

# CITY OF ELY

501 Mill Street Ely, Nevada 89301  
City Hall (775) 289-2430  
[Cityofelynv.gov](http://Cityofelynv.gov)

## ELY CITY COUNCIL REGULAR MEETING

**July 22, 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 5:00P.M.; Harry Rhea offered invocation. Mayor Robertson led in the Pledge of Allegiance and asked for Roll Call.

**Members present:**

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

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

City Clerk Jennifer Lee  
City Treasurer-HR Director Janette Trask  
City Attorney Shain Manuele  
City Attorney Leo Cahoon  
City Administrative Assistant Patti Cobb  
Public Works Supervisor Mike Cracraft  
City Building Official Lee Walker  
City Engineer BJ Almberg  
City Fire Chief Pat Stork  
Municipal Judge Coster (Zoom)

Also, in attendance: Members of the public in attendance at the Ely Volunteer Fire Hall signed in (appears on below) and the following persons attended via video conference: Geri Wopschall, Linda Davies, Marietta Henry, Maureen Oltzeberger, Joe Freddoso, Karl Lee, and Kevin Hayes.

### **ELY CITY COUNCIL ATTENDANCE LIST**

**DATE: July 22, 2021**

**Print name below**

George Chachias  
Bill Wolf  
Judy Wolf  
Mataya Harrold  
Wilson Navamete  
Charity Margheris  
George Panagoulas  
Daren Kunz

**Print name below**

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## **2. PUBLIC COMMENT**

Mataya Harrold stated my son and I came to request the Council potentially look into the feasibility of continuing the sidewalk down Campton Avenue with the COVID relief funds. I think it would be a great way to protect the pedestrians on that street.

Bill Wolf stated I am here as part of the City Tree Board and as a private citizen. I have been coming before the City Council for a variety of reasons since 1995. I understand one of the items on the agenda tonight is discussing the performance of City staff. I just want to say the staff you have is among some of the best you have ever had. I am absolutely impressed at how they have performed in the interest of the City and the community.

George Chachas stated I have tried nineteen to twenty times to get a permit to rectify a notice of abatement on one of my properties. I have been to RPC meetings, County Commission meetings, Ely City Council Meetings, as well as numerous attempts at City Hall to get the permit. You have allowed the Community Choir to temporarily repair the Centennial Building with no contractor, permit, or licensed handyman; just volunteers or members and I want the same consideration. If the Building Official will not issue the permit, the City Council needs to step forward and issue that for me and let me proceed. On your agenda item 7-C5 you are to consider the approval to terminate the contract with City Attorney Manuele, and on item 7-C6 you are to consider the appointment of Mr. Leo Cahoon and determination of salary. When did the City advertise for the open position? On your agenda item 7-C7 you are to consider drafting an ordinance regulating the hours the parks are open to the public. Why are you limiting access when the Council just endorsed a plan for Broadbent Park that would include more activities? Are you creating a City-wide curfew? On your agenda item 7-C8 and 7-C9 you are to conduct an annual evaluation of the City Clerk and the City Treasurer. I want to remind you that little or nothing has been done regarding numerous concerns I have brought in front of the Council. There should be no action until they can fulfill the position properly. The positions need to be advertised for the proper education and experience mandated by Ely City Code.

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

Councilman Spear moved to approve the agenda as presented. Councilman Carson seconded the motion. The motion carried unanimously.

## **4. CITY DEPARTMENT REPORTS**

### **➤ CITY FIRE CHIEF**

City Fire Chief Stork stated we had to send Rescue 6 back to Salt Lake City. The fuel problem we had with the county ended up getting into the fuel system and Larry H. Miller Ford said we need a whole new fuel system to the tune of about \$8,400.00. Janette got a purchase order for us; we have to fix it no matter what. I have been working with Bill Calderwood and we are going to get with the fuel company to get it turned into their insurance company. I am just waiting on a letter from Larry H. Miller Ford to get a little more in-depth detail and then we will go to the fuel company.

Councilman Alworth asked do you still have a firefighter on Worker's Comp.? How is your overtime going to be affected as long as this person is off?

City Fire Chief Stork stated we have to cover every one of those shifts, and we are under the gun with SIIS. He goes to see the doctor this Friday, the 24<sup>th</sup>, so until they run their course of everything State Industrial is doing we are kind of at their mercy. If it comes down to him needing surgery, then we will have that time too. It is definitely something that wasn't budgeted for, but we did budget money for training and with this and a couple guys out for military training, the money will cover that instead of training.

### **➤ MUNICIPAL COURT JUDGE**

Municipal Court Judge Coster stated I wanted to report we have had a successful integration of Mr. Cahoon as part of the City Attorney Staff since you made that adjustment; things are going very well. It does give us more flexibility in scheduling.

Councilman Alworth asked on item seven we are going to be discussing a possible change in an ordinance for park hours and there is a clause in there about violations. Would that be handled in Municipal Court if there is a violation?

Municipal Court Judge Coster stated yes, that would be something to take to the City Attorney. I can tell you all the municipal ordinances in any Nevada city are charged in the local municipal court.

➤ **CITY CLERK**

City Clerk Lee stated I continue to manage 63 complaints that my office has received this year, so we are up a bit from last month. To date we have sent 53 letters, received 35 responses, and 25 property owners have complied. I have submitted the Green-up Grant Application and it is under consideration. I paid the class fees to participate in the second day of the Nevada Municipal Clerk Association's Academy on Tuesday and the courses that day include 2020 election cycle challenges, changes in the NRS affecting elections, and common election violations and how to address them.

Councilman Spear asked if Treasurer Zach Conine had contacted the City to come do a presentation on ideas on how to spend the COVID Relief money?

City Clerk Lee stated I haven't received any correspondence on the date he would like but have provided him a schedule of meetings.

➤ **CITY TREASURER/HR DIRECTOR**

City Treasurer/HR Director Trask stated I have been encouraging the departments that are looking for vehicles to get started on it. Last fiscal year we tried to get them and with the shortage they were unable to. The Public Works Supervisor has found his vehicle and it should be here next week. I am scheduling interviews for next week in hopes to fill the landfill position and the wastewater treatment plant service worker position.

➤ **CITY ENGINEER**

City Engineer Almberg stated we have been getting things together for the CDBG grant and as Jennifer had mentioned, we need to do studies in the areas of the proposed projects to see if they meet the low to moderate income (LMI) requirements. Jennifer will be in contact with Rural Water to get those studies taken care of. We have completed the landfill permit renewal regarding air quality and that should go out tomorrow. We have dealt with some Railroad issues. They have received some grant money, so we did some requests for right of way issues and sewer. We also received a sixty percent set of plans and we will go through and mark up some comments based on how it is interfering with our city's roadways and utilities. The summer intern continues to collect GIS information and is doing a great job.

➤ **CITY BUILDING OFFICIAL**

Councilman Alworth asked how is your education coming along? I would like to have an update on that.

City Building Official Walker stated at the last meeting I stated I would be scheduling training and taking the B1 Residential Inspector Course this month; hopefully next Friday.

**5. REPORTS**

➤ **COUNCILMAN ALWORTH**

Councilman Alworth stated I want to disclose that I am a past member of the Ely Fire Department for 36 years and went inactive November 18, 2019. Any decision that I make in this room is for the betterment and goodness of the City.

