



CITY OF ELY
501 Mill Street Ely, Nevada 89301
City Hall (775) 289-2430
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**ELY CITY COUNCIL
REGULAR MEETING**

July 23, 2020 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 Pastor Ian Bullis offered the Invocation. Mayor Robertson then asked for a moment of silence in memory of Bob Bartlett and Garey Harrison, former City of Ely mayors, and community leader Lance Gale. After the moment of silence, Mayor Robertson asked for Roll Call.

Members present:

- Mayor Nathan Robertson
- Councilman Ernie Flangas
- Councilman Kurt Carson
- Councilman Ed Spear
- Councilman Jim Alworth
- Councilwoman Michelle Beecher

City Officials and Staff present:

- City Clerk Jennifer Lee
- City Attorney Caroline Townsend
- City Treasurer Janette Trask
- City Building Official Brad Christensen
- Public Works Supervisor Mike Cracraft
- Municipal Court Judge Mike Coster
- City Engineer B.J. Almberg
- City Fire Chief Ross Rivera
- City Assistant Fire Chief Pat Stork

Also in attendance: Members of the public in attendance at the Volunteer Fire Hall signed in (appears below) and the following persons attended via video conference: Pastor Ian Bullis, Caroline McIntosh, and Burton Hilton.

City Council **ATTENDANCE LIST**

DATE: 7-23-20

Print name below
George Chachas
TERRY McINTOSH

Print name below

2.PUBLIC COMMENT:

Terry McIntosh read the following statement into the record:

TERRY A. MCINTOSH 1301 AVE. B 702 596-8908

ADDRESS THE COUNCIL ABOUT THE PROBLEM IN THE AREA OF THE "AVE A CORRIDOR" AND LOOK FOR A SOLUTION TO THIS PROBLEM,
13th E. ONTO AVE. A (E. TO 14th & W. TO 8th) DIRT ROAD

TEN YEAR DEALING WITH THIS

LONG EXISTING ISSUES

① DUST ② SPEEDING ③ RECKLESS DRIVING ④ SAFETY

① DUST OCCURS CONSTANTLY CAUSED BY ALL TRAFFIC.

② SPEEDING TAKES PLACE MORE OFTEN THAN NOT -
COMPOUNDING THE DUST PROBLEM, IT IS A RARE TRACK ENVIRONMENT FROM 14th E. GOING WEST TO 8th ST, ALLEY WAYS INCLUDED.

③ RECKLESS DRIVING OCCURS OFTEN - DRIFTING SIDESWAY @ THE CORNER OF 13th & AVE. A - SPINNING DONUTS & RACING BY ALL AGE GROUPS AND VEHICLE TYPES. MANY YOUNG OHV RIDERS

④ THIS IS A NUISANCE & A SAFETY ISSUE NOT ONLY TO ME & MY NEIGHBORS BUT TO THE RAILROAD AND THE PEOPLE AT THE DEPOT BOARDING THE TRAIN.

MY TRUCK HAS BEEN RUN INTO BY A RECKLESS TEENAGE GIRL IN MY DRIVEWAY - MY TRAVEL TRAILER WAS NARROWLY MISSED BY ANOTHER RECKLESS DRIVER. - THE GRAVEL AROUND MY PROPERTY IS OFTEN DISPLACED BY EITHER RECKLESS OR BY DISCOURTIOUS DRIVERS AND MY PROPERTY IS BOMBARDED BY DUST CONSTANTLY - ALONG WITH THE WHOLE AVE. A CORRIDOR.

I HAVE A VIABLE SOLUTION TO THIS (CAN BE FOUND)

Caroline McIntosh stated thank you for your consideration in supporting working parents and families in your CARES spending act. The Boys and Girls Club and Magic Carpet Preschool are here to help and make sure our working parents are able to fulfill their employment and make sure our businesses stay open.

