

CITY OF ELY

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

ELY CITY COUNCIL REGULAR MEETING

June 27, 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., 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

Members absent:

- Councilwoman Jerri Lynn Williams-Harper

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

- City Clerk Jennifer Lee
- City Treasurer – HR Director Janette Trask (Zoom)
- City Attorney Leo Cahoon (Zoom)
- City Fire Chief Pat Stork
- City Engineer B.J. Almberg
- City Building Official Don Hendrickson
- 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 people attended via video conference: Geri Wopschall, Rhiannon Scanlon, Shain Manuele, Michelle V., and Edith Duarte.

ELY CITY COUNCIL ATTENDANCE LIST

DATE: June 27, 2024

Print name below

Janet VanCamp
Dennis Porech
Brad Simpson
Hannah Cohen
George Chachas
Caroline McIntosh
Mel VanCamp
Tony Enriquez
Jeff Robinson

Print name below

City Administrative Assistant Cobb stated please note if you log on and experience difficulty hearing the meeting, please call one of the toll-free numbers 877-853-5247 or 888-788-0099.

2. PUBLIC COMMENT

George Chachas stated on your agenda item 6B-1 and 6B-2 there was nothing in the meeting packet for the public to see what you're considering. When did the members of City Council receive the proposals for review? I just got mine as I entered. I'd like to know if the City Attorney is going to be present at City meetings or will he be Zooming in? On your agenda item 6B-6 the Council is to consider a \$10,000 donation to the White Pine Main Street Association and that item needs to be denied. That group is not helping the downtown area at all, only certain projects. Elected officials should be spending the taxpayers' money, not some silver spoon individuals with a dream that has not produced any results. I want to remind you that I was invited to a presentation by NDOT. It was held at the Convention Center on February 28th Regarding the Ely Streetscape Project. When I set up my video camera, I was told to stop, that it was a private affair and the sheriff's office was called to have me removed by two deputies. I have property that's going to be affected by that project. The Council must remove Caroline Bath Macintosh from such flagrant and outright discriminatory actions. I was in a public building in a public meeting, and I had an invitation that was given to me. Caroline doesn't own the downtown area. Presently she continues to refuse my request for public information regarding the Bristlecone Convention Center. She and the Tourism Board squandered \$100,000 for so-called rebranding. They canceled the contract and received nothing for the money spent and now the Tourism Board is starting to do the same thing all over again; that is complete incompetence and malfeasance, and it needs to stop. You need to go back to the old-style public comment where people can talk. Restricting public comment is not good for anybody, let alone democracy.

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

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

4. CITY DEPARTMENT REPORTS

➤ CITY CLERK

City Clerk Lee stated Bald Mountains Mine External Affairs Specialist, Fallon Dally, met with Treasurer Trask Monday and expressed gratitude for the City's support of their Juniper Project. Noting it will help sustain over six hundred plus jobs through 2030. Our security cameras earmark is a two-step application process. I completed the first step last Friday and will be completing the next step next month. Due to Independence Day on Thursday, we will be finalizing the Council's next agenda on July 3rd. Please provide any items to me before the close of business day prior. Thank you.

➤ CITY TREASURER

Councilman Alworth asked City Treasurer-HR Director Trask when City Clerk Lee distributed the listing for the annual reviews why, if I may ask, did you request to have your name put on the very end? The last two years you've always been the first. Why was there such a change? Is there any specific reason why we change that, even though the mayor did make the change and shortened it up.

City Treasurer-HR Director Trask said nope.

➤ CITY PUBLIC WORKS DIRECTOR

Councilman Alworth stated the City Public Works Director isn't here tonight, but I need to report this. We have until June 30th to have that \$90,000.00 dump truck delivered. I have not had an update. I talked to him about two months ago and they didn't know where it was at or what was going on. What is the status on that? I'll ask that question to the Treasurer since we took the money to buy this truck out of the funds for the building, we were going to build at the Wastewater Treatment Plant. What's the next step? If it shows up by the 30th I'm happy. I noticed the County has got three of their new dump trucks in and my question to the City Public Works Director is the two dump trucks we are going to purchase possibly from the County which department are those going to? I see in the capital report they mention two used dump trucks for the Landfill. My question

also regarding those two trucks we get from the County is they're set up for plows, but they're not sending the plows with the trucks. We need to find out will those two trucks adapt to our plows. If they're going to be used to circulate the Landfill and there is no use for plows, no problem. What I recommend they do if we're going to get those two trucks is go to the County Road Shop. They have a file for all the work orders performed on each one of those trucks and a file for all preventative maintenance, you can go through there and start at the latest work order and go backwards and make sure we don't have an issue or are inheriting problems.

Mayor Robertson asked Treasurer Trask, "Do you know anything about the dump truck? I know I signed a check for it this last week."