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

3. Board Members – City Engineer Almberg – Discussion/For Possible Action – Acceptance and final change order approval of Murry Street Sewer Main Upgrade Project Phase-I & Phase-II.

City Engineer Almberg stated this item was tabled at the last meeting waiting for compaction tests that needed to be completed and those tests are scheduled to be completed tomorrow at 1:00 p.m. The company that is doing it came in earlier this week and got samples of the materials so they can have proctors to have something to compare to when they do the test. We were in contact with the company today on how they would like to proceed tomorrow. The two change orders have been provided and whichever one the Council chooses will finalize this job and is a net decrease to the overall project.

Councilman Alworth asked what is the result we are looking for out of this compaction test?

City Engineer Almberg stated the goal is to verify that the compaction is there. We were there and witnessed it and feel comfortable that it is there, but as part of the requirement this is backing up what we have witnessed regarding compaction.

Councilman Alworth stated I am sure you as well as all the other Council Members had a resident give you a guided tour of his issues. I saw it the day before I left for ten days and there was a sink hole there, so hopefully that will be remedied.

City Engineer Almberg stated yes, all of that will be taken care of. When the next road project comes in there will be eighteen inches to two feet of material that will be pulled out and recompact with pit run material so it will all be in there tight and build a good base for the road project coming through there. The Mayor had asked at the last meeting about a punch list and I checked with Dave back in the office and there is not an actual punch list because there is nothing to punch list as the improvements are under ground and we cannot see them. The only thing that is visual on the surface is the water meters and those will all be adjusted with the next project that starts here shortly to grade; I just wanted to make sure that was clarified.

Councilman Alworth asked on the compaction test; who is paying for that?

City Engineer Almberg stated the contractor.

Councilman Alworth stated so it won't be added or deleted from either of these change orders?

City Engineer Almberg stated no, this is a final thing and the other thing we have retention that we haven't released. My recommendation is that we should approve the change order, so we can finalize out the billing portion and then we don't release the retention until we get the records and paperwork back associated with the compaction. I believe the retention amount is \$65,010.00, so it is enough they will be back.

Mayor Robertson asked is there an opinion from the City Attorney on how they count those days per the contract?

City Attorney Manuele stated no.

City Engineer Almberg stated the contract probably comes in and says we can do calendar days.

Mayor Robertson stated that is the change you are proposing on that?

City Engineer Almberg stated I am not proposing a change. It was just something that was discussed, and I said I was going to give it to the Council and let them decide which option they would like to go with.

Councilman Spear stated at the last meeting I moved on this after attending the Municipal Utilities Board Meeting. I thought the consensus was to count the days worked and not the weekends and holidays so the change order would be \$82,435.00.

Councilwoman Williams-Harper asked, the contractor is responsible for the tests so if anything were to go awry or if the compaction is not what it should be, they have the total liability?

City Engineer Almberg stated yes. We will get it fixed and we also have the \$65,000.00 in retention that we hold until they get it fixed.

Councilman Alworth stated I look at these two contracts and if the contractor was happy with putting out each of these, I am going to go with the \$85,000.00. Why do we want to give away some money?

Councilman Spear stated the higher amount is billing them for weekends and days they were not actually out there working, and the consensus was the calendar days, which is actually on the contract instead of workdays. It amounts to about \$3,500.00 and I don't think we should penalize them for holidays and weekends.

Councilman Alworth stated I hate to be redundant on this but I will read to you the \$82,435.00 change order says a total of 33 calendar days, less the deduction of 9 days for weather conditions and unforeseen construction issues, 6 days for weekends, and 1 day for Memorial Day Holiday. The only change on the \$85,935.00 change order is they took out the 6 days for weekends, and 1 day for Memorial Day. Who verifies when they are working?

Mayor Robertson stated the difference between the two is our contract, the way it is currently written, states calendar days which includes weekends and holidays. What they are proposing is to give the contractor a break and not count those weekends, so we are not trading dollars on the liquidated damages. I don't think anyone was out there counting whether they were there or not. When they do a construction contract you have this many calendar days and they are proposing a change in this change order to that.

City Engineer Almberg stated I don't know that they are actually proposing a change.

Mayor Robertson stated no, someone is proposing a change as we have a change order.

City Engineer Almberg stated I realize it is a change order, but we are just saying these are the options if you want to do this. I have never been involved with any project with the City that we have actually had liquidated damages for anything, that I recall. We all realize that it was late in getting completed and it is dragging on, but this is new for me as well.

Councilman Alworth stated I know how I am going to vote, but you said something Mayor that ruffles my feathers, "give the contractor a break." We're not here to give the contractor a break. If we have a contract it needs to be stuck with. Which one of these change orders came across our desk first?

City Engineer Almberg stated they came together.

Councilman Alworth stated to me if they felt good with the \$85,935.00, they will feel good with the \$82,435.00. We're not giving anybody a break; this is taxpayers money.

Mayor Robertson stated given that, is there a motion one way or the other on this and would the motion be contingent upon the results of the compaction test?

City Engineer Almberg stated I would recommend approving the change order and put in the motion that we hold the retention money until we receive the compaction test results back and they are satisfactory.

Councilman Spear moved to approve the final change order of Murry Street Sewer Main Upgrade Project Phase-I & Phase-II in the amount of \$82,435.00 holding the retention until the compaction test results come back satisfactory. Councilwoman Williams Harper seconded the motion. The motion passed 3 to 2 with Councilman Carson and Councilman Alworth voting nay.

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

### **A. CONSENT AGENDA**

**MOTION:** Move to approve the Consent Agenda item 7A-1 Minutes and 7A-2 Bills.

Councilman Spear stated on page 6 of the June 24, 2021 we were talking about the PORTER Group meetings and it says, "Councilman Spear stated I felt comfortable with how the Lieutenant Governor's Office handled the conference call we recently had." I don't remember ever saying that, as we have never had a conference call with the Lieutenant Governor's Office. We had a conference call with the PORTER Group, Senator Rosen, and Senator Cortez-Masto. If I did say that, it is wrong.

Councilman Alworth stated I have a disclosure on the bills. I disclose I was a member of the Volunteer Fire Department for thirty-six years and went inactive November 18, 2019. I abstain from any payments to the Volunteer Fire Department.

Mayor Robertson stated with that disclosure we will separate the minutes from the bills.

1. Discussion/For Possible Action –Minutes.
  - June 24, 2021
  - June 29, 2021

Councilman Spear moved to approve the June 24, 2021 minutes with amendment and the June 29, 2021 minutes. Councilman Alworth seconded the motion. The motion carried unanimously.

2. Discussion/For Possible Action –Bills.
  - July 9, 2021

Councilman Spear moved to approve the July 9, 2021 bills. Councilman Carson seconded the motion. The motion carried with four ayes and one abstention from Councilman Alworth.

### **B. OLD BUSINESS**

1. Mayor Robertson – Discussion/For Possible Action – Approval for mayor, city council members and city clerk to attend the Nevada League of Cities & Municipalities' 2021 Annual Conference August 25 - 27, 2021.

Councilman Spear moved to approve the Mayor, City Clerk Lee, and two Councilmembers to attend the Nevada League of Cities & Municipalities' 2021 Annual Conference August 25 - 27, 2021. Councilman Alworth seconded the motion. The motion carried unanimously.

