

CITY OF ELY

501 Mill Street Ely, Nevada 89301
City Hall (775) 289-2430
Cityofelynv.gov

ELY CITY COUNCIL REGULAR MEETING

December 9, 2021 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 5:00 P.M.; Pastor Bob Winder offered invocation. Mayor Robertson led in the Pledge of Allegiance and asked for Roll Call.

Members present:

Mayor Nathan Robertson
Councilman Ernie Flangas
Councilman Ed Spear
Councilman Jim Alworth
Councilwoman Jerri-Lynn Williams-Harper

Members absent:

Councilman Kurt Carson

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

City Clerk Jennifer Lee
City Treasurer/HR Director Janette Trask
City Attorney Leo Cahoon
Public Works Supervisor Mike Cracraft
City Engineer BJ Almberg
City Fire Chief Pat Stork
City Building Official Craig Peterson (Zoom)
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 persons attended via video conference: Geri Wopschall, Marietta Henry, Caroline McIntosh, Ben Bailey, Mark Bassett, and Chris Stanko.

ELY CITY COUNCIL ATTENDANCE LIST

DATE: DECEMBER 9, 2021

Print name below

Samantha Gault
Pastor Bob Winder
Sun Winder
Smaragda
Mike Winder
Cameron Winder
George Chachas
Mark Bassett
Michael Couch
Lara Reale
Caroline McIntosh

Print name below

2. PUBLIC COMMENT

George Chachas stated on your agenda item 8B-5 the Council is to give an update on the PORTER Group efforts on the City's behalf, and once again I am requesting a copy of the report with contact information for the PORTER Group. On your agenda item 8B-6 there was nothing in the packet for the public to see what the Council plans on changing. On your agenda item 8B-12 you are targeting someone on Campton Street that poses nowhere near the blight of the property located on the north side of 1192 Campton with unsecured buildings and no fencing, as well as other nuisances around town. On your agenda item 8B-1 the Council is to consider the acceptance of the year end audit. Did the audit address if the City ever collected in full for water, sewer, and landfill services from the historical railroad when they owned the White Pine Trailer Park, Garnet Mercantile, and the Golf Course? Mr. Chachas stated ongoing concerns regarding the billing on his property at 490 High Street and if City Employees are bonded.

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

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

4. CITY DEPARTMENT REPORTS

➤ CITY FIRE CHIEF

City Fire Chief Stork stated it has been a busy day today. We went out on seven calls by three o'clock this afternoon. We had a good turnout of Volunteers and had all the paid staff called back at one time when we had two different calls at the same time. I went back to the Budget Committee with the list for the American Rescue Plan Act (ARPA) funding and the items that I changed, mainly quantity on items, was approved. The dollar amount on the request went down about sixty dollars. This weekend the Volunteers do their house-to-house drive and will be using city equipment to go around neighborhoods.

➤ MUNICIPAL COURT JUDGE

Councilman Alworth stated I would like to note that some of the furniture we have in offices at City Hall came from the Judge recently. They are used but in good condition and I think that was very generous.

➤ CITY ENGINEER

City Engineer Almberg stated we are working with the Fire Department regarding the new software they will have as an electronic data base in their vehicles to monitor the fire hydrants; some of that information is going to come from the data we collected this last summer with the GIS information regarding fire hydrants, manholes, and valves. We are working on the next phase of the Aultman Sewer Project; as we are working on that, we are trying to fix some situations where the sewer cuts across private property, and stay in City right-of-ways, which we have been able to work through on three locations so far. We are also working on the next phase of the Community Block Grant (CDBG) Murry Street Sewer Project, which is going to be from where it left off this year down to Dickerson Avenue. We received approval for the next steps of our Community Development Block Grant (CDBG) applications, so we will get the final applications completed that are due February 19, 2022. We have a new Landfill Leadman that is coming on board, and we will have to get some water sampling done as soon as he comes on. We have been going over the existing permit, so we can have something for him to review on the important aspects of the job. On the existing Murry Street phase, we are completing some State Historic Preservation Office (SHPO) requirements that are required for our grant funding. There was a request to use some of the American Rescue Plan Act (ARPA) funding for improvements at the cemetery, so we have been getting costs together for that. We are spending a lot of time with the PORTER Group trying to get some of these infrastructure projects funded. We have had some meetings on solutions for housing in the area.

Councilman Alworth stated on the Wastewater Treatment Plant Report Raul reported the 17th and M Well looks like it might be leaking oil and will need repairs. I just want to make sure that you and Mike are aware of that so it can be taken care of before it gets worse and becomes an emergency. There was also a water tank inspection done on the

water tank near the high school and it states there are cracks on the outer shell, but they couldn't see if there were cracks on the inside, so Raul thinks we need to hire a tank specialist to help us on that.

City Engineer stated yes, I am aware, and it will be addressed.

➤ **CITY FIRE CHIEF**

City Fire Chief Stork stated I received the ISO review results after my report for the meeting was submitted. For as long as I can remember we have been a 5 or a 5X and we have now moved to a 4. We are waiting for dispatch to finish their new module on the stuff they are doing. When that is completed and the new pre-plan software that we are working on with B.J. is in place the reviewer stated we can call them back out because we are a point and a half from being a class 3; that will go into effect in late February and should make a difference on insurance ratings.