George Chachas stated on your agenda item 7C-4 you're to consider advertising for a fire chief, yet on the agenda you're to consider appointing Pat Stork as fire chief. Is this temporary while you advertise? Should you have someone in a full-time position who's operating a full-time business? On your agenda item 7C-11, you're to consider dust problems on Avenue A and B; you need to consider a general improvement district for that area. The City does not own Avenue A. Homeowners pay for the improvements first and then the City maintains. On your agenda item 7C-7, you're to consider that all complaints are processed by the city attorney's office. Complaints should be handled by the city manager, which they are not, or the mayor and council members. The attorney should only be used when litigating; other than that, you're paying way too much. At the special Utility Board meeting held July 23, 2020, Councilman Carson expressed concern about keeping the City's water storage tanks full. Is the Golf Course using City water for irrigation? If they are, what is the usage and what do they pay? Councilman Alworth brought this up at an earlier meeting; there's been no follow-up that I know of. I want to know if the hayfield next to Bath Lumber is irrigated with City water. On December 5, 2019, the City paid Reck Bros. for patching at the Copper Queen; why are you patching private property?

City Clerk Lee read the following statement from Keith and Ann Rogers into the record:

Chuck Scott, Assistant Fire Chief

July 2, 2020

Ely Fire Department

1780 Great Basin Blvd.

Ely, Nevada 89301

Dear Chuck,

I wanted to again say Thank You for coming to my aid on Saturday June 26, 2020. I came in with breathing issues due to being a higher elevation than I was able to be. The loaning of the regulator and Oxygen bottles certainly saved my weekend riding the trains and saved you a trip out somewhere to bail me out, I was really feeling poorly!

So to show my appreciation after some thought my Wife Ann and I would like to donate a little something for you to use as you see fit.

So again, thank you and be safe out there!!

Keith and Ann Rogers



City Clerk Lee read the following statement from Brett North into the record:

From: brett north <desertracemine@yahoo.com>
Sent: Wednesday, July 22, 2020 5:22 PM
To: 'JenniferLee'
Subject: Pat Stork Recommendation

Members of Ely City Council,

I am asking this letter of recommendation be read into the record.

I come to you with a recommendation that Pat Stork be appointed as City of Ely Fire Chief. I have known Pat for the better part of my life and as a fellow volunteer fireman for 30 years. I have worked with Pat Professionally for the past year after i was appointed White Pine County District Fire Chief. Pat has strong leadership abilities, extensive knowledge of the fire service and a true dedication the the citizens of Ely and White Pine County and would be the logical choice to lead the City of Ely Fire Department in the years to come. Looking at a City County Fire relationship Pat has been one of the biggest supporters of the inter-local agreement and outlying volunteer departments. Pat has always been strong on training and bringing out the best in volunteers and has willingly shared his knowledge to anyone that asks. I can not think of anyone else that I would rather work side by side with in serving the citizens of Ely and White Pine County. I hold an immense respect for Pat and can honestly say I would trust him with my life.

Regards
Brett North

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

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

4. CITY DEPARTMENT REPORTS

➤ **FIRE CHIEF**

City Fire Chief Rivera stated yesterday on a call, Rescue 4 had a blowout that damaged its side panel. Tires have been ordered for Rescue 6. The Station’s solar panels have been inoperable, and I’ve been hounding Gust Electric to get them working.

➤ **MUNICIPAL COURT JUDGE**

Municipal Court Judge Mike Coster reviewed his report on file at City Hall.

➤ **CITY PUBLIC WORKS SUPERVISOR**

City Public Works Supervisor Cracraft stated we’re doing a chip on Mill and a half inch chip on Belfort next Tuesday.

➤ **CITY ENGINEER**

City Engineer AlMBERG stated we had an Aultman project kickoff meeting with NDOT earlier this week. We submitted the effluent plan to the State.

6. REPORTS

CITY COUNCIL

Councilwoman Beecher stated yesterday we received word that RNDC will be receiving \$3,000,000.00 to be used in all the rural counties for 2% business loans up to \$500,000.00.

MAYOR

Mayor Robertson reviewed his report appearing below and stated we did have a few servants of our community pass away in the last couple weeks; we flew the flag at half staff on the days of their respective funerals. I participated Wednesday in a phone conference with the White House regarding the COVID-19 situation and attended most of the County Health Board meeting.

1. I ordered City Hall’s flag to be lowered to half staff to:

- Honor former Mayor Robert Barlett’s service
- Honor former Mayor Gary Harrison’s service

2. I approved a Special Event/24-Hour liquor License to:

- Ely Volunteer Fire Dept. for the Mangum-Hardy wedding at Freight Barn 8-8-20.

