



CITY OF ELY

501 Mill Street Ely, Nevada 89301

City Hall (775) 289-2430

Cityofelynv.gov

ELY CITY COUNCIL REGULAR MEETING

May 23, 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 Joshua Baek 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
- Councilwoman Jerri Lynn Williams-Harper

Members absent:

- Councilman Jim Alworth

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

- City Clerk Jennifer Lee
- City Treasurer – HR Director Janette Trask (Zoom)
- City Public Works Director Mike Cracraft
- City Attorney Leo Cahoon
- City Fire Chief Pat Stork
- City Engineer B.J. Almberg
- City Police Chief Scott Henriod
- City Municipal Court Judge 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, and Eugene Harper.

ELY CITY COUNCIL ATTENDANCE LIST

DATE: May 23, 2024

Print name below

- Bill Wolf
- Donna Jackson
- Caroline McIntosh
- Gregory Rievo
- Becky Mardock
- Paula Carson
- George Chachas
- Dennis Perez
- Julia Pichardo
- Mark Bassett
- Juliet Noyes
- Kelly Kelsey
- Tiana Kelsey
- Ken Kirkey

Print name below

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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

City Clerk Lee read the following into the record:

May 23, 2024

To: Ely City Council and Mayor

From: Marty Westland

Re.: Letter of Commitment to provide \$19,547,905...

Dear Council and Mayor:

Regarding Item #7 under New Business at tonight's meeting :

I am astonished that the City's leaders would even consider the commitment of \$20 million dollars to restore rail service into Ely. I recall conversations with Glenn Terry as he recounted the last rail deliveries into Ely, and the difficulties of selling rail freight service to local merchants. Managers at the mine have explained the reasons they chose trucking. Jim Northness, who sat on the Railroad Enterprise Board for years, cautioned me that "the railroad" was the only endeavour that could actually bankrupt the City.

Has anyone run a Cost-Benefit Analysis? Secured a contract for freight movement? Actually visited with railroad businessmen about the viability of a 120 mile spur running one or two trains per week? Shouldn't this project be part of an Enterprise Board? Can anyone tell the taxpayers of Ely how 20 million dollars will be recovered if rail service were available?

The most likely source of \$20 million dollars would be the State of Nevada. But just three months ago, you, the City of Ely and the Railroad Foundation, filed a lawsuit against the State. Claiming, among other things, that State employees are committing trespass by using Avenue "A". The relationship looks frosty.

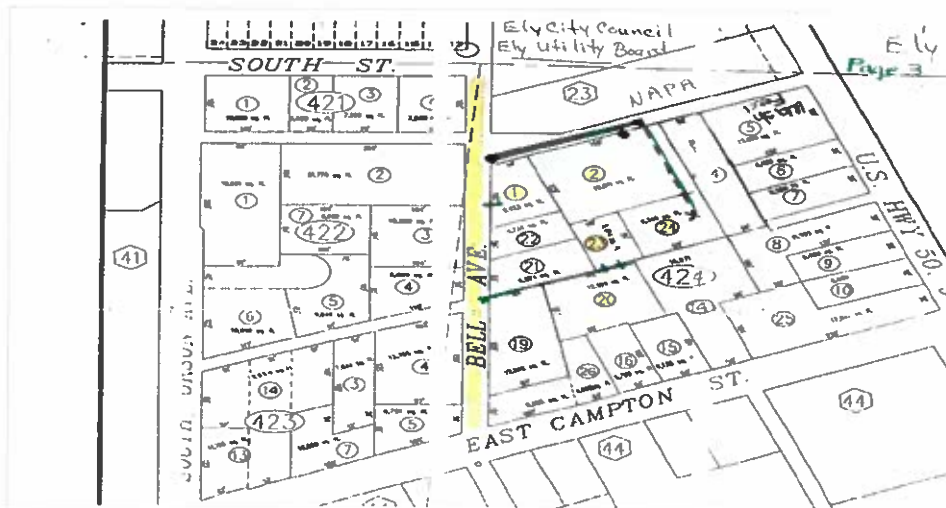
Nevertheless, you are probably safe to sign a commitment letter. The chance of getting the grant is low. But if you ARE given a grant, then it looks like our community is on the hook for twenty million.

I would not accept that risk.

