

# CITY OF ELY

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

## ELY CITY COUNCIL REGULAR MEETING

January 11, 2024, 5:00 p.m. – Ely Volunteer Fire Hall – 499 Mill Street – Ely, Nevada

1. Mayor Robertson called the regular meeting of the Ely City Council to order at 5:00 P.M. Mayor Robertson led in the Pledge of Allegiance and asked for Roll Call.

Members present:

- Mayor Nathan Robertson
- Councilman Terrill Trask
- Councilman Kurt Carson
- Councilman Jim Alworth
- Councilwoman Jerri Lynn Williams-Harper

Members absent:

- Councilwoman Samantha Elliott

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

- City Clerk Jennifer Lee
- City Treasurer/HR Director Janette Trask
- City Attorney Leo Cahoon
- City Public Works Director Mike Cracraft
- City Fire Chief Pat Stork
- City Engineer B.J. Almberg
- City Police Chief Scott Henriod
- City Administrative Assistant Patti Cobb

Also, in attendance: Members of the public in attendance at the Ely Volunteer Fire Hall signed in (appears below) and the following persons attended via video conference: Geri Wopschall, Don Hendrickson, Tommy Jackson, Cody Coombs, and Kay Roberts-McMurray.

### ELY CITY COUNCIL ATTENDANCE LIST

DATE: January 11, 2024

Print name below

Print name below

Kyle Tate  
Madc Bassett  
George Chachas  
TOMAS ENRIQUETAZ  
Janet Vaul Camp  
BUZZ ROSEVEAR  
Michael Carson

\_\_\_\_\_  
\_\_\_\_\_  
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\_\_\_\_\_

## 2. PUBLIC COMMENT

George Chachas stated on your agenda item 12B-1 you are to consider the appointment of Don Hendrickson as City Building Official and there was nothing showing his credentials in the packet material. When did the City conduct interviews and how many applied? On your agenda item 12B-2 you are to consider approval of a parcel map of the City-owned Georgetown Ranch and the Golf Course. The land you're considering for conforming to the current footprint of the golf course is City property, and the County needs to pay for it if they haven't done so already; you can't just give it away. I do not recall any transaction regarding this item on any agenda, Utility Board or otherwise and this item needs to be denied. On your agenda item 12B-3 you are to consider a letter of support for the Barracks Project for the Ely Ranger district. Where are the barracks proposed to go, and what about zoning? How and why is it the City Council is giving consideration to everyone for some kind of housing, and yet my family and I are repeatedly ignored for permits required to be able to use our properties as others do. You need to stop the blatant discrimination and this item needs to be denied.

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

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

## 4. CITY DEPARTMENT REPORTS

### ➤ CITY FIRE CHIEF

City Fire Chief Stork stated we had an interview scheduled yesterday. The individual is fully qualified, so we made an offer and he accepted. He will start on Tuesday. We are now down one position.

### ➤ CITY CLERK

City Clerk Lee stated starting tomorrow the candidacy notice will be published for four weeks. The filing period opens March 4th and closes March 15<sup>th</sup>.

### ➤ CITY ENGINEER

City Engineer Almborg reviewed the following information:



January 11, 2023

**Re: EPA Grants**

- Basin Engineering has been working with the City of Ely, the Porter Group and the EPA on procuring Community Grants for water infrastructure projects identified as Congressionally Directed Spending (CDS) and Community Project Funding (CPF) item in Appropriations Acts via the U.S. Environmental Protection Agency (EPA).
- **For the Fiscal Year (FY) 2022 and 2023 there are 1,198 CDS/CPF drinking water, wastewater, stormwater infrastructure, and water quality protection projects nationwide**  
Of these projects **23** are in the **State of Nevada**.  
Of those the **City of Ely** has **2** projects eligible for funding.
- **2022 Central Ely Sewer Upgrade (FY 2022) became a federal law 3/15/22: appropriation amount is \$3,300,000**
- **October 2022: Community Grants 2022 Implementation Guidance Released (Central Ely Sewer Upgrade Project)**
  - **Pre-Award Cost Reimbursement for FY 2022 Projects are addressed in this document. Pre-award costs incurred on or after October 1, 2021 would be considered eligible for Reimbursement.**
- **December 2022: A form was provided for CATEX application with some initial guidance but final determination guidelines had not been determined as the EPA was negotiating with NEPA over guidelines for utility projects. We were directed to apply however determination guidelines for the EPA were going to be a work in progress and final CATEX decisions would not be made until they had clear cut guidelines in place. This could take some significant time as they worked with NEPA to establish these guidelines.**
- **December 19, 2022: A CATEX (Categorical Exclusion) form was completed for the Central Ely Sewer Upgrade and submitted to the EPA, along with relevant supporting project documents. If the proposed project is eligible for this determination an Environmental Impact Statement or an Environmental Assessment would not be necessary.**

