



CITY OF ELY

501 Mill Street Ely, Nevada 89301

City Hall (775) 289-2430

Cityofelynv.gov

ELY CITY COUNCIL REGULAR MEETING

September 24, 2026, 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 **5:03 P.M.**, Reverend Daniel Gbundema offered an invocation. 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
Councilwoman Jerri Lynn Williams-Harper

Members absent:

Councilman Dennis Perea

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
Public Works Director Mike Cracraft
City Fire Chief Pat Stork
City Building Official Chris Flannery
City Engineer B.J. Almberg
City Attorney Chris Arabia
City Police Chief Scott Henriod
City Municipal Court Judge Matt Hibbs
City Administrative Assistant Patti Cobb

Also, in attendance: Members of the public in attendance at the Ely Volunteer Fire Hall signed in (appears on the next page) and the following people attended via video conference: Geri Wopschall; Wyatt Cox, KELY; Eugene Haper; Jason Bath; and Alex, ENCA.

ELY CITY COUNCIL ATTENDANCE LIST

DATE: September 23, 2026

<u>Print name below</u>	<u>Print name below</u>
MARK PECHT	KELLY LINDA CHRISTWRIGHT
Valerie O'Dell Flannery	
Janet Janlay	
Ed & Stacie Spear	
MARTY WESTLAND	
George Chachas	
Vine Fresh	
Jason Bugerman	
Daniel Gburdenko	
STEPHEN L. COBB	
Kathy Cobb	
ADAM SIMON	
Brandon Hill	
Jason Merlino	
JENNIFER DREWLESHER	
Tony Luke / Arcadia Power	
A. Chavez	
Danica Poffen	
Mark Miller	
Jon Briggs	

2. PUBLIC COMMENT

George Chachas stated on your agenda item 5-2, Mayor's Report, I want to remind you, you cannot close any street without City Council approval and public notice. You also have a conflict in that you're an employee of the Railroad and should have abstained completely. Today, 9-24-26, I noticed Avenue O was closed, affecting the Motel 6, and possibly, the cement company down there, J&M. Did you order the closure? There was nothing on the agenda or in the meeting packet; you can't randomly just close roads. On your agenda item 7B-5, the City can't afford the proposal presented; you need to keep advertising or postpone the trial. On your agenda item 7B-9, you are to consider the approval of abatement action at 842 Murry Street. The woman just lost her husband, and the City Council needs to give her more time, not to say the property doesn't need attention. I didn't see anything on your agenda regarding the neighbor, I believe it's 806, with two feet of dry grass and weeds in the yard, and a 6-foot wooden fence. Now, that is a fire hazard, but no mention. Stop selective enforcement, leave the widow alone, and give her more time. On your agenda item reports, 4-5, City Clerk, 4-8, Public Works Director, and 4-10, City engineer, there was nothing in the reports regarding the removal of the steel plates blocking access to my property on 7th Street. First, you write me up for so-called weeds and debris, which I don't have, and what little I do have I can't get to, because your contractor is blocking my access. Also, in that same area, the dirt and gravel need to be pulled back to the curb and gutter area to deflect the water running off and entering Ely Streets and eroding my property. It's coming down from the Bath property under the railroad. No report provided on the Bassett encroachment on Avenue A and Reck Brothers Way. You have restricted parking, yet you say it's a public street. You have a lack of curb and gutter along SNPLMA project areas on Avenue A or Reck Brothers Way, whichever it is. You have a boat that's an attractive nuisance, no fencing near a park for kids. At what point are we going to address this? Your selective enforcement has to stop. You have standards, and you're not adhering to them.

26SEP22 3:40PM

September 22, 2026

Mayor Nathan Robertson
Ely City Council
501 Mill Street
Ely, Nevada 89301

Re: Support for the Hercules Gap Trail Stabilization Proposal

Dear Mayor Robertson and Members of the Ely City Council:
I am writing in support of the Eastern Nevada Climbers Alliance's proposal to improve the existing access trail at Hercules Gap.

Hercules Gap is a valuable recreational area that gives residents and visitors another way to enjoy the outdoors near Ely. Improving the trail will help prevent erosion, protect the surrounding landscape, and encourage people to remain on the established path.

As a member of the Ely Outdoor Enthusiasts, I have assisted in organizing multiple outdoor events each year and can see firsthand the health and fitness benefits to our locals as well as the many visitors that travel to attend our events. From a real estate perspective as the broker of Desert Mountain Realty, the variety of outdoor activities that White Pine County offers are a major draw to bringing new families to our area.

This project is also a good example of community partnership. ENCA has offered to provide the materials and volunteer labor, coordinate the work with the city, and clean up the area when the project is complete. This allows an important public improvement to be completed without requiring the city to provide the construction materials or labor.
I respectfully encourage the Ely City Council to approve the Hercules Gap Trail Stabilization Proposal. It is a reasonable project that will protect the area and strengthen Ely's reputation as an outdoor destination.

Respectfully,



Kenna Almberg

Date: Wed 9/23/2026 3:04 PM
To: Jennifer Lee <CityClerk@cityofelynv.gov>

Caution: The sender name (Angela Stevens) is different from their email address (angtjones@gmail.com), which may indicate an impersonation attempt. Verify the email's authenticity with the sender using your organization's trusted contact list before replying or taking further action.

Secured by Check Point

My name is Angela Stevens. I am writing to address the house 832 Murry St. It is currently in my parents name, Ed and Tina Stevens.

My father Edward Stevens passed away suddenly on July 28th, 2026. My mother Tina Stevens was unable to handle the loss. After his services, she packed two bags and moved to Utah with my brother, leaving the house and everything that comes with it to me.