2. Councilman Spear – Discussion/For Possible Action – Approval of priority list for City of Ely's 1<sup>st</sup> Tranche Payment (50% of Final Total Allocation) of American Rescue Plan funding in the amount of \$2,682,259.03.

Councilman Spear stated I think all the items on the list are very important and as I have watched the news, I have seen the cost of childcare for low to medium income families has become almost impossible to afford because of the COVID restrictions. The Magic Carpet Preschool was about \$9,000.00 annually a year ago and is now approximately \$18,000.00 annually. We could offset the costs of the masks, sanitization, and other needs to make childcare affordable.

Mayor Robertson stated you have done some great work with the draft list. If the Council could approve the draft list. The Council could approve the draft list with the amendments Councilman Spear mentioned.

Councilman Spear stated I would like to see the Magic Carpet Preschool, Boys and Girls Club, and the CACH Program moved up on the list as a higher priority, as well as our small businesses. The small businesses were hit hard as they are independent contractors that were shut down by the Governor and us due to following the COVID restrictions; I am not sure these individuals have unemployment insurance and I feel they were hit the hardest.

Councilman Carson asked Councilman Spear, could you enlighten me on the Great Basin Service Club regarding the cancellation of the 4<sup>th</sup> of July Parade?

Councilman Spear stated what happened is the Great Basin Service Club purchases the insurance that is required by NDOT to have that parade. When the parade was cancelled, the insurance was already paid; the insurance companies don't refund that and it was in the amount of approximately \$900.00. The Silver State Classic had to cancel two races and the same thing happened in that they had to maintain insurance, website, and an office here in Ely. As we get down further on the list, those people need to show us what financial loss they had.

Councilman Spear moved to approve the priority list for City of Ely's 1<sup>st</sup> Tranche payment of American Rescue Plan funding in the amount of \$2,682,259.03 with amendments of moving Magic Carpet Preschool, Boys and Girls Club, CACH Program, and small businesses further up the list. Councilman Flangas seconded the motion. The motion carried unanimously.

3. Council Members – City Attorney Manuele – Discussion/For Possible Action – Approval of amended Interlocal Agreement between the City of Ely and White Pine County for Fire/EMS Services.

Councilman Alworth stated I would like to disclose that after 36 years of being a member of the Ely Volunteer Fire Department I went inactive on November 18, 2019 and I abstain from any communications or involvement in voting on this item.

Mayor Robertson stated even though this has to do with the City Department and not the Volunteer Department?

Councilman Alworth stated I would rather not discuss that, thank you.

City Attorney Manuele stated the City of Ely negotiating committee and the County negotiating committee worked on this. The proposal was outlined in this contract and we also sent over a worksheet for explanation.

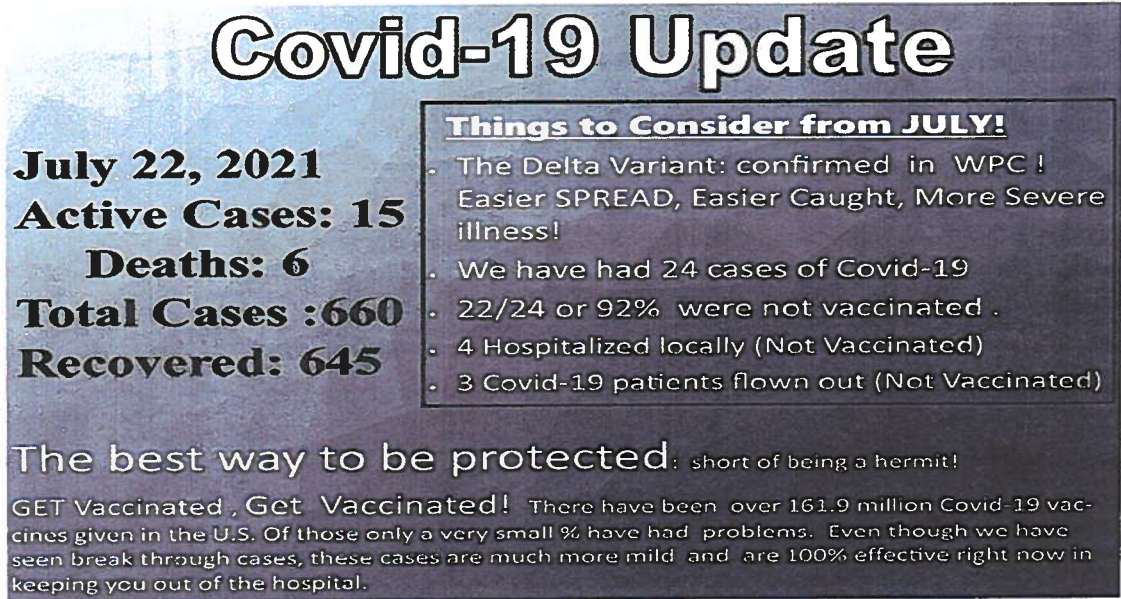
City Fire Chief stated the mutual problem was the County had signed the wrong contract and this one tonight is the correct one.

Councilman Spear stated at the County Commission meeting before they signed the wrong contract there was some talk about an indefinite agreement and this contract has a three-year life span, which I am in favor of.

Councilman Carson moved to approve the amended Interlocal Agreement between the City of Ely and White Pine County for Fire/EMS Services. Councilwoman Williams-Harper seconded the motion. The motion carried with 4 ayes and 1 abstention from Councilman Alworth.

C. NEW BUSINESS

1. Mayor Robertson – White Pine County Public Health Officer Daren Kunz, PharmD – Discussion Only – Presentation on current COVID-19 pandemic status in the City of Ely.

A poster titled "Covid-19 Update" with a blue and white background. It lists statistics for July 22, 2021: Active Cases: 15, Deaths: 6, Total Cases: 660, and Recovered: 645. It also includes a section titled "Things to Consider from JULY!" with bullet points about the Delta Variant, vaccination status, and hospitalizations. At the bottom, it says "The best way to be protected" and "GET Vaccinated, Get Vaccinated!" with a paragraph explaining the importance of vaccination.

**Covid-19 Update**

**July 22, 2021**  
**Active Cases: 15**  
**Deaths: 6**  
**Total Cases :660**  
**Recovered: 645**

**Things to Consider from JULY!**

- The Delta Variant: confirmed in WPC ! Easier SPREAD, Easier Caught, More Severe illness!
- We have had 24 cases of Covid-19
- 22/24 or 92% were not vaccinated .
- 4 Hospitalized locally (Not Vaccinated)
- 3 Covid-19 patients flown out (Not Vaccinated)

**The best way to be protected:** short of being a hermit!

**GET Vaccinated , Get Vaccinated!** There have been over 161.9 million Covid-19 vaccines given in the U.S. Of those only a very small % have had problems. Even though we have seen break through cases, these cases are much more mild and are 100% effective right now in keeping you out of the hospital.