➤ **CITY BUILDING OFFICIAL**

City Building Official Peterson stated Brad left a good base for me to take over from. Everything was left professional and neat and clean. The system is easy to understand, and I picked up where he left off. In looking for areas for improvement, mostly in the terms of technology, getting ease of use to applicants by having different ways to submit applications and opening lines of communication would be a good start. I am currently working on the Northern Nevada Building Official amended changes that was proposed to me by Councilman Alworth and the Mayor and am about halfway through those. I will process a report on my assessment of those amendments. I am meeting a lot of great folks and getting to know people in the community. I have been physically in the office three days a week at this point, and I feel it is necessary to be there for inspections and to make sure things get taken care of. In my time away I am doing a lot of studying on the zoning, City and County ordinances and finding a way to bring those together and make them a little more consistent. I am doing customer contact and scheduling inspections for when I am there. I have been working with the permit software and it is a little antiquated, but we should be getting new software by the end of the month, which will be cloud based and a big benefit on permit research.

Mayor Robertson passed the gavel to Mayor Pro Tem Williams-Harper

5. NNRY FOUNDATION REPORT

NNRY President Mark Bassett stated the Federal Railroad Administration was here today to do the annual inspection on Locomotive 93. They did the boiler inspection this morning and will do additional boiler inspections tomorrow; so far no problems so 93 will be put back into service. The following report was reviewed:

NEVADA NORTHERN RAILWAY
A NATIONAL HISTORIC LANDMARK



Nevada Northern Railway Foundation
Depot: 1100 Avenue A, Ely, Nevada 89301
Mailing Address: PO Box 150040, Ely, Nevada 89315
Voice: (775) 289-2085 • Web: www.nnry.com • E-mail: info@nnry.com

Monthly Operations Report for November 2021

1. Locomotive Status – Updated
 - a. Locomotives in service: #81, #93, #105, #109, #204, Wrecking Crane A & Rotary B.
 - b. Locomotive 40 is out of service for her heavy repairs. We have started on her repairs, she will be out of service until 2023.
 - c. Locomotives out of service needing moderate repairs: #201, #310 and #45
 - d. Locomotive 801 is being brought back into service. It is a very rare Baldwin VO diesel locomotive that is one of only eight left in existence.
 - e. Locomotives waiting funding for restoration: Steptoe Valley Smelting and Mining #309, Kennecott 801 and Rotary Snowplow B (for boiler overhaul.)
 - f. Locomotives out of service needing heavy repairs #802, #80 and the military locomotives.
3. Rolling Stock Status – No change
 - a. Passenger equipment in service: #07, #08, #09, Flatcar #23, Coach #5, Baggage Car/RPO #20, Outfit Car #06.
 - b. Passenger equipment out of service: #10, #2 and #05 needing heavy repairs.
 - c. Caboose in service: #3, #6 and #22 are operational.
 - d. Caboose out service: #5
4. Track Status – No change
 - a. Keystone Branch is open
 - b. Adverse Branch is open.
5. Ridership and Ticket Sales – Updated
 - a. In November we carried 922 passengers. This is an increase of 230% over 2020, and an increase of 58% over 2019.
 - b. Year to date we have carried 15,002 passengers. This is an increase of 92% over 2020 and a 18% over 2019. We have carried more passengers this year than we did in either 2020 or 2019.
 - c. Since operations began in 1987, we have carried 326,404 passengers.
 - d. Ticket sales for Santa's Reindeer Flyer are very strong.

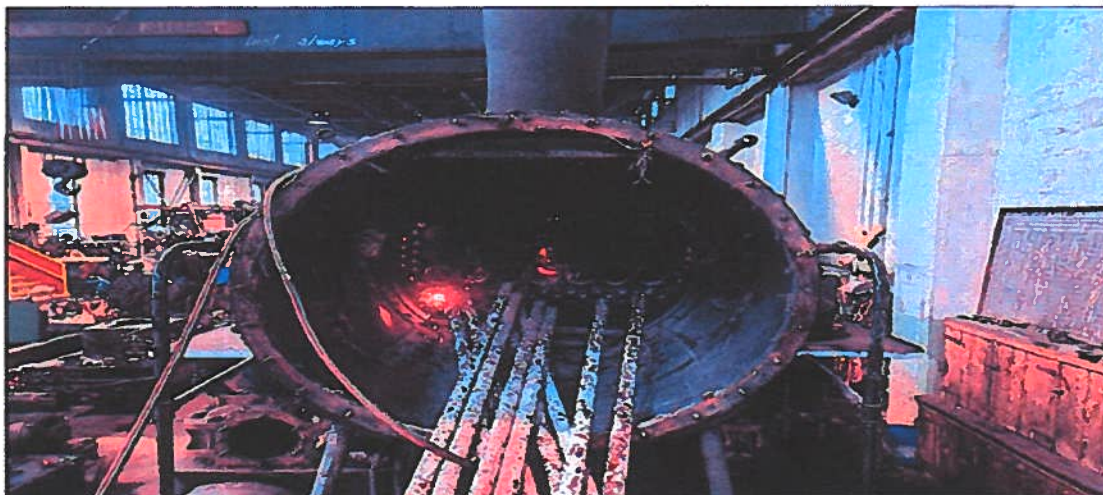
Award Winning Destination

Best Tour in Rural Nevada – 2017
Nevada State Treasure – 2013 & 2012
Best Adrenaline Rush in Rural Nevada - 2020
Best Preservation Effort in the West • Attraction of the Year – 2012
Trip Advisor Certificate of Excellence – 2020, 2019, 2018, 2017, 2016, 2015, 2014
Best Museum in Rural Nevada – 2020, 2017, 2016, 2014, 2013, 2010, 2009, 2008
Best Event in Rural Nevada – The Polar Express – 2017, 2016, 2015, 2014 & 2013
Best Place to Take the Kids in Rural Nevada 2020, 2019, 2018, 2015, 2014, 2013, 2012, 2011, 2010, 2009, 2008, 2007