City Treasurer-HR Director Trask stated I'm not sure which one he's talking about. I know if it's the one we knew we weren't going to get this year, it was budgeted for the next fiscal year. I know they are picking one up tomorrow from Reno, and as far as the trucks from the County they are aware of the maintenance and are just waiting for the County to cut them loose was my understanding.

Mayor Robertson stated I will talk with Mike and get those questions answered.

Councilman Alworth stated regarding that four-wheel drive snowplow truck that should have been here this fiscal year and got delayed for whatever reason and is in the budget for next year. This thing of robbing Peter to pay Paul out of different accounts needs to stop and we need to stick to the budget and not borrow money from another fund.

➤ **CITY ENGINEER**

Our CDBG Project for our sewer project down in Central Ely is wrapping up. They're just cleaning up, so I think they'll be finished in the next day or two. We did get a letter back from SHPO that we turned in for our lower East Ely Waterline Earmark Project. We expand the area to make sure we're covering everything that we may be doing in that area. We listed both CDBG and this EPA earmark money as possible funding sources going through this area. They want us to come back and clarify if one of those agencies is going to take the lead and be in charge of all of it. We will contact and coordinate with both of those agencies and my assumption is they'll both just want to deal with their own projects and not take full responsibility. We will get that answer back into SHPO so that they can continue their review. We do have some curb and gutter that's being constructed there and we told the contractor we wanted to hold off for a little bit before we did them, because they also have to put sewer in, and I didn't want them to dig underneath our new curb and gutter. We'll be getting that to them here shortly.

Councilman Alworth stated with you talking about curb and gutter I had a person ask about the house that was just put in on Orson, right below the cemetery are they going to be required to put in curb and gutter even though there is no curb and gutter all the way around the corner?

City Engineer Almborg stated Yes, normally, I believe that's a part of the construction of a project is they have to put in curb and gutter. I don't believe that project has come to me, because normally I get involved in it when they get an excavation permit. That's what triggers me to go out there and do our surveying and get prepared to give them curb and gutter.

5. REPORTS

Mayor Robertson stated Genny Etcheverry, former mayor and former executive Director of the League of Cities, passed away this past week. We want to recognize his service to the community and to the State of Nevada and appreciate all he and his family has done. We are Sorry to hear of his passing and our thoughts go out to his family.

6. 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 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.

MOTION: Move to approve the Consent Agenda item 6A-1 Minutes and 6A-2 Bills.

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

1. Discussion/For Possible Action – Minutes.
 - May 23, 2024
 - May 29, 2024
2. Discussion/For Possible Action – Bills.
 - June 13, 2024

B. NEW BUSINESS

1. Mayor Robertson – Discussion/For Possible Action – Review and possible acceptance of proposal to provide civil legal services from Manuele Law LLC.

Mayor Robertson stated for clarity this is just for the civil side of the City's legal requirements or legal needs. He won't be doing anything with the Municipal Court?

Councilman Alworth stated Leo got a really good start on going after delinquent liens. Is that going to be outside of his scope of work? The work that Leo put out has been real beneficial.

Shane Manuele, Esq. stated yes, I can do that. I'll be available as long term as you need or as short term as you need, just for the City's benefit. If the City is able to find someone to take a full-time position, then, of course, I'd allow them to jump in and take that full-time position, but as part of the civil contract, yes going after the liens would be part of that, and I'd be happy to continue those services.

City Attorney Cahoon stated I can bring Shane up to speed where I left off with everything as well. So hopefully, this is a seamless transition.

Mayor Robertson stated just so the Council's aware, my intent was to bring every possible option before the Council on this and this is every option that we ended up getting. We did beat the bushes and talked to just about everybody we could. The State requirements have made it a little bit difficult to get attorneys, to do various things which makes it difficult in the rural areas, because if you wear one hat, you wear ten. We appreciate Shane stepping up to the plate here and I am pretty comfortable with his proposal and comfortable with him as well. Since he's done the job before he knows the lay of the land and the people who work in the City, and they already have a working relationship. Shane, your intent is to be here in person for the bi-monthly meetings?

Shane Manuele, Esq. stated yes, it is.

Councilman Alworth moved to accept the proposal to provide civil legal services from Manuele Law LLC at the quoted rate of \$11,000.00 a month. Councilman Carson seconded the motion. The motion carried unanimously.