White Pine County Public Health Officer Daren Kunz, PharmD stated there was an emergency public health meeting held this week due to the agreement with the County that once 75% of the beds or capacity of COVID beds inside the hospital were occupied that we would hold an emergency meeting. We hit capacity last Thursday, as the amount of cases exploded. We met and nothing was decided or changed at that time. As far as an update to this Council, COVID-19 is alive and well. The Delta Variant, if you watch the news, came through India, Asia, United Kingdom, and has made its way to America. The Delta Variant has been confirmed in our County and what that means for people in the City of Ely is those not vaccinated are at an increased risk. The Delta Variant is easier to spread, easier to be caught, and when you do get it, it is a more severe reaction. We have had four people locally in our hospital and that does not include the three that we have shipped out. In discussion with our ER Physicians, most of the hospitals in our neighboring areas are no longer willing to take COVID patients; they are getting full. They are full because many of them shut down their COVID wards or extra places to put COVID patients when they saw the number of cases coming down, so they are operating out of their normal ICU's. I met with the University of Utah this week and they are starting to delay or cancel elective surgeries again based on the amount of cases they are getting. It should be noted that if you came into the hospital with a heart attack or something not COVID related that needed a higher level of care, we would still be able to place you and get you stabilized. We currently have 15 active cases, 6 deaths for a total of 660 cases. There is currently only one person inside our hospital with COVID and it is the Delta Variant. I thought it would be of interest to the community that since July we have had 24 cases and 22 out of the 24 have not been vaccinated. Vaccinations have become very political and they shouldn't be. The four that were in the hospital were not vaccinated and the three we flew out were not vaccinated. What we are seeing here in Ely is what we are seeing nationwide that if you get vaccinated, while not 100% preventative as we have seen here in Ely with two breakthrough cases, it does prevent you from developing a severe illness to the point of hospitalization currently. I am continuing to encourage those in our community to get vaccinated.

Mayor Robertson asked on the hospitals initial plan for housing COVID patients it involved moving some of their non-COVID procedures or exams offsite and we had an agreement with them for the Armory; that is no longer available. Have they amended their plan?

White Pine County Public Health Officer Daren Kunz, PharmD stated they have not amended their plan. I think, like much of the nation, we were hoping this was over and sadly it is not. If push came to shove, I think the hospitals first and foremost thing to do would be to stop elective surgeries and procedures. Instead of having four COVID beds we would have twenty-five and four beds for everyone else. I don't anticipate Ely getting that far.

Mayor Robertson asked the State's County tracker shows that we have quite a high test rate for 100,000. Is that accurate?

White Pine County Public Health Officer Daren Kunz, PharmD stated it is accurate if you take in all the tests that are given at all clinics. I feel like our numbers are pretty decent in testing.

2. Mayor Robertson – Kevin Hayes of Geoverse – Discussion Only – Updates regarding *Geoverse*' installation of a fiber network in downtown Ely and status of Choice Broadband Retail's roll out, i.e. Residential and SMB fixed wireless broadband in Ely AND presentation of new quote for the City of Ely's Broadband Solution (SD-WAN).

Mayor Robertson stated this is an update on the agreement that Geoverse has with the FCC to provide a certain amount of broadband service here in the community and they also want an opportunity to update their quote. We did have some questions to ask them on that.

Kevin Hayes with Geoverse Vice President stated we took the request from the City Leadership very seriously and we looked at a comprehensive solution for a full 21<sup>st</sup> century broadband connection that is scalable for the City and will meet the needs for all the facilities. Wilson has a breakdown of the quote that he can share with you there. The network design is pretty straight forward and easy to understand. Ultimately, what I am happy to say is that the design itself provides not only scalable internet access for the City and hubbed at City Hall making it much easier to manage by BCT; but also connects the Fire Department, Wastewater Treatment Plant, and all of the surrounding facilities. I look forward to having the opportunity to implement the project with the City.

Mayor Robertson asked does Geoverse has any plans to open a store front?

Geoverse Account Executive Wilson Navarrete stated we fall under Choice Broadband Services as well and have the store front across the street. We did just open this month and have one full time person in the retail store and are in the process of hiring another. We have hired a local tech for broadband services. Choice Broadband will be our small business services that we offer and Geoverse will be our enterprise solution that we offer. Essentially, we ended up offering a solution to the City where multiple locations have internet that will be directed to a main location which will be City Hall. We are proposing to provide fiber line over to City Hall and to the Fire Department. There will be a bit of variation between a fixed wireless solution and fiber over to the Wastewater Treatment Plant. There are two parts to it; one being direct internet access to those three locations and two, an equipment tech solution by providing access points and a WIFI solution that is going to allow you to connect all three buildings as well. The solution is an enterprise level solution which is going to provide you the symmetrical internet speed needed to run all business operations.

Mayor Robertson stated I appreciate the information and we are certainly looking forward to better service at our City facility. We would also like to hear how the deployment is going generally with businesses and residents in the City and is there anything the City can help with?

Geoverse Vice President Kevin Hayes stated we have currently invested a significant amount of money not only in the City but also the general White Pine County area for our retail broadband deployment and that is ongoing. We have built eight communication sites in the area and have a couple more to build. As Wilson noted, we opened our retail

store front this month there on Aultman Street. The project that we proposed for the City actually works hand in hand with our future plans for the residents and small businesses in the community. The fiber design that we have proposed that we are calling phase two you may hear us refer to it as the Downtown Project is connecting the fiber we have already built that was largely an education network, that currently connects the White Pine County School District Administrative Building, Learning Bridge Charter School, and the Ely Shoshone Tribe Clinic and Library. We are extending that from where we have an interconnect point near the hospital and that will continue across town from east to west with a terminate point at the Armory. From that point we actually are placing a node that will allow us in the near future to start building fiber to the homes for the communities that are along the Campton Street route. As we execute what will be our Phase Three build, it will be across Aultman and into the communities on the north side of Aultman headed back to the east where it is more densely populated. We have a five-year plan that involves migrating from the fixed wireless broadband solution, which is our only solution today, to a solution for fiber to the home for most of the residents of the City and leaving the fixed wireless broadband solution for those folks that don't live in the more dense part of the City.

Councilwoman Williams-Harper asked in the plan that you are talking about us perhaps opting into, what is going to be your insurance that our internet does not go down as often as it does now?

Geoverse Vice President Kevin Hayes stated you are single strung into the City of Ely today and you are hamstrung by the single provider that has been there forever. Our plan is to utilize AT&T for back call out of town. However, we have identified a second carrier that will give us full redundancy. We have built a ring that connects Ely to our data centers in Salt Lake City, Reno, and Las Vegas and those are in turn back up as well. If the route to Reno goes down, which it often does, you won't see the effect of that. Not only will the City's internet be unaffected, but also the residential services won't be affected.

Mayor Robertson stated we appreciate you coming out and if there is anything, we can do to assist in the rollout of broadband in our area for our businesses let us know.

Geoverse Account Executive Wilson Navarrete stated yes, there is definitely a need and one other thing I want to update you on is we have updated some of our towers right now. There is availability for 25 x 300 connection, so it is a higher speed for some of the residents. We are working with White Pine County School District on a UCF program, which is a one-billion-dollar program that is essentially allowing us to provide connectivity to every single student that does not have internet connection at home. It is a fully subsidized program so if there is a student that does not have internet, we are able to provide a solution whether it is internet at home or another solution if they fall out of our network. If there is any way you can create awareness because education is important and we want to make sure that all students have access to internet to do their school work.

3. Mayor Robertson – Discussion/For Possible Action – Appointment of Council Member Jerri-Lynn Williams-Harper as the City of Ely's Northeastern Nevada Regional Development Authority (NNRDA) Board Member.

