

CITY OF ELY

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

ELY CITY COUNCIL REGULAR MEETING

February 22, 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.**, Pastor Bob Winder offered an invocation. Mayor Robertson led in the Pledge of Allegiance and asked for Roll Call.

Members present:

- Mayor Nathan Robertson
- Councilman Terrill Trask
- Councilman Kurt Carson
- Councilwoman Samantha Elliott
- Councilman Jim Alworth
- Councilwoman Jerri Lynn Williams-Harper (Zoom)

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

- City Clerk Jennifer Lee
- City Treasurer/HR Director Janette Trask
- City Public Works Director Mike Cracraft
- City Attorney Leo Cahoon
- City Fire Chief Pat Stork
- City Engineer B.J. Almborg – joined the meeting at 5:23 p.m.
- City Police Chief Scott Henriod
- City Municipal Court Judge Mike Coster (Zoom)
- City Administrative Assistant Patti Cobb

Also, in attendance: Members of the public in attendance at the Ely Volunteer Fire Hall signed in (appears below) and the following people attended via video conference: Geri Wopschall, Cheyenne with the Ely Times, Rhiannon Scanlon, and Xander.

ELY CITY COUNCIL ATTENDANCE LIST

DATE: February 22, 2024

Print name below

Wm Wolf
Janet VanDamp
Isela Suarez
Alcator Briceno
Vianka Briceno
Dillon Stark
Tim Rice
Tabitha Wene
George Chachas
Pastor Bob Winder
Caer Matyja
Bdobi Bareda
Robert Matyja

Print name below

2. PUBLIC COMMENT

George Chachas stated on your agenda item 8B-1 you are to consider the donation of parcel 2 consisting of 105.116 acres to White Pine County for the purpose of drilling a new well to service the Golf Course and that needs to be denied. The City is now giving an undeserved, substantial reduction in the water charge rate to the Golf Course; no one else gets that. The Council is discriminating against other users and is in violation of federal law. If the Golf Course can afford to pay \$500,000.00 to drill a well, they can certainly pay their monthly water bill to the City. The Golf Course needs to stay on City supplied water, and they need to pay their fair share to help the City utility so that it benefits all users. The taxpayers are subsidizing the Golf Course now. Those that play golf need to pay more, and not come back to the taxpayer for additional monies. Mr. Mayor, on your agenda item B-5, I remind you the Council has no business joining and contributing to a private club that services and promotes their members only. On your agenda item 8B-7, you are to consider the possible approval of Resolution 2024 - 02, which is a complete farce. The procedure regarding hiring of exempt appointed officials has always been in place, that is how Jennifer Lee and Pat Stork received their positions. Mayor, you're the only one not following past practice by not allowing the City Council's input and consent until after the fact. Mr. Mayor, on your agenda item 8B-2, there was nothing in the packet for the public to view prior to your consideration. Again, you have got to stay out of the private sector with competition. I have come to your Council meetings and have asked for permits for my properties for years and have gotten nothing. The discrimination needs to stop. \$14,000.00 for that parcel for one house and three years to build; you're in the same pathetic situation as the County, and that needs to stop.

Bill Wolf stated in regard to item one under New Business I would like to speak in support of the City donating the land to the County so that the Golf Course can be one entity and the well would be a benefit to the community and to the Golf Course. Then it will just be the Golf Course taking care of the Golf Course and I don't believe this expects the City's water rights at all, any use would be the County water rights, so I think it's a good thing.