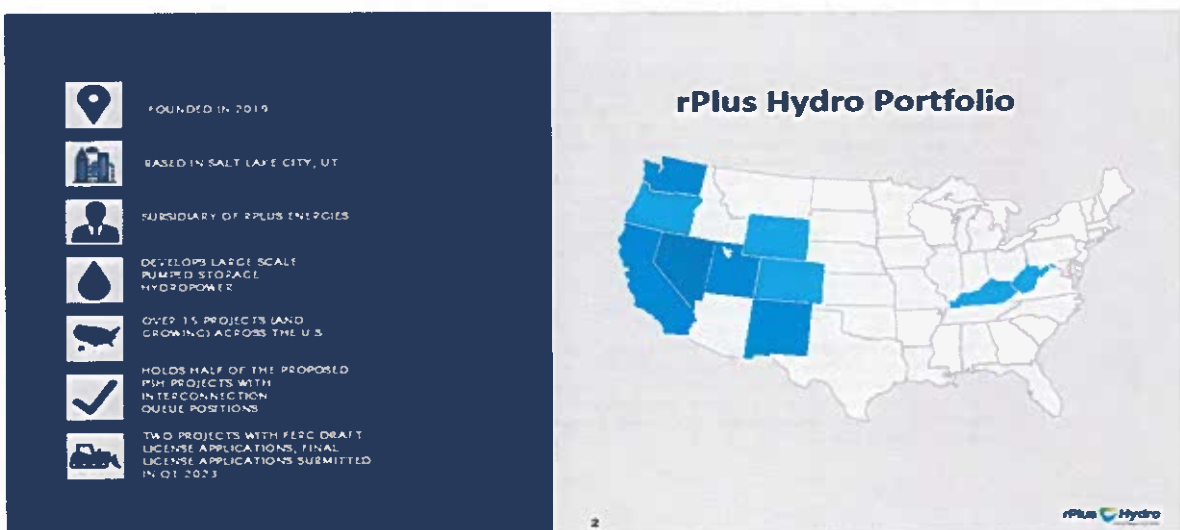
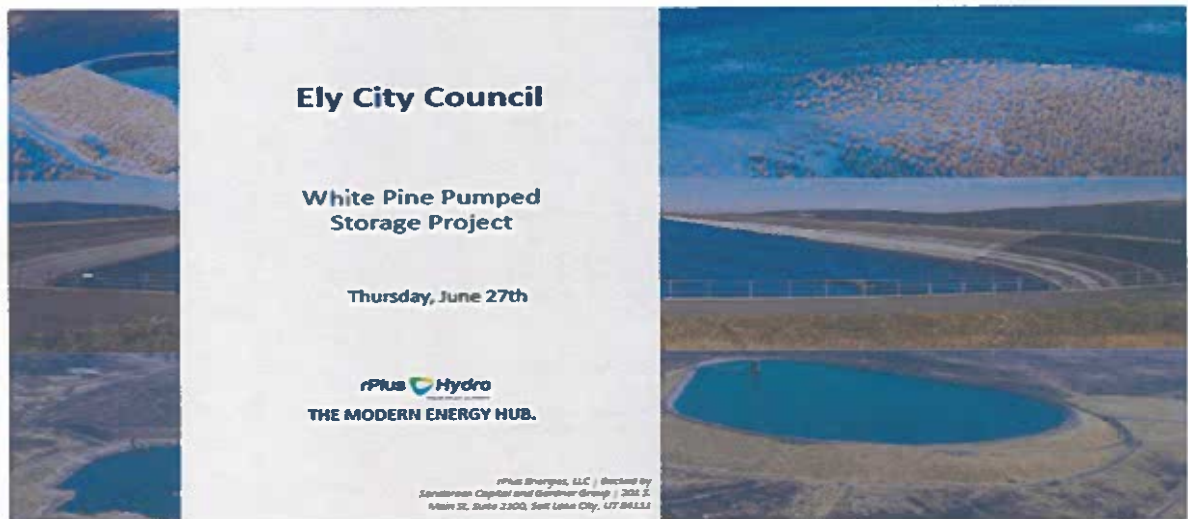
- 2. Mayor Robertson – Discussion/For Possible Action – Approval of Interlocal Agreement with the White Pine County District Attorney for the provision of criminal legal services.

Mayor Robertson stated the conflict that I mentioned during the previous item was most acute for prosecution services in Municipal Court. We just could not find anybody that The State Department of Indigent Defense Services would allow to do this for the City. I went and approached District Attorney Beecher. We're still working on that with the State and hopefully this is a short-term arrangement with the District Attorney. We appreciate them, adding this to their already busy plate. Leo did have a chance to look at the Interlocal Agreement and I looked it over. This will be on the agenda for the County Commission on July 10th since it's an interlocal agreement, they also need to approve it.

Councilwoman Elliott moved to approve the Interlocal Agreement with the White Pine County District Attorney for the provision of criminal legal services. Councilman Trask seconded the motion. The motion carried unanimously.

- 3. Mayor Robertson – rPlus Hydro representative – Discussion Only – Presentation on White Pine Pumped Storage Project’s responses to most asked questions from March 2024 community open house events.

rPlus Energies Development Associate, Rhiannon Scanlon, stated I work on the White Pine Pump Storage project. As you probably know, on March 18th and 19th we hosted two open houses in McGill and Ely to inform members of the public, and to receive and respond to questions. We were able to answer a lot of the questions at the open house, however, we didn't get to every single one with the time we had available, but we are committed to doing so going forward. As a result, we have updated our website frequently asked questions (FAQ) section with answers and a few more photos and graphs for folks. I just wanted to go over a few of the most commonly asked questions, so that when you get asked these from community members, you're able to provide a response to them. The following presentation was reviewed:



Frequently Asked Questions

Why is the Project located in White Pine County/Nevada?
 The Project is located here because the site offers a rare combination of features needed for a good pumped storage project. These valuable features include topography (high vertical drop over a short distance), proximity to an electric transmission hub, geology, and a favorable energy market. White Pine County offers all of these and more, including a community that has played a role in our nation's critical infrastructure.