Councilman Alworth moved to appoint Councilwoman Jerri-Lynn Williams-Harper as the City of Ely's Northeastern Nevada Regional Development Authority (NNRDA) Board Member. Councilman Carson seconded the motion. The motion carried unanimously.

4. Mayor Robertson– Council Members – City Clerk Lee – Discussion/For Possible Action – Approval to add one City Council Member on the signature cards for the City's accounts at *First National Bank of Ely*, due to the resignation of former Ely City Council Member Michelle Beecher.

City Clerk Lee stated I have discussed this item with Councilman Spear, and he is willing to be placed on the signature cards to be available at a moment's notice to come sign checks.

Councilman Carson moved to approve the addition of Councilman Spear on the signature cards for the City's accounts at First National Bank of Ely. Councilwoman Williams-Harper seconded the motion. The motion carried unanimously.

5. Council Members – City Attorney Manuele – Discussion/For Possible Action - Approval to terminate the contract for legal services between the City of Ely and Manuele Law, LLC.

City Attorney Manuele stated I began contracting on August 24, 2020 and over the course of the last ten months it has been good, and I think we have made a lot of progress. July has been an interesting month for me. I received a call for a job that I didn't apply for; it is with the Utah Indigent Defense Commission as a Director. It is a position that would involve me with legislative and other issues that I am very interested in and so I'm going to pursue it. With that, I am unable to continue with private practice. The timing did come very well as I did just hire Leo Cahoon who has been acting as the City Attorney for the last month. I gave him a lot of the responsibilities to see if he could handle it and see if it was something he really wanted to do; it is my understanding he has been enjoying it. As the Judge indicated, we spend each morning in criminal court and he has handled that responsibility very well and has been able to do a lot of in-depth research being here every single day. I think when I began contracting the idea was maybe I could move or be a filler. I feel like I was able to fill that gap well. I did enjoy the time and am sorry for the short letter.

Councilman Carson moved to terminate the contract for legal services between the City of Ely and Manuele Law, LLC. Councilman Spear seconded the motion. The motion carried unanimously.

6. Mayor Robertson – Discussion/For Possible Action – Acceptance of the Mayor's selection for appointment of Leo Cahoon, Esq. as City Attorney and determination of salary.

Mayor Robertson stated as Attorney Manuele has stated, the time frame was really short. We have someone here on deck that has been in the mix, owns a home here, and has a family here. As the Council is aware, one of the biggest hurdles when recruiting is getting someone willing to move here or finding someone that lives here that is qualified. This short circuits a good deal of that and saves us the cost or recruitment and time. He seems like a good fit and I would like the Council's consideration for that appointment.

Leo Cahoon, esq. stated for the past month I have been working with Shain and adopting the role of City Attorney. In the past month I have demonstrated my ability to manage the demanding workload and the responsibility associated with that position. I have completely taken over the responsibilities as City Prosecutor and have been heavily involved with civil litigation and the civil actions that the City has been involved in. To speak to my credentials, I do have several years of experience with prosecuting authorities. I have worked for the U.S. Attorney's office, the Clark County District Attorney's office, West Valley City, and just recently finished a judicial law clerk internship with Judge Dobrescu and Judge Fairman here in Ely. My wife and I have a seven-month-old daughter, we just purchased a home, and we love it here in Ely. I have received offers elsewhere and I have turned those down because I was adamant about staying here in Ely. If I am appointed, I will be an asset to the City of Ely and the community.

Mayor Robertson stated with that, is my understanding that Shain Manuele, Esq. will be available for questions and guidance if needed.

City Attorney Manuele stated yes, and there is a lot of background information that he will need to gain and I will be available to Mr. Cahoon.

Mayor Robertson stated I would also like to mention that a probationary period is entirely appropriate if that is the Council's druthers.

Councilwoman Williams-Harper stated I would like to commend you and the experience you have had will be extremely beneficial. In my short time, I completed my first year of law school and I know how much you have to know. I am glad there is a mentor for him as it is a big job, a hard job, and I want to say it is wonderful that he is here and has his feet planted in the community. He will only grow with us and I think this young man will be a great prospect.

Mayor Robertson stated the salary that was discussed was \$80,000.00 a year with benefits. It is what we hired our previous attorney, Caroline Townsend, at. The discussion that Leo and I had is the Council has been committed to any pay increases to the City Employees and I would assume that would extend to the public officers. I think it is a fair price for a starting point and a good benefit package.

Councilman Alworth stated I did my homework and contacted the HR Director about the \$80,000.00 and I think that is fair, as that is what we got Caroline at and recruitment is hard. The HR Director also told me that he works in Lincoln County one day a week, so my input on that is right up front I am not paying for somebody unless he is here five days a week. If he only worked four days a week the salary would be \$64,000.00 a year and nobody is going to work for that. I think that is a discussion he needs to have with us: is he going to double dip with Lincoln County and us?

Leo Cahoon, Esq. stated that was a preliminary discussion I had with the District Attorney in Lincoln County and nothing was set in stone. It was intended to be a training opportunity where I would go down only on Tuesday mornings and if it were to occur, I would be back by noon on those days and available. The opportunity is up in the air right now and nothing has been confirmed.

Councilman Alworth moved to appoint Leo Cahoon, Esq as the Ely City Attorney with a salary of \$80,000.00 a year and benefits. Councilman Flangas seconded the motion. The motion carried unanimously.

Mayor Robertson stated the contract with Manuele law, LLC ends July 31, 2021 so start date will be August 1, 2021.

7. Mayor Robertson – Discussion/For Possible Action – Direct City Attorney to draft a parks curfew ordinance mirroring White Pine County's parks curfew ordinance.

Mayor Robertson stated this is a conversation I had with our acting Police Chief, Sheriff Henriod. The County, due to some vandalism issues has instigated a new ordinance for their parks which sets a curfew. Sheriff Henriod asked if the City would be willing to mirror that as we have a mix of City and County parks located within the City and it would be easier for enforcement for them. As you are well aware, we have had vandalism concerns in our parks and this is meant to address that. For this to move forward, the Council would have to agree to having our attorney drafting an ordinance mirroring that.

Councilman Spear stated they talked about special use permits in their ordinance and I am thinking about some of our bicycle events that we have here at the City park. Who would be responsible to police those that camp during those events?

Mayor Robertson stated our Special Event Licenses do go to the Sheriff's office so they know what is going on and that people would be in the park after the curfew.

Councilman Spear stated I am for this ordinance, but I think we need to make sure special events are included in the ordinance.

Councilwoman Williams-Harper asked do the police do regular rounds in the parks around those hours that you are usually experiencing the vandalism?

Mayor Robertson stated we had an instance of vandalism in front of the courthouse of a sculpture getting tipped off a truck; the video surveillance showed a deputy had driven by within fifteen minutes of the vandalism, so they just can't be everywhere all the time. The purpose of the County ordinance is they can trespass people out of the park who are loitering there after hours.

Councilman Alworth moved to direct the City Attorney to draft a parks curfew ordinance mirroring White Pine County's parks curfew ordinance. Councilwoman Williams-Harper seconded the motion. The motion carried unanimously.