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

1. Board Members – City Engineer AlMBERG – Discussion/For Possible Action – Bid Award for Murry Street Sewer Main Upgrade Project Phase I & Phase II, CDBG funded project 19/PF/02 and 20/PF/08, (PWP# WP-2020-203).

Councilman Carson stated this came before the Utility Board this morning and the consensus was JCR was the lowest qualified bidder.



CITY OF ELY
MURRY STREET SEWER MAIN UPGRADE PHASE I & PHASE II
CDBG FUNDED PROJECT 19/PF/02 & 20/PF/08
BID OPENING & REQUIRED DOCUMENTS CHECKLIST

July 20, 2020

BID ITEMS CHECK LIST	JCR DEVELOPMENT	O'FLAHERTY PLUMBING & HEATING	GREAT BASIN ENG. CONTRACTORS	KAP MECHANICAL
BID PROPOSAL	YES	YES	YES	YES
BID BOND, CERTIFIED/CASHERS CHECK, CASH	YES	YES	YES	YES
EXPERIENCE OF QUALIFICATIONS	YES	YES	YES	YES
DESIGNATION OF SUBCONTRACTORS	YES	YES	YES	YES
AFFIDAVIT OF NON-COLLUSION	YES	YES	YES	YES
E.E.C. CERTIFICATION - BIDDER / CONTRACTOR	YES	YES	YES	YES
E.E.C. CERTIFICATION - SUBCONTRACTOR	YES	YES	YES	YES
LOBBYING ASSURANCE - BIDDER / CONTRACTOR	YES	YES	YES	YES
LOBBYING ASSURANCE - SUBCONTRACTOR	YES	YES	YES	YES
DEBARMENT / INELIGIBILITY - CONTRACTOR / SUBCONTRACTOR	YES	YES	YES	YES
SECTION 3 CERTIFICATION - CONTRACTOR	YES	YES	YES	YES
SECTION 3 CERTIFICATION - SUBCONTRACTOR	YES	YES	YES	YES
SECTION 3 ESTIMATED WORKFORCE BREAKDOWN	YES	YES	YES	YES
ADDENDUM - 1	YES	YES	YES	YES

