the City Attorney from the requirement that City employees reside in White Pine County.

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

Mayor Robertson handed the gavel to Mayor Pro Tempore Williams-Harper and stated I will be abstaining from this item as I was involved in preparing one of the bids.

- 1. Board Members – City Engineer Almberg - Discussion/For Possible Action – Award of bid for construction of Morley Avenue Sewer Upgrade Project CDBG Funded Project 24/PF/01 PWP# WP-2025-206.



CITY OF ELY
MORLEY AVENUE SEWER MAIN UPGRADE PROJECT
PWP# WP-2025-206
CDBG FUNDED PROJECT 24/PF/01
BID OPENING & REQUIRED DOCUMENTS CHECKLIST

August 11, 2025

BID ITEMS CHECK LIST		ROAD & HIGHWAY BUILDERS		RECK BROTHERS LLC	
BID PROPOSAL		X		X	
BID BOND, CERTIFIED/CASHIERS CHECK, CASH		X		X	
EXPERIENCE OF QUALIFICATIONS		X		X	
DESIGNATION OF SUBCONTRACTORS		X		X	
DESIGNATION OF SUBCONTRACTORS - 5%		X		X	
DESIGNATION OF SUBCONTRACTORS - 1%		X		X	
AFFIDAVIT OF NON-COLLUSION		X		X	
APPRENTICESHIP UTILIZATION ACT CERTIFICATION - CITY OF ELY		X		X	
APPRENTICESHIP UTILIZATION ACT CERTIFICATION - CDBG		X		X	
E.E.O. CERTIFICATION - BIDDER / CONTRACTOR		X		X	
E.E.O. CERTIFICATION - SUBCONTRACTOR		X		X	
LOBBYING ASSURANCE - BIDDER / CONTRACTOR		X		X	
LOBBYING ASSURANCE - SUBCONTRACTOR		X		X	
DEBARMENT / INELIGIBILITY - CONTRACTOR / SUBCONTRACTOR		X		X	
SECTION 3 CERTIFICATION - CONTRACTOR		X		X	
SECTION 3 CERTIFICATION - SUBCONTRACTOR		X		X	
SECTION 3 SAMPLE CONTRACTOR SECTION 3 PLAN		X		X	
BUILD AMERICA, BUY AMERICA CERTIFICATION		X		X	
ADDENDUM - 1		X		X	

ROAD & HIGHWAY BUILDERS				RECK BROTHERS LLC					
BASE BID BIDDING SCHEDULE	UNIT	AMOUNT		UNIT PRICE	BID AMOUNT	UNIT PRICE	BID AMOUNT		
1 MOBILIZATION / DEMOBILIZATION	LS	1	\$	52,841.00	\$	52,841.00	\$	7,180.00	
2 8-INCH SEWER MAIN	LF	533	\$	620.00	\$	330,460.00	\$	420.00	
3 48-INCH SEWER MANHOLE	EA	3	\$	20,000.00	\$	60,000.00	\$	12,000.00	
4 4-INCH SEWER SERVICE	LF	154	\$	360.00	\$	53,900.00	\$	360.00	
5 LOCATE AND CONNECT SEWER SERVICE	EA	7	\$	8,000.00	\$	56,000.00	\$	2,500.00	
6 REMOVAL AND FILLING EXISTING MANHOLES	EA	3	\$	8,000.00	\$	24,000.00	\$	6,000.00	
7 REPAIR DAMAGED UTILITY	EA	5	\$	10,000.00	\$	50,000.00	\$	500.00	
8 PIT RUN GRAVEL BACKFILL	LF	533	\$	35.00	\$	18,655.00	\$	4.69	
9 TYPE-II BASE	SF	2,700	\$	4.00	\$	10,800.00	\$	12.00	
OVERALL PROJECT BID PRICE					\$	656,656.00		\$	399,999.77

RECK BROTHERS LLC

BID PROPOSAL ITEM NO. 8 SHOWS \$2,500 AND THE ACTUAL AMOUNT SHOULD BE \$2,499.77 PER THE UNIT COST. THE NUMBER WAS ROUNDED IN THE BID PROPOSAL. A DIFFERENCE OF \$0.33

City Engineer Almberg stated we had four contractors pick up bid packets for this project with two that turned in bids for this project. The lowest bidder for this project is Reck Brothers at \$399,999.77. I do want to make note that in the bid, they had actually bid straight up \$400,000 and as we went through the calculations, there was a 23-cent difference; this would be awarding it to what the calculations truly came out to be. I recommend that we award this to them as the lowest, most responsive, and responsible bidder. They are a great contractor to work with, and I think this would be a successful project.