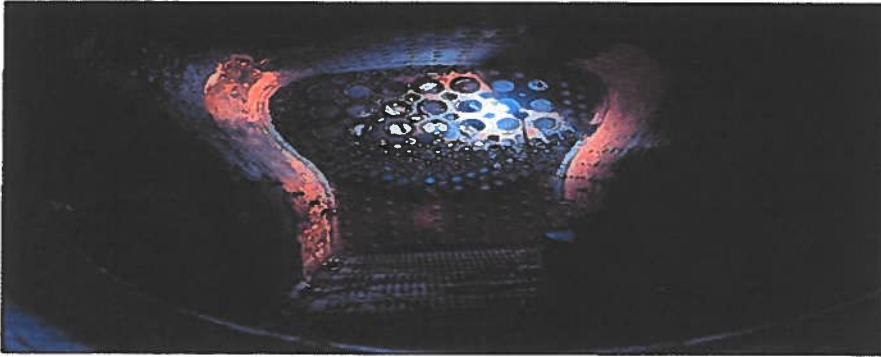
6. Social Media: Our reach on social media continues to expand, in the last 28 days:
 - a. We reached 2,512,616 people, an 80% decrease.
 - b. Post reach was 512,797, a 34% decrease.
 - c. Our page likes increased 1,273, an increase of 12%
 - d. We have 114,861 page likes.
 - e. 147,838 people follow our page.

7. Locomotive 40 Overhaul

Every 15 years or 1472 operating days, a steam locomotive is required to have its boiler inspected. This is mandated by the Federal Railroad Administration (FRA). We are at the 15-year mark with Locomotive 40. During this boiler inspection we will also address issues on the running gear.



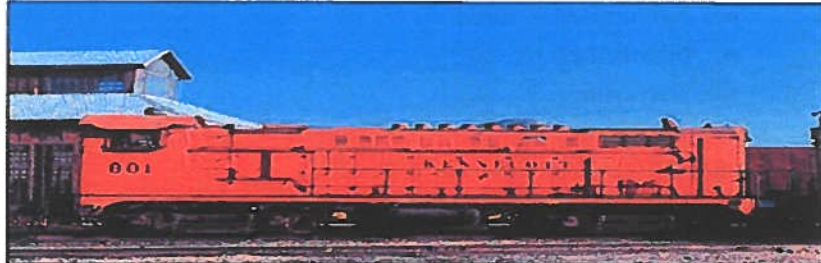
As part of the boiler inspection all of the tubes have to come out of the boiler.



This is a view looking into the firebox. The tube ends have to be removed from the front flue sheet. Once this completed the boiler will be closing inspected looking for imperfections.

Hidden away in the Nevada Northern Railway engine house is another rare locomotive. It is Locomotive 801, a VO-1000 diesel-electric switcher that was built by the Baldwin Locomotive Works in December 1942. It was used as a switcher at the McGill smelter and was in service until 1983.

The VO-1000 was a popular Baldwin diesel locomotive, 548 locomotives were produced. Locomotive 801 was the 104th VO-1000 built. Today there are only eight surviving examples of the VO-1000. Our goal is to put Locomotive 801 back in service.



We have mechanically gone through the locomotive. When she was parked in 1983, she had been in service. We believe to operate Locomotive 801; all it needs are batteries. If we are going to put her into operation, she will need a paint job too. The combination of batteries and paint will come to \$25,000. Our members have donated the funds to purchase the batteries.

Mayor Pro Tem Williams-Harper passed the gavel back to Mayor Robertson

6. REPORTS

➤ COUNCILMAN FLANGAS

Councilman Flangas stated I would like to wish everyone in this room a Merry Christmas and a Happy New Year.

➤ COUNCILMAN ALWORTH

Councilman Alworth stated Sunday night I had numerous phone calls of people telling me that George Chachas was painting the sidewalk in front of the Town and Country Motel. I let them know that it is not a City issue, but a State issue since it is on a State Highway, and they would need to call the proper people.

➤ COUNCILWOMAN WILLIAMS-HARPER

Councilwoman Williams-Harper stated I would like to echo what Councilman Flangas said and ask everyone to have a safe and happy holiday. I also want to thank so many people in this room for the things I am learning by being a council member and how much of a time commitment all these people put in.

➤ MAYOR ROBERTSON

Mayor Robertson stated I would like to add I am very impressed with the amount and quality of the volunteer effort to put on the events such as Festival of Trees, the parade, and other events around the community. It takes a lot of effort, and I am continuously impressed by everyone's commitment and efforts in those regards. Councilman Alworth and I had a conversation earlier this week with those working on the housing issues in the community and one of the comments made by the new Building Inspector was property values really depend on good property management by the municipality enforcement by property rights and making sure things are done in accordance with code and safety. I do appreciate the Council and Councilman Alworth's effort in all of this, and I think we have been seeing improvements.