BASE BID BIDDING SCHEDULE	UNIT	AMOUNT	JCR DEVELOPMENT		O'FLAHERTY PLUMBING & HEATING		GREAT BASIN ENG. CONTRACTORS		KAP MECHANICAL	
			UNIT PRICE	BID AMOUNT	UNIT PRICE	BID AMOUNT	UNIT PRICE	BID AMOUNT	UNIT PRICE	BID AMOUNT
1 MOBILIZATION / DEMOBILIZATION	LO	1	\$ 5,000.00	\$ 5,000.00	\$ 3,000.00	\$ 3,000.00	\$ 70,744.00	\$ 70,744.00	\$ 110,000.00	\$ 110,000.00
2 3-INCH SEWER MAIN	LF	1,170	\$ 140.00	\$ 163,800.00	\$ 209.98	\$ 244,888.30	\$ 239.15	\$ 279,805.50	\$ 189.00	\$ 221,130.00
3 3-INCH SEWER CONNECTION	EA	1	\$ 4,000.00	\$ 4,000.00	\$ 6,824.00	\$ 6,824.00	\$ 6,002.33	\$ 6,002.33	\$ 12,000.00	\$ 12,000.00
4 4-INCH SEWER SERVICE	LF	803	\$ 120.00	\$ 96,360.00	\$ 184.00	\$ 147,752.00	\$ 170.64	\$ 137,023.92	\$ 180.00	\$ 144,540.00
5 LOCATE AND CONNECT SEWER SERVICE	EA	35	\$ 2,000.00	\$ 70,000.00	\$ 200.00	\$ 7,000.00	\$ 1,706.36	\$ 59,722.60	\$ 1,800.00	\$ 63,000.00
6 4-INCH SEWER MANHOLE	EA	4	\$ 9,000.00	\$ 36,000.00	\$ 8,500.00	\$ 34,000.00	\$ 9,603.72	\$ 38,414.88	\$ 6,800.00	\$ 27,200.00
7 CONNECT TO EXISTING MANHOLE	EA	1	\$ 3,000.00	\$ 3,000.00	\$ 6,824.00	\$ 6,824.00	\$ 6,122.37	\$ 6,122.37	\$ 12,000.00	\$ 12,000.00
8 REMOVAL AND FILLING EXISTING MANHOLE	EA	4	\$ 4,000.00	\$ 16,000.00	\$ 3,750.00	\$ 15,000.00	\$ 3,021.16	\$ 12,084.64	\$ 3,275.00	\$ 13,100.00
9 FRENCH DRAIN SYSTEM	LF	1,184	\$ 45.00	\$ 53,280.00	\$ 35.00	\$ 41,440.00	\$ 30.40	\$ 35,985.60	\$ 37.00	\$ 43,688.00
10 3/4" WATER SERVICE	LF	382	\$ 100.00	\$ 38,200.00	\$ 200.00	\$ 76,400.00	\$ 89.28	\$ 34,104.96	\$ 80.00	\$ 30,560.00
11 3/4" METER BOX	EA	18	\$ 3,500.00	\$ 63,000.00	\$ 3,150.00	\$ 56,700.00	\$ 3,952.67	\$ 71,328.06	\$ 2,600.00	\$ 46,800.00
12 REPAIR DAMAGED UTILITY	EA	10	\$ 800.00	\$ 8,000.00	\$ 1,000.00	\$ 10,000.00	\$ 4,901.86	\$ 49,018.60	\$ 9,000.00	\$ 90,000.00
13 DRAIN ROCK FOUNDATION	LF	2,400	\$ 25.00	\$ 60,000.00	\$ 3.00	\$ 7,200.00	\$ 11.56	\$ 27,744.00	\$ 26.00	\$ 62,400.00
14 TRENCH BOTTOM STABILIZATION	LF	2,400	\$ 12.00	\$ 28,800.00	\$ 3.00	\$ 7,200.00	\$ 14.61	\$ 35,064.00	\$ 28.00	\$ 67,200.00
15 PIT RUN GRAVEL BACKFILL	LF	2,400	\$ 20.00	\$ 48,000.00	\$ 32.50	\$ 78,000.00	\$ 12.00	\$ 28,800.00	\$ 72.00	\$ 172,800.00
16 TYPE III BASE	SP	500	\$ 10.00	\$ 5,000.00	\$ 2.50	\$ 1,250.00	\$ 2.40	\$ 1,200.00	\$ 6.00	\$ 3,000.00
17 REMOVAL OF EXISTING STEEL WATER MAIN	LF	150	\$ 200.00	\$ 30,000.00	\$ 75.00	\$ 11,250.00	\$ 35.00	\$ 5,250.00	\$ 60.00	\$ 9,000.00
OVERALL PROJECT BID PRICE				\$ 724,040.00		\$ 738,768.30		\$ 866,424.35		\$ 1,084,598.00

O'FLAHERTY PLUMBING & HEATING - TOTAL BASE BID PRICE ON BID PROPOSAL INDICATED TO BE \$737,510.00. ACTUAL PER TOTAL IS \$738,768.30. A DIFFERENCE OF \$1,158.00.

City Engineer Almborg reviewed the Murry Street Sewer Main Upgrade Project Phase I & Phase II bid tab appearing above.

Councilman Alworth moved to award the bid for the Murry Street Sewer Main Upgrade Project Phase I & Phase II to JCR Development. Councilman Carson seconded the motion. The motion carried unanimously.

2. Councilman Carson – Discussion Only – Review of Robinson Nevada Mining Company’s July 15, 2020 letter regarding a meeting timeline to discuss amendments to the Water Supply Agreement.

Councilman Carson stated the mine is still collecting some data. We weren’t asking for their data on the water table. We’re asking about the electrical escrow account data that we sent them. The water table changes constantly; it depends on how much they’re pumping or not pumping and the moisture of the year. I did put in supporting documentation a letter from April 2018 which asked the mine to open up new negotiations for the escrow agreement on the electrical costs. The initial 2009 agreement was for twenty-five years of Murry Springs being depleted and 3,000 GPM. Now we’re up over seventy-five years, so I think it’s imperative we start negotiating electrical costs into the escrow fund.

3. Councilman Carson – Discussion/For Possible Action – Consideration and possible approval to purchase Biobot Analytics antibody testing apparatus to assist White Pine County Public Health Office in assessing coronavirus infection rate in community.