Councilwoman Van Camp stated the Utility Board recommended to award the bid to Reck Brothers, LLC this morning.

Councilman Trask moved to award bid for construction of Morley Avenue Sewer Upgrade Project CDBG Funded Project 24/PF/01 PWP# WP-2025-206 to Reck Brothers, LLC. Councilwoman Yeoman seconded the motion. The motion carried unanimously.

Mayor Pro Tempore handed the gavel back to Mayor Robertson.

- 2. Board Members – City Engineer Almberg – Discussion/For Possible Action – Approval of Agreement for Reimbursement of Construction Engineering Costs between the State of Nevada acting by and through its Department of Transportation and the City of Ely.

City Engineer Almberg stated this project has reimbursed the City for multiple costs on this project. Some are actually paying for some of our sewer and water on this project, because our improvements are older than theirs, and we have prior rights to them. This is an agreement that the first phase was reimbursing the engineering services for the engineering on the project, and it was a different percentage. It was a paper nightmare, because there might be one block that we were working where the City is being paid and another block where NDOT had a requirement of reimbursement. So, what they did was combined it all together under one, based on the true construction cost of who's responsible for what, and just matched that percentage. Now we don't have to track every half hour, and it makes it much easier for them. If you approve this tonight, we'll get this back to NDOT and NDOT's already on board with it. The City will get reimbursed right away, because the City has not been reimbursed since January, so they're ready to be reimbursed.

Councilman Perea asked is this in line with what we were anticipating as far as reimbursement?

City Engineer Almberg stated yes.

Councilman Perea moved to approve the Agreement for Reimbursement of Construction Engineering Costs between the State of Nevada acting by and through its Department of Transportation and the City of Ely. Councilwoman Van Camp seconded the motion. The motion carried unanimously.

3. Councilwoman Van Camp – City Treasurer Trask – Discussion/For Possible Action – Approval of Resolution 2025-07, A resolution establishing a Landfill Capital Improvement Fee.

RESOLUTION 2025-07

A RESOLUTION ESTABLISHING A LANDFILL CAPITAL IMPROVEMENT FEE.

WHEREAS, THE ELY CITY COUNCIL has the authority to pass resolutions that are not repugnant to the constitutions of the United States or of the State of Nevada or to the provisions of Chapter 266 of the Nevada Revised Statutes, and that are necessary for good municipal government and the management of the city affairs pursuant to Ely Municipal Code 1-5-4(B);

WHEREAS, Ely Municipal Code 4-2-20 states, pursuant to the provisions of Nevada Revised Statutes 444.520(2), that the user/access fees established or amended are not subject to the limit on the maximum allowable revenue from fees established pursuant to Nevada Revised Statutes 354.5989;

WHEREAS, Ely Municipal Code 4-2-5 states all owners and occupants of commercial and residential premises shall, jointly and severally, be liable for and pay the rates for dumping garbage, trash and waste matter as hereinafter set forth, regardless of whether such commercial, agricultural, and residential premises be occupied or not;

WHEREAS, Ely Municipal Code 4-2-10(A) states the city council may, by resolution, carry out the provisions of this chapter and may purchase such equipment as may be required to carry out the provisions of this chapter;

WHEREAS, THE CITY OF ELY recognizes that its equipment to maintain the landfill is old and deteriorating at a rate faster than the current fees can replace the equipment; and

WHEREAS, the Landfill periodically has need of capital projects.

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NOW THEREFORE, BE it resolved that,

The City Council of the City of Ely does hereby establish a fee to all Commercial and Residential Landfill users of TWO DOLLARS AND NO/XX (\$2.00) per month, to take effect on September 1, 2025.

VOTE:	AYES	_____
	NAYES	_____
	ABSTAIN	_____

PROPOSED on the 14th day of August 2025, by Councilwoman Melody Van Camp.
PASSED on the 14th day of August 2025.