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

1. Board Members – City Clerk Lee – Discussion/For Possible Action – Approval to remove past due utility fee penalties up to the amount of \$6,949.23 from 5916 N McGill Highway, McGill, Nevada at the request of property owner Aurora SMC, Inc.

City Clerk Lee stated the Municipal Utilities Board recommended approval of this item this morning.

Councilman Alworth moved to approve removal of past due utility fee penalties up to the amount of \$6,949.23 from 5916 N McGill Highway, McGill, Nevada. Councilwoman Williams-Harper seconded the motion. The motion carried unanimously.

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

A. CONSENT AGENDA

MOTION: Move to approve the Consent Agenda item 8A-1 Minutes and 8A-2 Bills.

1. Discussion/For Possible Action –Minutes.

- October 28, 2021
- November 4, 2021
- November 18, 2021
- November 29, 2021

2. Discussion/For Possible Action –Bills.

- October 28, 2021
- November 19, 2021
- November 29, 2021

Councilman Spear asked why the entry on the October 28th bills was not showing on the copy provided in the packets this time.

City Clerk Lee stated for the record what has happened is when copies were made the even numbered pages were inadvertently left out. The Council can move ahead, and I will go over to City Hall and run the correct copy.

B. NEW BUSINESS

1. Council Members – City Treasurer Trask – *Keddington & Christensen, CPA's* representative (s) - Discussion/For Possible Action – Presentation and possible acceptance of the Year Ended June 30, 2021 fiscal audit for the City of Ely.

Keddington & Christensen's CPA Ben Bailey stated the presentation is the last step of the audit by reporting to the governing body the findings on how the audit turned out. We consider the City Council to be the governing body and responsible for overseeing the financial reporting process. An audit does not relieve the governing or management of their responsibilities. We are responsible for performing the audit in accordance with generally accepted auditing standards and it's designed to obtain reasonable rather than absolute assurance that financial statements are free from material misstatement. Our opinion on page one of the financials states the financial statements present fairly the financial position of the City; it was a clean opinion and no modifications to that opinion. The next thing we looked at was the internal controls of the City and this is done according to Governmental Auditing Standards and is to obtain an understanding of the controls but not necessarily to express an opinion, so we expressed no opinion on the effectiveness of the internal controls, but we can see they are functioning. We did have one finding related to these and it is listed on page sixty-nine, it is for the financial close and reporting process. During the audit, we proposed a number of entries related to the close and as it says there auditing standards indicate there may be a material weakness should too many adjustments be proposed or too many adjustments. We did not find any compliance findings as far as State and federal laws. The way we go about testing these is going through the cash disbursements, cash receipts, and payroll processes to obtain an understanding. We issued our report on the provisions of NRS 354.624 on page sixty-seven with some limited procedures there and we found no instances of non-compliance. We take fraud procedures very seriously with part of our work. The City has good financial policies and the financial disclosure statements are neutral, consistent, and clear and we did not encounter any difficulties in the audit. The staff is great to work with and we like coming to Ely. On page seventy-one, the City had to do a single audit upon receiving the Cares Act Funding and CDBG Funds. Our report on compliance according to the uniform guidance, the federal requirements, and the internal control over compliance is listed. The internal control we are not expressing an opinion on its effectiveness, we are just trying to get an understanding on how it is functioning and that

it is functioning. We did not find any non-compliance with the federal programs that we tested.

Councilman Spear stated is there any way we can get this issued sooner? I look at it very closely and would like more time to review it.

Keddington & Christensen's CPA Ben Bailey stated yes, we can get the opinion issued sooner and not so close to the deadline.

Councilman Alworth stated I like this audit and how it is done. I think it is important the Council Members look at page seven and nine. The fund balance of the general fund increased by \$254,304 during the current year and that is very good. Another major thing we need to look at is the major general fund expenditures for public safety which are 56.6% of total general fund expenditures. On page nine it shows that 46% of our General Fund revenues come from the consolidated tax distributions (CTX) which is a huge amount of money. I have said this from the time I ran for this office that we are only as good as our people that work for us. If you read, the General Fund has held its financial condition as a result of strict budgeting practices along with efforts of City personnel to work smart with conscientious spending. Although the City is expecting fluctuations in tax revenues with continued practices of holding or reducing expenditures as needed, these fluctuations are not expected to have a significant impact. I think our staff has educated our employees to work smart and to waste nothing. I think this is a good audit and has improved a lot over the last two years.

Councilwoman Williams-Harper stated I would like to agree with that. The School just had our auditor at last night's meeting, and it feels good to have limited issues in your audit and to know if there are issues staff can handle that or learn what they need to do. The audit is important for the public to look at and ask questions if need be.

Mayor Robertson stated we will be doing more of these single audits with the American Rescue Plan Act (ARPA) Funding.

Councilman Alworth moved to accept the Year Ended June 30, 2021, fiscal audit for the City of Ely. Councilman Spear seconded the motion. The motion carried unanimously.

A. CONSENT AGENDA CONTINUED

Councilman Spear stated on page ten of the October 28, 2021 minutes I made a misstatement that Nye County got \$15.1 million, and the \$15.1 million actually went to the Opportunity Village in Las Vegas from Horsford's Office. The hospital in Nye County got about \$4 million.