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- **Lower East Ely Water Mains Upgrade (FY 2023) became a federal law 12/29/22: appropriation amount is \$2,430,000**
- **March 2023: Decision was made to hold off on Lower East Ely CATEX until further information regarding CATEX determinations was established and Central Ely project CATEX determination was made.**
- **March 29, 2023: BE staff began the first of EPA Grants Training Webinar Series. (What to Expect When You're Expecting a Grant)**
- **April 2023: Official Community Grants Program Final Implementation Guidance 2023 is released. (Lower East Ely Water Mains Upgrade)**
  - **Pre-Award Cost Reimbursement for FY 2023 Projects are addressed in this document. Pre-award costs incurred on or after October 1, 2022 would be considered eligible for Reimbursement.**
- **May 11, 2023: City of Ely submitted a request that the EPA waive the non-federal cost share for the City's FY 2022 CDS/CPF for the Central Sewer Upgrade. Based on review of Cost Share Waiver Criteria A-1 from the FY Community Grants Program Final Implementation Guidance.**
- **July 31, 2023: Notified that the EPA had assigned a Program Officer (Jessica Durst) to our grants. She reviewed the previous environmental documentation that the City of Ely had provided and stated that we were well on our way to a CATEX approval.**
- **August 29, 2023: City of Ely receives official notification from the EPA that they are granting a waiver to the cost sharing requirement to provide non-federal funds for both the Central Ely Sewer Upgrade Project and the Lower East Ely water Mains Upgrade Project.**
  - The dollar amount waived for the Central Ely Sewer Upgrade Project is \$825,000.
  - The dollar amount waived for the Lower East Ely Water Mains Upgrade Project is \$607,500.
- **September 5, 2023: Project Officer (Jessica Durst) and Steven Smith (EPA) confirmed in an email that while there is not a rule that the EA/CATEX be completed prior to submitting the applications the EPA strongly requests that the EA/CATEX be completed prior to submitting the application packages.**

The reasons given for this are as follows: First being the fact that it can take a great deal of time to complete this process and we cannot award funds before its complete. The application package is a much less weighty and time-consuming process by comparison. Second, if you were to submit the application package before all of your NEPA/CATEX is complete and there was a departure from your estimate, requiring additional survey or NEPA work, this would affect your budget and in turn would require a lengthy correction process. Steve Smith reiterated both points and referred to both the FY 22 and FY 23 Community Grants Program Final Implementation Guidance, bottom of numbered p. 9 under item #3 indicating a complete application should be submitted "Upon completion of an environmental review under NEPA..." While not a requirement, following this guidance is both logical and efficient, for the reasons Jessica stated.
- **October 5, 2023: Responses to 4 additional questions from the EPA consultant were provided to the EPA Project Officer, Jessica Durst.**

(Note: that these responses/answers were repeating information that was provided in the project description and the CATEX forms previously completed.)
- **October 13, 2023: the EPA Program Officer informed the City of Ely and Basin Engineering that a minimum section 106/SHPO consultation will be a requirement even with a CATEX decision that would result in other NEPA EA requirements being waived. This information was attained after Basin Engineering provided responses (October 5<sup>th</sup>, 2023) to a request for further information needed to move the NEPA CatEx process forward.**
- **October 19, 2023: the completed SHPO / 106 documentation for Central Ely Sewer was sent to the EPA in support of a CATEX (Categorical Exclusion) decision regarding an EA (Environmental Assessment) for this project.**
- **November 1, 2023: A response from the EPA Project Officer was received regarding SHPO documentation provided. The documentation was forwarded to their Environmental consultant ERG for review. (ERG is the EPA's NEPA consultant, they review SHPO/106 documentation as well as EA's for the grant projects**

- **November 2023: SHPO/Sect. 106 application process for the Lower East Ely Water Mains Upgrade was started after the EPA determination was made that SHPO/Sect. 106 would be a minimum requirement for Community Grants programs even with a successful CATEX decision.**
- **January 10, 2023: Program Officer responded to an email sent on 1/09/2024 enquiring about the status of the SHPO / 106 review the City of Ely had submitted. She stated that she had not heard back from ERG (consultant) as of yet, but she would reach out to see if she can engage them directly. Previously on November 28th, 2023 she stated in an email that ERG had developed a backlog of work during the time in the fall when their contract lapsed.**
- **Next Steps: Upon approval of CATEX / SHPO-Tribal status apply for award through Grants.gov, Design Project, Prepare and Release Construction Bid documents and Construct.**

Sincerely,  
BASIN ENGINEERING CORPORATION

*Emil Alnberg*

Emil W. (B.J.) Alnberg, Jr., P.E./P.L.S.  
Principal

## 5. NNRV FOUNDATION REPORT

NNRV President reviewed the following report:

**NEVADA NORTHERN RAILWAY**  
NATIONAL HISTORIC LANDMARK



**Nevada Northern Railway Foundation**

A Nevada 501 (c) 3 Non-Profit Corporation

Depot: 1100 Avenue A, Ely, Nevada 89301

Mailing Address: PO Box 150040, Ely, Nevada 89315

Voice: (775) 289-2085 • Web: [www.nnrv.com](http://www.nnrv.com) • E-mail: [info@nnrv.com](mailto:info@nnrv.com)