APPROVED BY:	ATTESTED TO:
NATHAN ROBERTSON MAYOR	JENNIFER LEE CITY CLERK

Mayor Robertson stated the Municipal Utility Board recommended approval.

City Treasurer Trask stated the discussion has been about capital improvement for the Landfill, the biggest item being the compactor. This is in line with what they did with the water/sewer improvement fee, in being able to build a fund that's just for capital. The \$2 fee will be about \$144,000 a year. We have put about a half million dollars into the compactor over the last several years and it should last another five years. Mike would have more information when it comes time to purchase that, but along the way, they also still have other equipment that needs to be replaced, so this would help build a specific fund for just their capital, which for the landfill their capital projects is replacing their equipment.

City Public Works Director Cracraft stated we purchased the one that's out there in 2000, and it was used then. Since then, we've put About \$500,000 into it and right now it's running fine. The board's been replaced, the transmission has been rebuilt, and the machine has been gone through. Eventually, down the road, we're going to end up having to purchase a new one; they are about a million dollars. It would be really nice to start building a fund to purchase it in the future. We're looking into other options for purchasing them, such as buy back where you pay about \$250,000 a year and then after three years, you have the option to purchase it completely or turn it back in and get a different one.

City Treasurer Trask stated there's other equipment that they've already started talking about next year needing to replace. You could restrict it just for capital improvements, which could be any of them, with the water/sewer it was strictly for the NDOT project. It was put in place, and then they came back and said let's hold that money and stockpile it for the NDOT project, so that we can pretty much pay cash for everything.

Mayor Robertson asked, “Did the Utility Board mention how they would like it restricted?”

City Treasurer Trask stated they did not.

Mayor Robertson asked does Public Works have a recommendation on how they would like it restricted?

City Public Works Director Cracraft stated we thought we could start it this way....

City Treasurer Trask stated we can always bring it back and restrict it to a certain item.

Mayor Robertson asked if this is voted on tonight would it go into effect the next billing cycle starting September 1st?

City Treasurer Trask stated yes.

Councilman Trask asked what is the current landfill fee?

City Treasurer Trask stated \$14.20.

Councilman Trask stated so this would take it to \$16.20?

City Clerk Lee stated for clarification it is a completely separate fee. It's not a percentage of the fee in place.

Mayor Robertson stated if any of the council members have recalled, or public, have looked at their water bill, you'll notice a \$5 and a \$10 capital improvement fee for your water and sewer. This would also be a separate line item on there as capital for \$2 for Landfill.

Councilwoman Williams-Harper moved to approve Resolution 2025-07, A resolution establishing a Landfill Capital Improvement Fee. Councilwoman Van Camp seconded the motion. The motion carried unanimously.

4. Councilwoman Van Camp – City Clerk Lee – Discussion/For Possible Action – Approval of Resolution 2025-08, A resolution requiring annual utility rate reviews.

RESOLUTION 2025-08

A RESOLUTION REQUIRING ANNUAL UTILITY RATE REVIEWS.

WHEREAS THE ELY CITY COUNCIL has the authority to pass resolutions that are not repugnant to the constitutions of the United States or of the State of Nevada or to the provisions of Chapter 266 of the Nevada Revised Statutes, necessary for good municipal government and the management of the city affairs pursuant to Ely Municipal Code 1-5-4(B); and

WHEREAS the City of Ely periodically seeks funding through the Nevada Division of Environmental Protection to replace its aged water and sewer infrastructure; and

WHEREAS the Nevada Division of Environmental Protection requires that governing boards of entities which receive its Drinking Water and Clean Water assistance review their water and sewer rates annually; and

WHEREAS THE CITY OF ELY is also permitted through the Bureau of Waste Management of the Nevada Division of Environmental Protection to operate a solid waste disposal site Class I and III, for which it charges access fees; and

WHEREAS regularly scheduled utility rate reviews, conducted in tandem with examination of the Reserve Funds and Asset Management Plans of the proprietary funds, benefit the City and its customers.

/// NOW THEREFORE, BE it resolved that

The City Council will review its Water, Sewer and Landfill rates during its second meeting in January every year.

