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[illegible]

**2. PUBLIC COMMENT:**

George Chachas stated on your agenda item B-16 you are to consider a resolution for augmentation and it needs to be denied. The Railroad needs to get out of the litigation business. They are poorly run and have failed to collect seventeen years or more of track rental from S & S Shortline. They don't operate under the Nevada Open Meeting Law, so we don't know how they are spending their money. They have a nepotism problem and have failed to address they have suffered tens of thousands of dollars of embezzlement. Councilman Alworth and Councilwoman Williams-Harper should not be able to vote on this item because they cannot fairly represent the City of Ely and the Railroad at the same time. On your agenda item B-13, the streets in question should remain as is. On your agenda item B-6 you are to consider cannabis lounges; that needs to be denied and there should not be any encouragement for drug use in this community. There are many jobs that go unfilled because applicants cannot pass the drug test. On your agenda items 7-1 and 7-2 you are to consider removal of past due utility penalties on those properties. I don't have a problem with that, but I want to remind you the billing on my property at 490 High Street has yet to be corrected; I pay every month and have not used any utilities in regards to sewer and water. The City gave a \$4,000.00 or more credit to the owners of 790 Avenue I and that property used all the utilities for several years.

Councilman Alworth stated Mr. Mayor point of order, he is off topic as he has went from the agenda items to his own personal interests.

Mayor Robertson stated please keep your comments towards the agenda items Mr. Chachas.

Mr. Chachas stated that is what I am doing. I want equal consideration and protection under the law.

Councilman Alworth stated once again Mr. Mayor he is out of order and we have to stop him from doing this.

Mayor Robertson stated Mr. Chachas please keep your comments related to the agenda items.

Mr. Chachas stated I am, I want equal protection.

Mayor Robertson stated then you are able to talk about that at the end of the meeting.

Mr. Chachas stated you have got to stop cutting down public comment. You won't put me on the agenda and now you are narrowing down the public input.

This letter is to inform the Ely City council that my mother, Pat Maestes and I, Ramona Maestes at 1450 Murry Street, (and we also have the small property across the street kitty corner to our house north side of yellow old pump house ). We are in favor of making Murry/Mill Street One-way. We have discussed the points and it all makes good sense to do. .

Thank you for your time.

Pat and Ramona Maestes

**Jennifer Lee**

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**From:** Kerri Pintar <kerripintar@icloud.com>  
**Sent:** Thursday, January 12, 2023 2:58 PM  
**To:** Jennifer Lee  
**Subject:** Appreciation for Public Works Department

Jennifer,

I am not able to be present for the meeting tonight; however, I do not want to miss the opportunity to give a shout out to Mike Cracraft, Public Works Supervisor, and his incredible staff for the job they are doing in clearing this unusual amount of snow and keeping the dump operational. It's certainly is a reflection on everyone's (roads/landfill departments) willingness to work together to keep the roads passable so we the community can travel safely from point A to B :)

Additionally, I see on the agenda there will be discussion only on changing traffic flow patterns on Mill/Murry Street maybe as early as the fall of 2023. As a current resident of Mill Street, I am opposed to the proposed change. Currently, we cannot park cars on both sides of the street on the 1400 block of Mill Street due to the road not being 50' widths and I fear it will only worsen when cars are not allowed to park on O'Neill Avenue (side street) as proposed should those cars need to relocate their parking on Mill Street. Please give due consideration to the residents who will be affected by this proposal and notice of public hearing should you choose to proceed with this so the residents can come and voice their concerns, as I'm sure there will be many besides mine. Thank you in advance for your consideration.

Kerri Pintar  
1417 Mill Street

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

Councilman Alworth moved to approve the agenda as presented with the removal of items seven and eight under New Business due to receiving information from City Treasurer Trask. Councilwoman Elliott seconded the motion. The motion carried unanimously.

### **4. CITY DEPARTMENT REPORTS**

#### **➤ MUNICIPAL COURT JUDGE**

Municipal Court Judge Coster stated I would like to give you an interim report regarding Public Defender Services at the County and Municipal Court level. The County has a contract with three individuals who are all licensed and competent members of the Nevada State Bar. As of yesterday, a third of those has indicated they will not be taking any work from the Municipal Court in the future because of their workloads. I am working with one of those attorneys for some interim services and have alerted the County Manager and District Attorney about the City's statutory obligation to use the attorneys that they choose. If they are going to make changes to the State Public Defenders office or if they are going to initiate a new contract with local attorneys we would like to be counted in and considered for that purpose. The reason I bring it to your attention is because jurisdictions locally from Elko down to Lincoln are finding the rates are going up a fair amount and we can anticipate a similar increase when a new contract vehicle comes around for the Municipal Court. We have been spending less than our budget the last two years; perhaps because of COVID. However, I will be watching the budget and informing you of any changes that may be needed, most likely in the next fiscal year. I have just started talking to County Manager, Mike Wheable, about it and I know Leo is doing the same and we will have updates for you in the future.

#### **➤ CITY CLERK**

City Clerk Lee stated we received some decorated cookies from our Web Master, Kathy Long, to encourage donations to the Animal Control Facility. On complaints the City has sent out twenty-eight failure to remove snow letters to property owners so far this winter. Our Administrative Assistant received a \$395.00 scholarship from the Nevada Municipal Clerks Association to attend a Municipal Clerks Association Institute in April.

#### **➤ CITY PUBLIC WORKS SUPERVISOR**

City Public Works Supervisor Cracraft stated when they started putting the dozer at the Landfill back together, they realized the transmission pump had failed and so one is on order. The pumps on the lift station I talked to the manufacturer today and they assured us the gaskets and the seals will be here between the 17<sup>th</sup> and 28<sup>th</sup> of this month. The manufacturer that is putting it together will put it together as soon as they receive the



parts and have it back to us the next day. They are coming here next Wednesday and we are going to pump it completely down and will take pictures to make sure we have all the right parts.

Councilman Alworth stated on the Landfill report from Raul he mentioned the SCADA Operating Program needs to be upgraded to a new version as the one we are currently using will no longer be supported. Is that going to be a budget item?

City Public Works Supervisor Cracraft stated yes, that will be a budget item.

Councilman Alworth asked do you have any idea what the cost of that is?

City Public Works Supervisor Cracraft stated I do not. I do know the lift station is killing our budget right now.

➤ **CITY ENGINEER**

City Engineer Almborg stated our North Street Well went down last summer and the pump and motor did show up. We are going to wait until it gets a little warmer, coordinate with Mike, and get that back in operation and online for spring. We are working on final details for the runoff ditch at the Landfill with Mike and Kenny. We did get word back from SHPO on our Central Ely Project and they are good with everything we put together, but we were missing one piece of paper they want us to add in there; we already have that back to them. We should get the SHPO approval for all of Central Ely so every phase we have coming up will be covered for the next five years. Once that is complete we will forward that with the EA to CDBG and that will allow us to get working on that. We are closing out the SHPO requirements on the Murry Street Project. We are assisting Jennifer with the current CDBG Projects that we are applying for. We are also working on the Aultman Street Project plans. NDOT is trying to get it out on the street by the end of the year for contractors and begin construction next spring. We are currently working through all the conflicts between storm drains, sewer lines, and everything else to make sure everything goes in smoothly during construction. We are also working on the same thing as the last project in that we are older than their right of way, so they are again going to come in and assist in paying for a percentage of this project because we are doing some of these improvements because of their project. We hope to have a contract back from NDOT by the end of the month that will define the percentages and then proceed with the next phase of the project. We are also working on paperwork regarding the City owned property on Belfort Avenue to possibly put that up for sale. The only concern we have with what we have come across to date is the alley between those houses down there is part of our parcel and not a dedicated easement and so we are working through that to see what the best way to handle it will be.