Councilman Carson stated this went in front of the Utility Board this morning. We need a couple tools to take the sampler. We do not have the composite sampler, which I believe our water operator in Wendover has.

Mayor Robertson stated this was a question from the hospital; they thought any further data points would be helpful in tracking the virus and keeping businesses open.

Councilwoman Beecher moved to table this item. Councilman Carson seconded the motion. The motion carried unanimously.

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

A. CONSENT AGENDA

MOTION: Move to approve the Consent Agenda item 7A-2 Bills.

Moved by: Councilman Carson Second by: Councilwoman Beecher Vote: Unanimous

2. Discussion/For Possible Action –Bills.
 - July 10, 2020

B. OLD BUSINESS

1. Councilman Alworth – Discussion/For Possible Action – Formulation of plan to deal with slum and blight in the City of Ely.

Councilman Alworth moved to direct the City Clerk to form a committee to formulate a plan to deal with slum and blight in the City of Ely. Councilman Flangas seconded the motion. The motion carried unanimously.

C. NEW BUSINESS

1. Mayor Robertson – Discussion/For Possible Action – Approval of Coronavirus Relief Fund Eligibility Certification; Coronavirus Relief Fund Terms and Conditions Agreement and City of Ely Coronavirus Relief Fund Expenditure Plan.

Mayor Robertson stated there’s quite a few certifications we have to attest to in order to get these funds, mainly that we’re following the Governor’s Directives. We can now have some discussion on the City of Ely Coronavirus Relief Fund Expenditure Plan (appears below), which the Budget Committee put together earlier.

CITY OF ELY CORONAVIRUS RELIEF FUND EXPENDITURE PLAN

Problem Statement:

Since March 5, 2020 when the COVID-19 pandemic began to spread throughout Nevada, the City of Ely has experienced unbudgeted increases to its emergency medical response and public health/safety expenses, along with unanticipated costs to facilitate compliance with COVID-19 measures and provide economic support in our community. Coronavirus Relief funds are therefore needed to assist the City of Ely in responding to this public health crisis.

Required Funds

\$364,602.50

City of Ely Coronavirus Relief Fund Expected Use

The City of Ely is expecting to use Coronavirus Relief funds to respond directly to the COVID-19 health crisis for Emergency Medical Response, Public Health Measures, Public Safety, and Social Distancing improvement measures. The City of Ely also intends to use a portion of Coronavirus Relief funds to respond to local economic support requests due to secondary effects from the COVID-19 pandemic.

Eligible Expense Categories Breakdown

Medical:	\$ 19,102.50/EMS equipment
Public Health:	\$ 50,000.00/Public Health Officer
	\$ 11,000.00/Website service
COVID-19 Employees' Payroll:	\$200,000.00/Fire Department/EMS payroll
COVID-19 Compliance Measures:	\$ 12,000.00/Zoom service + sound system
Economic Support:	\$ 72,500.00/Local COVID-19 related needs

Administration of Coronavirus Relief Funds

The City Treasurer's Office will administer the use of Coronavirus Relief Funds.

Coronavirus Relief Funds Allocation to other entities

Child Care:	Boys & Girls Club staffing/safety	\$50,000.00
Tourism:	NV Northern Railway safety expense	\$14,000.00
Child Care:	Magic Carpet Preschool staff/safety	\$ 7,500.00
Tourism:	Great Basin Service Club parade canceled	\$ 1,000.00 (7-4 parade insurance)

Coronavirus Relief Funds (CRF) to be used per federal guidance

The City of Ely will only use CRF monies for the eligible expenses outlined above. Outside entities to receive assistance have presented CRF eligible expenses to the City of Ely and will be informed that they are required to provide receipts for all CRF expenses to the City of Ely.

Mayor Robertson stated I recommend we allocate \$10,000 towards a County health officer and the other \$40,000 would get rolled over to the EMS equipment.

Councilwoman Beecher moved to approve the Coronavirus Relief Fund Eligibility Certification, Coronavirus Relief Fund Terms and Conditions Agreement and the City of Ely Coronavirus Relief Fund Expenditure Plan with Mayor Robertson's noted changes. Councilman Carson seconded the motion. The motion carried unanimously.

2. Mayor Robertson – Discussion/For Possible Action – Acceptance of City Attorney Caroline Townsend's July 7, 2020 resignation.