How many closed-loop pumped hydro projects are in desert climates?
 Worldwide, more than 150 pumped storage plants are in operation, including 43 in the US. There are numerous pumped storage projects located in arid areas, including several in the US (Arizona). Closed-loop projects (those using two artificial reservoirs instead of natural bodies of water) are a fairly new variation on pumped storage, so there are only several operating to date, with more under construction. There are currently two operating closed-loop projects in Israel and one in Australia, both in desert climates.

How many pumped storage projects are currently in operation and how many are in a location that receives less than 11 inches of rainfall annually?

How many closed loop pumped hydro projects are in operation in drought?

Plus Hydro

Frequently Asked Questions

What is the overall footprint?
 The footprint of the main project features—the reservoirs—will be about 140 acres. The lower reservoir is approximately 2,400 ft by 1,200 ft and 90 ft deep. The upper reservoir is approximately 1,900 ft by 1,100 ft and 120 ft deep. Additionally, there will be temporary laydown areas, a switchyard, road improvements, and the right-of-way for the 25-mile transmission line. More information can be found in the Final License Application section of our website, www.whitepinepumpedstorage.com.

How many pumps are needed, and will the shaft be lined?
 The Project is proposing three reversible pump turbines. The vertical headrace shaft will be lined with reinforced concrete and steel.

Who will do the construction for the Project?
 The Project has not yet selected construction firms. These would be large contractors with experience in building major civil projects.

Please provide:
 Surface area of each reservoir
 A.F. of each reservoir
 Evaporation loss / yr area each reservoir.

How many pumps to pump the water up a what size shaft?

Where will the power come from to pump the water up the reservoir?

How deep will ponds be?

Plus Hydro

Frequently Asked Questions

Is there room in the existing transmission line corridor for another line?
 Using standard and site-specific spacing requirements, we have confirmed that there is room in that transmission corridor for the Project transmission line.

Who benefits and uses the power that is generated from the Project?
 Project operation would benefit all Nevada electric power users because the grid is completely interconnected, and the plant will help to ensure the stability of power flows that reach every household. This includes White Pine County residents.

How much energy does the Project expect to get from Mt. Wheeler, and for what will it be used?
 Up to 4 megawatts will be needed on a continuous basis for ventilation, lighting, etc. This may be purchased from Mt Wheeler Power or another utility.

What will be the destination of the electrical power to what state and utilities?

Is there enough room in existing transmission line corridor for another line? I understand there is a transmission line from Utah that is proposed to be built in the corridor soon.

Where will power generated?

What is the best use of the power for all involved?

Plus Hydro

Frequently Asked Questions

How is the Project obtaining water rights for the Project?
 The Project negotiated and signed a water supply and option agreement with White Pine County in 2021. This agreement authorizes the Project to use around 25% of the County's industrial water rights for a limited period to develop the White Pine Pumped Storage Project. Under this agreement, the Project is not able to sell or use the water rights for another purpose. Due to historic nonuse, the County may face cancellation by the Nevada State Engineer of the County's industrial water rights. As part of the agreement with the County, the Project currently makes annual payments for the limited right to use a portion of the County's industrial water rights. This arrangement generates revenue for the County and assists it in safeguarding that portion of the County's industrial water rights from cancellation.

How much water will the White Pine Pumped Storage Project use?
 The Project's water requirements will vary across different project phases. During construction (5-7 years), the Project will use about 500 acre-feet per year. For the one-time initial fill of the lower reservoir, the Project will require approximately 5,000 acre-feet, drawn over a span of 12-18 months. Once in operation, the Project will use a minimal amount of water, estimated to be 500 acre-feet annually, to refill the reservoir for evaporation losses.

Where is your water coming from?

Where are the water rights from to fill the reservoir?

Would I like to know how much water will be lost to evaporation a year with the exposed reservoir?

Plus Hydro

Frequently Asked Questions

How does White Pine County benefit from the Project?
 Community benefits from the Project include the creation of hundreds of construction and dozens of permanent operation jobs. The Project will also provide a sizeable increase in tax revenues for the state and local communities—more than \$12 million annually. Socioeconomic studies and analyses can be found in the Final License Application section of our website, www.whitepinepumpedstorage.com. More specifically, located in Exhibit E, Appendix I of the Final License Application.

Will the \$12M shrink every year due to depreciation?
 Per the Zions Bank socioeconomic report, property tax payments from the Project are not anticipated to drop below \$12M in any given year. Depreciation in personal property value is anticipated to be largely offset by appreciation in real property value.