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

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

4. CITY DEPARTMENT REPORTS

➤ MUNICIPAL COURT JUDGE

Municipal Court Judge Coster stated the standard monthly report is in the attached materials with nothing remarkable there. The item I want to call to your attention is that traditionally, and until recently the Municipal Court has been in a co-sharing arrangement of public defender services through White Pine County as is required by the Nevada Revised Statutes. As the Council may know, starting in October the County is contracting with the Nevada State Public Defender Agency instead of using local counsel as they have for the last eight or nine years. What we have found is that the agency has been unable to maintain sufficient staff to handle the entire White Pine County and City of Ely workload, and they have told us that. As a long-term interim solution, they are requesting that all of the Municipal Court public defender work be assigned to local attorneys, that they approve, at a rate of pay that they had established. What that means is under their model the City of Ely will be directed to contract with an attorney who rightfully has said, until that contract is in place, they are not prepared to take on work at the Municipal Court, so we have a little bit of a traffic jam in public defender assignments right now. The City Attorney and I learned of this change about two weeks ago. Last week we initiated a phone call from the interested parties, and we need to get a fix in place in an expedited fashion. I think you can stay tuned for one of two solutions in the near future; either White Pine County will be contracting with one local attorney to handle Municipal Court cases, which is fine from my perspective and from the Courts perspective, or as the State seems to be designing it, the City of Ely will be told to contract directly at the same rate that the State is using. There would be no budget impact, but there needs to be a written and approved contract vehicle, so that when those

attorneys' bills show up in City Hall your accounting staff will know what they are paying on, and they will not be unexpected, uninvited bills. This should not have happened this way and I have made that clear to the State. I think Mike Wheable, speaking on behalf of the County, said he did not know they were going to take those steps. I am not sure what he knew, but I am calling this to your attention because we might need quick action, assuming that the City Council agrees. I know I will recommend that agreement, and if we are going to be making a direct contract that we get it in place at the next City Council meeting so that the services can continue at the Municipal Court for public defender services with minimal disruption. I am sorry if that hit you cold, but if you have any questions about that now, I'd be happy to answer them, and I will, of course, be sure to attend any meeting where that topic comes up.

➤ **CITY ATTORNEY**

City Attorney Cahoon stated I just want to give an update on the Landfill liens; to date, my office has collected just north of \$31,000.00.

5. REPORTS

➤ **COUNCILMAN ALWORTH**

Councilman Alworth asked with the \$25,000.00 the City of Ely donated to the Shoshone Tribe were they able to reach their goal?

Councilwoman Elliott stated last time I spoke with them they were working on it. I will follow up with them and report back.

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

1. Council Members – Tree Board Chairman Wolf – Discussion Only – Update on City Tree Board's application for a 2024 Nevada Urban Community Forestry grant.

City Tree Board Chairman Wolf stated the function of the City Tree Board is to provide support for the City staff and as part of that we've been in discussions with the City Public Works Director about problems he was having. One of the issues is all the dead trees at the at the Ely cemetery. The impact is going to be on the City budget and how is he going to get that issue taken care of? I think it's due to a declining water table, as to why the trees are dying. So, to that the Nevada Department of Forestry (NDF) Had some money that they were requesting grant proposals on. The City Tree Board put together a grant proposal for which we got funded a total of \$152,750.00. The City staff and the City Tree board will be meeting with NDF on Monday to finalize how that is all going to go. The grant is \$152,750.00 with \$130,000.00 earmarked for removal of trees, \$20,000.00 for a tree inventory of all the trees that are in the City, but also in cooperation with the County on their properties. Hopefully, the County will form its own tree board, and we will have a plan going forward with the City and the County being on the same page, trying to get the same things done as far as improving the urban and community forest. The remaining \$2,750.00 of that grant would be for replacing trees at the cemetery. Following the meeting on Monday with NDF we will be able to give a further update.

7. 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 IV Liquor License to Suarez Briceno, LLC located at 211 5th Street, Ely, Nevada.

Councilman Alworth moved to approve a Class IV Liquor License to Suarez Briceno, LLC located at 211 5th Street, Ely, Nevada. Councilman Carson seconded the motion. The motion carried unanimously.

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

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

A. CONSENT AGENDA

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

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 for the City of Ely.

Mayor Robertson disclosed 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.

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

1. Discussion/For Possible Action – Minutes
 - February 8, 2024
2. Discussion/For Possible Action – Bills.
 - February 7, 2024
 - February 15, 2024

B. NEW BUSINESS

1. Mayor Robertson – Discussion/For Possible Action – Approval to donate Parcel 2 of White Pine County Record Map 1328 located on the Golf Course consisting of 105.116 acres to White Pine County for the purpose of drilling a new well to service the Golf Course using White Pine County water rights; if approved, this donation would exclude any and all City of Ely water rights associated with the parcel.