**5. NNRV FOUNDATION REPORT**

Mayor Robertson disclosed I am an employee of the Norther Nevada Railway Foundation, but this is a report item, and I am not voting on it.

NNRV President Mark Bassett stated the biggest news is that Dirt passed away on Monday. He lived at the Railroad for fifteen years and brought people to town. We did a post on Dirt on Wednesday at 10:40 a.m. and the post has reached 773,000 people, we have gotten 3.4k comments, 9,000 shares, and 20,000 likes. We have done two interviews today on Dirt and we are a little stunned. We knew this day was coming and we talked to a sculpturer of doing some bronze sculptures of Dirt; we will be doing two of those. He is buried on the property in the grassy area between the depot and the freight depot so one sculpture will go there and the other will go down in the machine shop where he can keep watching over people. Dirt to us is kind of like Smokey the Bear to the Forest Service. There was actually a bear that was found in a fire and has since passed away but still very viable. Dirt is our “Smokey the Bear.” He did have an understudy named Dirt Jr. and he is still running around down there. Dirt was one of a kind and it is sad tidings that I have to pass that along, but the exposure we are getting is really second to none. The following report was reviewed:

**NEVADA NORTHERN RAILWAY**  
NATIONAL HISTORIC LANDMARK



**Nevada Northern Railway Foundation**  
A Nevada 501 (c) 3 Non-Profit Corporation  
Depot: 1100 Avenue A, Ely, Nevada 89301  
Mailing Address: PO Box 150040, Ely, Nevada 89315  
Voice: (775) 289-2085 • Web: [www.nnry.com](http://www.nnry.com) • E-mail: [info@nnry.com](mailto:info@nnry.com)

**Monthly Operations Report for December 2022**

1. Locomotive Status – No change
  - a. Locomotives in service: #81, #105, #109, #204, #310, Wrecking Crane A & Rotary B.
  - b. Locomotive 93 is out-of-service. She needs repairs to her valve chest.
  - c. Locomotive 40 is out of service for her heavy repairs. We have started on her repairs; she will be out of service until 2024.
  - d. Locomotive 801 still needs some work to bring her into compliance with modern locomotive standards.
  - e. Locomotives out of service needing moderate repairs: #201 and #34
  - f. Locomotives waiting funding for restoration: Steptoe Valley Smelting and Mining #309, Kennecott 802 and Rotary Snowplow B (for boiler overhaul.)
  - g. Locomotives out of service needing heavy repairs #80 and the military locomotives.
3. Rolling Stock Status – Updated
  - 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 and #22 are operational.
  - d. Caboose out service: #5 and #6. Caboose #6 needs a 50-year waiver.
4. Track Status – No change
  - a. Keystone Branch is open
  - b. Adverse Branch is open.
5. Ridership and Ticket Sales – Updated
  - a. In December we carried 2,393 passengers, this is a 20% decrease compared to 2021. Two factors contributed to the decrease. First was the weather, most of our passengers in December come from Las Vegas and southern California. The snow we had impacted their travel plans. Secondly was the uptick in people who got sick with the flu.
  - b. In 2022, we have carried 17,484 passengers, this is a 3% decrease compared to 2022, but was our second largest year ever.
  - c. Since operations began in 1987, we have carried 347,828 passengers.
6. Economic Impact – Data from Travel Nevada Visitor Facts Pony Express 2016-2020  
The average non-gaming & gaming daily expenditure per overnight visitor \$140.  
Economic impact for November 2022 is  $633 \times 80\% \times 140 = \$268,016$

**Award Winning Destination**

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

Economic Impact Year To Date is  $17,484 \times 80\% \times 140 = \$1,958,208$

These numbers only reflect the economic impact of our train passengers and does not include visitors who did not ride the train.

7. Social Media: Our reach on social media continues to expand, in the last 28 days:
  - a. We reached 1,649,625 people.
  - b. Post engagement was 256,002.
  - c. We have 119,485-page likes.
  - d. 163,813 people follow our page.
8. Train Operations
  - a) Our entire 2023 schedule has been uploaded is now on line.
  - b) In January we operate on January 14<sup>th</sup>, at 1:00 pm is Locomotive 93's birthday train and then at 4:30 is the 14<sup>th</sup> Fireworks express where we shoot fireworks off the back of a moving train!



## 6. REPORTS

### ➤ COUNCILMAN ALWORTH

Councilman Alworth stated kudos to the Road Department for the excellent snow removal.

### ➤ MAYOR ROBERTSON

Mayor Robertson stated I would like to note since our last meeting Beverly Sandberg who was a long time member of our community and volunteer passed away. I was able to attend her funeral and she will be greatly missed. I will add my congratulations and thanks to the Road Department. It is a big job and I have gotten a lot of positive comments from community members of the job the crews have been doing.

## 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 \$357.51 from 16 Pine Street, Ruth, Nevada at the request of Property owner, Johnathan, and Cody Dishong.

Councilman Carson moved to approve the removal of past due utility fee penalties up to the amount of \$357.51 from 16 Pine Street, Ruth, Nevada at the request of Property owner, Johnathan, and Cody Dishong. Councilman Trask seconded the motion. The motion carried unanimously.

2. Board Members – City Clerk Lee - Discussion/For Possible Action – Approval to remove past due utility fee penalties up to the amount of \$58.64 from 509 Cedar Street, Ely, Nevada at the request of Property owner, Isaacs Family Trust George Paul C/O David Paul.

Councilman Carson moved to approve the removal of past due utility fee penalties up to the amount of \$58.64 from 509 Cedar Street, Ely, Nevada at the request of Property owner, Isaacs Family Trust George Paul C/O David Paul. Councilwoman Elliott seconded the motion. The motion carried unanimously.

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

### A. CONSENT AGENDA

Councilman Alworth disclosed I am a past member of the Volunteer Fire Department and bills that are paid on behalf of the City of Ely Fire Department I believe are paid in the best interest of the citizens.

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

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

Moved by: Councilman Alworth Second by: Councilwoman Elliott Vote: Unanimous

1. Discussion/For Possible Action – Minutes
  - November 17, 2022
  - December 8, 2022
2. Discussion/For Possible Action – Bills.
  - December 8, 2022
  - December 19, 2022
  - December 28, 2022

**B. NEW BUSINESS**

3. Mayor Robertson – Discussion/For Possible Action – Approval of support letter for High Desert Trail Blazers’ project to install confidence markers on off-road routes, funded by White Pine County Tourism and Recreation.

Councilman Alworth asked is that limited to side by sides or motorcycles because some of the new side by sides are as big as a Toyota and is that size able to run on the same trail or is it marked for a certain size?

Mayor Robertson stated my understanding was it was for whatever they could get down that road. I wasn’t sure what a confidence marker was.

City Clerk Lee stated it is for directional, especially for out-of-town visitors.