Sincerely,

Marty Westland
Ely Resident

George Chachas stated I'm providing a map layout of the different lots that I own along Bell Avenue, which are serviced by the City waterline on Bell Avenue. The two water lines to lot one and lot two were accidentally taken out by the contractor when service was provided to the Washington Federal Bank and were never put back. Contrary to what the City Engineer has stated, I've never abandoned the two lines with those properties, and I want them back as shown on the map where they were originally at.



Mr. Chachas stated on your agenda item 9-B4 you're to consider approving a \$50,000 donation to the White Pine Public Museum to secure and transport various items; that item needs to be denied. The Museum is not a publicly owned entity; it is a private group. They want to put unpainted memorabilia that could possibly be seen as junk on the north entrance of Ely near the golf course. They need to start painting the display and securing doors on other items that could injure visitors. The city paid \$25,000 to consult with them on how to improve Ely's image yet we're going in the wrong direction. on your agenda items 9-6 and 9-7; both need to be denied. The Railroad needs to stand on its own two feet and pay their own expenses. They don't operate under the Nevada Open Meeting Law; they spend hundreds of thousands of taxpayers' dollars; yet the taxpayer is not allowed to see how the money is spent. The City Council has no right or obligation to commit to a \$20 million dollars project for the railroad. I remind you of the fiasco with S & S Short Line with no track rental monies collected for fifteen or more years. Council people that are directors on the Railroad have a conflict and need to abstain from voting.

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

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

4. CITY DEPARTMENT REPORTS

➤ **CITY CLERK**

City Clerk Lee stated the City's EPA representative emailed me this morning that our Central Ely Sewer project's Category Exclusion has been approved; I will be submitting that grant application within a week.

5. REPORTS

➤ **COUNCILWOMAN ELLIOTT**

Councilwoman Elliott stated I just want to give thanks to Mike and the Public Works Department for jumping on the 400 block of Nevada Avenue and getting that fixed for those people. They were very appreciative of that. Please pass along the thanks to your crew.

➤ **COUNCILWOMAN WILLIAMS-HARPER**

Councilwoman Williams-Harper stated I would like to say thank you to Main Street. A couple of weeks ago the Mayor and I were invited to partner and attend an event in Birmingham, Alabama with other Main Street officials. It was extremely eye opening with all of the things that we can do if we work together as groups and come to a consensus on what will make our town even more wonderful than it already is. I was able to find out about several different projects that we can do and I've already started to put into some of those with the High School that would enhance our town. So again, thank you to Main Street, and you'll hear more later.

➤ **MAYOR ROBERTSON**

Mayor Robertson stated you have my report of permits. I'd also like to report that I attended the Great Basin Community College graduation this past week and was able to see four of our firefighters and a volunteer fire department personnel on the graduation list. We've been working very hard on some extra education, and it's great to see all the people that graduated; what a great program that is in our community. I'd also like to draw your attention to a letter I received from the Mayor of West Wendover, who'd received some help from our Animal Control Officer, Andrew Hayes. They worked together on a feral cat trap, neuter, and release (TNR) event, and they were really appreciative of Andrew's help, and found him to be very pleasant to work with. They let us know that anytime we needed the favor returned, they'd be happy to do that.

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

Mayor Robertson stated I would like to disclose that the company I work for was one of the bidders on this project so I will be abstaining from this item and turning the gavel over to Mayor Pro Tempore Williams-Harper.

Mayor Robertson passed the gavel to Mayor Pro Tempore Williams-Harper.

1. Board Members – City Engineer AlMBERG – Discussion/For Possible Action – Review of bids received for the construction of the Bell Avenue Water Main Upgrade Project, PWP# WP-2024-125, with possible award.

City Engineer AlMBERG stated this got delayed because of the Build America Buy America Act. The vendors had trouble getting prices to the contractors. For this project we received two bids.

The bid tabulation was reviewed by City Engineer AlMBERG:



CITY OF ELY
 BELL AVENUE WATER MAIN UPGRADE PROJECT
 PWP# WP-2024-125
 CDBG FUNDED PROJECT 22/PF#4
 BID OPENING & REQUIRED DOCUMENTS CHECKLIST