I'm asking for time to clean the property up. About 6 to 8 weeks to clear the back yard. While I realize and agree that it needs to be done, I have limited time to work on it with my job and kids. I grew up there and it is a struggle to be there some times as I miss my parents very much.

My plan is to go over on my days off. I'm going to cut the trees in the back yard and north side of the property down, clear all the dead and over grown stuff. And the shed/garage thing that is in the back, as it has fallen in.

Over the next few years, I plan to completely clear the house and yard to tear down the old house and put in a newer home. The house was one of the many cabins moved in the early mining days and in my opinion, is not worth the money it would take to fix up.

I appreciate your time and consideration in this matter.
Thank you,
Angela Stevens.

Date Thu 9/24/2026 2:41 PM

To Jennifer Lee <CityClerk@cityofelynv.gov>

EXTERNAL EMAIL - This email was sent by a person from outside your organization. Exercise caution when clicking links, opening attachments or taking further action, before validating its authenticity.

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Hi Jennifer,

Please read this during public comment on the establishment of the historic district.

I'm on the road and I don't know if I'll make it there by 5:00 p.m.

To the Mayor and City Council Members,

The Nevada Northern Railway foundation strongly encourages you to vote Yes on the establishment of the historic districts in the city of Ely.

The establishment of these historic districts will assist in the development of downtown Ely and the Nevada Northern Railway.

The establishment of the historic districts will open new sources of funding. It will contribute to the economic development of downtown Ely and of the railroad.

Thank you,

Mark Bassett
President
Nevada Northern Railway Foundation

Mark

Mark S. Bassett
President
Nevada Northern Railway

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

Councilwoman Van Camp moved to approve the agenda as presented. Councilman Trask seconded the motion. The motion carried unanimously.

4. CITY DEPARTMENT REPORTS

➤ CITY MUNICIPAL COURT JUDGE HIBBS

City Municipal Court Judge Hibbs stated regarding the conflict prosecutor it is not something we need often, but there are times we do need this service due to a conflict and Chris not being able to prosecute. It is not going to be very costly and if we can do it by Zoom it will save in travel costs.

➤ CITY CLERK

City Clerk Lee stated my office will release the Campton Street RFQ for a right-of-way acquisition consultant tomorrow, with selection December 10th.

➤ CITY ENGINEER

City Engineer Almberg stated we've been spending some time out in the field, collecting GIS information for the City, that's an ongoing thing. We dealt with some water rights at the Trap Club, which we'll be talking about a little bit later in the meeting. We have been helping Jennifer get some costs and different things together associated with some of the CDGB projects coming up. We have been working with the City water crew on some SCADA issues. I think we lost some configurations that were in there with some power

bumps, but we worked together, took care of that, and got it up and running again perfectly. We have also been working on Landfill sampling with the State on a few modifications they requested.

5. REPORTS

➤ COUNCILWOMAN VAN CAMP

Councilwoman Van Camp stated Tuesday, September 15th, I attended the Natural Resources Advisory Committee Meeting. The GreenLink Transmission Line gave a lengthy presentation on their projects and here's just some fast highlights. This project is a triangle of power from Reno to Robinson substation to Vegas and back up to Reno. It's like a superhighway, and it will strengthen the grid; there is no fencing and no land disturbance. The taxes are being paid and collected on this project. The biggest concern is grazing is getting pushed out with all these different renewable energies going in. On the dog park, work continues with gates getting installed, and repurposing an old patio that Mike found. I chit-chatted with NDOT about directional signage, so it's getting ready to look really nice. It's coming together and I want to thank Mike for putting up with all my phone calls. Trash Troopers had the last two cleanups for the year. On September 12th, we cleared weeds from the old Foxfire gas station, street corners along Aultman, and Great Basin, and you can finally see the mailbox located by the old Knit Nook building. We had new people join us, and also the Mayor came and helped us. This past Saturday, we concentrated on the east end of Aultman Street, cleaning up debris and weeds. We had fifteen people in attendance and pulled two huge trailer loads of weeds. Patti, Steve, and Lupe concentrated on the west end of Aultman, cleaning up stray areas of weeds, plus the empty lot across from Wilson Bates. Meg Ragonese, NDOT Public Information Officer, heard about us and contacted me for pictures and information on our cleanups, and Patti got all that information to her. We had a very successful year. We've gathered 426 bags of garbage, many trailer loads of debris, and we hope to pick this endeavor up next year in May. I would like to thank Robinson Mining for their help, NDOT, of course the City of Ely, Patti, Steve, Janet, and all our volunteers.

➤ MAYOR ROBERTSON

Mayor Robertson stated I would just like to commend Councilman VanCamp for the work she's doing with Trash Troopers. It's a great program. You're not there all day, you're there for two hours, and it's amazing what they're able to get done. They have done a lot of work.

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

A. CONSENT AGENDA

Mayor Robertson disclosed my husband is a member of the Ely 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 7A-1 Minutes and 7A-2 Bills.

Moved by: Councilman Trask Second by: Councilwoman Williams-Harper Vote: Unanimous

1. Discussion/For Possible Action – Minutes.
 - September 10, 2026
2. Discussion/For Possible Action – Bills.
 - September 10, 2026
 - September 16, 2026

B. NEW BUSINESS

1. Councilman Trask – Discussion/For Possible Action – Approval to establish the Public Comment at the beginning of every City Council meeting for any matter relevant to or within the authority of the public body.

Councilman Trask stated I thought I should bring this forward, just to try to get rid of some of those awkward moments of, is this actually an agenda item or not an agenda item? I think tonight's a perfect example, we have a lot of people here, and trying to speak on just agenda items at the beginning of a meeting just doesn't seem like we need to do it, so that's why it is on here.