Councilman Alworth stated I would like to make a disclosure as a past member of the Ely Volunteer Fire Department for thirty-six years on the October 28, 2021 bills they did send some Volunteers to the EMS Conference. I will vote in favor of that because it is good for the community.

City Clerk Lee distributed copies containing all pages of the October 28, 2021 bills.

MOTION: Move to approve the Consent Agenda item 8A-1 Minutes and 8A-2 Bills.

1. Discussion/For Possible Action –Minutes.

- October 28, 2021
- November 4, 2021
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2. Discussion/For Possible Action –Bills.

- October 28, 2021
- November 19, 2021
- November 29, 2021

Moved by: Councilman Spear Second by: Councilman Alworth Vote: Unanimous

B. NEW BUSINESS CONTINUED:

2. Mayor Robertson - Discussion/For Possible Action – Reappointment of Tree Board Chairman Bill Wolf with term through December 31, 2024.

Mayor Robertson stated I fully endorse Bill Wolf as he has done a great job on the Tree Board.

Councilman Spear moved to approve the reappointment of Bill Wolf as Chairman of the Tree Board with term through December 31, 2024. Councilman Flangas seconded the motion. The motion carried unanimously.

3. Mayor Robertson - Discussion/For Possible Action – Reappointment of Tree Board Member Irene Chachas with term through December 31, 2024.

Mayor Robertson stated I was happy to extend a reappointment to Irene as she has been a dedicated member and I would like confirmation for that.

Councilman Alworth moved to approve the reappointment of Irene Chachas as a member of the Tree Board with term through December 31, 2024. Councilwoman William-Harper seconded the motion. The motion carried unanimously.

4. Councilman Spear – Discussion/For Possible Action – Approval of Support Letter for Truckee Meadows Boys and Girls Club’s proposed daycare facility.

Mayor Robertson stated I think this is a very worthy and valuable project for our community.

Councilman Spear stated I am really excited about this after talking with Samantha at the Boys and Girls Club and finding out the need for childcare in our community.

Executive Director of Truckee Meadows Boys and Girls Club Mike Wurm stated Sam Elliott has been running the local Boys and Girls Club but recently left and Tony Enrique is the new Executive Director for this area. There is a desperate need for affordable childcare in the state of Nevada and your County was identified as having six-hundred and forty-seven in the zero to five years of age population and only having one hundred and forty spots available in your community, so over seventy-eight percent of the need not being met in this County alone. I would have liked to be a little further along in this proposal. We did work with a local contractor to come up with this budget and feel like we are on the right path and the next step is to get the attention of an architect so we can develop the plans that we can put a more refined budget on. We have talked to the School District, and they are in favor of a long-term lease on the Murry Street School. We have worked with General Manager Amanda Hilton at Robinson Mine and she would be doing a financial request to Robinson Mine as part of this project. We are hoping today to get the support of the Council as we move forward with this project.

Mayor Robertson stated I believe we are all on board with that.

Councilwoman Williams-Harper stated this is so important and I would like to read it, “this will provide quality childcare focused on kindergarten readiness regarding social, emotional skills, numeracy, and literacy.” It is so important that students come to us ready in kindergarten. The amount of learning that goes on in kindergarten is incredible and it is wonderful to have a student that has had some of that training. Social and emotional readiness is just as important as numeracy and literacy.

Councilman Spear stated we also have someone here from the PORTER Group and they have also been working on this in our community.

Councilwoman Williams-Harper moved to approve the support letter for Truckee Meadows Boys and Girls Club’s proposed daycare facility. Councilman Flangas seconded the motion. The motion carried unanimously.

5. Councilman Spear – Councilman Alworth – Discussion Only – Update on Porter Group efforts on the City of Ely’s behalf to secure federal and State funding.