What happens if you do not qualify for Nevada's Renewable Energy Tax Abatement?
 The Project anticipates applying for the State of Nevada's Renewable Energy Tax Abatement which may reduce the Project's overall tax burden. More information on the Nevada RETA Program can be found at <https://energy.nv.gov/reta/>. The additional projected tax revenues for White Pine County from the Project are inclusive of this tax abatement.

Handwritten notes:
 Won't the \$12M shrink every year due to depreciation?
 What happens if you do not qualify for RETA?
 Where ^{are} the projected tax revenues for White Pine County coming from?

rPlus Hydro

Project Photo Simulation - Intersection of Highway 93 & 347th North

rPlus Hydro

Project Photo Simulations - NNR Route Southeast of Lower Reservoir (After Revegetation)

rPlus Hydro

Q&A

Visit our website www.whitepinepumpedstorage.com, and refer to the FAQ section of the website.



4. Mayor Robertson – Discussion Only – Discussion on potential grant funds for the City Hall renovation project.

Mayor Robertson stated so far, we have a \$3,525,000 request into our congressional delegation. It's for a Congressional Public Funding Request. We probably won't hear back on that until after the election, we're told, but the request was included with both of our Senators Community Project Funding (CPF) submissions. We have another grant application with Commission for Cultural Centers and Historic Preservation (CCCHP) for \$500,000 and that Grant hearing will be in August of this year. I had a sit down with Assemblyman Burt Gurr to request a Bill Draft Request (BDR) from the Nevada State Legislature for \$2 million, which is what the City of Caliente did. He was receptive to that, and said he'd be happy to sponsor that. The legislative session starts next year, and we will know whether or not that's a go prior to the end of the session. That brings the total funding under consideration at the moment to \$6,025,000. Other possible funding that we have information on but haven't made applications to is CDBG which we'd be able to apply for any ADA improvements to the building such as ramps, doors, elevator, etcetera. The Nevada Conservation program is a program that the City of Caliente used for their building. I called them and they won't have any other grant funds available until later next year for a new application round, but that's certainly a possibility. Save America Treasures Program is another federal program, and our building is listed on the National and State Historic Registers so it's eligible for that program. We didn't make any applications there as I was going to see how far we got with the applications we have so far. That's where we're currently at.

5. Mayor Robertson – Discussion/For Possible Action – Approval to commit up to \$6,000 in Community Service Funds to community outreach signage for use on City projects.

Mayor Robertson stated I was out of town earlier this year and the city where I was put up 4' by 8' signage on their projects. It listed the project, the funding source, the objective of the project, and when they plan to be done. If it had a picture, or something that went with that, they had that on there too. We have a number of projects coming up and I think this would be good community outreach. It was just an idea I wanted to get some input from the Council on.

Councilman Carson asked don't a lot of these jobs that go out to bid require that anyway?

Mayor Robertson stated some of them do, but not all. When people drive by and are wondering what's going on, I think it would just be a good idea to have a sign there and it holds the City accountable. If we put it on there, hey, this is projected to be done on this date, then that that gives the citizens some comfort that there's a plan, and if we're not following our own plan, then I think they come and hold our feet to the fire on that.

Councilman Carson moved to approve committing up to \$6,000 in Community Service Funds to community outreach signage for use on City projects. Councilman Alworth seconded the motion. The motion carried unanimously.

6. Councilwoman Elliott – White Pine Main Street Association Chairwoman Caroline McIntosh – Discussion/For Possible Action – Approval to donate up to \$10,000 from uncommitted Community Service Funds to the White Pine Main Street Association to help support a Façade Improvement Program in Ely’s Main Street Designated District.

White Pine Main Street Association Chairwoman Caroline McIntosh stated the request is for up to \$10,000 for a Downtown Facade Improvement Program. We're part of the Nevada Main Street family, which has twenty-seven members. Twenty-seven main streets in Nevada, and it's through the GOED Department and one of the Christmas Tree Bills. At the end of the session GOED was able to secure about \$675,000. It's taken them quite a while to get everything out, because each of the communities had to participate in a strategic planning two-day session, which we did, and we came up with three priorities. The facade improvement was the number one. The actual grant application is open and it's due the 12th of July, and we will receive extra points with donations of matches. I want to thank the White Pine County Board of Commissioner as they awarded \$70,000 yesterday for the project which is really going to help. We're looking at a \$210,000 budget at this time and of course that hinges upon us being successful with the GOED grant and putting together all of our partnerships. This would be a forgivable loan similar to the RISE loan. Anyone who receives the funding would actually sign a loan document if they don't follow through on what they were supposed to do, they have to repay the loan. They would be vetted by a committee with a scoring rubric, and we have a rubric started when Councilman Alworth helped with this project with facade improvement. We would have three of the Main Street Board Members and two community members with expertise that would be making these decisions.

Mayor Robertson asked what happens if you're not successful with the GOED grant? Does the funding that you do receive Just go into the program and we'll get as far as we can?