### Monthly Operations Report for December 2023

1. Locomotive Status – Updated
  - a. Locomotives in service: #93, #105, #109, #801, Wrecking Crane A & Rotary B.
  - b. Locomotive 81 is out-of-service with running gear and boiler issues. The staff and volunteers have done incredible work on Locomotive 81. Progress has been made on the boiler issues, the Bissell post and the pilot truck.
  - c. Locomotive 204 is out of service with governor issues.
  - d. Locomotive 310 is out of service with a prime mover issues.
  - e. Locomotive 40 is out of service for her heavy repairs. We have started on her repairs; she will be out of service until 2025.
  - f. Locomotives out of service needing moderate repairs: #201.
  - g. Locomotives waiting funding for restoration: Steptoe Valley Smelting and Mining #309, Kennecott 802 and Rotary Snowplow B (for boiler overhaul.)
  - h. Locomotives out of service needing heavy repairs #80 and the military locomotives.
3. Rolling Stock Status – No change
  - a. Passenger equipment in service: #07, #08, #09, Flatcar #23, Coach #5, Baggage Car/RPO #20, Outfit Car #06.
  - b. Passenger equipment out of service: #10, #2 and #05 needing heavy repairs.
  - c. Caboose in service: #3 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.
  - c. Museum Branch is open.
5. Ridership and Ticket Sales – Updated
  - a. In December we carried 2,377 passengers, this is essentially the same as last year.
  - b. For the year we carried 17,352 passengers, this is only 43 passengers behind last year. That makes 2023, our third biggest year, following 2022 and 2021.
  - c. Since operations began in 1987, we have carried 364,706 passengers.
6. Economic Impact – The average non-gaming & gaming daily expenditure per overnight visitor \$170. Economic impact for December 2023 was 2,377 x 80% x 170 = \$323,272

### Award Winning Destination

Best Adrenaline Rush in Rural Nevada – 2020  
Best Historic Railroad of the West – 2023, 2022

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

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

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

Economic Impact for the year was:  $17,352 \times 80\% \times 170 = \$ 2,359,872$

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:

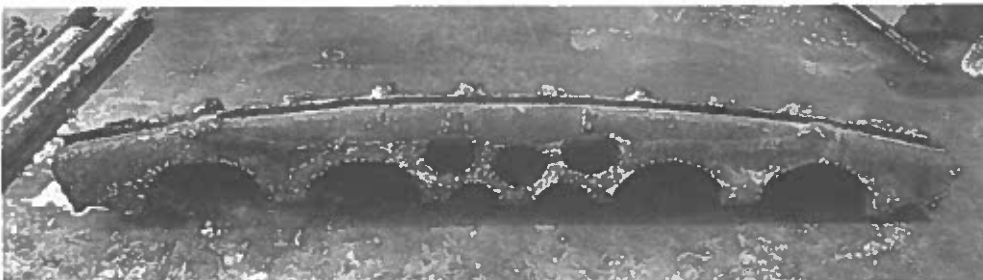
October:

- a. Our Facebook reach last month was 1,617,311.
- c. We have 166,115 page likes.
- d. 182,802 people follow our page.

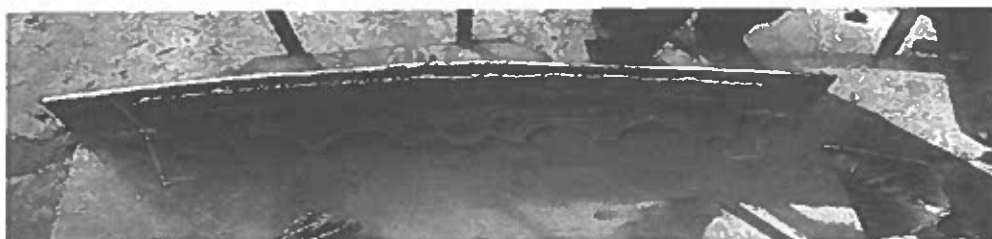
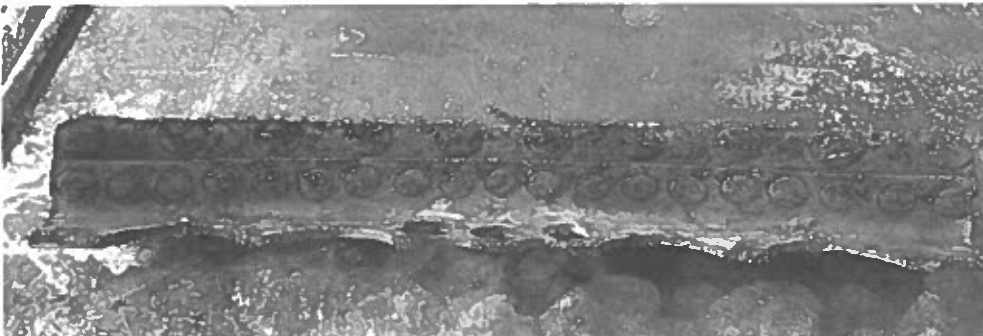
8. Santa's Reindeer Flyer is offering round trip service to the North Pole!



9. Locomotive 81 Boiler Repairs.



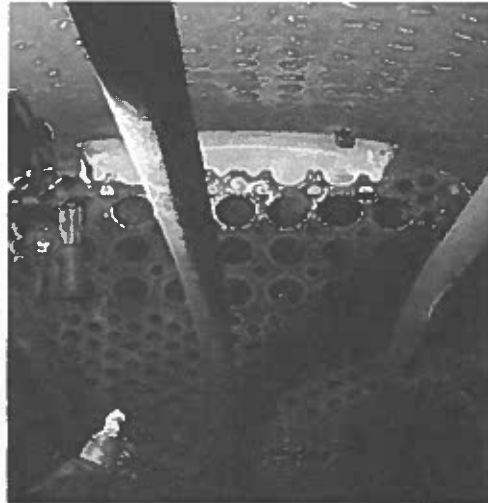
This is the boiler knuckle. This is where the rear flue sheet meets the crown sheet. The above photo shows an old repair and some recently formed cracks (highlighted in orange.) The bottom photo is the same piece, turned over. This is the fire side, it is exposed to temperatures of up to 2,000 degrees. Fortunately, it was only this piece that needed replacing, the rest of the flue sheet appeared to be fine.