Councilman Carson moved to approve the support letter for High Desert Trail Blazers’ project to install confidence markers on off-road routes, funded by White Pine County Tourism and Recreation. Councilman Trask seconded the motion. The motion carried unanimously.

Councilwoman Williams-Harper joined the meeting at 5:31p.m.

4. Mayor Robertson – Discussion/For Possible Action – Approval to join the City of Las Vegas’ amicus brief appealing a district court judgment with regards to the authority of Nevada cities to regulate land development.

Mayor Robertson stated this was a request from the League of Cities as a joint sign on of support for this action by the City of Las Vegas.

Councilman Alworth stated I think it is a good thing since the League is pushing it forward, but I want to remind the League through your communications with them that Las Vegas needs to remember about rural communities when we are supporting large municipalities.

Councilman Alworth moved to approve joining the City of Las Vegas’ amicus brief appealing a district court judgment with regards to the authority of Nevada cities to regulate land development. Councilwoman Williams-Harper seconded the motion. The motion carried unanimously.

5. Mayor Robertson – Discussion/For Possible Action – Approval to purchase tablets or laptops for elected officials to use during City Council meetings, in place of paper packets, and for other City business.

Mayor Robertson stated this has been brought up occasionally before. The City Treasurer has provided some data on what this will cost and what it might save in printed materials and time.

Councilman Alworth stated I went through a training the other day and you can see I am more of a paper and hands on type. It states either laptops or tablets, and excuse me for my lack of computer intelligence, but what are the pros and cons between laptops and tablets and what other uses do these electronic devices have? Can you receive emails on them?

Mayor Robertson stated I think you could. My understanding is a tablet really doesn’t have a keypad unless you add one, so it is more of a touch screen. Correct me if I am wrong, but the agenda would be sent out with the hyperlinks so you could click on it while we are in the meeting and bring up the backup documentation there. It would save staff time from preparing packets. I was shocked by the cost of the paper we go through.



Councilwoman Williams-Harper stated purchasing tablets can be a little cheaper than laptops. We are all computer literate so I think it would be a good thing for us.

Mayor Robertson stated I think it is important to note that if someone requested a paper packet the staff would still prepare those for them. Would these be used for anything else?

City Clerk Lee stated they might be handy when you are checking your city emails. Each of our accounts through BCT for Microsoft Office can be installed on five devices.

Mayor Robertson stated having these six additional units, would it increase our annual fee with BCT?

City Clerk Lee stated no, that is included in the account each of you already have.

Councilwoman Williams-Harper stated there are times I am like Jim and there are things I want to print out to write on and highlight. The nice thing is you can just print those items off at home instead of waiting for a packet.

Councilwoman Elliott stated you can also make notes on your laptop or tablet right on your screen.

Mayor Robertson asked will this be something added to next year's budget or do we have money now.

City Treasurer/HR Director Trask stated when I looked at the tablets compared to the laptop we just purchased for our Administrative Assistant there is not much difference there. The one thing I did like about the laptops over the tablets is having the keyboard.

Mayor Robertson asked is this something we would have BCT recommend and order for us?

City Treasurer/HR Director Trask stated I just got Patti's off of Amazon. As far as paying for it I still have a little bit in contingency and I don't know if this would qualify under your Community Service Support Funds, or we could budget it for next year.

Councilman Carson stated for me personally I am more of a hands-on type of guy. I like to get my packet, take it various places, and put notes on it so I will probably always stick to paper because that is my preference. We also have an agenda item coming up regarding cell phones and getting outside texts, so it is another distraction for sure.

Councilman Alworth stated I am going to keep getting mine the way it is right now.

Councilwoman Elliott asked would we be able to split the group if Terrell and I want to go electronic to save some paper, would we be able to do that?

Councilman Alworth stated I think it would be a good test to just have a couple and see if it creates a disturbance.

Mayor Robertson stated you have all been in my office and see the IBM typewriter that I have and obviously I am not an early adopter, but I think it is handy to have for links by clicking and going directly to the backup documentation. I think it would be worth a try, but again I am not a voting member.

Councilwoman Williams-Harper moved to approve the purchase of tablets or laptops for elected officials that choose to use them during City Council meetings, in place of paper packets, and for other City business. Councilwoman Elliott seconded the motion. The motion carried unanimously.

1. Mayor Robertson – White Pine County School District Superintendent Adam Young - Discussion Only – Presentation on Nevada Association of School Superintendents' "iNVest" initiative to improve educational outcomes in Nevada.



White Pine County School District Superintendent Adam Young reviewed the following presentation (not all slides are contained in the minutes):

Purposes


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- To highlight current achievement trends across Nevada and in White Pine.
- To illustrate tensions and needs within the educational system as currently structured.
- To connect school funding, particularly iNVEST, to existing needs, and those needs to improvements in Nevada’s performance.
- To generate synergy around iNVEST, the Commission on School Funding’s report, and funding in general heading into the legislative session.

More Meaningful Indicators Measured by Districts

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- 5th, 8th, 12th grade presentations.
- Student-led conferences.
- Community service.
- Senior projects.
- Dual credits earned.
- Associates degrees earned.
- Performance tasks.
- Leadership development inventories.
- Extra- and co-curricular engagement.




iNVEST Priority 2

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**Priority 2: Increase equitable educational opportunities for all students. Estimated cost - \$976 million**

PRIORITY 2: INCREASE EQUITABLE EDUCATION OPPORTUNITIES BY ENSURING ADEQUATE RESOURCES TO MEET THE NEEDS OF ALL STUDENTS		
Description		Estimate
1	Fully fund the weights so all students receive the same level of instruction and needed support no matter their zip code	\$591,451,892
2	Expanded opportunities such as Work Based Learning (WBL), Career and Technical Education (CTE), Dual Enrollment and “Jump Start” programs, STEM/STEAM, robotics, other elective offerings, teacher academies, etc. ensuring access to innovative programs and offerings at all schools and grade levels throughout the state	\$263,750,000
3	Provide all students with devices for one-to-one connectivity and access to Wi-Fi at school facilities	\$121,223,000
Total Priority 2		\$976,424,892




iNVEST Priority 3

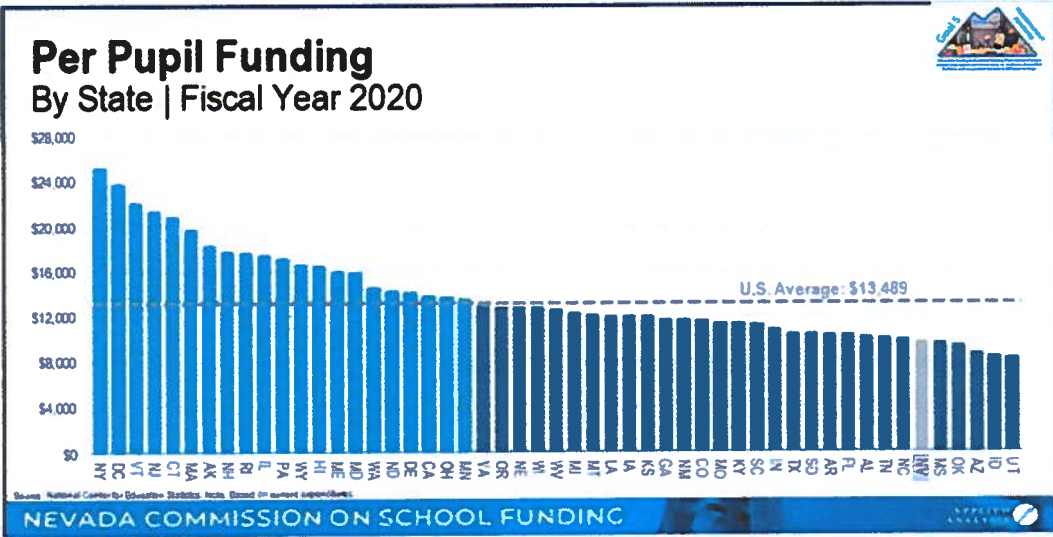
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**Priority 3: Improve needed supports for students and families. Estimated cost - \$1.0 billion**