VOTE: AYES _____

 NAYES _____

 ABSTAIN _____

PROPOSED on the 14th day of August 2025, by Councilwoman Van Camp.
PASSED on the 14th day of August 2025.

APPROVED BY:

ATTESTED TO:

NATHAN ROBERTSON
MAYOR

JENNIFER LEE
CITY CLERK

City Clerk Lee stated we were fortunate to be placed on the State Board for Financing Water Projects agenda. Next Wednesday, they're considering our Morley Water grant application. One of the things they told BJ and I in our meeting with them is that they want to see annual utility rate reviews by the governing board and this hasn't been in place previously, so this resolution is another piece for us to send to them prior to the Board's meeting next Wednesday, saying, this is going to happen going forward.

Councilman Trask moved to approve Resolution 2025-08, A resolution requiring annual utility rate reviews. Councilwoman Yeoman seconded the motion. The motion carried unanimously.

5. Board Members – City Clerk Lee – Discussion/For Possible Action – Approval to remove past due utility fee penalties up to the amount of \$1,134.20 from 450 Ogden Avenue, Ely, Nevada at the request of Property Owner, Jeremy Lilly.

Mayor Robertson stated the Municipal Utilities Board recommended approval.

Councilman Trask moved to approve removing past due utility fee penalties up to the amount of \$1,134.20 from 450 Ogden Avenue, Ely, Nevada at the request of Property Owner, Jeremy Lilly. Councilwoman Van Camp seconded the motion. The motion carried unanimously.

6. Board Members – City Clerk Lee – Discussion/For Possible Action – Approval to remove past due utility fee penalties up to the amount of \$6,630.00 from 3733 North Hwy 93, Ely, Nevada at the request of Property Owner, Douglas Lilly.

Mayor Robertson stated the Municipal Utilities Board recommended approval.

Councilman Perea moved to approve removing past due utility fee penalties up to the amount of \$6,630.00 from 3733 North Hwy 93, Ely, Nevada at the request of Property Owner, Douglas Lilly. Councilwoman Williams-Harper seconded the motion. The motion carried unanimously.

7. Board Members – City Clerk Lee – Discussion/For Possible Action – Approval to remove past due utility fee penalties up to the amount of \$5,316.91 from 37 Fourth Street, McGill, Nevada at the request of Property Owner, Kelly Gubbine.

Mayor Robertson stated the Municipal Utilities Board recommended approval.

Councilman Trask moved to approve removing past due utility fee penalties up to the amount of \$5,316.91 from 37 Fourth Street, McGill, Nevada at the request of Property Owner, Kelly Gubbine. Councilwoman Van Camp seconded the motion. The motion carried unanimously.

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

A. CONSENT AGENDA

Councilman Trask stated I will disclose that on the August 4th bills, my wife was paid for Perigo hay and cattle, but I have no ownership in that company, so I feel I can vote.

Mayor Robertson disclosed my husband is a member of the Volunteer Fire Department and is not treated any differently than any of the others so I will not be abstaining, and I also don't vote.

Councilwoman Van Camp stated I would like to disclose my granddaughter is an employee of the City of Ely Fire Department.

MOTION: Move to approve the Consent Agenda item 11A-1 Minutes and 11A-2 Bills.

Moved by: Councilwoman Yeoman Second by: Councilwoman Williams-Harper Vote: Unanimous

1. Discussion/For Possible Action – Minutes.
 - July 10, 2025
 - July 24, 2025
2. Discussion/For Possible Action – Bills.
 - July 23, 2025
 - August 4, 2025

B. NEW BUSINESS CONTINUED

3. Mayor Robertson – City Clerk Lee – Discussion/For Possible Action – Approval of First Reading of Ordinance No. 765, Bill No. 2025-05, An Ordinance amending Ely Municipal Code Title 2, Boards and Commissions, by adding Chapter 6, to create a City of Ely Historic Preservation Commission.

Mayor Robertson stated this is much like a previous item, it is a requirement for some grants we've been looking at for City Hall. They require the City to have on the books the Historic Preservation Commission Ordinance, and Chris was gracious enough to work this up on short order.