PORTER Group’s Senior Legislative Assistant Cameron Gresh stated we have been working closely with Councilman Alworth, Councilman Spear, City Clerk Lee, and City Engineer Almberg to secure some federal funding for the City of Ely through the fiscal year 2022 congressional appropriation process and have some brief updates on that. About a week and a half ago Congress was able to narrowly avert a government shutdown by passing a continuing resolution of fiscal year 2021 funding levels through February 18th of next year and what this means is the federal government now has until that date to produce appropriation bills to fund the government through fiscal year 2022. These bills have been drafted and are waiting for consideration on the floor of the House and Senate, respectively to be conferenced together as a package for the President to sign. In the fiscal year 2022 Interior and Environment appropriation bills from the U.S. Senate, the City of Ely has a \$3.3 million earmark for the Central Ely Sewer Upgrade Project; we are essentially waiting for the congressional process to play out. We don’t have an exact timing of the vote that would produce the final bill for the President to sign into law containing the earmark; we expect it to be sometime in early January. The answer is that funding is coming after just a few more procedural steps in the U.S. Senate. I know we probably have a lot of questions about usage and acquisition. This is the first year earmarks have been available in over a decade, and we are working to figure all of that out. The Senate Appropriations Committee is going to be releasing some more information on that, we think, in the new year, so we are happy to update you on that when that information becomes available. We did meet last week with the office of Senator Cortez-Masto to receive instructions on next year’s earmark process for 2023. The Senator’s office encouraged us to be aggressive in identifying and soliciting federal funding for infrastructure projects in the City of Ely. It is a high priority for her to allocate as many federal dollars to Nevada as possible, and we gladly accept her challenge. We will do all we can to make sure the City of Ely is included in next year’s bills. I would like to say it looks like we will be able to request for projects of larger sizes and with higher dollar values. This year we did have to break them down a bit at the recommendation of the Nevada Delegation to make them as attractive as possible to the appropriations committees. It looks like the committees are going to change their tune a bit next year and be more flexible with the size of projects they fund. I look forward to giving you more updates about that as I see them. At this time, I do have a list of the Senate’s approved earmarked accounts that we will be able to request out of. Our contact in the Senator’s office stated he does expect that list to expand before the year is out and we need to wait for the House to release their list as well. This is going to tell us where the opportunities are by identifying the federal programs through which we can request earmarks. The solar panels on the Fire House look to be excellent candidates for the newly reactivated Energy Efficiency and Conservation Block Grant program, which comes about as a result of the Infrastructure and Investment in Jobs Act, which was just signed into law on November 15th; that particular legislation has a lot of opportunity for the City of Ely. It has not only pulsed up existing programs by fifty to one hundred percent, but it has created or reactivated federal programs that I think the City of Ely can benefit from. These programs are going to take time to roll out and we expect it to be mid to late next year when we can start to solicit this funding, but we are on top of it and the Senate Offices know what the City of Ely’s priorities are along with a representative in the House, and we look forward to tracking the rollout of this legislation through fiscal year 2022. This is one of the largest federal investments since the Eisenhower Administration and there is much to be excited about in there for the City of Ely. Since Mike Wurm is here, I will say we are very excited about the Truckee Meadows Boys and Girls Club Project happening here in Ely and we are actively working to identify avenues of federal funding that we could use to help this process move along. I know we are in the planning stages, but we are coordinating with Mike, Councilmen Spear and Alworth to see what assistance our federal delegation can provide and what federal funding avenues might exist that would take some of the burden away from the Boys and Girls Club and the City of Ely. We are also excited about the hospital housing project that we have been introduced to by Councilmen Spear and Alworth. The American Rescue Plan Act (ARPA) funds seem to be a prime candidate for funding this project, but we do have some questions and we are going to be talking about that to identify some details that will help me identify what federal opportunities are available for you; the Infrastructure and

Investment in Jobs Act is also a prime candidate, and I am looking there as well. I think a lot of what I have heard here tonight would make ideal applications. We do still need to get requirements and instructions from the Senate and House Offices on what they want to see. Application process for earmarked funding for 2023 will begin in the Spring of 2022 and I will be in contact as we move forward. I am very excited not only with what we have accomplished this year but where we are going in the next year.

Councilman Alworth asked Cameron, there are other projects we have in the wings as well that the City Engineer has been sending drawings on. The ones you stated tonight are important, but we have others that are important as well. Can you list some of those off the top of your head?

PORTER Group's Senior Legislative Assistant Cameron Gresh stated we have projects that were part of our initial earmark applications, and we did submit for more than one project: The Ely Mainstreet Project, the Mainstreet Water Mains Project, and a couple of others all of which fall under the Interior and Environment Appropriations umbrella. These projects, while they were not selected by the Senator House Appropriation Committees for funding in this fiscal year, are certainly not done. The Infrastructure and Investment in Jobs Act and ARPA are two prime candidates as well. As we look through those bills to see what federal programs are reactivated to help you there, we are going to prepare to submit for those projects again without breaking them down next year as well. We are on constant lookout for update on those programs, specifically water and sewer related to the projects we have already gone over.

Mayor Robertson asked is there anyone in your office looking for funding avenues with the State of Nevada ARPA money?

Porter Group's Senior Legislative Assistant Cameron Gresh stated you are talking about the capital improvement projects that form a subcategory of the State of Nevada's fiscal relief fund that it received from the American Rescue Plan Act. Congressman Porter is working with his contacts in the State to figure out Governor Sisolak's plan for distributing this money. The last update we heard was it would be up to some kind of committee. It will likely be disseminated end of fiscal year 2022, which is the deadline set forth by ARPA. It is vague at this point, and little is known, but we will let Councilmen Spear and Alworth know any updates on our regular calls.

6. Councilman Alworth – Discussion/For Possible Action – First Reading of Ordinance 744, Bill 2021-07, with approval to move to the second reading. Ordinance 744 amends Title 4 of the Ely City Code Establishing Additional Notice Procedures and Requirements Relating to the Abatement of Nuisances, Re-Organizing the Title by Transposing the Contents of Chapter 3 into Chapter 1, and Adding, Removing, or Amending Other Provisions Throughout.

Councilman Alworth stated the City Attorney did a fine job and spelled it out well.

Councilman Spear stated I echo what Jim has said, but to someone that has never seen this Ordinance they don't know what we are amending so I would like to see what we are changing stricken through or in a different font to show the changes.

City Attorney Cahoon stated I can do that for future changes.

Councilman Spear motioned to move to the second reading of Ordinance 744 amending Title 4 of the Ely City Code Establishing Additional Notice Procedures and Requirements Relating to the Abatement of Nuisances, Re-Organizing the Title by Transposing the Contents of Chapter 3 into Chapter 1, and Adding, Removing, or Amending Other Provisions Throughout. Councilman Alworth seconded the motion. The motion carried unanimously.