Mayor Robertson stated, “I am in full support of this.”

Councilwoman Yeoman moved to approve establishing the Public Comment at the beginning of every City Council meeting for any matter relevant to or within the authority of the public body. Councilwoman Van Camp seconded the motion. The motion carried unanimously.

2. Councilman Trask – Discussion/For Possible Action – Approval of First Reading of Ordinance 771, Bill No. 2026-06, An Ordinance amending Ely Municipal Code Title 5, Police Regulations, Chapter 3, Animal Control, Article B, Dogs and other Animals, Section 6, Running at Large, Part B, to designate the confines of the fenced-in Broadbent Park Dog Park as an area where dogs are not required to be leashed.

Councilman Trask stated my name is on this because I am the liaison for animal control, but Chris and Jennifer have been working on this to make sure that we can have the dog park and have them off leash there.

Councilwoman Van Camp moved to approve the First Reading of Ordinance 771, Bill No. 2026-06, An Ordinance amending Ely Municipal Code Title 5, Police Regulations, Chapter 3, Animal Control, Article B, Dogs and other Animals, Section 6, Running at Large, Part B, to designate the confines of the fenced-in Broadbent Park Dog Park as an area where dogs are not required to be leashed. Councilman Trask seconded the motion. The motion carried unanimously.

3. Councilwoman Van Camp – Discussion/For Possible Action – Approval of Eastern Nevada Climbers Alliance’s Hercules Gap Trail Stabilization Proposal.



Hercules Gap Trail Stabilization Proposal

1. Project Overview

Under the existing Hercules Gap Stewardship MOU, ENCA proposes installing a short series of cedar post steps on the existing access trail to address erosion.

The project would remain within the existing trail corridor and is intended to reduce soil loss, and keep users on the established alignment. The MOU specifically allows ENCA to identify improvement projects along access corridors when conditions warrant, subject to City approval.

2. Project Objectives

- Reduce erosion and soil displacement
- Keep users on the existing access trail
- Prevent alternate paths
- Improve footing and drainage
- Minimize impacts to surrounding vegetation

3. Scope of Work

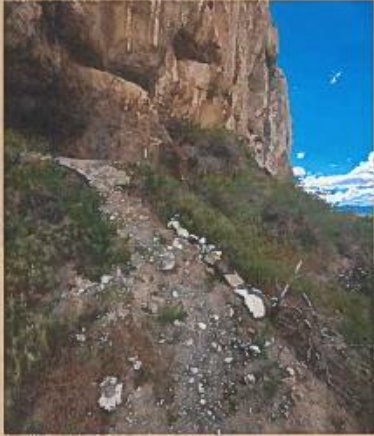
- Install a short series of cedar post steps within the existing trail corridor.
- Secure the posts and stabilize the tread between steps.
- Maintain drainage to prevent water from concentrating along the trail.
- Minimize disturbance to surrounding vegetation and soils.
- Remove excess material and debris after construction.
- Send a detailed report to the City.

4. Labor and Materials

ENCA will provide all necessary materials and volunteer labor for the project. Work will be coordinated with the City of Ely and completed in accordance with the Hercules Gap Stewardship MOU.

5. Benefits

- Provides erosion control and trail stabilization
- Reduces future trail maintenance
- Helps protect vegetation
- Supports responsible recreational access



Alignment with MOU

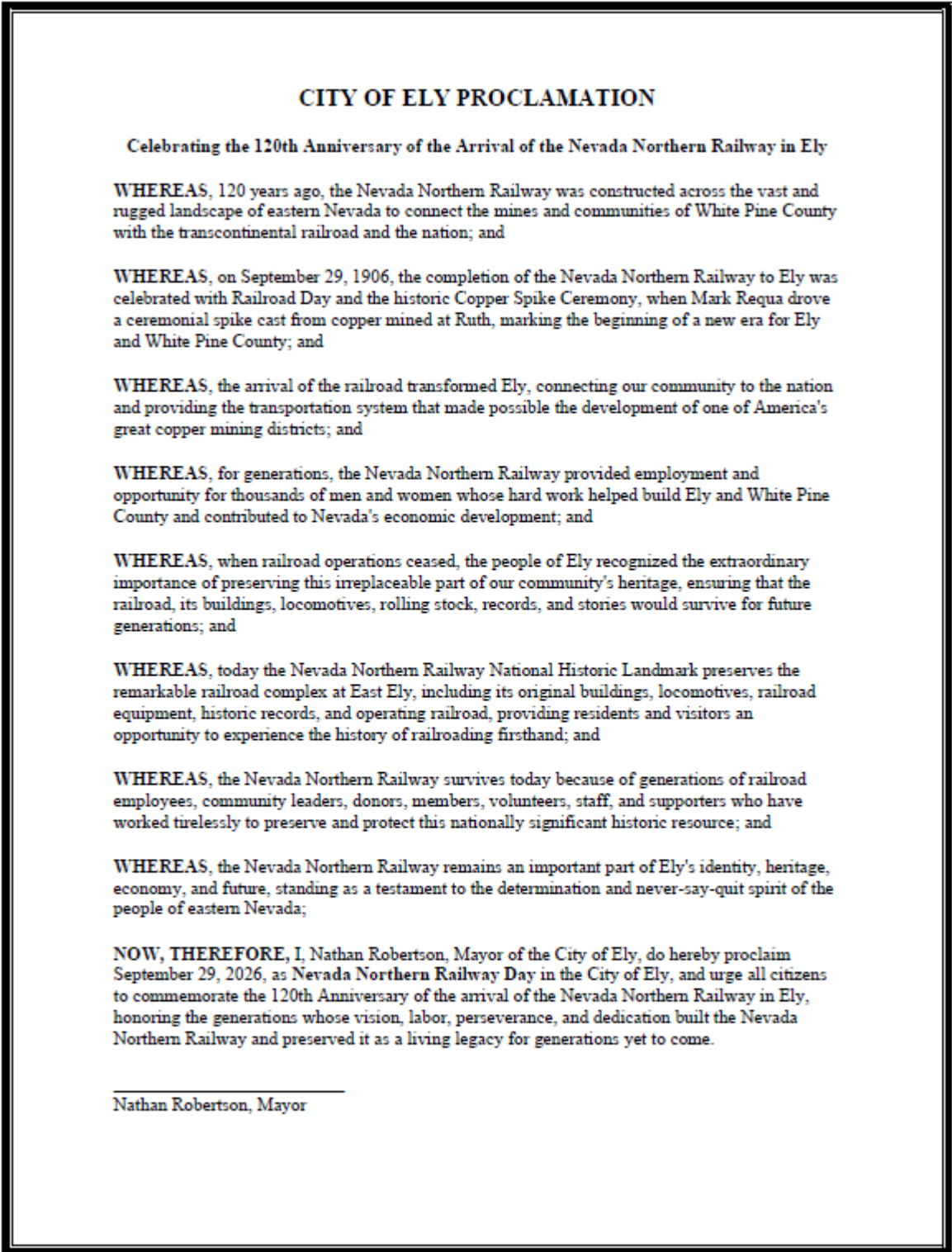
The project also aligns with the MOU's stewardship provisions addressing access-trail maintenance, restoration, and erosion control.