Councilman Alworth stated I am against donating the land. When this was first discussed it was a swap of County land for City land so that is my first issue. It's no different trying to donate this versus what we put out to bid for the Belfort property. If we're going to donate, we need to give every constituent a chance to bid on it. This is in a different area, but I believe that is the right way to do this. I'd like to have the County come and say, we'll swap you 105.116 acres for this piece of land, but we have got to be aware of the piece of land they give us. The purpose of drilling the new well is to service the Golf Course using White Pine's water rights. I have to say I went to my first Natural Resource Advisory meeting, and I gained a lot of information and contacts dealing with water, so I followed up on them. The County applied for 400-acre feet, point of diversion was changing from out by Loggie's into this location where they want to put this. Their application is under protest and that protest may last for months or years. I think we're putting the cart before the horse by trying to give a piece of land away to put a well on when they cannot drill the well until the State Water Board approves this. In my opinion, we don't want to give them any land until they can come back at the same time and say tit for tat; we're going to give you this for that. If we don't, this thing here's going to come back just like that cotton picking sewer pump station out there in 1982; it was the intent the County was going to do all the furnishing on that. Here we are in a big mess with that, so we cannot give City land away, absolutely no way. We want to be adamant that they give us land, that we don't have to run a water line to, a sewer line to, or develop a road to it.

Mayor Robertson asked If the Council did decide to go ahead with this tonight, could they put a stipulation that if the County isn't able to move the water rights because of the protest, or doesn't end up putting the well in within a certain amount of time, say two years, that the property could revert back to the City?

City Attorney Cahoon stated you would just include that in the deed if it's not used for the Golf Course, or if they're unable to drill the well, for whatever reason, then it would revert back to the City.

Mayor Robertson stated is there anything else you can shed some light on the concerns from Councilman Allworth regarding the land swap and what the options available to the city are?

City Attorney Cahoon stated the land swap is still an option. However, I think the land the County had contemplated swapping over to the City is problematic because there's an issue with the title. I don't know if there's any other land that's being proposed in exchange for this. I did take note of Councilman Alworth mentioning going through the bid process and opening it up for the citizens. If I'm not mistaken, there is a Nevada Revised Statute (NRS) provision that allows government to government transactions to forego the bid process.

Mayor Robertson asked is that because technically, it stays in the public interest?

City Attorney Cahoon stated yes.

Councilman Trask asked could that be part of our motion because I agree that we need to get something that benefits both.

Councilman Carson stated I agree with all that as well. I think the County is trying to hurry to get this done for the summer watering season. At the end of the day, I think we need to keep in mind that it's taking our biggest water user off of our system, which is huge for us. Really, in the summertime if we have all these pumps running, and if one of our major pumps quits, we will have a very, very tough time keeping these tanks full.

Councilman Alworth stated just for clarification if the County was to get, and pump that 400-acre feet, that's coming out of this aquifer here, whether the Golf Course well is running or not, they're still pulling water? As long as the Golf Course well could run, we could pull water out of the same puddle underneath the ground?

Councilman Carson stated we can and we're also relaxing this aquifer up behind us and letting Murry Springs recharge a little bit.

Mayor Robertson stated I didn't think the Aquifer was the issue. The issue is that we don't have enough tank storage for fire protection.

Councilman Carson stated correct, in the summertime if one of our major pumps go out, we'd have a very tough time keeping these tanks full, maybe water restrictions, who knows.

Mayor Robertson stated anytime we've had to call the Golf Course to say, hey, you guys have got to back off we've got a pump down, it's because we can't keep enough water in our tanks.

Councilman Carson stated they'd be independent of us, and we're not putting chlorinated water on the grass.