7. Councilman Alworth – Discussion/For Possible Action – Direct City Police Chief to conduct a traffic study regarding possible future removal of YIELD or STOP signs at the following locations – Murry Street and 1st Avenue, Murry Street and 3rd Avenue, and

Murry Street and Annand Avenue– and to provide the results of that traffic study to the City Engineer in order for both officials to make recommendations at the City Council meeting following completion, pursuant to City Code 6-3-2(B).

Councilman Alworth stated we brought this up earlier in the year, but the road was under construction, and we agreed to wait until the pavement was done.

Councilman Alworth moved to direct City Police Chief to conduct a traffic study regarding possible future removal of YIELD or STOP signs at the following locations – Murry Street and 1st Avenue, Murry Street and 3rd Avenue, and Murry Street and Annand Avenue – and to provide the results of that traffic study to the City Engineer in order for both officials to make recommendations at the City Council meeting following completion, pursuant to City Code 6-3-2(B). Councilman Spear seconded the motion. The motion carried unanimously.

8. Councilman Alworth – Discussion/For Possible Action – Review of City Police Chief’s and City Engineer’s recommendations in regards to the removal of STOP signs on North Street at the following intersection, based upon a traffic study: Ogden Avenue and North Street AND possible direction that a public hearing be held prior to Council’s final action to remove said signs.

Councilman Alworth stated this was on the last agenda and I was unable to attend. I would like to endorse what the City Engineer recommended. In my opinion that is not a four-way stop. A lot of traffic comes down Avenue C and it is a quick access, and I don’t think we should be putting STOP signs up to slow traffic down as that is what law enforcement is for.

Mayor Robertson stated there was a recommendation from the City Engineer at the last meeting if we were going to go ahead and remove the STOP sign, he recommended putting up a sign at the end of Ogden stating cross traffic does not stop.

Councilman Alworth moved to approve the City Engineer’s recommendation in regard to the removal of STOP signs on North Street at the following intersection, based upon a traffic study: Ogden Avenue and North Street and that a public hearing be held prior to Council’s final action to remove said signs. Councilwoman Williams-Harper seconded the motion. The motion carried unanimously.

9. Council Members – City Treasurer Trask – Discussion/For Possible Action – Approve Budget Committee’s recommendation of American Rescue Plan expenditures, to include, modify or exclude the following:
 - Ely Volunteer Fire Department request to increase Driver Only on 1st out Ambulance Stipends by \$50.00 per month and Station Manning Stipends by \$20.00 per call, for remainder of FY22.
 - White Pine Ministerial Association request for \$6,000.00 to be used for food baskets and the Community Christmas Dinner.

City Treasurer/HR Director Trask stated there is a correction on the Ely Volunteer Fire Department item it should be \$50.00 a call not a month, for the Driver Only on 1st out Ambulance Stipends, and Station Manning Stipends is \$20.00.

Mayor Robertson stated the letter in the packets is correct; it is misworded on the agenda?

City Treasurer/HR Director Trask stated yes. I checked with the City Attorney and he said this is allowed modifications, so there would not be a problem with action on this item.

Fire Chief Stork stated one of the reasons this got brought back is it was two of the items that were missed on the first listing of the stipends we do pay and it was felt we needed to have them spelled out and brought before the Council instead of a blanket approval like the others.

City Treasurer/HR Director stated I would recommend that you make it retroactive to December 1, 2021 or start it January 1, 2022, to make payroll easier.

Pastor Windor stated we have always provided the food baskets and the Community Christmas Dinner through donations and volunteers, so it is hard for me to say what it costs as we don't look at it as a money driven thing for the Ministerial Association, as we are an ecumenical association. The food given out is about \$10,000.00 a year and I would recommend the City of Ely have a food bank in the future; the Ministerial Association would be happy to be a part of that. The Ministerial Association is about meeting the mandatory needs of this community.

Mayor Robertson stated Pastor Windor, we appreciate all the work you do for these events and our community.

Councilman Alworth stated I would like to disclose I am a past member of the Ely Volunteer Fire Department, and I feel I can vote on this because it is for the betterment of the community.

Councilman Spear stated Pastor Windor your project fits into the guidelines of this funding one hundred percent. I agree in the future looking into a facility that can hold this amount of food for the community and possibly a food bank.

Councilwoman Williams-Harper moved to approve the Budget Committee's recommendation of American Rescue Plan expenditures, to include:

- Ely Volunteer Fire Department request to increase Driver Only on 1st out Ambulance Stipends by \$50.00 per call and Station Manning Stipends by \$20.00 for remainder of FY22.
- White Pine Ministerial Association request for \$6,000.00 to be used for food baskets and the Community Christmas Dinner.

Councilman Alworth seconded the motion. The motion carried unanimously.

10. Council Members – City Clerk Lee – Discussion Only – Update from Commnet Wireless on their fiber optic project in the City of Ely and Connect America Fund (CAF) Phase II commitments within the City of Ely.

City Clerk Lee stated in your back up material you have the summary provided by Jo Jo Myers Campos. They have completed 39.1% of their CAF Commitments and they have until March 31, 2022, to have the .9% finished. We have Rene Roque, their Vice President of Fiber Engineering here and Construction Manager Greg Rivero who can bring us up to speed on their project downtown.