Mayor Robertson stated Councilwoman Van Camp is curious about the anchor points.

Alex with ENCA stated we are going to use cedar steps, which we're going to mill ourselves in place, along the trail. We're going to secure those, with metal or steel rods through those posts, and then any of the areas that were unable to do that because of the rocky nature, we're going to harden the area by burying them in at least an inch to two inches of the soil.

Councilman Trask moved to approve of Eastern Nevada Climbers Alliance’s Hercules Gap Trail Stabilization Proposal. Councilwoman Williams-Harper seconded the motion. The motion carried unanimously.

4. Councilman Perea – Discussion/For Possible Action – Approval of a Proclamation Celebrating the 120th Anniversary of the Arrival of the Nevada Northern Railway in Ely.



Councilwoman Williams-Harper moved to approve of the Proclamation Celebrating the 120th Anniversary of the Arrival of the Nevada Northern Railway in Ely. Councilwoman Yeoman seconded the motion. The motion carried unanimously.

5. Councilwoman Williams-Harper – Discussion/For Possible Action – Review of submitted proposals for Conflict Prosecutor with possible selection and determination of compensation, including provisions for virtual appearances and expenses.

Councilwoman Williams-Harper stated I know that we have one proposal. Do we have any other proposals that we know of?

City Attorney Arabia stated no, I don't believe we do. I just want to echo something that the judge said, which is that this is not a common problem. I was the state public defender, and so when I started, there were two or three back then and the DA was covering those. This is something that needs to be done, but it's not going to be a major

expense or be a frequent expense. The other thing I will say is the firm in question, it's a reasonably small firm, I think they have four or five lawyers, two of them used to be the district attorney of Mineral County, so they're certainly up to the job.

Councilwoman Williams-Harper asked is that a reasonable amount that they're asking for their services?

City Attorney Arabia stated by way of comparison, the Indigent Defense Board pays, I think \$175, but they also pay for travel. \$300 is not low, but it's not grotesquely high or anything like that; the market has changed substantially. Five or six years ago it would have been outrageous. As you heard, the Judge is going to be flexible on allowing Zoom appearances, and that's where the cost is, is in the travel. It is definitely in the ballpark.

Councilwoman Williams-Harper asked Should we consider seeking out more proposals, or is it feasible to go with this one?

City Attorney Arabia stated I don't want to step into the roles of the Council, but I think for now it is probably more important to have someone than to keep looking. If we have an experience where we need to revisit this, then I guess we can.

Councilwoman Williams-Harper moved to select Madkedon, deBraga & Rowe Law, P.C. at \$300.00 an hour including provisions for virtual appearances and expenses. Councilwoman Yeoman seconded the motion. The motion carried unanimously.

6. Councilwoman Williams-Harper – Discussion/For Possible Action – Selection of Member of Ely City Council to attend White Pine Chamber of Commerce's Business Ball, along with guest, on October 21, 2026.

Councilman Trask moved to select Councilwoman Yeoman and a guest to attend the White Pine Chamber of Commerce's Business Ball, along with a guest on October 21, 2026. Councilwoman Williams-Harper seconded the motion. The motion carried unanimously.

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

1. Mayor Robertson – Public Hearing – Discussion Only – Public Hearing for the purpose of providing the public an opportunity to appear in support of or in opposition to the establishment of Historic Districts on Aultman Street from 1st Street to 11th Street and on Nevada Northern Rail Way (East 11th Street). Per NRS 384.005, within 15 days after the hearing, the governing body shall: (a) Establish the historic district and fix its boundaries; or (b) Determine not to establish the historic district.

Councilwoman Van Camp stated I would like to disclose that my sister, Janet Van Camp, is the Chairwoman of the City of Ely Historic Preservation Commission.