Councilman Alworth stated I did have clerk Lee send me the agreement with the Golf Course for \$83.00 a year and on page three they talk about improvements. I don't know if that would be classified as an improvement? If we said we're not going to give you the land, but you can put the well on it and you have got a thirty-year lease. They've had it for two thirty-year leases and I'm just throwing that out there as another option.

Councilwoman Elliott asked is there some other parcels that you have in mind that we can maybe counter them with?

Councilman Carson stated I think they did offer us a fairly decent parcel that everybody liked, it just has a clouded title or something. Leo's recommendation, I believe, was to get that cleared up, right? I think the intent is there, I just think there is a little bit of legal paperwork that needs to be done.

Mayor Robertson asked can we include the land swap as part of the motion, the intent, or anything about that or is that not kosher because of the way the agenda is worded?

City Attorney Cahoon stated it would just depend on how long that would take and if that's a condition of the transfer. From what I've learned about the title on that land, the County is proposing, is that it's sort of a headache, and they don't really know how to resolve it.

Mayor Robertson asked is it just the headache, or is there a cost involved with them doing that, and that is why there is the hold up?

City Attorney Cahoon stated there would be both. My understanding is that there is a clouded title. The property was transferred from a tax sale decades ago and there are issues with it, and I would recommend the City not take it as is right now under a quit claim deed. I would prefer it be taken care of on the County's side.

Councilman Alworth moved to table donating Parcel 2 of White Pine County Record Map 1328, consisting of 105.116 acres, to White Pine County until the County can offer a parcel in trade for the same acreage that has value to the City of Ely. Councilwoman Williams-Harper seconded the motion. The motion carried unanimously.

2. Mayor Robertson – Discussion/For Possible Action – Review of deed for the City's Belfort Avenue parcel, APN 001-121-01, awarded to White Pine County Construction, with possible approval.

Councilman Alworth stated on the second page it states that the property must be used for construction of residential housing in the form of at least one single-family residence to be sold to the public. If a contractor builds it himself and wants to live there, does that interrupt that?

Mayor Robertson stated I think the public consists of anybody that is not the government.

City Attorney Cahoon stated I did have this discussion with Dave, and it would probably be in everybody's best interest for me to just clean up that language slightly. We obviously want it to still be provided to the public, but perhaps I could include something in there that would allow him to live in the house.

Councilman Carson stated it really is no different than a homeowner/builder.

City Attorney Cahoon stated the only thing I'd like to say is the legal description of the parcel was not included in this, because there is some additional work on that that needs to be done and that should be completed next week.

Councilman Alworth moved to approve the deed for the City's Belfort Avenue parcel, APN 001-121-01 awarded to White Pine County Construction, with the forthcoming corrected legal description. Councilman Carson seconded the motion. The motion carried unanimously.

3. Mayor Robertson – Discussion/For Possible Action – Approval of up to \$6,500.00 in expenditures for City of Ely officials to visit Nevada's Congressional Delegation in Washington D.C. March 6-9, 2024, to be paid out of uncommitted Community Service Funds.

Councilman Trask moved to approve up to \$6,500.00 in expenditures for City of Ely officials to visit Nevada's Congressional Delegation in Washington D.C. March 6-9, 2024, to be paid out of uncommitted Community Service Funds. Councilwoman Williams-Harper seconded the motion. The motion carried unanimously.

4. Councilwoman Elliott – Discussion/For Possible Action – Approval of Second Addendum of Contract between Porter Group, LLC, and the City of Ely for continued lobbying services through March 14, 2025.

Councilman Carson moved to approve the Second Addendum of Contract between Porter Group, LLC, and the City of Ely for continued lobbying services through March 14, 2025. Councilwoman Elliott seconded the motion. The motion carried unanimously.

5. Councilwoman Williams-Harper – Discussion Only – White Pine Chamber of Commerce monthly report.

White Pine Chamber of Commerce Director Shadrach Robertson reviewed the following report:

The Chamber of Commerce is happy to invite the council and staff of the City of Ely to the Best of White Pine Dinner on Friday, March 1st. This is an evening that benefits small businesses throughout Ely and White Pine County by encouraging friendly competition across a variety of industries. The evening begins at 5:30 pm and will honor fourteen Chamber Members with a special award as Community Builders with over forty years of supporting the Chamber of Commerce.