Councilwoman Van Camp moved to approve the First Reading of Ordinance No. 765, Bill No. 2025-05, An Ordinance amending Ely Municipal Code Title 2, Boards and Commissions, by adding Chapter 6, to create a City of Ely Historic Preservation Commission. Councilwoman Yeoman seconded the motion. The motion carried unanimously.

4. Councilwoman Van Camp – Discussion/For Possible Action – Approval for the City of Ely to issue a business loan from the Revolving Loan Fund in an amount up to \$100,000.00 for Ojii-san Garage LLC, an automotive parts and accessories retailer providing automotive services, with a specified term and interest rate.

Councilwoman Van Camp stated we're excited about this, because somebody's interested in borrowing some money to have a new business in town.

Jessica Arrington-Hendrickson stated I'm the manager of Ojii-san Garage LLC. I would like to disclose that my husband is an employee for the City of Ely. Ojii-san Garage, LLC is a small business of retail sales of automotive parts and accessories, with basic vehicle maintenance such as oil and tire changes.

Councilwoman Yeoman stated it said that you were a niche performance and customization shop, so are you moving a little bit away from that and focusing on simpler things, or will you also kind of be doing that if asked?

Ojii-san Garage LLC Manager Jessica Arrington-Hendrickson stated we would like to focus on that as well but considering that we have had a couple different locations close that do tire and oil changes, we would like to get into that as well to help the community.

Mayor Robertson stated I'd also like Treasurer Trask to kind of explain the mechanism that's being proposed here, what's been done in the past, and what the options to the Council are on this?

City Treasurer Trask stated it's my understanding the Revolving Loan Fund was set up through a donation for the City to give out business loans at their discretion. I haven't been actually involved in it in the past, but I am aware of at least two that have been put in place. It is basically at the Council's pleasure. We did some \$10,000 loans during COVID at a 1% interest and a 5-year payback.

Mayor Robertson stated but the Council is, as the Treasurer said, free to set whatever terms and conditions they want on this. These funds have, at this point, just been sitting for a while because we haven't used them for anything.

City Treasurer Trask stated after checking we don't have \$100,000.00 in this fund and so I am recommending no more than \$95,000.00 be loaned. This fund doesn't generate any income except for the very small amount of interest that we get.

Mayor Robertson stated there is nothing else we can use these funds for.

Councilman Perea asked, "What is the largest amount we have awarded in the past?"

City Treasurer Trask stated V & S was probably the biggest one and it was probably the majority of the funds.

Councilwoman Yeoman asked have any of those loans, and even the smaller ones, ever defaulted?

City Treasurer Trask stated I have one that I have had some issues with that I have been talking to the City Attorney about.

Mayor Robertson asked would it be possible to have the City as a lien holder on the property, as collateral?

City Treasurer Trask stated if that's what your requirement to write up the contract is, I think that's up to you guys on how you want to handle that.

Councilman Perea stated I have got to say, I think we have a perception problem. Where this is one of the larger loans, apparently, that have been made out of this, and it is going to a City employee. What is the City employee's role in this business going forward?

Ojii-san Garage LLC Manager Jessica Arrington-Hendrickson stated I have contracted the City employee for services when needed. Obviously once the business is purchased, there will be some improvements that need to be made to that building, as it has been inactive for a few years. Once everything gets open, it would be after work hours and then weekends. Once I can assess the needs of the community, I would like to potentially hire daytime employees.

Mayor Robertson stated aside from the perception problem, Chris, is there any legal issue the City needs to be aware of in this process, since a City employee or someone who works for the City is involved?

City Attorney Arabia stated after hearing some things tonight, I would like to have some time to have one hundred percent certainty in what I am telling you instead of it being off the cuff. I would recommend we table this item.

Councilman Trask moved to table for the City of Ely to issue a business loan from the Revolving Loan Fund in an amount up to \$100,000.00 for Ojii-san Garage LLC, an automotive parts and accessories retailer providing automotive services. Councilman Perea seconded the motion. The motion carried unanimously.

Councilwoman Yeoman stated as we look further into the legality of it, I think we should go down that avenue to identify if other people are equally aware of this opportunity.