PRIORITY 3: IMPROVE NEEDED SUPPORTS FOR STUDENTS AND FAMILIES		
Description		Estimate
1	Address mental health needs of students through ensuring FTE equivalent Social Worker and Counselor allocations at every school (Aligned with staff - Priority #1) - Estimate also includes a 10% increase in current salaries to align with first bullet point of Priority 1	\$792,007,165
2	Help to address growing mental health crisis among children and youth (providing social-emotional learning tools, counseling, ongoing case management, therapy, in-school programs)	\$77,920,000
3	Improve extra/co-curricular offerings at all schools including after school programs and clubs which support the whole student	\$80,000,000
4	Empower and inspire families to positively impact their child’s education through academic and technology training, to include areas such as academic/parent teams, and mental health training and supports	\$52,580,000
Total Priority 3		\$1,002,507,165



PRIORITY 1: FUND DISTRICTS AND SCHOOLS TO HIRE AND RETAIN HIGH QUALITY STAFF IN A COMPETITIVE LABOR MARKET		
Description	Estimate	
1 Increase salaries to provide a livable and competitive wage for all employees (base salary and potential for growth) – 10% increase was utilized for ease of calculation of a higher percentage as deemed appropriate	\$325,180,100	
2 Ensure adequate staffing patterns consistent with the recommendations listed in prior legislatively driven APA studies - Amount listed is less the amount to address mental health needs of students through ensuring FTE equivalent Social Worker and Counselor allocations at every school as noted in first bullet point of Priority 3	\$1,067,025,894	
3 Create new pathways into the education profession, providing a natural sequence to meet targeted staffing levels (quantity) of staff for administrative, certified, and classified positions - Estimate based on using student to teacher pipeline models as well as other routes to licensure through higher education institutions.	\$35,000,000	
4 Create staff leadership pathways within the existing K-12 school system, for both teacher leaders and administration	\$16,750,000	
5 Provide standardized curriculum and additional professional development for teachers to highlight best practices and increase student achievement - Estimate includes two additional professional development days for teachers and \$100 per pupil cost for curriculum	\$71,933,687	
6 Improved working conditions - Add approximately 45 minutes per day with pay to teachers without students to allow for better preparation, professional learning, and consultation with other instructional leaders	\$192,819,797	
Total Priority 1	\$1,708,709,478	



Summary

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- Nevada’s schools are making more progress (in extremely difficult conditions) than many people realize.
- The state’s accountability system based exclusively on testing disregards many more authentic measures of student learning and needs to change.
- The single biggest challenge facing education in Nevada is funding--impacting supports and innovative programs for students, the educator workforce, and construction.

Call to Action

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- Will you adopt the [proposed resolution](#) in support of school funding and school construction?
- Will you write an additional [letter of support](#) urging legislators to deeply consider the **long term viability of Nevada’s funding model** as described by the Commission for School Funding?



White Pine County School District Superintendent Adam Young stated the message we are trying to get across is these things need to change. The measures need to change, and the funding streams need to change so we can do what we are being asked to do. We need as broad-based support as we can get on this as we go to the legislature and talk to them about how important it is to make these changes. I have asked the Council to consider a resolution and I have also included a template letter that I would like to invite any person in this room to adapt and make your own and send to Governor Lombardo and legislative delegation emphasizing not just as a council, but as an individual how important this is for our future, our economic viability, and the social munity we want to have in the State of Nevada.

Mayor Robertson stated I have a question. I am completely on board with the assessments early on in the presentation for the need for a lot of these things such as art and addressing the concerns of these students, but I have a red flag come up when we talk about wanting to get away from testing and using that as a metric. As an adult pretty much my entire existence is tests and can I pass it or not. I have about ten certifications that require annual or bi-annual certifications that are tests. The Sheriff deputies are tested to become deputies. Your own teachers have to take tests to become teachers and it's not a simple process. Maybe I missed the connection there but is all of this being put in with the effort to be able to do that, because the world is that. It is not just extra curriculums even though I think those are important. Is there a connection there because I think that is the real preparation for college, work, and everything else.

White Pine County School District Superintendent Adam Young stated thank you for the question and I will try to be clearer. My position as an educator is not that tests need to go away, but that is not all there is. Especially in the model from the vendor we use right now is one test that is judging an entire year of learning, I would argue is there something that does that in the real world?

Mayor Robertson stated I think about everything does. If you become a lawyer, you take a test to see if you are able to be a lawyer.

White Pine County School District Superintendent Adam Young but you get to take that test again if you don't pass it.

Councilman Trask stated the tests these kids are taking is a one and done.

White Pine County School District Superintendent Adam Young stated the results come back six months later. Your example of the Bar Exam is a great one. You get your results, I am sure there is a time lap there and I don't know what that is, but you get that feedback so you can prepare and put in the time to take it again and pass it. That would be an improvement on the model that is being used right now. To clarify my point is I don't think any test should go away, but I think there could be far less time spent on the ones that are mandated for us right now and that there are tests that are closer to the student's level. The more relevant we can make those opportunities, and tests are a part of that, but they are not the limiting factor in the way I see education needs to be.

Councilwoman Williams-Harper stated it is different when you are an adult and taking a test and you have been able to prepare however you need to and what works for you. A nine-year-old doesn't have control of what's going on in their life and they here from us you have to do your best today. I don't know if they ate breakfast, I don't know what they heard at the dinner table the night before, and that is an awful lot of responsibility. You wonder why at the state level we give one test all year long, yet we are testing our students all year long to see their progress, but nobody sees that. It is do or die and they are kids.

Councilman Trask stated I would like to echo that in part of the problem with the current system is it doesn't measure growth and even if the kid makes growth into the ninety percentile that kid is still a failure in the State's eyes. When you are in the classroom you can see a kid go from point a to point b and you can see the growth, but that one test states the student failed. It is disheartening as a teacher when you get the data back six

months later because you can see where the kid did amazing, but they still count the kid as a failure.

White Pine County School District Superintendent Adam Young stated those price tags, I realize it is hard not to get sticker shock, but the thing I would encourage you to keep in mind is where is Nevada's spending compared to what other states are spending on education. Do we value it enough to make that commitment.

2. Mayor Robertson – Discussion/For Possible Action – Approval of Resolution 2023-02 in support of School Funding and School Construction 2023.