White Pine Main Street Association Chairwoman Caroline McIntosh stated yes, the program is going. They will actually make the awards at the end of July so we will get everything set in between now and the end of July, nail down the rubric, and actually get everything ready to go. Either RNDC, First National Bank, or one of our partners will help us with all of this, making sure that we're doing it correctly, because it is a forgivable loan. We would start in August to get it rolled out. The timeline is very short, because they won't roll it out until July 30th at the earliest and we have until June 30th, 2025, to have it all spent.

Councilman Alworth moved to donate \$10,000.00 from uncommitted Community Service Funds to the White Pine Main Street Association to help support a Façade Improvement Program in Ely’s Main Street Designated District. Councilman Trask seconded the motion. The motion carried unanimously.

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

Councilman Alworth reviewed the following report:

Activity Report for The City of Ely

FOR THE MONTH OF May 2024

Appropriations Requests

- Submitted all FY25 appropriations requests to House and Senate Delegation for consideration in the upcoming appropriations legislation.
- As of 6/3/24, the following projects have been submitted to the Appropriations Committee for consideration in the Senate:
 - First Responder Communication Equipment Upgrade Project - \$5,000,000
 - Fire Station Solar Panel Project - \$375,000
 - Historic Ely City Hall Renovation Project - \$3,525,000
 - Total of \$9,900,000 submitted

Additional Grants

- Working with Mark Bassett on CRIS Grant application

Additional Activities

- Provided federal updates on variety of topics important to the City of Ely, including pending action in the House and Senate, potential legislative updates, and updates on grant award announcements.

8. Councilman Alworth – Discussion/For Possible Action - Approval of Resolution 2024-08, A Resolution of the City Council of the City of Ely, Nevada Submitting to the Qualified Electors of the City of Ely a Ballot Question on Whether to Renovate City Hall.

Councilman Alworth stated Leo did a good job on the resolution. It's pretty cut and dry and follows Nevada Revised Statutes (NRS). It basically says we're going to ask the advice of the registered voters on whether or not we want to do this project. Under ADA accessibility I think it would be wise to let the public know that's going to be by the installation of an elevator. I had envisioned them saying, we're going to spend four to six million dollars on this and we're going to get 99% of it paid and hopefully, all of it through grants. Under NRS 268.028 it says the City Council to expend money for any purpose that would provide a substantial benefit to the inhabitants of the City. What is the benefit? Let's say we don't get most of it funded through grants. Where's the money going to come from? It's going to have to come from using General Fund Revenue and Capital Improvement Funds. These funds, if needed, will take away from improvements in our parks or cemetery, street improvements because the General Fund is carrying the Road Fund right now. So that's what I want people to understand is if we get the grants, we are all happy and fat, but if we get going and don't get the grants is it going to end? Otherwise, the City and the City residents are going to be paying a lot of money for a building, and you can expect the roads to go downhill, the park improvements, and possibly even EMS services, because all of our money will be going to this building.

City Attorney Cahoon stated if I could speak to that Councilman Alworth, the digest is a statutory requirement, so those NRS's essentially explain the city's ability to do what it's trying to do. NRS 268.028 authorizes the City to expend money. The purpose of that was just to show that we can spend money to provide a benefit to the inhabitants.

Councilman Alworth stated we are getting a building built, how is that going to benefit the citizens.

City Attorney Cahoon stated it's a public building, so it is meant for the citizens.

City Clerk Lee stated just for clarification Mayor and Council Members, White Pine County Clerk Stephey has clarified with me the deadline is the 15th of July. If this resolution is passed tonight, then those arguments for and against passage still have to be constructed. Obviously, my office will be working on that and be working with Councilman Allworth and Mayor Robertson to go forward on that basis.

Councilwoman Elliott stated can you just refresh my memory on this? I know we're only going to do it if we get the grant funding right? We are not going to be starting a new tax, right?

Mayor Robertson stated No, I did get the final notification from the architect today and the planning and architecture work is one hundred percent done and was paid through grants and the \$50,000 that has been committed from the City. We're not going to know how much this building actually costs until we put it out to bid. We do have the statement of probable cost from the architect, which is currently what was listed here and that's based on other projects they've done in the recent past, but by the time we put that out to bid, which would be next year or the year after, who knows? I mean, we don't know if there's going to be a recession, or costs are going to go up. I've been surprised looking at some of the databases I have costs that have gone up twenty percent to twenty-five percent in the last five years, which has been astronomical for construction. We're not even going to get to that step unless we have the five to six million dollars in grants. I don't envision the scenario where we would want, or why anybody would want to drain the City coffers to do this project. If we don't have the money, we can't cut staff or services to get this done. That would be defeating the purpose. The objective is to put it out to bid once we have the grant money in place, and if that doesn't come through there's no next step until we find the funding available.

Councilwoman Elliott stated there's a certain responsibility that comes with us sitting up here, although it's advisory, we're not going to do the project unless we have the money. I don't think we necessarily need to put this out to the community.