5. Councilwoman Van Camp - Discussion/For Possible Action - Direction to City Chief of Police and City Engineer to review and make recommendations regarding installing flashing "Deer Crossing" and "No Heavy Truck Traffic" signs on Murry Street and flashing "Deer Crossing" signs on Campton Street, per Ely Municipal Code (EMC) 6-3-2(A).

Councilwoman Van Camp stated I have to disclose that I do live on Murry Street, but I have had several people talk to me about this. The deer are coming off the hill into the backyards of residents on Murry Street, the alleys, and Bianchi Park in the mornings, and especially in the evenings and overnight. As the days get shorter, the deer come off the hill much earlier in the day, so you can see the herds, earlier in the day around 3:30 or

4:00 o'clock. We do have a speeding issue with cars, motorcycles, and four-wheelers, and especially out-of-state vehicles that are blasting down Murry because they don't know there are deer out there. I must say, NDOW really doesn't have to address this deer issue as cars are hitting them left and right. It's the same issue on Campton Street with them coming off the hill, and they're coming over to the cemetery and on the courthouse lawns. Personally, I think if we had the flashing red lights with the deer crossing, it would alert people, especially in the evenings, and when it's dark, that there are deer out and about. Other residents and I have seen semi-trucks using Murry Street instead of Mill or going on the bypass, and there is really no signage there to let them know. There's a little sign outside of City Hall, but there's no signage anywhere else, and Murray Street isn't wide enough to accommodate everything.

Mayor Robertson stated per our Code, traffic signage is under the purview of the Chief of Police and the Engineer. This item would be asking them to review the information and provide a report back to the Council at a future date for them to consider.

City Police Chief Henriod asked is there a specific location on those streets that you're looking at for putting the signs?

Councilwoman Van Camp stated probably at Bianchi Park, and then much lower as you're coming down into the canyon and then on the lower part of Campton near Orson and at the bottom of Campton.

Councilman Perea moved to direct the City Chief of Police and City Engineer to review and make recommendations regarding installing flashing "Deer Crossing" and "No Heavy Truck Traffic" signs on Murry Street and flashing "Deer Crossing" signs on Campton Street, per Ely Municipal Code (EMC) 6-3-2(A). Councilwoman Williams-Harper seconded the motion. The motion carried unanimously.

5. Councilman Perea - Discussion/For Possible Action – - Approval to extend the Agreement for Consulting Services between Basin Engineering Corporation and the City of Ely through June 30, 2027.

Councilman Perea stated in conversations with Jennifer and talking with BJ about the timelines with the NDOT project it seemed reasonable to extend this the seventeen and a half months to get past the project, the billing, and the closeouts of that project. As I understand it, there hasn't been an RFQ since 2012, and we don't seem to have a policy or a procedure in place in how we actually go out and do that. I think after this timeline it would be appropriate to put out a Request for Qualification (RFQ) and get this contract on the City's budget cycle and fiscally in line.

Mayor Robertson stated that's why the extension is on here, is to get us through this project.

Councilwoman Van Camp moved to approve extending the Agreement for Consulting Services between Basin Engineering Corporation and the City of Ely through June 30, 2027. Councilwoman Yeoman seconded the motion. The motion carried unanimously.

6. Councilman Perea - Discussion/For Possible Action - Approval to release a Request for Qualifications (RFQ) for Civil Engineering Services in 2027 for a contract to commence July 1, 2027.

Councilman Perea stated this would set in stone that we're going out for a RFQ at the end of that period.

Councilman Trask moved to approve releasing a Request for Qualifications (RFQ) for Civil Engineering Services in 2027 for a contract to commence July 1, 2027. Councilwoman Van Camp seconded the motion. The motion carried unanimously.

7. Councilman Perea - Discussion/For Possible Action - Approval to release a Request for Qualifications (RFQ) for Surveying Services in 2027 for a contract to commence July 1, 2027.

Councilman Perea stated I think the only discussion here was whether we should do a single contract for both, or split it in two, and the way I was looking at it, there's no harm in splitting it in two and seeing proposals for both services.

Councilwoman Yeoman moved to approve releasing a Request for Qualifications (RFQ) for Surveying Services in 2027 for a contract to commence July 1, 2027. Councilwoman Williams-Harper seconded the motion. The motion carried unanimously.