Councilwoman Beecher moved to accept City Attorney Caroline Townsend's July 7, 2020 resignation. Councilman Carson seconded the motion. The motion carried unanimously.

3. Mayor Robertson – Discussion/For Possible Action – Acceptance of City Fire Chief Ross Rivera's July 8, 2020 resignation.

Councilwoman Beecher moved to accept City Fire Chief Rivera's resignation. Councilman Spear seconded the motion. The motion carried unanimously.

4. Mayor Robertson – Discussion/For Possible Action – Ratification of Mayor Robertson's direction to Human Resources to advertise the City Attorney and Fire Chief positions.

Councilman Carson moved to ratify Mayor Robertson's direction to Human Resources to advertise the City Attorney and Fire Chief positions. Councilman Spear seconded the motion. The motion carried unanimously.

Ely City Council – Regular Meeting – July 23, 2020

5. Mayor Robertson – Discussion/For Possible Action – Advice and Consent of City Council to approve Mayor Robertson’s appointment of Pat Stork as Fire Chief of the City of Ely.

Mayor Robertson stated based upon advice received from POOL PACT, what I’m going to ask for tonight is to approve my appointment of Pat Stork as interim Fire Chief and we will bring all applicants back for the next regular City Council meeting.

Councilman Carson stated Pat Stork has been a good friend for the past twenty years, but I don’t think it will sway my opinion one way or another.

Councilman Alworth stated I have to echo what Councilman Carson said. I’ve been fighting fires with Pat for thirty-six years.

Councilman Carson moved to approve Mayor Robertson’s appointment of Pat Stork as interim Fire Chief of the City of Ely after Ross Rivera’s retirement on July 31, 2020. Councilwoman Beecher seconded the motion.

Councilman Alworth stated I’d like some clarification of what Pat’s wage will be during that two weeks.

City Treasurer Trask stated when Ross was out, Pat was paid 5% over his current wage.

Councilman Carson’s motion carried unanimously.

6. Councilman Carson – Discussion/For Possible Action – Approval of letter to Governor Sisolak asking to review future COVID-19 restrictions based on counties’ individual data.

Councilman Carson stated if our numbers stay gradual here, I’d rather not be lumped in with Vegas.

Mayor Robertson stated I’d like to note we have been treated separately than Vegas.

Councilwoman Beecher stated the last line could read “The City of Ely has a tremendous amount of respect for the challenges you face during this pandemic.”

Mayor Robertson stated I recommend we send it to the LEAP Committee, instead of the Governor; they’re the ones that seem to be advocating for our rural areas.

Councilman Alworth stated send it to the LEAP, with a Cc: to the Governor.

Councilman Carson moved to approve the letter with Councilwoman Beecher’s changes, sending it to the Local Empowerment Advisory Council (LEAP), copying Governor Sisolak, requesting that future COVID-19 restrictions be based upon counties’ individual data. Councilman Alworth seconded the motion. The motion carried unanimously.

7. Council Members – City Clerk Lee – Discussion/For Possible Action – Direction that all complaints be processed by City Attorney’s office.

Councilwoman Beecher moved to direct that all complaints be processed by the City Attorney’s office. Councilman Alworth seconded the motion. The motion carried unanimously.

8. Councilwoman Beecher – Discussion/For Possible Action – Discontinuation of sending the existing form letter on file for COVID-19 related complaints.

Councilwoman Beecher stated some of the business owners I’ve talked to weren’t happy with the response they got.

Councilman Spear stated it’s something the attorney should draft anyway.

Mayor Robertson stated the attorney did draft the first letter. The processes were followed. If there’s a different response you want on the letter, we still need to be responding to citizens’ complaints.

Councilman Alworth asked after the stir got caused, was another letter sent out?

City Clerk Lee stated no.

Councilwoman Beecher stated I’m not comfortable citing the public nuisance code when our businesses are struggling.

Councilman Spear moved to discontinue sending the existing form letter on file for COVID-19 related complaints. Councilman Carson seconded the motion. The motion carried unanimously.

9. Councilwoman Beecher – Discussion/For Possible Action – Formulation of process to respond to complaints related to Governor’s current emergency directives.

Mayor Robertson stated even if we go to the business personally, there needs to be a paper trail; that protects our staff and the person getting the complaint.