Mayor Robertson stated the next two items are something we have discussed for quite some time in having annual reviews for the City Officials that are appointed by the Mayor and Council. Tonight, we will be doing both City Clerk Jennifer Lee and City Treasurer/HR Director Janette Trask.

8. Mayor Robertson – Discussion/For Possible Action – Annual Performance Evaluation of City Clerk Jennifer Lee including, but not limited to consideration of character, alleged misconduct, professional competence, or physical or mental health. Possible action includes, but is not limited to, termination, suspension, demotion, reduction in pay, reprimand, promotion, endorsement, engagement, retention, or “no action.”

Councilman Alworth stated I want to disclose she is a friend of mine and have several years of a working relationship. I have about ten questions and comments. The duties you have accepted with the title City Clerk are huge and carry responsibilities that are unlimited. You have carried the workload of supervising the Administrative departments very well. Keeping track of agendas, grants, scheduling and attending meetings along with sitting through hundreds of Zoom calls and presentations are to be commended. Many times you are the listening post for concerns and complaints not only from the public but from the staff and us elected officials. I personally have come to you with issues and left knowing you will have them addressed. I am pleased your Administrative Assistant is relieving you of the mundane but important duties to allow you to focus on directing and keeping our City in compliance with Nevada Law. Congratulations on achieving the certificate given by the Nevada League of Cities for Municipal Clerks. This illustrates the extra effort you put forward in your work all the time. Do you feel you have an open-door policy in which fellow employees can approach you for suggestions?

City Clerk Lee stated I do. I have had employees approach me with issues, but it is not on a frequent basis.

Councilman Alworth asked does the chain of command work in your opinion that we have established with the City?

City Clerk Lee stated yes. It is important to keep supervisors in the loop. I have had an employee recently bring issues to my attention and after she discussed it with me, I brought to her attention that it would have been a more effective solution to start with the other employees supervisor to solve the problem.

Councilman Alworth asked on the average how many hours a week do you work? Be honest on this? When I say week, I am talking Sunday through Saturday.

City Clerk Lee stated fifty hours.

Councilman Alworth asked were you able to use all your vacation without penalty and without writing any of it off due to working so much?

City Clerk Lee stated I have not been able to use all my vacation. I have been able to use what vacation days I have without penalty.

Councilman Alworth asked with all those extra hours, you were able to get your level down to 240 hours?

City Clerk Lee stated no. I have 7 days scheduled this year so far and after I use those, I will still have 311 vacation hours remaining.

Councilman Alworth asked What do you think is the key to keeping your administrative assistant position filled, to enable you to follow your printed job description to the letter and allow you the opportunity for further education on the internet?

City Clerk Lee stated a person well-fitted for the job. Not everyone enjoys switching gears on a dime or doing the organizational work that is required to keep all the plates in the air. Once you have found that person, handing over ownership for a manageable amount of responsibilities is key.

Councilman Alworth asked what do you consider your biggest challenge being the City Clerk for the City of Ely?

City Clerk Lee stated having time to analyze information and regularly review the budget with the Treasurer.

Councilman Alworth stated having been the City Clerk for previous administrations, do you feel the City is on track with Nevada Law?

City Clerk Lee stated yes, I do.

Councilman Alworth asked what would you like from the Mayor and City Council in support of your position as City Clerk?

City Clerk Lee stated an awareness of the time necessary every day for staff to serve the public: it always takes longer than you think. Yesterday, I composed an email to someone that had submitted a complaint and by the time I addressed all her concerns in an email and made a call to the Building Department, twenty minutes had gone by. I think just being aware that routine tasks are like the dishes, nobody realizes they are not being done until they are not done. There are a lot of things that city staff does that we take for granted and it all takes time.

Councilman Alworth stated since you have gotten your new assistant, Patti is taking it up well.

Councilman Flangas stated City Clerk Lee is very efficient and any time I have come into the office, I have gotten good results.

Mayor Robertson stated I would just like to add the institutional knowledge that you possess in this position is invaluable. Having been in that position long enough when things come up, you have to be able to remember who came in the door twenty years ago or what happened five years ago and be able to find this or that. It is a real benefit and we appreciate the efficiency that comes with that and your willingness to be here and serve with us.

Councilwoman Williams-Harper stated I obviously don't have a history, but I spent a little time in her office with some things and I did appreciate her saying, "Don't be afraid to ask anything that you don't know" and that is really important.

Councilman Carson stated I just want to say you are doing a wonderful job and thanks for all your hard work and dedication. You have really turned things around.

Councilman Spear stated your professionalism is unbelievable. You are doing a good job.

Mayor Robertson stated I believe a raise for this position has been put into the budget for this year and I think it would be entirely appropriate for the Council to consider that given the outstanding job and work that has been going on.

Councilman Alworth moved to approve a satisfactory annual review and approve a salary increase as budgeted of 3% for City Clerk Lee. Councilman Flangas seconded the motion. The motion carried unanimously.

9. Mayor Robertson – Discussion/For Possible Action – Annual Performance Evaluation of City Treasurer/HR Director Janette Trask including, but not limited to consideration of character, alleged misconduct, professional competence, or physical or mental health. Possible action includes, but is not limited to, termination, suspension, demotion, reduction in pay, reprimand, promotion, endorsement, engagement, retention, or “no action.”

Councilman Alworth stated I have known Janette for a long time, and she worked for me as City Treasurer when I was City Clerk during my first tour of duty. Janette is a great employee, and financials have never been better. Your schedules and budgeting procedures for holding department leads accountable for their submitted budget numbers is working very well. Your working relationship with our financial auditors is a great benefit to the City due to the many problems you, as City Treasurer, inherited from previous administrations. Hopefully, there are no more skeletons coming out of the closets from the previous administration. With the hiring of an additional employee to support the City Treasurer position are you now able to schedule cross-training for the staff downstairs?

City Treasurer/HR Director Trask stated with the staff and the extra one we hired to take over the accounts payable and payroll, it has allowed the staff downstairs to do some cross training. The staff works well together, and I have stressed to them to look at the Caselle website and do as much training as they can. They have done as much as they can so far, and we will continue on with it. I feel like we are getting there. There were a lot of errors and I can't promise there won't be more things that come up because as they are getting more training, they are seeing things, question it and correcting errors as they go along. I feel like we have come a long way and they are all aware that I want them all cross trained in every area, so if we lose somebody or they are out for an extended amount of time they could all step in and do the job.

Councilman Alworth asked budgeting and being able to stick to the approved budget is vital to the financial survival of the City of Ely. Do you feel strong enough to tell department heads “no, it's not in the budget,” if it's not a safety related request or will cause damage if not replaced or repaired? Do you think you know when to say no to the department heads?

City Treasurer/HR Director Trask stated you can ask any of the department heads that I have no problem saying no. When it comes to talking about requests that they have I can say no, or I can look into it. I feel with the budget committee I have an option to go and get more thoughts and opinions put into it if it was something I thought could be done. If it is a safety concern those come first. One of them that came up recently was they did not do their homework during the budgeting process. I don't feel like I have any problem saying no.

Councilman Alworth stated with your years of experience working as City Treasurer, you are aware of different revenue streams outside the day-to day receipts. Having your assistant, you have a handle on the out of the box revenues for example EMS/Rescue runs. There is a lot of money out there and you jumped on it, working with the Fire Chief and now we have that stream coming in. There may be other revenue sources out there and now that you are not so tied down with accounts payable and payroll, we can dig into those.