After a year in the CEO position for the White Pine Chamber of Commerce and Ely Visitor Center, we are proud to report our organization is representing more members, sponsors, and partners than ever before. That translates to becoming an agency that has become an employer of staff and is able to support more members in their businesses as well as providing expanded services to members. Since the beginning of the year, the Chamber of Commerce has provided an investment of over \$30,000.00 into the local economy in Chamber Bucks, along with our partner KGHM. This Chamber Buck Program benefits small businesses such as restaurants and retailers throughout White Pine County.

Currently, a Chamber's Non-profit Partner, AARP is holding an open enrollment accepting applications for unemployed senior citizens to fill vacant part-time positions within governmental or non-profit organizations. The Department of Labor program will pay the minimum wage for these employees in the program. The Chamber of Commerce is a proud participant in this program that enabled us to employ a senior citizen that lost her job unexpectedly and would have struggled otherwise to find employment.

If any council member has any questions, please feel free to contact me anytime. I am also enjoying working with Councilman Trask on the Redevelopment Committee despite all the homework he is giving out.

Also, lastly, Councilman Alworth, to answer your question from earlier about acre-feet of water to gallons: 400 acre-feet equals 130,340,377 gallons of water.

I'm happy to help the city, a valued Chamber Member anytime you need anything.

Thank you for your time.

6. Council Members – City Public Works Director Cracraft - City Engineer Almberg – Discussion/For Possible Action – Approval of Certification of Roads for Fuel Tax within the City of Ely, Nevada, pursuant to NRS 365.550.

2024
(2023 Data Year)
Certification of Public Road Mileage and Fuel Tax Mileage
To Nevada Department of Transportation

Annual certification of city owned/maintained Public Road/Street mileage, Fuel Tax Road/Street mileage within Ely.

Public Road Mileage: I hereby certify that there are 50.91 centerline miles of Public Road/Streets within the corporate limits as of December 31, 2023.

Number of Paved Miles: 35.65 Number of Unpaved Miles: 15.26

Please submit a full inventory of your Certified Public Mileage roads in one of the following formats:

1. Excel Spreadsheet
2. File Geodatabase
3. Shapefile
4. Map

Note: Your certification must include a full inventory of all maintained roads that match the above certified number. This inventory must include the begin and end points as well as the total length of each road, per NRS 365.550, Sections 8 (a)(b). Please submit a full copy of your database as NDOT requires all roads that are classified as Certified Public Roads to be submitted, not just yearly additions.

Motor Fuel Tax Mileage:

Note: Nevada Department of Transportation is requesting that you submit your Motor Fuel Tax mileage certification by March 1, 2024. If you do not submit your certification by this date, we will be unable to provide your certified mileage to the Department of Taxation and your agency will not receive reimbursable fuel taxes.

I hereby certify that there are 50.91 Motor Fuel Tax centerline road miles maintained by Ely as of December 31, 2023.

Please submit a full inventory of your Motor Fuel Tax roads in one of the following formats:

1. Excel Spreadsheet
2. File Geodatabase
3. Shapefile

Note: Your certification must include a full inventory of all maintained roads that match the above certified number. This inventory must include the begin and end points as well as the total length of each road, per NRS 365.550, Sections 8 (a)(b). Please submit a full copy of your database as NDOT requires all roads that are classified as Motor Fuel Tax to be submitted, not just yearly additions.

I hereby certify that the above values accurately reflect the roadways under our jurisdiction.

Printed Name: MIKE CRACRAFT Date: _____

Title: PUBLIC WORKS DIRECTOR

Public Road miles/mileage is defined in C.F.R. Title 23 Parts 460.1-460.3 and U.S.C. 23 Chapter 4 Section 402(c)
Motor Fuel Tax miles/mileage is defined in NRS 365.550

City Engineer Almberg stated this is something we do annually to certify our roads. There was a very trivial change in that the small section of road on Avenue A owned by the Railroad has been removed from our total.