12. Mayor Robertson – Discussion/For Possible Action – Approval to place income received from Wireline Crossing – Easement agreements and 45G Tax Credits into the Capital Improvements Fund, earmarking said income for the renovation of City Hall.

Mayor Robertson stated as I have stated to the Council before, I really want to make sure we're doing this without dipping into our operating funds. There are some funds that are potentially coming in from these wireline crossing agreements, and no matter how much grant money we get for this, we will need to be expending some City money for fixtures and furnishings to be able to use the building once it's done and to match grant funds that we do get. My pitch is that the funds that come in from our Northern Line is unanticipated income, and I think it should be earmarked for that, and put in the capital funds.

City Treasurer Trask stated if this is agreed on, this would be another one that I would put in the capital fund as a restricted fund to use for specific items.

Mayor Robertson stated if the Council needs to change that in the future, that can always be done.

Councilman Trask stated we have earmarked the 45G money before?

City Treasurer Trask stated we did, and this item would undo that and put it towards something else.

Councilwoman Williams-Harper moved to approve placing income received from Wireline Crossing – Easement agreements and 45G Tax Credits into the Capital Improvements Fund, earmarking said income for the renovation of City Hall. Councilwoman Van Camp seconded the motion. The motion carried unanimously.

13. Council Members – City Building Official Hendrickson – Discussion/For Possible Action - Approval to establish a portion of APN 001-49-113 for a City vehicle impound lot.

City Building Official Hendrickson stated the request here, as stated in the backup material, is to establish a vehicle impound lot here in the City of Ely, so that the newly formed Code enforcement position will be going around and marking vehicles to be towed. We would need to enter into a contract with a towing company eventually, to have those vehicles towed to that impound lot to get them off the streets and the roads here within the City of Ely so that they're not impacting the ability to remove snow and other services needed throughout the streets; this is very typical in many communities. There was a vehicle marked in November of last year, and it took four months to get that vehicle removed, because the local tow company really didn't want to come get it at the time they were notified by the Sheriff's office, because they didn't want it in their lot. At this point my department would take responsibility and manage that lot.

Councilman Perea asked what will be the cost of fencing and security?

City Building Official Hendrickson stated two sides of the fence are already taken care of, so we would need to take care of two other sides and cameras. I'm estimating roughly \$10,000 to \$20,000, but that money can be pulled from the Redevelopment Funds.

Councilwoman Yeoman asked is there a plan if people do not come to get their vehicles?

City Building Official Hendrickson stated to give an idea of how the impound lot would work is that, if the individual's vehicle that is impounded wants to come pay the fees to get them out, which we would have to establish those fees. If an individual did not come and claim their vehicle, at that point, we would go through the process of getting an abandonment title and auctioning off the vehicles once or twice a year, whatever we need to do to make sure that we're not overfilling.

Councilman Trask moved to approve establishing a portion of APN 001-49-113 for a City vehicle impound lot. Councilwoman Van Camp seconded the motion. The motion carried unanimously.

Mayor Robertson opened items 14 – 21 together.

14. Council Members - City Attorney Arabia - Discussion/For Possible Action - Approval to grant the releases set forth in Exhibit K Subdivision Participation and Release Form for the Alvogen Settlement Opioid Litigation Settlement Estimated Allocation in the amount of \$8.51 to the City of Ely.

Councilman Trask moved to approve granting the releases set forth in Exhibit K Subdivision Participation and Release Form for the Alvogen Settlement Opioid Litigation Settlement Estimated Allocation in the amount of \$8.51 to the City of Ely. Councilwoman Yeoman seconded the motion. The motion carried unanimously.

15. Council Members - City Attorney Arabia - Discussion/For Possible Action - Approval to grant the releases set forth in Exhibit K Subdivision Participation and Release Form for the Sun Settlement Opioid Litigation Settlement Estimated Allocation in the amount of \$14.11 to the City of Ely.

Councilman Trask moved to approve granting the releases set forth in Exhibit K Subdivision Participation and Release Form for the Sun Settlement Opioid Litigation Settlement Estimated Allocation in the amount of \$14.11 to the City of Ely. Councilwoman Yeoman seconded the motion. The motion carried unanimously.