Councilwoman Williams-Harper stated I just want to add a couple more things to show you how important it is. I have a son and he lasted five years in teaching and the minute he walked out the door his salary tripled, and he was a good teacher. The other thing is people always think there is always going to be school, but we are collapsing. If you are looking at being a teacher you are always looking at those schools that have the highest test scores because they are breathing on you so heavily as administrators to make sure our kids are getting what they are doing and make sure they are doing it well, but they are not paying them. We are now experiencing teachers skipping around and not wanting to stay anywhere because they can make more money somewhere else. All across the nation there is a shortage of teachers to fill teaching positions.

Councilwoman Williams-Harper moved to approve Resolution 2023-02 in support of School Funding and School Construction 2023. Councilman Trask seconded the motion. The motion carried unanimously.

Mayor Robertson recessed the Regular City Council Meeting at 6:34 P.M.

Mayor Robertson reconvened the Regular City Council Meeting at 6:43 P.M.

6. Councilman Trask – Discussion Only – FIRST READING: Proposed Ordinance 748 Bill No. 2023-01 adding Chapter 16 “Social Use Venues” to Title 3 of the Ely Municipal Code to permit licensing of cannabis consumption lounges and amending Title 3, Chapter 15 to permit indoor consumption in approved locations.

Councilman Trask stated I have been working with Leo on this quite a bit and as we have gone through it, we discovered how it is worded probably excludes independent consumption lounges. Under the consumption lounge section there is two aspects; an independent and a retail one. A retail one has to be connected to an already established dispensary and an independent one would have to contract with one and in this case it would have to be Curaleaf since it is the only one in town. Leo is aware of that and working on a slightly different draft to include both that have been passed by the State to be allowed according to our Ordinance.

Councilman Alworth asked Terrell what you are talking about, can you pinpoint in the draft?

Councilman Trask stated on page 5 3-16-9: Unlawful Acts states under item C. Sell, provide or distribute marijuana, marijuana products within or on the premises of a social use venue. How that would work for the independent is the people would have to buy it through Curaleaf or whoever they are contracted through and then how the State has worded the bill is they are allowed to sell that product. Leo is going to have to take out the part about unlawful, so we don't exclude independent consumption lounges. In working with Leo he stated this came from Clark County so there are changes that need to be made, but he wanted us to have discussion tonight.

Mayor Robertson asked if there is a social venue like The Space or places like that can they apply for a lounge permit or is this intended for places connected to retail establishments?

Councilman Trask stated there are two different ones. There is a retail one that is connected to it and another one which is the independent, but they would still have to be approved by the Cannabis Board.



Councilwoman Elliott stated I don't think you could have The Space sell alcohol and cannabis.

Mayor Robertson stated you are saying a venue that got this permit, if they weren't also retailers, they would have to contract with a license retailer in the City?

Councilman Trask stated yes, it would have to be an established business for the sole purpose of doing this. I think a part of this too is when we asked Leo to move forward with it is making sure we have our ducks in a row and be proactive.

9. Councilman Alworth – Discussion/For Possible Action – Direct City Treasurer to contact the Nevada Department of Taxation for information on the purpose of the last page in city audits dealing with business license fees and the Consumer Price Index, to be reviewed by staff and elected officials in a future City Council meeting.

Councilman Alworth stated years ago we had a city councilman arguing with the city attorney about NRS's and the attorney asked the councilman, "are you a lawyer?" The councilman replied, "no." the Attorney replied, "you have no idea what you are talking about." I say that because all the NRS's in this packet need to be translated by the attorney. City Treasurer Trask did reach out to them and has not heard back. I think it still needs to move forward to get a clear, concise explanation.

Councilman Alworth moved to direct City Treasurer to continue with progress on contacting the Nevada Department of Taxation for information on the purpose of the last page in city audits dealing with business license fees and the Consumer Price Index, to be reviewed by staff and elected officials in a future City Council meeting. Councilman Carson seconded the motion. The motion carried unanimously.

10. Councilman Alworth – Discussion/For Possible Action – Approval to request a "Statement of Opinion" in writing from City of Ely Auditors *Keddington & Christensen, CPA's* as to any revenue generated by the operation or existence of the Northern Nevada Railway from Cobre milepost 0 to McGill Junction milepost 128.5 on the rail line that should be recorded in the established Railroad Enterprise Fund and used to pay for any expenses associated with the same operations or existence of the Northern Nevada Railway from Cobre milepost 0 to McGill Junction milepost 128.5, versus comingling the revenue and expenses with other governmental activities.

Councilman Alworth stated basically what this is, is the moneymaker on the agreement the City has with the Railroad is those mile markers from 0 to 128.5. That is where you can have your rail car rental, some right of way agreements would go into place, and the royalties for crossing our line and so forth. The "Statement of Opinion" is in regard to we received the 45G in the amount of \$132,000.00 from that section of the rail line and the discussion continues whether it is governmental or enterprise funding. If we have to hire the CPA to do it, and Mark would be the expert, on rail car storage out there is huge and could generate lots of money. With that being said, if we put that in the Enterprise Fund my understanding is it could only be used on the rail line from mile marker 0 to 128.5. Just grabbing a number, we get \$500,000.00 and it just sits there, but if we need to buy to share with the railroad a vehicle to go out there or other things, we could say the railroad needs to do it themselves or we could say we can contribute out of our Enterprise Fund and it is only to be used out there and that is a known. What I would like to know from the "Statement of Opinion" after research with *Keddington & Christensen, CPA's* is about expense and revenue coming in car storage rental if it happens, and royalties and so forth. The City probably needs to look at our Development Agreement with the Railroad and maybe the City doesn't even want to be in the railroad business; we are a city government. At that time, we would probably have to do a different Development Agreement, but we don't want the City to be out of the railroads life because they need us as a life support for grants. I for one am not going to go work on the railroad and I don't think we will send any city staff out there, but the point is let's have the auditors look at it and work with Mark. All the hassle we had with Williams, he made millions and millions and it cost us a lot in attorney fees. There is some benefit especially to the railroad if this is handled correctly.

Mayor Robertson stated in my conversations with Councilman Alworth I think having some information would be good because we may look at that and decide maybe the Enterprise Fund is our best vehicle to get that done. Maybe we want to make some changes to the Enterprise Fund, or even do away with it and do something else. We would have to talk to Leo on what the best thing would be to do.

City Treasurer/HR Director Trask stated now I am a little confused. Are you talking about the 45G tax credit that we got because I have already talked to the auditors about that and I explained that at our last meeting that they don't have a problem with it going either way. If this is a contract to talk about future revenues I am fine with it, but I want to clarify that this isn't going to mess up my augmentation that I have on the agenda.

Councilman Alworth stated you said the key word Treasurer in that he doesn't care which way it goes and I will discuss that point when we get to the augmentation. I don't know if I can talk ahead on the augmentation?

Mayor Robertson stated correct me if I am wrong Jim, but what you are asking is for a written opinion on both things; the 45G and future revenues?

Councilman Alworth stated I am asking for a "Statement of Opinion" and there will be a contract if we decide to go with that. I am going to ask for the augmentation to be tabled until we get his "Statement of Opinion."

Mayor Robertson stated what I am asking is would the "Statement of Opinion" be related to the 45G and future revenue?

Councilman Alworth stated yes, it is all hand in hand.