Councilman Alworth moved to approve Resolution 2024-08, A Resolution of the City Council of the City of Ely, Nevada Submitting to the Qualified Electors of the City of Ely a Ballot Question on Whether to Renovate City Hall with amendments discussed to meet the deadline of July 15, 2024. Councilman Carson seconded the motion. The motion failed due to lack of majority with Councilmen Alworth and Carson voting aye and Councilman Trask and Councilwoman Elliott voting nay.

9. Councilwoman Williams-Harper – Discussion Only – White Pine Chamber of Commerce monthly report on community activities.

Mayor Robertson stated I would like to disclose the White Pine Chamber of Commerce CEO is my husband, but this is not a voting item, and I don't vote anyway.

Administrative Assistant Cobb read the following into the record:



White Pine Chamber of Commerce

636 Aultman St. Ely, NV. 89301
775-289-8877
WPCCo.WhitePineChamber.com

Good Evening, Ely City Council.

I am absent this evening due to serving on a Nevada Department of Education Select Committee rewriting the state's academic standards.

For your economic report, according to the Nevada Department of Employment, Training and Rehabilitation Research and Analysis Bureau: Nevada's unemployment rate was unchanged from last month and remains at 5.1 percent. The state also saw an increase of 3,800 jobs. White Pine County continues to have the lowest unemployment rate in the state.

The Chamber of Commerce invites all of you to attend the Annual Chamber Member's Dinner tomorrow evening at the Elk's Lodge to meet with entrepreneurs and small business owners as well as meet the Chamber of Commerce Board of Directors.

I would like to take this opportunity to commend Councilwoman Samantha Elliott, she has faithfully served our community through her participation on The Chamber of Commerce Board of Directors for many years, and distinguished herself as a sound leader focused on the betterment of Ely and White Pine County. After serving as a Board Member, Vice President, President, and Past President, her term may be ending but her impact will be long lasting. Councilwoman Elliott deserves recognition for helping the Chamber of Commerce continue its century-old legacy of philanthropy and community service.

Likewise, Tony Enriquez, the current Chamber of Commerce Board of Directors President, turns over the managing role at the conclusion of this month. I can say unequivocally, after serving the Chamber's members and larger community in his capacity as a board member Vice and President of the Board, he is leaving the Chamber of Commerce much improved. We will be electing new board members and will present you with their roles at next month's meeting.

Tourism and visitation to Ely has picked up and we have served 280 people in the past 2 months. The visitor center liaisons and Chamber of Commerce have adjusted their hours to accommodate a Seven Day a Week Schedule to meet and greet out-of-area visitors with the resources they need to enhance their experience while in our community.

Lastly, the Chamber also invites you and your families to attend the Fourth of July Festival next weekend and support the many businesses and organizations taking part in multiple days of commerce and community building.

Thank you,
Shadrah Robertson
CEO- White Pine Chamber of Commerce

10. Council Members – City Engineer Almberg – Discussion/For Possible Action - Acceptance of Steptoe Valley Trap and Skeet Range Hunter Education Building Phase II Project, PWP WP-2024-067.

City Engineer Almberg stated if you guys recall this project got a bid and they did not have enough money to actually do the project. They came back in, and we did some value engineering to get it down to being within money they had available to them. The goal of the project was to try to get their trap club so they could actually start using it. This got us one step closer to that and hopefully, they can continue to seek some more funding to go on to the next phase. This phase completed the rough end framing inside the structure, and the plumbing associated with the structure. What is left is to come back in and complete the electrical inside the structure, some lighting inside the structure, and then do the sheet rock and stuff around that framing that's inside.

Councilman Carson moved to accept the Steptoe Valley Trap and Skeet Range Hunter Education Building Phase II Project, PWP WP-2024-067. Councilwoman Elliott seconded the motion. The motion carried unanimously.

11. Council Members – City Clerk Lee – Discussion/For Possible Action – Approval for City Clerk to sign Nevada Clean Energy Fund grant award agreement for the Ely Fire Station Solar Project for \$78,204.30 with a \$7,800 match from the City of Ely.

City Clerk Lee stated this grant opportunity was brought to my attention by the Nevada Clean Energy Fund. It was money for communities that weren't eligible for direct grants from the Department of Energy. I got in contact with Great Basin Solar out of Reno and his suggestion, upon looking at plans of our system, was to replace the ground mounted panels behind the station. He gave me an estimate of \$75,000 to \$85,000 so our match is \$7,800, and then our allocation, if we are awarded will be \$78,204.30.

Councilman Alworth asked where will the match come out of?

City Clerk Lee stated, out of the Fire Street Improvement Fund.

Councilman Trask moved to approve for the City Clerk to sign the Nevada Clean Energy Fund grant award agreement for the Ely Fire Station Solar Project for \$78,204.30 with a \$7,800 match from the City of Ely. Councilman Alworth seconded the motion. The motion carried unanimously.