Above is the new boiler knuckle metal. The metal is comparable to existing metal. It was bent twice. First on a 90 degree bend and then curved to match the top of the boiler.

Below on the left is a picture taken inside the firebox showing where the old piece was removed. On the right, they are fitting the new piece of patch into the opening. It is a cramped working space and the only way in is through the firedoor.





Above to the right, fitting the patch into place is very tedious work. Finally, after a lot of trimming and test fitting, the patch gets a thumbs up. It fits!

The next step is to remove the patch and send it off for heat treating. Then drill in the holes for the tubes and the flues and then weld the patch into the location. Once that is done, then the tubes and flues can be installed!

## 6. REPORTS

No Reports

## 9. THE MAYOR WILL RECESS THE REGULAR CITY COUNCIL MEETING FOR A MEETING OF THE ELY LIQUOR LICENSING BOARD.

1. Board Members – Discussion/For Possible Action – Approval of Class II Liquor License to Family Dollar, Inc. located at 1410 East Aultman Street, Ely, Nevada.

Councilman Alworth moved to approve the Class II Liquor License to Family Dollar, Inc. located at 1410 East Aultman Street, Ely, Nevada. Councilman Trask seconded the motion. The motion carried unanimously.

2. Board Members – Discussion/For Possible Action – Approval of Class II Liquor License to Family Dollar, Inc. located at 1550 Great Basin Boulevard, Ely, Nevada.

Councilman Alworth moved to approve the Class II Liquor License to Family Dollar, Inc. located at 1550 Great Basin Boulevard, Ely, Nevada. Councilwoman Williams-Harper seconded the motion. The motion carried unanimously.

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

1. Council Members – City Clerk Lee – Discussion Only – Approval of Second Reading of Ordinance 754, Bill No. 2023-08, proposed ordinance amending Title 1, Chapter 8, Section 7 of the Ely City Code to increase candidacy filing fees from \$25.00 to \$50.00 for the mayor and councilman offices.

No Comments

## 8. DISCUSSION/POSSIBLE ACTION ITEMS PERTAINING TO THE PUBLIC HEARING.

1. Council Members – City Clerk Lee – Discussion/For Possible Action – Approval of Second Reading of Ordinance 754, Bill No. 2023-08, proposed ordinance amending Title 1, Chapter 8, Section 7 of the Ely City Code to increase candidacy filing fees from \$25.00 to \$50.00 for the mayor and councilman offices.

Councilman Trask moved to approve the Second Reading of Ordinance 754, Bill No. 2023-08, proposed ordinance amending Title 1, Chapter 8, Section 7 of the Ely City Code to increase candidacy filing fees from \$25.00 to \$50.00 for the mayor and councilman offices. Councilman Carson seconded the motion. The motion carried unanimously.

**THE MAYOR WILL RECESS THE ELY LIQUOR LICENSING BOARD MEETING FOR A MEETING OF THE REDEVELOPMENT AGENCY OF THE CITY OF ELY**

**10. ITEMS FOR DISCUSSION/POSSIBLE ACTION OF THE REDEVELOPMENT AGENCY OF THE CITY OF ELY.**

- 1. Member Elliott – Discussion/For Possible Action – Approval to add two seats to the Redevelopment Advisory Committee to be filled by residents and businesses in the Redevelopment Areas as interest is shown.

Councilman Carson moved to approve adding two seats to the Redevelopment Advisory Committee to be filled by residents and businesses in the Redevelopment Areas as interest is shown. Councilman Alworth seconded the motion. The motion carried unanimously.

**THE MAYOR WILL RECESS THE REDEVELOPMENT AGENCY OF THE CITY OF ELY AND RECONVENE THE REGULAR CITY COUNCIL MEETING**

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

- 1. Councilman Carson – Discussion/For Possible Action – Approval of Resolution 2023-12, establishing that the City’s water operators will determine responsibility for water or sewer line issues and verify that repairs performed in public rights-of-way by licensed contractors are correct prior to backfilling, subject to confirmation by the City Director of Public Works.

**CITY OF ELY**

**Resolution Number 2023-12**

**RESOLUTION ESTABLISHING THAT THE CITY’S WATER OPERATORS WILL DETERMINE RESPONSIBILITY FOR WATER OR SEWER LINE ISSUES AND VERIFY THAT REPAIRS PERFORMED IN PUBLIC RIGHTS-OF-WAY BY LICENSED CONTRACTORS ARE CORRECT PRIOR TO BACKFILLING. SUBJECT TO CONFIRMATION BY THE CITY DIRECTOR OF PUBLIC WORKS.**

- WHEREAS,** the Ely City Council has the authority to pass resolutions that are not repugnant to the constitutions of the United States or of the State of Nevada or to the provisions of Chapter 266 of the Nevada Revised Statutes, necessary for good municipal government and the management of the city affairs pursuant to Ely City Code 1-5-4(B) and N.R.S. 266.105;
- WHEREAS,** NRS 266.600 the City Council may control the finances of the corporation, appropriate money for corporate purposes, and provide for payment of debts and expenses of the corporation;
- WHEREAS,** the City requests that licensed plumbing contractors ask customers who call with water or sewer line issues whether they called the City first and the City Water/Sewer Department personnel respond after hours to exterior emergencies;
- WHEREAS,** there are circumstances of immediate need where a plumber is called out first and a City water operator later determines that the water or sewer line issue was on the City’s side; and
- THEREFORE,** pursuant to the above and in the best interest of the citizens of Ely, the City Council of the City of Ely, State of Nevada, hereby resolves and orders, by way of this Resolution, that the City’s water operators will determine responsibility for water or sewer line issues and verify that repairs performed in public rights-of-way by licensed contractors are correct prior to backfilling, subject to confirmation by the City Director of Public Works.