City Treasurer/HR Director Trask stated at the last meeting it was already voted to put the 45G in the General Fund and commit it to attorney fees for this fiscal year. If it comes back as a problem they will note that in the audit when they come to do it. To me, it is two separate items and one you have already given me approval to do.

Councilman Alworth stated correct, I agree with that, but it can be tabled for a future date. We have not said no we are not going to do this.

City Treasurer/HR Director Trask stated that is fine, but just so you know I will have to readvertise it if we table it. I am going to stand by that I don't think it is necessary. I think it needs to go through.

Councilman Alworth stated it is easy to go back and correct with a journal entry and once we get down to that item I am just one vote to table it. The General Fund is flush enough to handle any attorney fees until we have it in place as it is sitting right there.

Mayor Robertson opened item 16.

16. Council Members – City Treasurer Trask - Discussion/For Possible Action – Approval of Resolution 2023-01 for the purpose of augmenting the City of Ely's General Fund using unbudgeted revenue collected in the General Fund to apply towards the operating expenses in the General Fund.

Councilman Alworth stated my motion on that will be to table it until we get the "Statement of Opinion" back because I have a different interpretation than she does whether it should be Enterprise or a tax type thing.

Mayor Robertson stated for clarification if we want a written opinion back that is going to be outside of our current contract and we will be charged for it so that will need to be brought forward for approval and then move forward with getting the opinion.

City Treasurer/HR Director Trask stated yes, but there is no reason in my opinion to hold off on the augmentation when it can be done based off the approval that has already been approved and still have the auditors come in and give their opinion on these revenues.

Mayor Robertson stated with that being said if they did table this you would have to re-notice the resolution in the paper?

City Treasurer/HR Director Trask stated yes. On the detail you (Councilman Alworth) provided regarding the difference between the enterprise funds, it states in there they cannot be ran off of taxes, it has to be revenue generated. This is a tax credit and to me that right there tells me it can't be put in the Enterprise Fund to spend it on that section. It can be used in the General Fund as we have already discussed and passed.

Councilman Alworth stated that is why I put this information out because the last meeting we had I don't think the people at this table had a clue. The General Fund is for taxes and the other is for business and this is going to be a business out north if it goes through.

City Treasurer/HR Director Trask stated the City is not in that business.

Mayor Robertson stated we are off topic and so for clarity again the two items we have open are the possible request to have our CPAs giving their opinion on booking this revenue and possible future revenues and where it should go, and whether or not to approve the augmentation now or table it until the point we have the information back and re-noticing is all that would take.

Councilman Alworth stated we may get their "Statement of Opinion" and they may say are you a city or a railroad business? We have to keep in mind the City needs to stay involved for grants.

Councilman Trask asked if we go ahead and pass item sixteen instead of tabling and we still get an opinion and they come back and say it should be in the Enterprise Fund could we put it in the Enterprise Fund then?

Mayor Robertson asked would we have to notice this in another resolution, or does it just go back the other way?

City Treasurer/HR Director stated no, it just changes the budget.

Councilman Trask stated since this will be outside of their current contract where are we going to pay for the "Statement of Opinion" out of?

City Treasurer/HR Director Trask stated I don't know how long of a process this is going to be and I wish Leo was here because I am not sure if we have to put it out for bid.

Mayor Robertson stated I think because it is not a contract for a certain amount they could come back at the next meeting and say this is what it is going to cost and this is where I propose taking it from.

City Treasurer/HR Director Trask stated it will come out of the General Fund.

Councilman Alworth moved to request a "Statement of Opinion" in writing from City of Ely Auditors *Keddington & Christensen, CPA's* as to any revenue generated by the operation or existence of the Northern Nevada Railway from Cobre milepost 0 to McGill Junction milepost 128.5 on the rail line that should be recorded in the established Railroad Enterprise Fund and used to pay for any expenses associated with the same operations or existence of the Northern Nevada Railway from Cobre milepost 0 to McGill Junction milepost 128.5, versus comingling the revenue and expenses with other governmental activities. Councilman Carson seconded the motion. The motion carried unanimously.

Councilman Alworth moved to table the approval of Resolution 2023-01 for the purpose of augmenting the City of Ely's General Fund using unbudgeted revenue collected in the General Fund to apply towards the operating expenses in the General Fund. Councilman Carson seconded the motion. The motion carried 3 to 2 with Councilman Trask and Councilwoman Elliott voting nay.

11. Councilman Alworth – Discussion/For Possible Action – Approval for the City of Ely to apply for a U.S. Department of Transportation RAISE Grant to make improvements to the Nevada Northern Railway. The Nevada Northern Railway Foundation will assist the City of Ely in mailing the application and administering the grant.

NNRY President Mark Bassett stated in the middle of last month President Biden signed the 2023 RAISE Grant Program and it is basically \$1.5 billion to carry out projects with significant local or regional impact. Project sponsors include municipalities, and it can be used for critical freight and passenger transportation infrastructure projects; one of the project areas would be tourism. One of the things it is for is modernizing their transportation, safety, environmental sustainability, quality of life, community connectivity, and economic competitiveness. Half of the funding has to go to the rural areas and that would be us. The deadline for the application is February 28, 2023, at 11:59 p.m. This is perplexing in the maximum grant amount is \$24 million. It seems like a lot of money, but not when you have a whole railroad. We went over a series of ideas, and I handed out the track map from our 2013 Tiger Grant. On the 2013 Tiger Grant was our first go around and they awarded twenty-five grants and we were number twenty-six. We were really close to getting funding, but because of the lawsuit we have never had the opportunity to apply again. In going over this map (provided on next page) where you see from Keystone to McGill Junction that is the section of the railroad that we use along with the Hi-Line and then at the top of the map where it is labeled phase 2 goes from Shafter to Currie. One of the things I am looking at is I have to create an argument for economic need. I checked with Cameron and the RAISE Grants are an annual thing so what I would like to do is make an investment on the part of the line we currently use. We would do track improvements from Keystone and do the entire Hiline Junction. The Hiline Junction hasn't received any heavy repairs since Kennecott closed in 1983 and so the track has been slowly degrading. We are very fortunate because rail comes in weights per yard. The vast majority of the main line is laid with sixty pounds per yard. The Union Pacific today runs on one hundred and forty pounds per yard. The area we run on from Keystone up to Hiline Junction has been laid with ninety pound and one hundred and fifteen pound rail which would accept modern cars and things of that nature. From Hiline Junction to McGill Junction is seventy-pound rail. As part of this package, we would make improvements on the track we actually use and at the same time re-rail from Hiline Junction up to McGill Junction with the heavier rail. They are going to make approvals by June for this grant. After we do that the second phase would be to do from the interchange at Shafter down to Currie. The refinery in Railroad Valley has said they really want to use the railroad and the hay growers have said they really want to use the railroad. If we got the railroad open to Currie we could do a transload facility in Currie for oil, hay, and perhaps things from the Mine. That would then create a very nice economic picture and once we get the proof of concept, we could consider doing phase 3 to open up the railroad between Currie and McGill Junction. The City has to do the application, but I am willing to write the application and hopefully move forward.