City Treasurer/HR Director Trask stated yes.

Councilman Alworth asked what do you consider your biggest challenge in keeping the City of Ely financially sound?

City Treasurer/HR Director Trask stated I think the biggest challenge is keeping expenses under control. There are always unforeseen expenses to be prepared for and the General

Fund is always my biggest concern. By keeping the ending fund balance at a decent amount, that helps with unexpected expenses that might come in. There is always the prospect of looking for other revenues. I know the public does not appreciate increases, but those are necessary sometimes. The business license renewal going back to yearly has helped keep a better handle on that. Having someone new coming in, she is learning but it is going to take some time and catching mistakes as she goes. We are working towards a new business license process.

Councilman Alworth stated the City Treasurer position is the final gathering point for all receipts of revenue and expenses. To the best of your knowledge, are there or have there been areas that were over-looked due to lack of proper training? If so, what is being done to correct this issue?

City Treasurer/HR Director Trask stated the prior administration did not give the utility clerks proper training. The previous City Clerk did not like Caselle, so he didn't promote it and didn't encourage them to use that avenue to learn. I feel like the clerks are able to reason through things quite well because of their training.

Councilman Alworth asked what would you like from the Mayor and City Council in support of your position as City Treasurer?

City Treasurer/HR Director Trask stated I would like more communication. Other than you or the Mayor, I don't see much of anyone else in my office. I have always said if there are issues or questions, please come in and have a visit.

Councilman Alworth stated you are doing a great job and that is why a lot of people are not coming to see you. I think there is a lot of knowledge to be had by coming to talk to you with different questions.

Mayor Robertson stated your institutional knowledge is such a benefit to the City's organization and thank you for serving with us. I do have a question regarding the interplay between your Treasurer responsibilities and your HR responsibilities. I know they are both pretty big jobs and with the help you have now, do you feel like that is a long-term manageable situation of having those both in one position?

City Treasurer/HR Director Trask stated having the additional staff has eased things up a bunch and I am looking into doing some more online training through the HR to get more experience and education on that. I have had a lot of training, but there are associate degrees and things I feel I could improve on and I feel like I have the time to now do that.

Councilman Alworth stated I have some comments and questions on the HR side of this position. In dealing with both sides of the Collective Bargaining Units for the City, you have been very successful with agreements reached in a timely manner. You have stood strong in the best interest of the City. I have sat through some of those negotiations and they can get rough when personalities come into play and you're dealing with friends' wages and so forth. Employee relation issues are very time consuming. You have managed to coordinate with department leads and employees to find a resolution to the issues in the best interest of the City. The POOL PACT representatives have given positive feedback on your performance in sensitive situations with employees. One thing I think that needs to be brought out in the HR position is can you tell me how exempt hours worked are different than hourly or non-exempt hourly employees?

City Treasurer/HR Director Trask stated basically the difference between an exempt position and a hourly position is that exempt people are exempt from overtime. Hourly people, by federal labor laws, are set to 40 hours a week and anything over eight hours in a 24-hour period is overtime. Exempt employees don't get overtime. An Exempt employee takes certain classifications to be in that position such as managerial and you are not tracked by your hours, but rather given a job to do and you do it regardless of the time it takes.

Councilman Alworth stated you and Jennifer come in and work fifty hours a week and if you leave early on a day, there is nothing wrong with that by law?

City Treasurer/HR Director Trask stated no.

Councilman Alworth stated with the ongoing training process I am sure you are open to any training opportunities through POOL PACT. What would you like from the Mayor and City Council in support of your position as City Human Resource Director?

City Treasurer/HR Director Trask stated sign the check when I have to pay for the training. POOL PACT has grants to pay for some of the training and I will definitely look into that. I do have a conference scheduled in Reno for POOL PACT in October or November. As long as I have your support that I am going to these things, I will continue the training.

Councilman Alworth stated hopefully the turnover in staff has come to an end. When I walk through the City Hall, everyone seems to be happy and getting along.

Councilman Carson stated I was here when Janette was not our Treasurer and it was a mess. There were a lot of sleepless nights before and she has really turned things around.

Councilwoman Williams-Harper stated I was very glad to hear I will have a good teacher because the finances I deal with are totally different.

Councilman Spear stated I support you without a doubt because it was a mess. I look at the numbers pretty hard and I like how you handle the fund balances and how you have handled the expenditures. This City is in good shape from what it was six months to a year ago and it has taken a long time to get there.

City Treasurer/HR Director Trask stated COVID scared me when we were trying to do that budget. The employees have been a huge help in keeping the expenses down and things didn't get as bad as we had expected. I feel like we are on a good track going forward.

Councilman Alworth moved to approve a satisfactory annual review and with no pay increase due to a recent raise for City Treasurer/HR Director Trask. Councilman Spear seconded the motion. The motion carried unanimously.

**Mayor Robertson passed the gavel to Mayor Pro Tem Williams Harper.**

10. Mayor Pro Tem Williams-Harper – Discussion/For Possible Action – Appointment of Council Member Jerri-Lynn Williams-Harper, with the City Council's consent, to serve as an Appointed Director on the Nevada Northern Railway's Board of Directors.

Councilman Alworth moved to approve the appointment of Council Member Jerri-Lynn Williams-Harper to serve as an Appointed Director on the Nevada Northern Railway's Board of Directors. Councilman Carson seconded the motion. The motion carried unanimously.

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

11. Councilman Carson – City Attorney Cahoon – Discussion/For Possible Action – Review of City Attorney Cahoon's research of disposal options for junk vehicles without a title which are confiscated by the City of Ely and possible determination of City's process in this regard.

City Attorney Cahoon stated I have done some research by reaching out to some other municipalities around Nevada and have only been able to talk to two so far. I heard back from the City of Fallon and they have a scrap yard they are able to turn those vehicles over to; unfortunately, we do not have that. I also heard from Caliente and they do not do abatement procedures. I would like to speak to some other municipalities. I also called the DMV enquiring whether we can get a title; to get those, you have to be a registered owner. They did inform me that we have the option of obtaining a bonded title and that

sounds like a possible option. It would be a three-year bond; I have to call back and verify, but she did indicate that we would not be able to dispose of the vehicle until that three years are up. I think we have two options: one to notify the owner, give due process and dismantle the vehicles; the other option would be to apply for a bonded title, which is the preferable option from a legal standpoint as it protects the City. I also reached out to several companies that will take donated vehicles, although I believe a bonded title would be required to do that as well to show proof of ownership.

Mayor Robertson asked so a bonded title would be enough for a scrapper to take the vehicle off our hands?

City Attorney Cahoon stated I have talked to the landfill and they stated they would take them with a bonded title.

Mayor Robertson asked would you like to have this tabled for further research.

City Attorney Cahoon stated yes, if that would be appropriate.

Councilman Carson moved to table the determination of the City's process in regards to the disposal of junk vehicles to allow time to research other municipalities. Councilman Spear seconded the motion. The motion carried unanimously.

12. Councilman Carson – Discussion/For Possible Action – Approval to donate or sell up to ten (10) outdated, out-of-service surface aspirating aerators to the Nevada Department of Corrections for spare parts purposes.