VOTES: AYES: \_\_\_\_\_  
NAYS: \_\_\_\_\_  
ABSTAIN: \_\_\_\_\_

PROPOSED on the 14<sup>th</sup> day of December 2023, by Councilman Carson.  
PASSED on the 11<sup>th</sup> day of January 2024.

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

Councilman Carson moved to approve Resolution 2023-12, establishing that the City’s water operators will determine responsibility for water or sewer line issues and verify that repairs performed in public rights-of-way by licensed contractors are correct prior to backfilling, subject to confirmation by the City Director of Public Works. Councilwoman Williams-Harper seconded the motion. The motion carried unanimously.

- 2. Councilman Carson – Discussion/For Possible Action – Review of Georgetown Ranch Bid Invitation for agricultural lease with possible changes, approval, and authorization to release.

Councilman Carson stated the Municipal Utility Board recommended approval on this item this morning. Since we talked about this last time, I have met with Councilman Trask, and he had a lot of good ideas that we put in here. We changed it to where we'd like a quarterly written report and added a few more items about the crops, the future plans, what they want to do, a water update of what they're receiving onto that property, if any, and a livestock number. We also changed the one-time five-year agreement, adding a one-time renewal. We thought that that might help encourage people to invest more money into the property.

City Clerk Lee stated just for clarification. I worked with B.J. to parse out the agricultural property next to the Landfill and the Treatment Plant. This doesn't include the five hundred or so acres that's around the climbing area; north.

**BID INVITATION**

NOTICE IS HEREBY GIVEN that the City of Ely, Nevada, is hereby accepting bids to lease the proposed Georgetown Ranch lease area in APN 010-42-006 of approximately 690 acres for joint development with the City. Access to water is limited.

**Agricultural Bid Requirements**

- 1. Agricultural bids must demonstrate how requested acreage will be utilized, developed, and how the City water rights will be put to beneficial use.
- 2. Agricultural bids must state that lessee will provide quarterly written reports to the Ely City Council on the following:
  - a) Weed abatement,
  - b) Perimeter fence repair and replacement,
  - c) Crops,
  - d) Future plans,
  - e) Water update, and
  - f) Livestock number
- 3. Agricultural bids must state that lessee will submit the required paperwork and payment to the Bureau of Land Management (BLM) to utilize the Georgetown allotment grazing permit and provide proof to the City of payment to the BLM for the allotment annually.
- 4. Agricultural bids shall identify lease rate for each year and include a cost-of-living increase for each year of the lease.

The term of an agricultural lease shall be for five years, with a one-time renewal up to ten years. Whether to allow fowl hunting on leased agricultural property will be at the discretion of lessee.

All bids are to be enclosed in a sealed envelope clearly marked, "GEORGETOWN AGRICULTURAL BID" and deposited with Jennifer Lee, City Clerk, City of Ely, 501 Mill Street, Ely, NV 89301 no later than Wednesday, February 7, 2024, at 3:00 pm. EMAIL BIDS WILL NOT BE ACCEPTED.

Bids will be opened on Wednesday, February 7, 2024, at 3:05 pm, at City Hall. The Ely City Council shall award the lease(s) on February 8, 2024, at their regular meeting held at the Volunteer Fire Hall, 499 Mill Street, Ely, NV 89301 at 5:00 p.m. Individuals mailing their bids assume the risk of late delivery. The City of Ely reserves the right to reject any and all bids.

Councilman Trask moved to approve changes to the Georgetown Ranch Bid Invitation for agricultural lease and authorized to release. Councilman Carson seconded the motion. The motion carried unanimously.



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

**A. CONSENT AGENDA**

Councilman Alworth disclosed I am a past member of the Ely Volunteer Fire Department and some payments benefit the Volunteers in which I have certain privileges by my association, but I will vote in good faith of the City of Ely.

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

**MOTION:** Move to approve the Consent Agenda item 12A-1 Minutes and 12A-2 Bills.

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

1. Discussion/For Possible Action – Minutes
  - November 9, 2023
  - November 30, 2023
  - December 14, 2023
2. Discussion/For Possible Action – Bills.
  - December 13, 2023
  - December 19, 2023
  - December 27, 2023
  - January 4, 2024

**B. NEW BUSINESS**

1. Mayor Robertson – Discussion/For Possible Action - Confirmation of Mayoral appointment of Don Hendrickson as City Building Official.

Mayor Robertson stated the Council is aware we've had this advertised for some time. I would like to publicly thank both Craig and Brad for pitching in, as they have for the last few months so that we could really do some advertising and entertain applicants and find the right fit for the job, which is what I believe we found here in Don Hendrickson. We advertised with a couple different nationwide and regional forums. Don Hendrickson comes to us from Kenai, Alaska. He has requested that we match his salary, that he was making up with the city of Kenai of \$88,000.00 a year to begin. He needed to give them thirty days' notice, so it will be a little bit before he is here.