12. Council Members – City Attorney Cahoon – White Pine County Sheriff Henriod – Discussion/For Possible Action – Approval of first reading of Ordinance 758, Bill No. 2024-04, an ordinance amending Title 6, Chapter 12, Section 5 pertaining to “Off Highway Vehicles” by removing Section 5(A)(1) and (B) permitting drivers with instruction permits and minors under the age of 16 with adult supervision to operate Off Highway Vehicles within city limits.

White Pine County Sherriff Henriod stated Leo has adjusted the Ordinance on what we talked about last time. We just basically took unlicensed drivers out of there, so it makes it look a lot cleaner and a lot more enforceable.

Mayor Robertson asked were there any other suggestions or changes you wanted to see that didn't get made in this?

White Pine County Sherriff Henriod stated no, I am happy with it.

City Attorney Cahoon stated I think it's pretty cut and dry. This should remove the confusion as to who can and can't be operating these vehicles on the road.

Councilman Alworth moved to approve the first reading of Ordinance 758, Bill No. 2024-04, an ordinance amending Title 6, Chapter 12, Section 5 pertaining to “Off Highway Vehicles” by removing Section 5(A)(1) and (B) permitting drivers with instruction permits and minors under the age of 16 with adult supervision to operate Off Highway Vehicles within city limits. Councilwoman Elliott seconded the motion. The motion carried unanimously.

13. Council Members – City Attorney Cahoon – Discussion/For Possible Action – Approval for the City of Ely to execute a "Subdivision Settlement Participation Form" (Exhibit K), containing a release for the “Kroger Settlement” on file at City Hall, pursuant to the One Nevada Agreement on Allocation of Opioid Recoveries (“One Nevada Agreement”) previously agreed upon by City of Ely in August 2021.

Councilman Alworth moved to Approve for the City of Ely to execute a "Subdivision Settlement Participation Form" (Exhibit K), containing a release for the “Kroger Settlement” on file at City Hall, pursuant to the One Nevada Agreement on Allocation of Opioid Recoveries (“One Nevada Agreement”) previously agreed upon by City of Ely in August 2021. Councilman Trask seconded the motion. The motion carried unanimously.

7. PUBLIC COMMENT

George Chachas stated \$17,000 for legal help a month is way too much. You guys are big spenders. You had better start thinking about the taxpayer. Failing to allow the taxpayer to vote on an item is wrong. You act as if everybody in the community gets a City agenda; they don't and you don't put it in the paper. You say if they're really interested, they'll be here; they have no clue what you do. County Commissioner Bybee recently finished a new garage on this property at 1100 Avenue L that is completely out of code. His new garage has been built up to the sidewalk, and the awning that was once on the front of the building now sits at the back of the new garage. He misled the Regional Planning Commission, but not me. There cannot be discriminatory enforcement and the garage needs to be pushed back or torn down, no selective enforcement. I remind you that you have not put Robert Parker on an agenda for a refund. He paid for variance that he didn't need because your employee made a mistake. The City needs to stop discriminatory practices and enforcement. On June 23rd I suffered more vandalism to my property at 622 High Street with more broken windows and damage to my fence. I want the City to pay me a \$100 for what I paid for the windows, \$20,000 for elder abuse, and another \$20,000 for pain and suffering and, believe me, I have a lot of suffering, and I'm fed up. I pay thousands in taxes, and I haven't received any protection whatsoever. Law enforcement is not enforcing park closure hours as some people are allowed to camp out in the park, yet parents and families of the community are restricted to the 10 o'clock curfew; you need to take the signs down. You have not provided any update on the Golden Gate egress and ingress. They are spending millions of dollars to come into this community, and you can't give them proper advice on what they can or can't do?

Mr. Chachas stated ongoing concerns regarding who paid for the excavation and paving at 901 Avenue H, and 1100 Avenue L; and the addressing of City Code violations by members of the Regional Planning Commission, City Council Members, and some County Commissioners.

Pat Robison stated on item B-8, where two voted yes, and two voted no, I couldn't hear. Does it go back on the agenda?

Mayor Robertson stated it dies for lack of majority. You need three votes for a motion to pass. I'd have to talk to the attorney, but I don't believe it will come back unless somebody puts it on the agenda.

City Attorney Cahoon stated it's not required to come back on plus the deadline to get that filed with the County Clerk is July 15th. I don't know if there's time to get it back on.

Pat Robison stated thank you for explaining that.

Jim Alworth stated I have a similar question to what Pat is talking about, wouldn't you, Mayor, be able to break the tie?

Mayor Robertson stated the mayor has the option to break the tie, but I didn't feel it would be appropriate since it is something I am pushing for. The mayor is not required to vote, though it's a prerogative on the item.

Councilman Alworth stated good call.

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

Councilman Alworth moved to adjourn the regular meeting of the Ely City Council at **6:18 p.m.** Councilwoman Elliott seconded the motion. The motion carried unanimously.



MAYOR



ATTEST