Councilman Carson moved to approve the Certification of Roads for Fuel Tax within the City of Ely, Nevada, pursuant to NRS 365.550. Councilwoman Elliott seconded the motion. The motion carried unanimously.

7. Council Members – City Attorney Cahoon – Human Resources Director Trask – Discussion/For Possible Action – Approval of proposed Resolution No. 2024-02 adopting hiring policy and procedures for exempt appointed officials, with possible changes to be determined.

CITY OF ELY

Resolution Number 2024-02

**RESOLUTION ADOPTING SECTION 3.27 OF THE PERSONNEL POLICY MANUAL
ESTABLISHING HIRING PROCEDURES OF APPOINTED OFFICIALS.**

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 266.405 and 266.395 provide that the Mayor shall appoint all officers as may be provided by law or ordinance, with the advice and consent of the city council;

WHEREAS, Ely Municipal Code (EMC) 1-6-1 establishes the Mayor’s authority to appoint city officers to their respective offices with the advice and consent of the City Council;

WHEREAS, the City wishes to adopt certain hiring policies for appointed officials to establish uniform practices and encourage elected officials to make informed hiring decisions; 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, orders, finds, and adopts by way of this Resolution Section 3.27 of the Personnel Policy Manual pursuant to EMC 1-6-4(B), attached as Exhibit 1 and incorporated herein by reference.

VOTES: **AYES:** _____
NAYS: _____
ABSTAIN: _____

PROPOSED on the 3rd day of February 2024, by Councilman Jim Alworth.

PASSED on the 8th day of February 2024.

APPROVED: _____
NATHAN ROBERTSON, MAYOR

ATTESTED TO BY: _____
JENNIFER LEE, CITY CLERK

EXHIBIT 1 OF RESOLUTION NO. 2024-02

SECTION 3.27 OF THE PERSONNEL POLICY MANUAL OF THE CITY OF ELY

Hiring Procedures for Appointed Officials

- I. Pursuant to EMC 1-6-1 and NRS 266.395, all appointed officers of the City shall be appointed to their respective offices by the Mayor, with the advice and consent of the City Council.
- II. The Mayor shall select the most qualified and dependable candidate(s) from the pool of applicants, if applicable, for the office to which the candidate is applying.
- III. The candidate(s) selected for appointment by the Mayor shall be present during the meeting for their approval by City Council and must be able to answer questions by the Council. The candidate's qualifications must be provided to the Council at the initial posting of the agenda to allow the Council sufficient time to examine said qualifications.

Councilman Alworth stated in my opinion the most important thing is Exhibit 1 and the third whereas stating the mayor has authority, but he does not have power is very important. This Resolution establishes uniform practices and encourages elected officials to make informed hiring decisions. We, as the Council and all of the City need to be way more transparent in what we're doing. What the City Attorney has put into this Resolution covers it really well.

Councilman Alworth moved to approve Resolution No. 2024-02 adopting hiring policy and procedures for exempt appointed officials. Councilman Carson seconded the motion. The motion carried unanimously.

8. Council Members – City Clerk Lee – Discussion/For Possible Action – Review of bid received to complete restrooms and lighting in Steptoe Valley Skeet and Trap Club hunter education building, estimated construction administration costs and remaining Nevada Department of Wildlife grant funds to do so, with possible award of bid.

City Clerk Lee reviewed the following:

February 15, 2024

Mayor Robertson and Ely City Council

Subject: Proposed bid award – SVTS Hunter Education Building

Bid received to complete minimum work necessary for Steptoe Valley Trap Skeet Club (SVTS) building to receive certificate of occupancy exceeds remaining Nevada Department of Wildlife (NDOW) subgrant funds by \$134,372.84.