George Chachas stated I'm against the Historical District. One cannot circumvent the International Building Codes. You need to address the lack of parking as 65% of the parking in the downtown area has been eliminated with the new NDOT project. Some ADA compliance in the project is lacking, particular 301 Aultman, which I've told you numerous times. I've reported it to an NDOT inspector as well as this Council, and your staff. I'm not against renovation, but I don't want to be pinned in a corner and be forced to live someone else's dream that has no skin in the game and doesn't face restrictions. I don't have a problem with you folks going out and getting grants, helping individuals along the proposed area, but once you lock it into a historic district, there are restrictions there, and the little person cannot live by that, we need to be able to breathe. I don't care if we try to upgrade, and I hope you do upgrade, but by pinning it into a historic district you're locking us into a bad situation. Some of the proposals that I've seen and attended in the meetings they're very nice and very elaborate. Where in the hell are you going to get the money? All you have to do is talk to the people that are going to be affected, and that has not happened. I've been in, I think, three meetings, and I'm not seeing anybody else there except Mr. Westland and he's concerned about 11th Street. I'm concerned about both areas. I brought

my concerns to you in regard to Avenue A/Wreck Brothers Way, Avenue B, and we're not going anywhere and now you want to do a historic district. Live up to the rules and regulations you have now. I'm against it. Thank you.

Marty Westland stated I live on 11th Street. It's currently called Nevada Northern Railway, which I think is kind of sophomoric. I have a list here of things that I presented at the meeting this morning, held by the Historic Preservation Commission, and I applaud all the work they're doing. I am sincerely in favor of any type of historic preservation, but I want to just say three things. Number one, I think you owe it to the public to explain exactly what the consequences are, why you need to do it, and pros and cons of establishing a historic district. I haven't figured that out yet, and I haven't seen any literature coming out that explains it. Why is it necessary? Secondly, if you're going to restore areas or keep them historic, I would recommend changing the name of Nevada Northern Railway back to its original title. Ely City was formed, plotted out, and approved by the County in 1906 and it was 11th Street and for a long time, it was 11th Street E. to distinguish it from the 11th Street that also exists in Ely proper. I think you should go back to an original name that's historic. George mentioned a concern about building codes. I do know that the International Building Code is extremely onerous, especially when it comes to restoring historic buildings. It can be almost impossible to do anything with an older building, and still meet current code, you need to have some kind of exemption. I've heard all kinds of arguments, oh, we can't do that it is a safety issue, blah, blah, blah; but if you're going to try to preserve some of the old buildings, which I strongly encourage you to do whenever possible you need to figure out a way to make some kind of exemption so you're not bound by the International Building Code. Thank you for all your work.

Vincent Fleishman stated I didn't know that meetings this morning or last week were open, or else I would have attended. I discovered this, like two hours ago. I rushed to call one of my friends who's a very big investor here, looking at two large properties of which probably will not happen if you guys pass this; probably \$1.2 million in direct investment. I've lived in other cities, such as Olympia, Washington, where you have these historical places and they are just beautiful. You're talking about round roofs and doors and just pieces of art, that's not what we have. We have useful buildings that were used for utility purposes, and a lot of these buildings have some character, but they're definitely not historical. If you talk to an investor like me, and say let's get a historical building, I'm out. I don't care what the number is. I don't care if you give me the project. I still wouldn't take the building. Because dealing with SHPO, or whatever. Plus, all the development things that go into developing any of these buildings. I'm buying two this week, which haven't been lived in for sixty years. There was crap in there that you couldn't walk on, couldn't open the doors; so that's the type of houses I deal with. I've looked through a lot of buildings downtown as possible projects, not just now, but a long time ago. It just didn't make sense. Not even just as they were for sixty grand, and now that same building is five hundred grand, so I do believe that this is anti-development. Right now, you don't have an ordinance. You're asking us to give you an opinion on something where there's no rules. The rules of that are, when I read it, that you go from building to building and decide or somebody does; maybe it's your building official with no time. You can't just say, well, I don't know if your building's ever going to go into that, no developer's going to approve that. So, I don't know who came up with this thing, I heard it was some downtown people. Those same people have three empty motels that nothing is being done with. A lot of these people here, they collect property and they just let them go bad. I'm not in favor of that, but making it historical is not the right way. You guys should make an ordinance that you can't have a piece of junk building that's not being occupied for five years, or whatever. Town & Country hasn't been occupied in forty years, talk to that person. Thank you.

Janet Van Camp stated I'm with the City of Ely Historic Preservation Committee. We are a very young board and have only been going for about three months. Right now, we're trying to get our sea legs under us. We have a lot of ideas, and we are going to be working on an ordinance in the future. We are just trying to beautify our downtown community, bring more tourists, bring more foot traffic to the downtown area, and the board would like your support in passing this. Thank you.

White Pine Chamber of Commerce CEO Shadrach Robertson stated I have not had a chance to review this with the Chamber of Commerce Board of Trustees but have as an

occupant of the downtown. The Chamber of Commerce has been standing for fifty years, and my personal opinion is there are regulatory and compliance hurdles that are difficult to mitigate with the establishment of a historic district, design review, and mandates, that potentially cause cost-prohibitive circumstances for obtaining certificates of appropriateness from historic preservation committees. Also increased renovation costs, as well as economic impacts that I don't think have been considered or fully flushed out. I'm all for preservation and for historic aesthetics being preserved, but without bringing more organizations and entities into the conversation, I would recommend that Council table this until further discussion can be obtained with White Pine Main Street, the White Pine Chamber of Commerce, and other downtown organizations that have a stake in preserving an equilibrium in the downtown. Thank you.