## Appendix C Nevada Northern Railway Track Map TIGER Grant Overview

**Cobre MP 0 – Keystone MP 146.5**  
Built in 1905/1906 to develop the copper mines near Ruth  
Rail service ended June 20, 1986

**Cobre MP 0 – McGill Junction MP 128.8**  
Purchased 9/27/2005 by City of Ely & the Foundation  
Track Miles 128.8

**McGill Junction MP 128.8 – Keystone MP 147**  
Given to City of Ely & the Foundation 11/30/1987  
Track Miles: Mainline 28.8 miles; Yard 6.7 miles; Total 35.5 miles

### PROJECT AREA

**Shafter MP 18.5 to Keystone MP 146.5**

**Shafter MP 18.5 – Currie MP 63**  
In Service - Track Miles 44.5  
Returned to Service in 2010

**Currie MP 63 – McGill Junction MP 128.8**  
Out of Service - Track Miles 65.8

**McGill Junction MP 128.8 – Hilline Junction MP 135.3**  
Out of Service - Track Miles 6.5  
Scheduled for rehab in 2013  
Club 50 Crossing rebuilt in 2009

**Hilline Junction MP 135.3 – Keystone MP 146.5**  
In Service - Track Miles 11.2  
Track rehabbed 2009

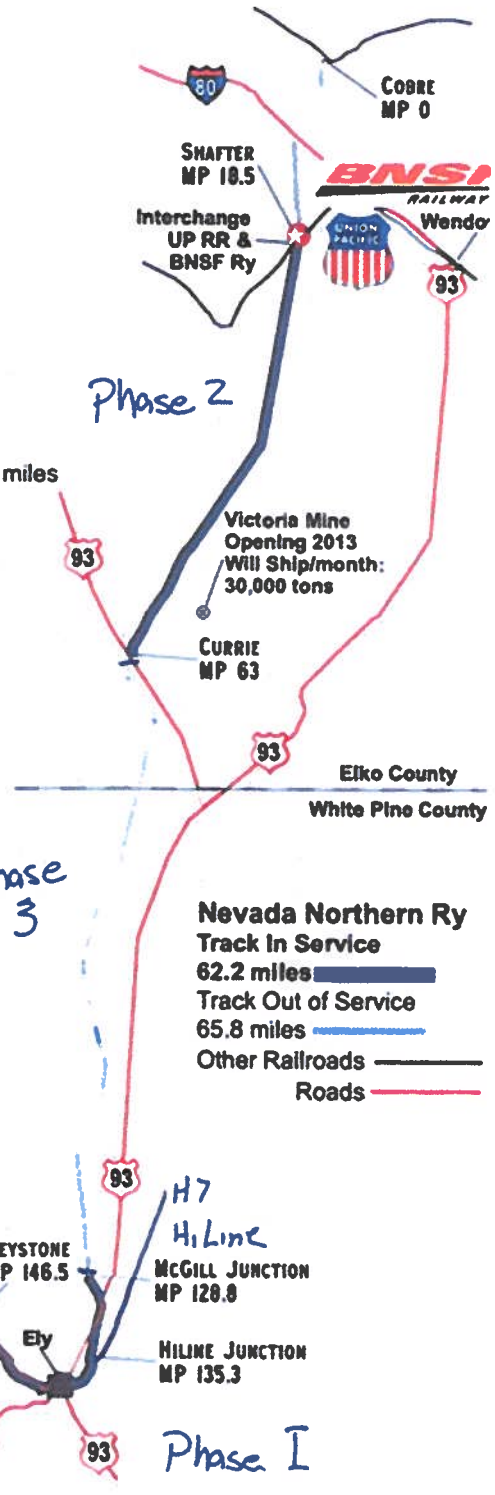
**Keystone MP 146.5 – Sunshine (Loadout) MP 148.3**  
Out of Service - Track Miles 1.8 (Owned by the mine)  
The mine will pay for the rehabbing of this track.

**Eureka Hay Growers - Operating**  
Ships/month:  
45,000 tons

**Midway Gold - Opening 2014**  
Needs/month:  
750,000 gals of fuel  
500,000 lbs of mill balls

**Ruth Mine - Operating**  
Ships/month:  
21,000 tons  
Needs/month:  
1,000,000 gals of fuel  
1,000,000 lbs of mill balls

**SUNSHINE  
ORE  
LOAD OUT  
MP 148.3**



Mayor Robertson stated we had some very positive encouragement from Cameron on our call this week and I think it is great.

Councilman Alworth moved to approve for the City of Ely to apply for a U.S. Department of Transportation RAISE Grant to make improvements to the Nevada Northern Railway. The Nevada Northern Railway Foundation will assist the City of Ely in mailing the application and administering the grant. Councilwoman Elliott seconded the motion. The motion carried unanimously.

12. Councilman Alworth - Discussion/For Possible Action - Direct City Attorney to draft a resolution to add a "no cell phone" policy during public meetings to the City Council Code of Conduct referred to in Ely City Code 1-5-7.

Councilman Alworth stated Terrell did say he uses his cell phone to view the agenda and packet and he is into the modern technology. I think our personal cell phones need to be silenced. I find it distracting and are we paying one hundred percent attention to the business of the Council. You then put the Devil's advocate into it, the people out in cyber land texting vote "no." I think if someone is going to get a text from someone

outside of the City Council, they need to publicly say I have an opinion to share. It has to be right up front and get rid of that little bit of doubt that might be out there.

Mayor Robertson stated I will note in response to that during my time in Washington D.C. last week they encourage them not to use cell phones in the House of Representatives and the Senate; I don't know if is a hard rule or not. I think the interplay of getting tablets might help some of that too.

Councilman Trask stated as the one that is using a cell phone I want to clarify I am using it like a tablet. I have no problem not having my cell phone once we have our tablets, but this cell phone is how I do my work. I would counter writing with a pen or pencil could be just as distracting. I feel a bit personally attacked on this, but I would hope now that we have talked about it you trust the Council in that they are not getting outside opinions.

Councilman Alworth stated that is why I am outward like I am. I am not shadowing anyone, I am just saying here it is folks and this is how I feel.

Councilman Carson stated I would agree with Jim. I have seen people texting and some people can't figure out how to turn off their ringer; we are all guilty of that. I don't mind giving up my cell phone.

Mayor Robertson stated the Code could strike the middle ground here by saying you can use your phone for business purposes, but it should be put on airplane mode for the meeting. It could also read getting and receiving text messages while officiating in the meeting is against the Code of Conduct.

Councilman Trask stated I think proper phone etiquette is always going to be ok and I agree when we are sitting up here there should be no outside influences. I would again stress that you would trust the Council in that is what is happening.

Councilman Alworth stated I know Leo uses it as a hot spot and he would be exempt because he is not a member of the City Council.

Councilman Trask stated this is the future and we have to think about our Council moving forward. If we are going to limit the use because of not trusting someone I think we are hindering the future.

Councilman Alworth stated you are right by us getting tablets or laptops that is the future. I recently sat in on an ethics training and one thing they said is if you get any kind of doubt the Ethics Commission will come in and take your cell phone or the City cell phone and they will go through it. It is not about trusting, but are you going to risk it because one malfunction and someone files a protest? If so, you better be ready to spill your guts.

Councilwoman Elliott asked I want to know what the punishment or the reprimanding will be? I think we are all adults and like Terrell said I think there should be a Code of Conduct but also what is the punishment if we are looking at something related to the meeting?

Councilman Trask stated once we get tablets, everything that can happen on a phone can happen on a tablet.