City Attorney Townsend stated we can table this item and I can draft a letter for the next meeting.

Councilwoman Beecher moved to direct the city attorney to draft a response letter to be brought back for review. Councilman Carson seconded the motion. The motion carried unanimously.

10. Councilman Carson – Discussion/For Possible Action - First Reading of Ordinance 734, Bill 2020-06, with approval to move to the second reading. Ordinance 734 amends Chapter 5 of Title 1 of the City Code of the City of Ely to amend the department scopes and jurisdiction, appointed liaisons’ responsibilities, and proscribing that no city official may be appointed to a department if such appointment implicates a conflict of interest.

Councilman Spear moved to approve the First Reading of Ordinance 734, with approval to move to the second reading. Councilman Alworth seconded the motion. The motion carried unanimously.

11. Councilman Spear – Discussion/For Possible Action – Discussion regarding dust problem on Avenues A and B from 11th Street to 13th Street AND possible direction regarding solutions including but not limited to periodic moistening with water truck, sending a letter to Police Chief Henriod requesting additional patrolling; and request for future oil overlay project from Regional Transportation Commission.

Councilman Spear stated I have a piece of property on the corner across from the McIntoshes. I’ve witnessed the same thing and Terry’s been talking to me for quite some time about it, but the other day another property owner told me that these riders go over the railroad tracks onto his road spinning brodies and creating a dust issue. The Railroad owns Avenue A. We own 13th Street. Dust abatement on any contract site is mandatory. I would like to see a chloride solution put on. Sheriff Henriod needs to spend more time down there. Maybe we need another OHV sign on C and 13th.

Councilman Alworth stated the speed is a law enforcement issue. There’s plans for Avenue A to be asphalted. I recommend that Cracraft talks with the County next time they have a mag chloride shipment in and spray Avenue B to reduce the dust. I don’t think you need to add or take away OHV signs. I move to investigate the feasibility of putting mag chloride on the road section in question.

Councilman Carson seconded Councilman Alworth’s motion. The motion carried unanimously.

12. Councilman Spear– Discussion/For Possible Action - First Reading of Ordinance 736, Bill 2020-08, with approval to move to the second reading. Ordinance # amends Title 3, Chapter 2 entitled ALCOHOLIC BEVERAGES, removing Special Events Sections.

Councilwoman Beecher moved to approve the First Reading of Ordinance 736, with approval to move to the second reading. Councilman Spear seconded the motion. The motion carried unanimously.

13. Councilman Spear– Discussion/For Possible Action - First Reading of Ordinance 737, Bill 2020-09, with approval to move to the second reading. Ordinance # amends Title 3, Chapter 9 entitled TEMPORARY BUSINESS LICENSES, incorporating special events and providing exceptions.

Councilman Alworth moved to approve the First Reading of Ordinance 737, with approval to move to the second reading. Councilwoman Beecher seconded the motion. The motion carried unanimously.

14. Councilman Alworth – Discussion/For Possible Action – Direction to order and install sign at *Highway 6/Mill Street* junction which states: “No Vehicles over 26000 GVW”.

Councilman Alworth moved to request that the Nevada Department of Transportation (NDOT) install a sign at the *Highway 6/Mill Street* junction stating “No Vehicles over 26000 GVW”. Councilman Carson seconded the motion. The motion carried unanimously.

8. PUBLIC COMMENT

George Chachas stated ongoing concerns regarding the liens list; a rumored embezzlement at the Railroad; that the Railroad should be placed back under the purview of the City; the curb and gutter

installed on Avenue D and the 490 feet of steel pipe from the Murry Street project. In regards to noticing businesses with no masks, I heard about one getting cited; I went in there a couple days later and of the five people I passed, three were employees, no masks; two individuals, no masks and I was the only one wearing a mask. You have a problem out there. I don't want that virus to spread. I understand where people are coming from, but it's the law. We have laws for liquor, prostitution, etc. We may not like them all, but we have to enforce them. In regards to the letter to the Governor, you don't have to like the individual; you need to respect the position.

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

Councilman Alworth moved to adjourn the regular meeting of the Ely City Council at **7:00 p.m.** Councilman Carson seconded the motion. The motion carried unanimously.

Mayor

Attest

DRAFT