Councilwoman Williams-Harper moved to confirm Mayoral appointment of Don Hendrickson as City Building Official. Councilman Carson seconded the motion. The motion carried unanimously.

2. Mayor Robertson - Discussion/For Possible Action - Approval of Parcel Map dividing Assessor's Parcel Number (APN) 010-420-06 to conform with the current footprint of the Golf Course. The subject property is Section 2, 3 & 10, Township 16N, Range 63E. The general location of the property is 1003 Lackawanna Road-Georgetown Ranch, and/or White Pine County Golf Course.

Basin Engineering Survey Manager Buzz Rosevear stated we tried to make the split as close to the existing fence lines as possible, so it's really separate from any of the agricultural use on the Georgetown Ranch currently and basically just fits the back nine that's under lease right now with White Pine County.

Mayor Robertson stated to be clear for the Council and public, this does not dispose of this property. It's merely a parcel map in preparation for the pending property trade that will come before the Council again. It dovetails with their initiative for drilling a well.

Basin Engineering Survey Manager Buzz Rosevear stated probably the only thing to note is the existing well that's out there; we carved that out so that is still on City property that your water rights are applied to.

Councilman Carson stated I guess I'm a little confused on that because granted, I know that they are our water rights, but I thought their intention was to drill there, too, and put their own well in.

Basin Engineering Survey Manager Buzz Rosevear stated correct, they're still going to drill in that general area, but we didn't want to leave that existing well and get that transferred over, possibly to White Pine County. It made more sense to keep the existing well within City of Ely property. The proposed well is near that, which is the best place to hook up to the infrastructure. The new well will be within the parcel that we're creating.

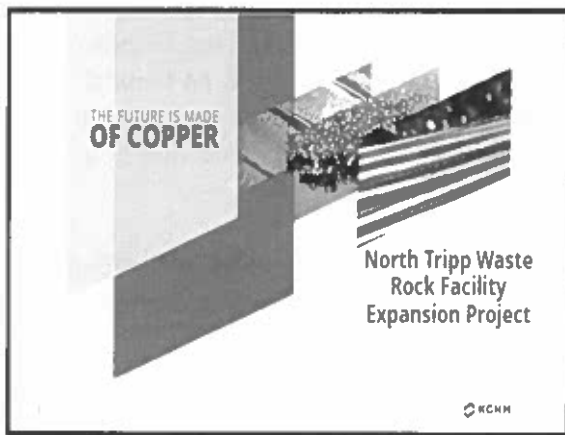
Councilman Trask moved to approve the Parcel Map dividing Assessor's Parcel Number (APN) 010-420-06 to conform with the current footprint of the Golf Course. The subject property is Section 2, 3 & 10, Township 16N, Range 63E. The general location of the property is 1003 Lackawanna Road-Georgetown Ranch, and/or White Pine County Golf Course. Councilman Carson seconded the motion. The motion carried unanimously.

3. Mayor Robertson - Discussion/For Possible Action – Review of the Ely Ranger District Barracks Project Request for Comments with possible approval of Support Letter.

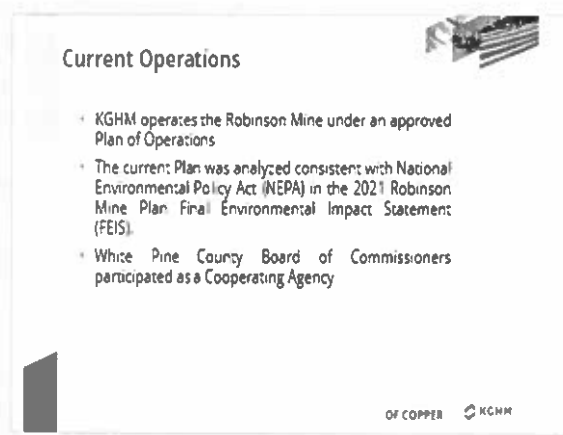
Councilman Carson moved to approve the support letter for the Ely Ranger District Barracks Project. Councilwoman Williams-Harper seconded the motion. The motion carried unanimously.

4. Councilman Carson – KGHM Robinson Nevada Mining Company Senior Environmental Engineer Kyle Tate – Discussion/For Possible Action – Update regarding the North Tripp Waste Rock Facility Environmental Assessment with retroactive approval of support letter to the Bureau of Land Management (BLM) for the Robinson Mine North Tripp Waste Rock Facility Expansion Project.

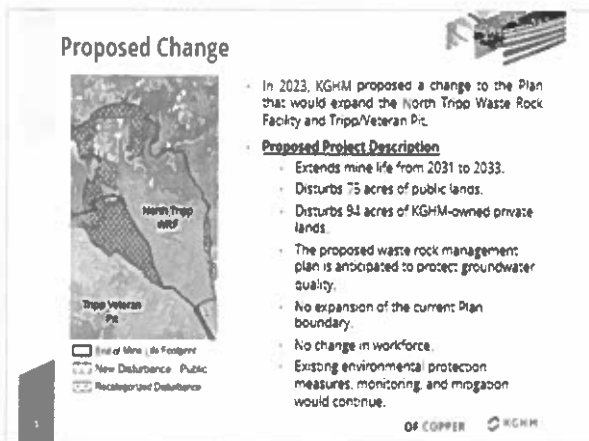
KGHM Robinson Nevada Mining Company Senior Environmental Engineer Kyle Tate reviewed the following presentation:



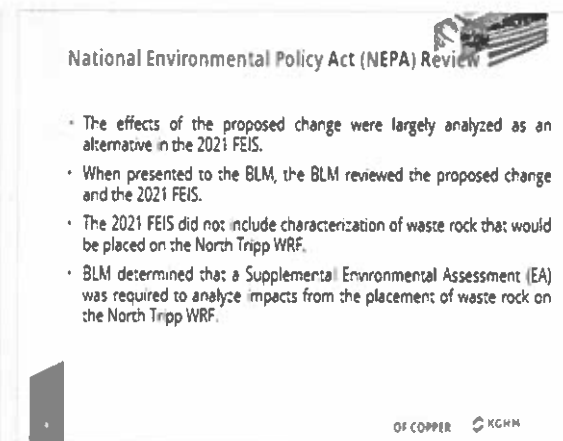
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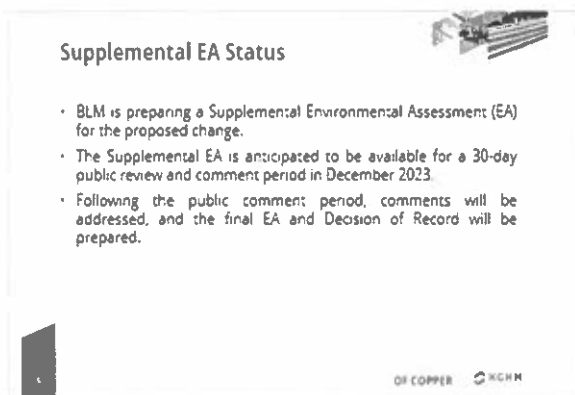
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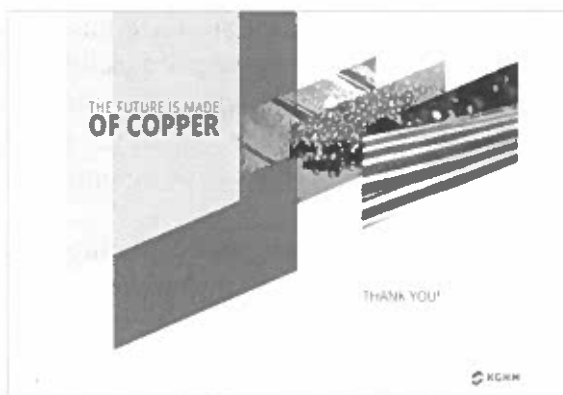
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Councilman Carson moved to retroactively approve support letter to the Bureau of Land Management (BLM) for the Robinson Mine North Tripp Waste Rock Facility Expansion Project. Councilman Trask seconded the motion. The motion carried unanimously.

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

Mayor Robertson stated we did discuss Brian’s schedule and he will be coming here during the Rotary Fishing Derby at the end of the month. We did discuss having a list of possible things to have Porter help us with that is being prepared by Porter that we’ll be discussing at the next meeting on the 25th of this month. Hopefully, he can join via Zoom for that, but as we discussed in our little group, we’d like to have the Council have a full discussion on where we’d like to go with the Porter Group, what the plans are for the next year, how long we’d like to keep that relationship going, and what we’d like to accomplish with that. That’s going to be the objective going forward, and we’ll have some more information at the next meeting.

6. Councilman Alworth – Discussion/For Possible Action - Designation of at least one zoning district within the City in which a tiny house (as defined by Section AQ102 of the 2018 International Residential Code): (1) may be located and classified as an accessory dwelling unit; (2) is allowed to be located and classified as a single-family residential unit; or (3) may be located in a tiny house park in accordance with NRS 278.253; and consideration of any other requirements for tiny homes deemed necessary.

City Attorney Cahoon stated this was brought to the Council's attention sometime last year. This was a statute that was passed by the Nevada State Legislature requiring some action on counties and municipalities. It was effective January 1<sup>st</sup>, but essentially requires that we adopt an ordinance establishing a zone for tiny homes within the City. My understanding is that can be a specific area or that we do have other zones that span the entire City. We can kind of set a blanket zone where they could be placed anywhere in the City, or we could designate this very specific area within the City that these tiny homes can be placed. The statute also requires that we pick one of those three options that I laid out in the language.

Mayor Robertson stated I'd like to just offer this that per the code, at the moment you can build a tiny home, which is defined as anything under four-hundred square feet in any residential zoned area within the City of Ely. I'm not exactly sure what we allow, as far as accessory dwelling units. In the residential code a tiny home is anything under four hundred square feet. Now, if it's on a trailer or something else, it's an RV and our code already addresses RVs; you can't just park an RV on a lot and call it a house.

City Attorney Cahoon stated that's where I was hoping that the Council, if they designate a zone, require that any tiny home have a foundation.

Councilman Alworth stated I'd personally like citywide, and the reason I say that is, we have an abundance of vacant lots. People don't want to clean them up and complain they can't sell them. This would be their chance to clean them up and be able to put tiny homes on them.

City Attorney Cahoon stated this was effective January 1st. I don't necessarily think we're pushing against any deadlines. It's essentially, we have to adopt this ordinance as soon as we can. If the Council can decide either having a citywide or designate a specific area in your motion. then I could get started with the ordinance. I'm assuming that would be single family, so it would be option number two for single family.

Councilman Trask moved to direct the City Attorney to draft an ordinance designating zoning within the City in which a tiny house (as defined by Section AQ102 of the 2018 International Residential Code) is allowed to be located citywide and classified as a single-family residential unit, with consideration of any other requirements for tiny homes deemed necessary by the City Building Official. Councilman Alworth seconded the motion. The motion carried unanimously.