Commnet Vice President Rene Roque stated a couple of months ago we came and met with Clerk Lee and she gave us a lot of information of how we could help the town. We own Choice Wireless and are a wireless company and to let you know we have done a reorganization and we are looking to do more than just wireless. Ely is one of our first Fiber network home locations we are looking to build. The way we have done the reorganization is that I am the Vice President of fiber infrastructure development. Once I met with Clerk Lee, I met with the City Engineer, and I started a conversation with the City Attorney about how to go about getting a franchise agreement to be able to build throughout your city. I also went out and talked with Mount Wheeler Power and tomorrow I will be doing some walk throughs with them and check out their infrastructure. I have already done a fiber design for the City of Ely, and I am working on an infrastructure structural engineering design as we speak. I have already spent \$150,000.00 and have said nothing to nobody. I want to let you all know we are moving forward and seeing how we can get fiber into your city. I am working with City Attorney

Cahoon on an agreement and once we have that I can bring in more defined plans to show you and get your recommendations if you accept the proposal.

11. Council Members – City Clerk Lee – Discussion/For Possible Action – Approval of abatement action to include the removal of accumulation of vehicles and military surplus on private property located at 1375 Avenue B, Ely, NV, APN 002-031-01.

City Clerk Lee stated the certified notice for this hearing to the property owner came back today and was marked on the envelope “vacant”. Every indication is that there is an individual living in the home and City Attorney Cahoon will address next steps since that certified notice came back.

City Attorney Cahoon stated pursuant to NRS it is required that an individual receives notice of an abatement process. I would ask the Sheriff’s Department to hand deliver this notice to the residence of this address and go from there. We will have to table this item for now.

Councilman Spear moved to table the approval of abatement action to include the removal of accumulation of vehicles and military surplus on private property located at 1375 Avenue B, Ely, NV, APN 002-031-01 until proper noticing is completed. Councilwoman Williams-Harper seconded the motion. The motion carried unanimously.

12. Council Members – City Clerk Lee – Discussion/For Possible Action – Approval of abatement action to include the removal of dead trees, abandoned vehicles, weeds and debris on private property located at 1700 Campton Street, Ely, NV, APN 001-401-03.

City Clerk Lee stated the abandoned vehicles do have inflated tires and no broken glass so they can technically stay, but the dead trees out back do need to be removed. We do have proof of delivery on the notice to this property owner.

Mayor Robertson asked are those vehicles in the city right-of-way?

Councilman Spear stated it is a little confusing because the house is marked 1600 instead of 1700 Campton; it is actually 1700 from what City Clerk Lee told me. It is simple to see if those are on City right-of-way by going to the Assessors Office and have them print an aerial map of the property. Will you clarify what you said about the broken windows and tires?

City Clerk Lee stated the City Code states each property owner can store two unregistered vehicles on their property if tires are inflated and there is no shattered glass.

Councilman Alworth stated I think they started working on this property and then they ceased.

Mayor Robertson stated I noticed they were running water during the summer trying to get the grass to grow, which I also need to note they were noticed for watering outside of restriction hours.

Councilman Alworth stated it is sad they started and never finished and now we are at this dilemma.

Mayor Robertson asked have they contacted the City at all?

City Clerk Lee stated they have never contacted my office through the entire process. I will say we have had a lot of complaints this year and most property owners give me a call and I always take those calls; most complaints have been settled in thirty days.

Councilman Spear asked City Attorney Cahoon if we continue with the abatement, we will have to have a court order to remove those vehicles if they are on private property? To start that process, we have to approve this abatement and then the next step would be to you and then the court, correct?

City Attorney stated that is correct. Once that is all in place City staff will be directed to remove the vehicles, debris, and trees.

Mayor Robertson asked is there a chance the Judge would look at this and say I am not giving you a court order for that?

City Attorney Cahoon stated I don't believe so, but we will see.

Councilman Spear moved to approve abatement action to include the removal of dead trees, abandoned vehicles, weeds and debris on private property located at 1700 Campton Street, Ely, NV, APN 001-401-03. Councilman Alworth seconded the motion. The motion carried unanimously.

13. Council Members – City Clerk Lee – Discussion/For Possible Action – Approval of abatement action to include the removal of trash and junk vehicles on private property located at 770 Avenue D, Ely, NV, APN 001-082-07.

City Clerk Lee stated this noticed has been delivered and the property owner has never contacted me.

Councilman Alworth moved to approve abatement action to include the removal of trash and junk vehicles on private property located at 770 Avenue D, Ely, NV, APN 001-082-07. Councilwoman Williams-Harper seconded the motion. The motion carried unanimously.

9. PUBLIC COMMENT

George Chachas stated regarding the individual that was worried about me painting the sidewalk; I painted the access so in the dark people know where the access is. The State normally does that, but they are dragging their feet for whatever reason, and I am not happy with that project. Mr. Chachas stated ongoing concerns regarding the billing for his property at 490 High Street; non-compliance of handicap ramps on Great Basin Boulevard that are getting ran over by trucks; his request for a complete list of permitted RVs; and equal treatment under the law.

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

Councilman Alworth moved to adjourn the Regular meeting of the Ely City Council at **6:28 p.m.** Councilwoman Williams-Harper seconded the motion. The motion carried unanimously.



MAYOR



ATTEST