Background: Granted in April 2022, the \$183,999.70 NDOW subgrant has paid \$60,672.54 for the following State and Code commercial requirements towards completion of the Steptoe Valley Trap and Skeet's club hunter education building: Topographic work, Septic System percolation tests, Septic System Design for Nevada Division of Environmental Protection approval, stamped architect plans and bid procurement.

Key Considerations:

1. **Base bid can only be reduced by \$3,000.00, the amount for the permanent project sign.** Bathrooms and lighting installation are required for the Building Department to issue a commercial certificate of occupancy. Steptoe Valley Trap and Skeet Club have a \$2,970.83 remaining match to meet, so sign installation can be completed by them.
2. **Nevada Department of Wildlife subgrant's performance period expires June 30, 2025, so Steptoe Valley Trap and Skeet Club have time to seek additional funding to complete the building.**
3. **The Nevada Department of Wildlife subgrant's federal awarding agency is the Department of Interior, which requires Construction Administration and oversight.** Basin Engineering has estimated the construction administration and oversight cost for this project to be \$12,600.00.

Next Steps:

1. Reject Pearson Brothers' January 22, 2024 bid as the public interest would be best served due to insufficient subgrant funds.

J Lee

Councilman Carson stated maybe it would be possible to scale back and rebid it down the road.

City Clerk Lee stated the problem is, it's bare bones right now. It's just installing the restrooms and electricity.

Councilman Carson stated right, but maybe they could burn up the grant money by scaling the job down and doing less. We wouldn't get a complete project, but it would get the grant money spent, and they wouldn't lose the money. I've seen a lot of people do that lately, because the prices have just gone through the roof, and everybody is over budget now.

Councilman Carson moved to reject the bid received to complete restrooms and lighting in Steptoe Valley Skeet and Trap Club hunter education building due to insufficient funding with the recommendation to scale back and bring back a new bid for possible approval. Councilman Trask seconded the motion. The motion carried unanimously.

9. PUBLIC COMMENT

Cari Matyja with the Rio Bar stated I would like on the next agenda an opportunity for discussion with possible action that would resolve City Code 3-1-2 and 3-2-9. It is the one I received a Cease-and-Desist Order on, and I would like to have that resolved.


Janet Van Camp stated I would like to let you know that rPlus Energies will be having two open houses in March. The first one is on Monday, March 18, 2024, at the McGill Elementary School gym; the doors open at 6:00 p.m., and they'll be serving dinner at 6 30 p.m. The Ely open house will be Tuesday, March 19, 2024, at the Ely Elks Lodge; the doors open at 6:00 p.m. and dinner will be served at 6:30 p.m. I do have an email out to them to see if this is a question-and-answer period, and they haven't responded to me yet. I think it's a good opportunity for people to voice an opinion, whether pro or con.

George Chachas stated at your last City Council meeting held on February 8, 2024, City Clerk Lee commented she was the one that processed approval to remove past utility fee penalties for the Town and Country Motel. I overpaid on that account, and I gave that paperwork that stated it back to you, yet to date, you have failed to give me the tracking information, and I have not received the refund. I got a letter, dated January 13, 2024, from the City Clerk regarding notice of delinquency and intent to lien. I've been paying on 490 High Street on an agreement with the counselor here, Leo, since back in October; \$100.00 more than the basic fee until this thing is cleared up. I don't know why I got this, but I'm tired of selective enforcement. Mr. Chachas stated ongoing concerns regarding who paid for the excavation and paving at 901 Avenue H; code violations not being addressed by the Regional Planning Commission, City Council or County Commission; those that have been permitted in the City to park RVs and if they are paying utilities; the drainage from the Bath property; if there was a citation or any correspondence regarding the dilapidated awning at the corner of Great Basin and Aultman Street; correspondence on code violations at 295 Ely Street; and any information for City Clerk Jennifer Lee to correct the encroachment of her fence on the City right of way.

Mayor Robertson stated Mr. Chachas you have been notified that is not City property.

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

Councilwoman Elliott moved to adjourn the regular meeting of the Ely City Council at **6:02 p.m.** Councilman Alworth seconded the motion. The motion carried unanimously.



MAYOR



ATTEST