Councilwoman Williams-Harper stated I think a lot of good things have been said. I will say, for the historic preservation folks it's very important that we bring more business into our town. Having a historic district would be wonderful. I agree with Mr. Westland in there's just still so much work to do, so I'm hoping we're just not trouncing on something. We do need to see if there are exemptions to things or other things like that. I'm glad to hear Mr. Chachas say that he too would like to see things be well as he's a business owner downtown. Just being a member of the Chamber, I want to see our places of business thrive, so I hope that we are just not too quick to say, let's just, you know, throw the baby out with the bathwater. We don't know what the outcome would be. I think it's worth more. We did just hear the idea is young. There have been some feasible things that have been brought up, and of course those will have to be considered, but I am not in favor of just suddenly saying, no, we're not going to think about this or put a stop to this. I do agree with Mr. Robertson in there is room for many organizations to get in on this and talk about this. This is not an overnight thing. This is a process, not an event. So, I hope that we will continue to support and talk about these things, because we don't know where this is going yet. I don't think I have met anyone in town who doesn't want our town to be vibrant and inviting to others. So, everything that everyone has said has merit. However, it's young and it's in its infancy. I applaud the Historic Preservation Commission, and let's not be so quick to roll over on something that's simply a conversation at the time, and let's hear and consider all of the things that have been said, because they, in fact, all do have merit. Thank you.

Mayor Robertson stated I'd like to note that this is a public hearing, there is no action taking place tonight. For those that did take the time to review the NRS, there is no inherent laws or restrictions that automatically get implemented with the designation of a historic district, but if the public's concern are vacant and dilapidated properties. I believe this is a vehicle that can be used to put some stipulations on that and encourage development, not necessarily that people are required to restore buildings, but that we preserve some historic aspects and culture as it goes through that district, instead of just throwing up whatever in some of these areas. There are many conversations to be had, and I think everybody needs to be heard on that, for sure.

B. NEW BUSINESS CONTINUED

7. Council Members – Building Official Chris Flannery – Discussion/For Possible Action – Approval of an emergency abatement action pursuant to Ely City Code 4-1-22 to exterminate and remove a cockroach infestation at 171 Fay Avenue, Parcel No.: 00112209, determined by the City Building Official to be a public nuisance that places the public in immediate danger of health, safety, or welfare.

City Building Official Flannery stated we have an open notice and orders regarding 171 Fay Avenue that was issued August 25, 2026. Yesterday, we started getting inundated with phone calls and letters about cockroaches migrating into neighboring homes coming from 171 Fay Avenue. Earlier today we determined, through a professional, that there is a severe cockroach infestation located at 171 Fay Avenue.

City Attorney Arabia stated because we are doing an emergency item and we didn't have the normal notice period I wanted to ask you a couple of questions. First of all, you alluded to this crisis coming up in the past day or two?

City Building Official yes sir, very unforeseen prior to that.

City Attorney Arabia stated based on the amount of time and effort that you put into this would you be able to say whether or not immediate action is required?

City Building Official Flannery stated definitely immediate action is required.

City Attorney Arabia stated I believe that what you said earlier sufficiently documented the emergency that will be available in the minutes, so I am satisfied.

Mayor Robertson stated we've been down this road once before in the recent past. This is something that is affecting neighbors to this property?

City Building Official Flannery stated yes sir, it is very much affecting them, so much so that when the professional pest termination company was there, we had people in the street conversing with him wanting to get their homes taken care of because they are noticing cockroaches that they've never noticed before.

Mayor Robertson stated the way this works, as I understand it, and anybody can jump in and correct me if I'm wrong, the City has demanded remediation. Is there a certain period of time that the owner has to remediate it, or are we just stepping in and taking action?

City Building Official Flannery stated as I said, the notice and orders were issued 8-25,2026, and when I went there, it was regarding, a water leak and a tenant making those repairs, and remember these rentals become commercial and not residential, per se. So that requires a licensed contractor to do that type of work, and when I got to the site, the tenants invited me into the yard. However, they would not invite me into the house which I got. When I got into the yard, you've probably seen the pictures from the Notice and Orders originally at that time, it was still very much a mess on the outside of the house with accumulation of garbage that may harbor vermin, insects, and pests like that. We rarely get those cockroach infestations like that here, so it's really amazing to see. To walk around that house today to verify, and to witness the infestation, was, very much, stomach-curdling.

Mayor Robertson asked, "is anybody living there now?"

City Building Official Flannery stated no, nobody is allowed to enter that structure at this point since Notice and Orders, and miraculously the water line has been repaired.

Mayor Robertson stated I guess to follow up on my first question there is no time given at this point for them to remediate the City needs to send somebody in?

City Building Official Flannery stated this is an immediate action because we have Notice and Orders that have been on this property for six months, this is an emergency.

Mayor Robertson stated that being the case does the City then send a bill to the property owner for the remediation, and they have a certain time to remediate that, and then if they don't, there is a lien put on the property, or how does that work?

City Clerk stated correct.

City Attorney Arabia stated there are other possible things that could be done, which I don't want to get into right now.

Mayor Robertson asked is there budgetary number on what this might take?

City Building Official Flannery stated it is getting very scary. I did work with Payless Pest Control and they are here tonight. We are looking at \$2,000. The initial spray will be \$500 and part of the problem that we have is that once this was noticed by the owner of the structure he went ahead and had people go in and tried to take care of this by setting off bombs that you buy at the store and what happened was that just kind of irritated the cockroach infestation and it moved away and that is how it is migrating to other homes. After the initial spray he would be able to come back and do a fumigation

and a spray to get into those nooks and crannies to make sure those little devils are killed. The problem that we have is I have to reach out to a hazmat team to come up here and give us a bid on the cost to have everything within the structure to be removed. I gave you some pictures, for examples of what needs to be taken out of the home, and it has to be bagged or tied off. There is so much protocol here that the number is unknown.