7. Councilman Alworth – Discussion/For Possible Action – Discussion regarding pros and cons of moving forward with purchase of \$89,492.25 Rugby Dump Truck for the Water and Sewer Departments, with possible decision not to move forward with the purchase.

Councilman Alworth stated due diligence was not done on my part before making the motion to purchase a new dump truck and that is why I have brought it back to the Council. After viewing the subject dump truck the day after the Council meeting, it was newer than I thought. I contacted a well-known, experienced mechanic about replacing a PTO on the dump truck that was reported not to be able to get parts for any longer. He recommended purchasing a new PTO and pump because they are available. He also stated if the City was going to dispose of the truck, he would bid on it, replace the PTO and pump and have a good truck. The costs for replacement of PTOs, depending on the size and intended use, range from less than \$1,000.00 to not many being over \$5000.00. The truck is a 2006 with 35,000 miles. Average mileage per year (eighteen years) within the City is calculated to be 1,944 miles per year and average mileage for seventeen years calculates to be 2,058 miles per year. The mechanic hired to repair the PTO was able to piece the unit back together but did run into problems locating a gasket and a mechanical seal. He did get all the parts and I was informed the truck could be back in service by early next week. Now comes my concern on purchasing a new dump truck for close to \$90,000.00 that operates only an average of 2,000 miles per year. The current truck with the rebuilt PTO will give the City many years of service. The Water/Sewer Fund budgeted for a \$165,348.00 building for storing equipment out of the elements, if the truck does get ordered, the building may have to be delayed due to not having enough funding remaining (\$75,928.00) to move forward. Will delaying the construction till next year cause an increase in costs due to inflation? Construction possibly could start before the fiscal year ending June 2024, but purchasing the dump truck pulls the required monies to pay for it. I believe it would be safe to say the contractor has planned and budgeted for the project to be completed as scheduled. For example, the building budgeted to be constructed near the cemetery is being constructed as we speak. In a crunch, the City could work with White Pine County to borrow a truck or even rent a dump truck from a local source on an as needed basis, until ours is repaired. As always, we, the Council, are responsible to the citizens of the City of Ely to be fiscally responsible when spending monies. Who is the contractor for the building?

City Public Works Director Cracraft stated we are still working on putting it out for bid.

Mayor Robertson stated we may find that once we get it under contract, the cost might have gone up from what we budgeted for?

City Public Works Director Cracraft stated we had quotes, and that's all we can do when we do our budget. Carl and I are going to sit down and make sure we have all the specs, so we don't have any problems like on the cemetery building before it goes out for bid.

Councilman Trask stated let's say we did move forward with actually getting this truck. It sounds like this other truck might be fixed, but is there a possibility you could use both of them?

City Public Works Director Cracraft stated absolutely.

Councilman Trask stated maybe we could come up with an equipment replacement plan, so we don't run into these issues again.

Councilman Carson stated I agree with that. On the RTC agenda this morning they're doing a public transit budget and White Pine County this year has equipment and it states the reason for purchase is to continue to upgrade and replace the old fleet. We do need to start thinking about replacing our stuff.

Councilman Trask stated I think it would be smart to at least have a plan and then budgeting becomes easy. This is the second time we've had this conversation and I understand why you brought it back Jim, but I think if Mike stands up here and tells us that they need it, that's why we hired him to make these decisions. So, I'm always going to stand by what he has to say until otherwise proven wrong.

Councilman Carson stated I do know from experience that we have had wet mud on a cold night, and it has frozen into a brick, and we only have one trailer. You can't dig it out with a backhoe, and you are out there at 1:00 a.m. in the morning, it's freezing, and you're hooking up to a fire hydrant trying to blow the mud out and it's miserable. Granted we don't use it a lot, but to me it is kind of like an ambulance: when you need it, it has to work.

City Treasurer/HR Director Trask stated if purchased this will come out of the Water and Sewer Funds. They usually do an 80/20 split, and it's out of the Enterprise Funds capital.

Item died due to lack of motion.

### 13. PUBLIC COMMENT

George Chachas stated the proposal for small or tiny homes is not in the packet, so I don't know what you guys are talking about, but your building code now requires five thousand square feet. I've got lots that are grandfathered in that I've been trying to rent, and yet you guys won't give me a permit. The railroad arm on Aultman Street near the Holiday Inn has been broken off for several months and it's a safety issue. It may be a federal issue. I want to know if it's been turned in for insurance. I want to know if it was collected from someone who ran into it; you have an issue that needs to be addressed. Mr. Chachas stated ongoing concerns regarding the drainage from the Bath property onto his property at 622 High Street; his request for a complete list of RVs that have been permitted in the City and if they are paying utilities; his request for reimbursement for the sewer problem he took care of at his property located at 681 Parker Avenue; his opinion that the City and County are not addressing Code violations; his mention of attractive nuisances and selective enforcement on them; his concern of semi's parking in residential areas; sidewalks being overrun by sagebrush and snow not being removed; his concern with the exit Golden Gate has planned coming out on a City road.

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

Councilman Carson moved to adjourn the regular meeting of the Ely City Council at 6:20 p.m. Councilman Alworth seconded the motion. The motion carried unanimously.

  
\_\_\_\_\_  
MAYOR

  
\_\_\_\_\_  
ATTEST