16. Council Members - City Attorney Arabia - Discussion/For Possible Action - Approval to grant the releases set forth in Exhibit K Subdivision Participation and Release Form for the Apotex Settlement Opioid Litigation Settlement Estimated Allocation in the amount of \$29.00 to the City of Ely.

Councilman Trask moved to approve granting the releases set forth in Exhibit K Subdivision Participation and Release Form for the Apotex Settlement Opioid Litigation Settlement Estimated Allocation in the amount of \$29.00 to the City of Ely. Councilwoman Yeoman seconded the motion. The motion carried unanimously.

17. Council Members - City Attorney Arabia - Discussion/For Possible Action - Approval to grant the releases set forth in Exhibit K Subdivision Participation and Release Form for the Indivior Settlement Opioid Litigation Settlement Estimated Allocation in the amount of \$33.26 to the City of Ely.

Councilman Trask moved to approve granting the releases set forth in Exhibit K Subdivision Participation and Release Form for the Indivior Settlement Opioid Litigation Settlement Estimated Allocation in the amount of \$33.26 to the City of Ely. Councilwoman Yeoman seconded the motion. The motion carried unanimously.

18. Council Members - City Attorney Arabia - Discussion/For Possible Action - Approval to grant the releases set forth in Exhibit K Subdivision Participation and Release Form for the Amneal Settlement Opioid Litigation Settlement Estimated Allocation in the amount of \$56.94 to the City of Ely.

Councilman Trask moved to approve granting the releases set forth in Exhibit K Subdivision Participation and Release Form for the Amneal Settlement Opioid Litigation Settlement Estimated Allocation in the amount of \$56.94 to the City of Ely. Councilwoman Yeoman seconded the motion. The motion carried unanimously.

19. Council Members - City Attorney Arabia - Discussion/For Possible Action - Approval to grant the releases set forth in Exhibit K Subdivision Participation and Release Form for the Mylan Settlement Opioid Litigation Settlement Estimated Allocation in the amount of \$134.59 to the City of Ely.

Councilman Trask moved to approve granting the releases set forth in Exhibit K Subdivision Participation and Release Form for the Mylan Settlement Opioid Litigation Settlement Estimated Allocation in the amount of \$134.59 to the City of Ely.
Councilwoman Yeoman seconded the motion. The motion carried unanimously.

20. Council Members - City Attorney Arabia - Discussion/For Possible Action - Approval to grant the releases set forth in Exhibit K Subdivision Participation and Release Form for the Hikma Settlement Opioid Litigation Settlement Estimated Allocation in the amount of \$48.26 to the City of Ely.

Councilman Trask moved to approve granting the releases set forth in Exhibit K Subdivision Participation and Release Form for the Hikma Settlement Opioid Litigation Settlement Estimated Allocation in the amount of \$48.26 to the City of Ely.
Councilwoman Yeoman seconded the motion. The motion carried unanimously.

21. Council Members - City Attorney Arabia - Discussion/For Possible Action - Approval to grant the releases set forth in Exhibit K Subdivision Participation and Release Form for the Zydus Settlement Opioid Litigation Settlement Estimated Allocation in the amount of \$6.77 to the City of Ely.

Councilman Trask moved to approve granting the releases set forth in Exhibit K Subdivision Participation and Release Form for the Zydus Settlement Opioid Litigation Settlement Estimated Allocation in the amount of \$6.77 to the City of Ely.
Councilwoman Yeoman seconded the motion. The motion carried unanimously.

12. PUBLIC COMMENT

George Chachas stated ongoing concerns regarding who approved the 785 Bell Avenue Sewer Project; the sewer problem he took care of at his residence located at 681 Parker; the Contract Change Order for the Bell Avenue Project and the damage to his property not being addressed; his request for the address and a contact name regarding the Bell Avenue Water Main Upgrade Project CDBG 22/pf/04 and who inspected the project; a permit to park behind the sidewalk on his property located at 710 Avenue G and a list of those that have received permits; and information regarding the development at 582 North Highway 93.

Wyatt Cox with KELY stated you guys have microphones, please speak into them.

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

Councilwoman Williams-Harper moved to adjourn the regular meeting of the Ely City Council at **6:24 p.m.** Councilwoman Yeoman seconded the motion. The motion carried unanimously.

MAYOR

ATTEST