Mayor Robertson stated it seems like the last time we did this someone had to come in and take off the wallboard for them to be able to spray and kill thing that were hidden in the walls. Is that not needing to happen on this one?

Adam Simon with Payless Pest Control stated it's not going to be needed. There are so many walls in that structure that have already been stripped out and taken out, so I shouldn't have an issue. It's just there's so much garbage and debris; I won't be able to get the pesticide everywhere it needs to go.

Mayor Robertson stated is the order of operation you do your initial spray; hazmat comes in to clean up the property and then you come back?

Adam Simon with Payless Pest Control stated yes and come back and fumigate the following month.

Mayor Robertson stated where are these funds coming from and how is this being taken care of?

Councilwoman Williams-Harper stated is there any way to figure out what the cost has been for similar projects like this when Hazmat has come in?

Adam Simon with Payless Pest Control stated I've never gotten into it that far, but for Hazmat, I would assume it's going to be somewhere in the \$5,000 and higher range for Hazmat. They're going to have to wear masks when they go in there, because if they breathe in the spores or breathe in anything from the airborne allergens that German roaches cause, they're going to get sick.

Councilwoman Van Camp asked is that structure worth saving? Why doesn't it get torn down if it's in that bad of shape? I mean, this is awful.

Adam Simon with Payless Pest Control stated well, if you tear it down as is, you're going to chase all the roaches to all the neighbors, so we need to exterminate them first.

City Treasurer Trask stated all we have is the Contingency Fund.

Mayor Robertson asked how much is in there?

City Treasurer Trask stated I am not sure off the top of my head, but there is probably enough in there for up to \$10,000.

Councilman Trask stated and in a perfect world we would be repaid for these services?

Mayor Robertson stated my understanding is that the remediation gets done, we send an invoice to the property owner, they have a certain amount of time to take care of that, which they can do. I believe the last time that we did this, the property owner ended up taking care of it. I don't remember exactly, but if they don't, we then place a lien on the property.

Councilwoman Yeoman stated what's the severity of the infestation in the surrounding properties? Is that a consideration?

Adam Simon with Payless Pest Control stated well there's no infestation at the properties now. I sprayed a handful of them today for the owners that reached out. It's just preventing it from being a problem, period, because these people went from not seeing any cockroaches to now, they're seeing them all over the place. It can turn into an infestation at any time as they reproduce really fast.

Councilwoman Yeoman stated preventative measures were already taken at those surrounding properties?

Adam Simon with Payless Pest Control stated yes ma'am.

Public Works Director Cracraft stated we've been directed to abate 213 Fay Avenue, and it's right next door to this, and it is nothing but garbage bags. So, I don't know if we need to add this property to this because that garbage has been in trucks and stuff for a year or longer and it's all over the yard. I wrote Chris Arabia a letter today stating that I don't want our guys to go in there if there are infestations.

Mayor Robertson stated this is going to have to be a separate action since it is not on the agenda. If you get with Chris, we will make sure we address that property on the next agenda.

Councilman Trask moved to approve of an emergency abatement action pursuant to Ely City Code 4-1-22 to exterminate and remove a cockroach infestation at 171 Fay Avenue, Parcel No.: 00112209, determined by the City Building Official to be a public nuisance that places the public in immediate danger of health, safety, or welfare up to \$10,000.00. Councilwoman Van Camp seconded the motion. The motion carried unanimously.

City Building Official Flannery stated I will contact the Hazmat team to give us some numbers.

8. Council Members – City Engineer Almborg - Discussion/For Possible Action – Award of bid for construction of Steptoe Valley Trap and Skeet Range Hunter Education Building Phase-III, PWP# WP-2026-412, Nevada Department of Wildlife Award #SG26-10.

City Engineer Almborg stated it's been a lengthy process. The funding that we had available for this project was \$661,407. The bid came in at \$705,640, and so we came up basically \$44,233 short. The contractor went back and looked at some options and some value engineering for some things that could possibly be done to save some money. They came up with some modifications and changes to the mechanical system. To make this work, we have to go back to the mechanical engineers who designed the building and make sure they're comfortable with it and make sure that we're getting truly apples for apples for what's going on and what credit we're getting. The contractor has confirmed we can make these changes. They've been approved by the engineers; they've been reviewed by the City Building Official, and they were able to reduce their price by \$44,000.

Councilwoman Williams-Harper moved to award the bid for construction of Steptoe Valley Trap and Skeet Range Hunter Education Building Phase-III, PWP# WP-2026-412, Nevada Department of Wildlife Award #SG26-10 to Pearson Brothers Construction Company. Councilwoman Yeoman seconded the motion. The motion carried unanimously.

9. Council Members – City Clerk Lee – Discussion/For Possible Action – Approval of abatement action to include the removal of accumulation of debris, dry grass, and brush on private property to decrease fire hazard located at 750 Avenue M, Ely, NV – APN 002-191-04 – owned by Josephine Ann Toth.

Christina Toth stated we are working on it and trying to get it done. We have a vehicle, but it doesn't have third gear, and it's not like a truck, so we have been making posts on White Pine County Clutter to ask people to help us with dump runs, as long as they're not charging \$50 per run, because that just seems kind of crazy. I'm hoping here soon I'll be able to set up something with the garbage disposal company to have them come by once a week. It's not that we don't care, we are working on it, it's just me and my boys, we don't really have any other family or anyone else here, so we're trying.

Mayor Robertson stated typically, if I might just speak a little extemporaneously on this, that if a property owner's been showing improvement on the issue, the City generally allows that and gives the property owner time. Are there any comments or questions from the Council regarding this?