Councilman Alworth moved to direct the City Attorney to develop a Public Meeting Technology Use Protocol resolution pursuant to the City Council Code of Conduct referred to in Ely City Code 1-5-7. Councilwoman Williams-Harper seconded the motion. The motion carried unanimously.

13. Councilman Alworth – Discussion Only – Consideration to convert Murry and Mill Streets to “One-Way” traffic, with Murry Street heading northbound into town and Mill Street heading southbound out of town.

City Engineer Almberg stated I think it would be good for the City. Murry Street is a very narrow road and with two way traffic and parking on both sides of the road they are actually parking on our sidewalks. I think it would be a benefit to do this and some staff and myself put together a checklist of items that we discussed and how we would handle certain things. One of the public comments that was read tonight was in concern of not parking on the side streets because Mill would be a one way now. If this does go through to being a one way there would actually be parking on both sides of the street so that should remedy their concern of not being able to park in front of their house. This would allow the pedestrians to walk up and down the sidewalks and also benefit the road crews when trying to clean snow from the streets.

Mayor Robertson stated right now as it sits there are people who park against the flow of traffic even though there is two-way traffic and I am sure the Sherriff has noted that too. I think we have kind of let go of that in the community because traffic volume is not that high, but if it is one-way street that couldn't be allowed. Those people will have to go around and park in the direction of traffic.

City Engineer Almberg stated you bring up a point of them parking the wrong way and I think we also have allowed people to park on the sidewalk. If you enforce this road and put everyone back on the street, you wouldn't have two-way traffic going up that road. We would have a twelve-foot driving lane at a minimum, which is State standards, and your parking lanes.

Councilman Alworth stated there was another question about emergency vehicles and they can go anyway they need to, to get to the emergency.

14. Councilman Alworth – Councilwoman Elliott– Discussion Only – Update on Porter Group efforts on the City of Ely's behalf to secure federal and State funding.

Councilwoman Elliott stated we don't have a lot to report because of the new legislation. We are still working with Cameron and still earmarked for a couple of projects.

15. Councilwoman Williams-Harper – Discussion Only – Presentation regarding a proposal to introduce Ride Share to the City of Ely.

Councilwoman Williams-Harper stated I would like to introduce Barry Stark. He wanted to come and talk to the Council about what I think is prevalent and something we need.

Barry Stark stated I have submitted a proposal for a possible rideshare for the Ely area including McGill and Ruth. I have been here a little over thirteen years and have done some research. Ely has grown and our tourism has grown and moving into the 21<sup>st</sup> century there is a need for a rideshare. It alleviates DUI's. Earlier the Council was talking about a possible cannabis lounge. I think at this point in time it would really help out the City. I have researched Uber, Lyft, and rideshare laws within the NRS and I have put it all in my proposal. We are ready and able to comply with the NRS and we are requesting the City allow us business licenses to begin a rideshare here in Ely. Another issue I think we could help alleviate is with the seniors. My father is eighty-six and he has issues and problems, as well as some of his friends, getting to and from appointments at William Bee Ririe. I have two drivers, a third back up, and a dispatch person. We have gone through this, and I think we are prepared. We just need to get the approval and business licenses. We have the vehicles that are 2008 and newer, with four doors and all the safety equipment as required by NRS.

Mayor Robertson asked have you began the business license process?

Barry Stark stated no, I have not. I wanted to see where we stood with all of you. Once we get approval from you, we will submit the licensing requirements.

City Clerk Lee stated City Attorney Cahoon's initial research rendered your company would need a business license and each driver would need a business license. The City Code does provide for a taxi service right now. This item is for discussion only because the Council does not approve business licenses.

Barry Stark stated I understand that, but I am coming to you hoping you will approve it.

Mayor Robertson stated the information is very thorough and we are definitely excited for the opportunity for people to have a ride home rather than driving home drunk. Also, there are a lot of seniors in town that struggle with getting where they need to go.

Barry Stark stated we offer discounts to seniors.

Councilwoman Elliott stated in your proposal it states you will only take credit cards and no cash.

Barry Stark stated that is per NRS. It states we cannot take cash or carry cash in the vehicles.

Councilwoman Elliott asked does our Code only cover taxi's and would we have to amend that code to allow rideshares? It sounds like you have a dispatch that is more like a cab company versus like Uber where you go on your phone and have a card on file when you request a ride. I think you are molding both together.

Barry Stark stated I am integrating both. We are going to get to a point where we do set up accounts, but we always need someone in the office if someone calls in needing an emergency or wants to set up an appointment. We want to be able to accommodate everyone.

City Lee stated City Attorney Cahoon's initial reading was our Code is sufficient, but he is still verifying all of that.

Councilman Alworth asked do you have handicap vehicles for handicap folks?

Barry Stark stated that I don't have. All of our vehicles are SUV's and if we have someone that has a wheelchair, we can fit it in the back and assist them in and out of the vehicle.

Councilman Alworth stated the Ely bus would probably handle those folks, but just wanted to ask. Your proposal states it is \$18.00 for a one-way ride with a capacity for four people. Is it \$18.00 for all four people?

Barry Stark stated it is \$18.00 for a ride to McGill or Ruth, in the City area it is \$12.00, and for seniors it is \$8.00 in the City.

Councilman Alworth asked is that for if it is one or four people?

Barry Stark stated yes, that is for if it is one person or four people. We are mandated to be able to carry four people.

Councilman Alworth asked are you going to have 24-hour service?

Barry Stark stated no, we were going to go until 2:00 a.m. and we would start as early as needed.

Councilman Alworth stated if there is some guy staggering down the street and if he doesn't get a ride, he could freeze to death would the deputies give that person the phone number for the rideshare to call at midnight to pick up instead of the cops taking the liability?

Barry Stark stated yes, that is what we are here for and want to try and alleviate.



Councilwoman Williams-Harper stated I encouraged Barry to come and just to clarify what is our part in this once Leo figures out a, b, c, and d. Does it then go to you, Jennifer, for licensing?

City Clerk Lee stated yes, a regular business license needs to be submitted through the office and Robin would process it.

Councilwoman Elliott stated it is definitely a need.

Councilman Trask stated get the ball rolling as fast as you can.

#### **9. PUBLIC COMMENT**

George Chachas stated for the Councils information the Enterprise Fund was set up when I was Mayor. Councilman Jim Northness was supposed to handle the business end. The railroad has not paid a dime in the purchase of that railroad line. The line from mile marker 0 to 128 was meant to generate revenue for the City of Ely and none of that has transpired. The only thing the City of Ely got was legal bills. Any revenue that comes off that line should come to the City of Ely and not the Railroad Foundation. Their responsibility is from the McGill junction to Ruth and that is it. Mr. Chachas stated ongoing concerns regarding his request for a permit to park behind the sidewalk at his property on Great Basin Boulevard; his complaint of Jennifer Lee encroaching on the sidewalk near her home that has not been addressed; Q & D narrowing the street and limiting ADA access on Great Basin Boulevard during the recent construction; his request for a copy of the complaint against his brother at 842 Aultman Street; and NDOT not putting in new curb and gutter on Avenue D between 14<sup>th</sup> and 15<sup>th</sup> street.

#### **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 **7:47 p.m.** Councilwoman Williams-Harper seconded the motion. The motion carried unanimously.



**MAYOR**



**ATTEST**