Councilman Carson stated I did go down there, and I don't think we have ten, more like seven and a lot of scrap parts. I do know about five years we reached out to every municipality that we could think of to put a bid in on them or see if they could even use them and nobody wanted to even look at them. The prison expressed interest in them to use for parts and they are not worth too much unless you were to scrap them. I would rather just donate them to the prison if that is the pleasure of the Council.

Councilman Spear stated I agree we should donate them to the prison as the prison has done a lot for the City.

Councilman Spear moved to donate the outdated, out-of-service surface aspirating aerators to the Nevada Department of Corrections for spare parts purposes. Councilman Carson seconded the motion. The motion carried unanimously.

13. Councilman Spear – Councilman Alworth – Discussion Only – Update on PORTER Group efforts on behalf of the City of Ely.

Councilman Spear stated this was really an exciting meeting. I mentioned earlier after we listened to the Senators staff when we made these requests, I left that meeting feeling a lot better than the prior meeting we had with our Congressman. The good news is both Senator Cortez-Masto and Senator Rosen sent our three requests into appropriations in their entirety. The upgrade of the water line in East Ely is 3.1 million, Central Ely sewer upgrade is 3.3 million, and the final downtown upgrade project was 26 million and they sent all of them on; there was discussion with General Herbert and he felt very confident one if not all three. What has normally happened in the past and he suspects is the Ely downtown project won't get the full 26 million, but if they fund 5 to 6 million it assures they will continue to fund portions until it is completed. The legislation has no time limit right now, but we are expecting by September.

14. Councilman Alworth – Discussion/For Possible Action – Approval of monthly balance sheets for general fund, street fund and enterprise funds.

Councilman Alworth stated these are very well presented, but be aware these are not final until the audit is done. They look healthy like she had mentioned. The fund balance and

the general fund are the hardest to manage and she is doing a great job along with all the employees.

Councilman Alworth moved to approve the monthly balance sheet for the general fund, street fund and enterprise funds. Councilman Carson seconded the motion. The motion carried unanimously.

15. Councilman Alworth – Discussion/For Possible Action – Direct City Police Chief to conduct a traffic study regarding possible future installation of YIELD or STOP signs at the following locations – 8<sup>th</sup> Street and Avenue N, 12<sup>th</sup> Street and Avenue L, 12<sup>th</sup> Street and Avenue K, and 12<sup>th</sup> Street and Park Avenue – and to provide the results of that traffic study to the City Engineer in order for both officials to make recommendations at the next City Council meeting following completion, pursuant to City Code 6-3-2(B).

Councilman Alworth stated I put this on the agenda as there are concerned citizens with near accidents at each one of these intersections and young kids are riding bikes and skate boarding.

Councilman Spear asked do you think a two-week period is long enough to do the study for our next meeting?

City Clerk stated the item says the next City Council meeting following completion of the traffic study. For the record after the study is complete and Sheriff Henriod and City Engineer Almberg make recommendations, a public hearing needs to be held before the Council can decide whether to install stop signs.

Councilman Spear moved to direct the City Police Chief to conduct a traffic study regarding possible future installation of YIELD or STOP signs at the following locations – 8<sup>th</sup> Street and Avenue N, 12<sup>th</sup> Street and Avenue L, 12<sup>th</sup> Street and Avenue K, and 12<sup>th</sup> Street and Park Avenue – and to provide the results of that traffic study to the City Engineer in order for both officials to make recommendations at the next City Council meeting following completion, pursuant to City Code 6-3-2(B). Councilman Alworth seconded the motion. The motion carried unanimously.

16. Council Members – City Treasurer Trask – Discussion/For Possible Action – Direction to City Treasurer, assisted by Budget Committee, to implement all items on the City of Ely's American Rescue Plan Priorities List, approved by the City Council, with the exception of infrastructure projects and items yet to be determined by the City Council.

Mayor Robertson stated this mirrors what we did with the last round of COVID funding. The Council put together a loose list of priorities, tossed it to the budget committee, and they came up with some amounts, reviewed it, and brought it back to the Council for approval. That is what we are proposing here?

City Treasurer/HR Director Trask stated yes, this one is making me more nervous than the first round of COVID money so I would like to have as many heads together to go over the priority list and make sure it is in line with what is acceptable.

Councilman Spear stated I think we have discussed a couple of time of having a public hearing on this and I believe we should. Maybe we should have a special work meeting where the Council and general public can have discussion. We have the list put together pretty well and we can always put the dollar amount to some of these items once we know the damage that has been done to some of these entities.

City Treasurer/HR Director Trask stated I am not opposed to that. Are you saying the public should come and request money for their businesses?

Councilman Spear stated no. I am suggesting a public hearing to see if there are items the public would like added to the list and it is up to us to determine.

City Treasurer/HR Director Trask stated they are probably not going to study the requirements like we are going to study them, so you might end up getting requests that don't even fit under the guidelines.

Mayor Robertson stated it has been on the agenda several times, so that the public could comment on it, just like the young lady did today; so there has been opportunity. I think the suggestion from Councilman Spear is coming due to the PORTER Group and Congressional delegation suggesting we get public buy in.

Councilwoman Williams-Harper stated it might be good to make sure that we are telling people what is eligible and providing an explanation of rules. Is this list finite or will it be finite at some point?

Mayor Robertson stated the money will be spent at some point. Right now, we have a working list and either the Council, budget committee, or someone has to look at it and say this is how we divvy this up and then we bring it back to the Council for approval.

City Treasurer/HR Director Trask stated as the person that will sit through the audit, and especially if it is a federal audit, I want to make sure we are following it to a 't'.

City Clerk Lee stated the budget committee could always get the figures, get their list, and then when it comes back to the Council, we could also schedule a public hearing at that time.

Councilman Spear stated the money has to be spent by December 31, 2024 and if it is not approved, you have to pay it back. I don't know how we would get our money back from some of these areas. The Clerk reached out and stated the State Treasurer wanted to do a workshop with us and that took a lot of the worry away.

Mayor Robertson stated to be clear, the State Treasurer wants to come out and present on the State's portion of their funding because they are going to be accepting applications as to how they are going to spend their money in different places around the state; it wasn't a presentation on how we would spend our money.

Councilman Spear stated I thought there was a question and answer time as well?

Mayor Robertson stated there is, but it is regarding their American Rescue Plan Act (ARPA) funding, not our American Rescue Plan Act (ARPA) funding.

Councilman Alworth moved to direct the City Treasurer, assisted by the Budget Committee, to implement all items on the City of Ely's American Rescue Plan Priorities List, approved by the City Council, with the exception of infrastructure projects and items yet to be determined by the City Council and have a public hearing after review by the Budget Committee. Councilman Spear seconded the motion. The motion carried unanimously.

## **8. PUBLIC COMMENT**

George Chachas stated I would like to remind you of my permit that I have come in for about twenty times. There is a home on Avenue C that had a fire over a year ago and it has no fencing, yet you are coming after me. I want to move along on this house, but I am not going to do it without a permit. I am going to take my time and call the Contractor's Board. My property is fenced off. Mr. Chachas stated ongoing concerns with public nuisances; unfair treatment; selective enforcement; and RV permitting.

**9. 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 **7:08 p.m.** Councilwoman Williams-Harper seconded the motion. The motion carried unanimously.

  
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MAYOR

  
\_\_\_\_\_  
ATTEST