Councilman Trask moved to approve an extension until October 31, 2026 for the property owner to abate the property and bring it up to City Code including the removal of accumulation of debris, dry grass, and brush on private property to decrease fire hazard located at 750 Avenue M, Ely, NV – APN 002-191-04. Councilwoman Van Camp seconded the motion. The motion carried unanimously.

10. Council Members – City Clerk Lee – Discussion/For Possible Action – Approval of abatement action to include the removal of accumulation of debris on private property to decrease fire hazard located at 832 Murry Street, Ely, NV – APN 001-327-04 – owned by Edward Forest and Tina Stevens.

City Clerk Lee stated Angela had to work tonight, or she would have been here in person. She requested six to eight weeks and again, it's a situation where she's pretty much by herself trying to accomplish this, so I would recommend giving her up until November 20th, and then if it isn't completed, then it would be on the December agenda.

Councilwoman Williams-Harper moved to approve giving the homeowner's daughter an extension to abate the property and bring it up to City Code until November 20, 2026 including the removal of accumulation of debris on private property to decrease fire hazard located at 832 Murry Street, Ely, NV – APN 001-327-04. Councilwoman Yeoman seconded the motion. The motion carried unanimously.

11. Council Members – City Clerk Lee – Discussion/For Possible Action – Approval to hold one regular meeting in November on November 12, 2026, and one regular meeting in December on December 10, 2026, due to the Holidays.

Councilwoman Yeoman moved to approve holding one regular meeting in November on November 12, 2026, and one regular meeting in December on December 10, 2026, due to the Holidays. Councilwoman Van Camp seconded the motion. The motion carried unanimously.

8. PUBLIC COMMENT

Ed Spear II stated thank you, Council and Mayor. This message is to the Council and the community regarding the original 1908 Whistle Stop. There are some moments when you must decide whether you're going to quietly accept a decision, or respectfully stand up and say, wait, this deserves another look. We have reached one of those moments. We've been informed that the original 1908 Whistle Stop Bordello will be forced to not operate as a short-term rental because of the 660-foot separation requirement from another short-term rental. We understand that regulations exist, we understand that communities need rules, and we respect the role of local government in establishing and enforcing those regulations; but we also believe that history, documentation, established use, and the unique circumstances of a property deserve to be considered carefully before an important piece of local history is simply closed and that is exactly why we're not walking away quietly. We provided documentation showing that the property had been grandfathered through the Regional Planning Commission dated back to 1989. We also provided documentation that the original 1908 Whistle Stop is registered with the State Registry of Historic Places. This isn't simply a building we decided to turn into a short-term rental. It is property with a documented history that precedes the current situation by decades. It's a piece of our community's story and more importantly, it has become a place that people have genuinely embraced. Our guests have stayed there, families have celebrated there, people have gathered here, visitors have walked through those doors and immediately understood that this place was different. They didn't see four walls and a reservation, they saw history. We have poured our time, money, energy, and heart into preserving that history and giving this property a future. So yes, we are deeply disappointed, but disappointment is not the same thing as surrender. We're going to ask questions, we are going to review documentation, we are going to explore every legitimate avenue available to us, and we are going to advocate for this property.

Not because we believe that we should be above the rules, but because we believe the history and circumstances surrounding this particular property deserve to be fully heard and fairly considered. We are asking our community to pay attention. If you have stayed at the Whistle Stop, visited it, attended an event, photographed it, shared its story, or simply believe that historic properties are worth preserving, we ask that you stand with us. We aren't asking anyone to attack a person, a business, or a local government. We are asking for something much simpler. Listen, review the history, look at the documentation, and give this property the consideration it deserves. The original 1908 Whistle Stop has survived for more than a century, and we would hate for its story to end because the history that came before today's regulation wasn't given the weight that we believe it deserves. We respect the process, we respect the community, and we intend to participate in that process, but make no mistakes, we're not going away quietly. The Whistle Stop has history; it has a story and we're going to fight for it.

George Chachas stated on several occasions I have come before you in regard to my concern of the Campton and Orson T intersection. It does not meet ADA, and it is a traffic hazard; I want to know who designed that. Also, in that same area, you've got debris of concrete against Code and NRS. You've got a 4-foot drop off of the cemetery area, no fencing, and no warning. Kids are seen there on bicycles, RVs, and so on and so forth. If they are not aware in the dark when they travel, they're going to have a 4-foot drop. In the past, I've asked if 292 Aultman is a commercial building or a storage building. This is a foundation for the new O'Reilly's (showed picture). They have a foundation and there is no doubt in my mind it's a commercial building. Again, we either have codes, or we don't. They apply to everybody, or they apply to nobody. You people need to address that. Mr. Mayor, for years I've been concerned about the water build up in the alley between Washington Federal, my property, as well as Napa. Napa spent \$10,000 or more painting that building. The drain is way above elevation. It should be an easy fix. It's been, what, 10 years? You can't take care of that? Again, we either have rules and regulations, or we don't. I have an ongoing concern regarding 301 Aultman. Does it meet ADA? It's new construction and there are federal regulations. I've yet to receive any information in regard to who authorized the installation of the clean out at 785 Bell Avenue. Why the selective enforcement? I've asked numerous times for a list of properties that have been allowed to have RVs on them. I applied for a variance, paid \$340, I was turned down, received two tickets, and had to evict four different people, yet others all around me are renting their property. I'm on the Regional Planning Commission and I haven't seen one application. Again, the discrimination needs to stop. Either you have rules and regulations, or you don't.

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

Councilman Trask moved to adjourn the regular meeting of the Ely City Council at **6:18 p.m.** Councilwoman Williams-Harper seconded the motion. The motion carried unanimously.

MAYOR

ATTEST