May 20, 2024

BID ITEMS CHECK LIST	O'FLAHERTY PLUMBING	RECK BROTHERS
BID PROPOSAL	YES	YES
BID BOND, CERTIFIED CASHIERS CHECK, CASH	YES	YES
EXPERIENCE OF QUALIFICATIONS	YES	YES
DESIGNATION OF SUBCONTRACTORS	YES	YES
DESIGNATION OF SUBCONTRACTORS - 5%	YES	YES
DESIGNATION OF SUBCONTRACTORS - 1%	YES	YES
AFFIDAVIT OF NON-COLLUSION	YES	YES
E.E.O. CERTIFICATION - BIDDER / CONTRACTOR	YES	YES
E.E.O. CERTIFICATION - SUBCONTRACTOR	YES	YES
LOBBYING ASSURANCE - BIDDER / CONTRACTOR	YES	YES
LOBBYING ASSURANCE - SUBCONTRACTOR	YES	YES
DEBARMENT / INELIGIBILITY - CONTRACTOR / SUBCONTRACTOR	YES	YES
SECTION 3 CERTIFICATION - CONTRACTOR	YES	YES
SECTION 3 CERTIFICATION - SUBCONTRACTOR	YES	YES
SECTION 3 SAMPLE CONTRACTOR SECTION 3 PLAN	YES	YES
BUILD AMERICA, BUY AMERICA CERTIFICATION	YES	YES
ADDENDUM - 1	YES	YES

BASE BID BIDDING SCHEDULE	UNIT	AMOUNT	O'FLAHERTY PLUMBING		RECK BROTHERS	
			UNIT PRICE	BID AMOUNT	UNIT PRICE	BID AMOUNT
1 MOBILIZATION / DEMOBILIZATION	LS	1	\$ 6,000.00	\$ 6,000.00	\$ 20,000.00	\$ 20,000.00
2 12-INCH WATER MAIN	LF	808	\$ 305.00	\$ 247,248.00	\$ 235.00	\$ 189,880.00
3 8-INCH WATER MAIN	LF	95	\$ 300.00	\$ 28,500.00	\$ 370.00	\$ 28,125.00
4 6-INCH WATER MAIN	LF	43	\$ 300.00	\$ 12,900.00	\$ 380.00	\$ 16,340.00
5 4-INCH WATER MAIN	LF	3	\$ 350.00	\$ 1,050.00	\$ 500.00	\$ 1,500.00
6 12-INCH VALVE	EA	2	\$ 7,100.00	\$ 14,200.00	\$ 18,000.00	\$ 36,000.00
7 8-INCH VALVE	EA	2	\$ 2,657.00	\$ 5,314.00	\$ 14,000.00	\$ 28,000.00
8 12-INCH WATER CONNECTION	EA	3	\$ 9,655.00	\$ 28,965.00	\$ 3,900.00	\$ 11,700.00
9 8-INCH WATER CONNECTION	EA	1	\$ 9,267.00	\$ 9,267.00	\$ 4,000.00	\$ 4,000.00
10 4-INCH WATER CONNECTION	EA	1	\$ 7,145.00	\$ 7,145.00	\$ 3,500.00	\$ 3,500.00
11 3/4-INCH WATER SERVICE	LF	145	\$ 185.00	\$ 26,825.00	\$ 300.00	\$ 43,500.00
12 3/4-INCH METER BOX	EA	9	\$ 3,333.00	\$ 29,997.00	\$ 3,600.00	\$ 32,400.00
13 CONNECT TO EXISTING 3/4-INCH METER BOX	EA	2	\$ 640.00	\$ 1,280.00	\$ 500.00	\$ 1,000.00
14 FIRE HYDRANT	EA	3	\$ 11,355.00	\$ 34,065.00	\$ 12,000.00	\$ 36,000.00
15 REMOVAL OF EXISTING FIRE HYDRANT	EA	2	\$ 2,520.00	\$ 5,040.00	\$ 2,500.00	\$ 5,000.00
16 REPAIR DAMAGED UTILITY	EA	5	\$ 1,000.00	\$ 5,000.00	\$ 100.00	\$ 500.00
17 PIT RUN GRAVEL BACKFILL	LF	1,100	\$ 15.00	\$ 16,500.00	\$ 30.00	\$ 33,000.00
18 TYPE-4 BASE	SF	4,250	\$ 3.00	\$ 12,750.00	\$ 3.25	\$ 13,812.50
OVERALL PROJECT BID PRICE				\$ 480,349.00		\$ 496,552.50

BID AMOUNT \$ 480,342.00

O'FLAHERTY NUMBER DISCREPANCIES

BID ITEM NUMBER 7 - THE ACTUAL AMOUNT OF \$5,314.00 WAS INDICATED AS \$5,315.00 ON THE BID PROPOSAL. AN INCREASE DIFFERENCE OF \$1.
 BID ITEM NUMBER 8 - THE ACTUAL AMOUNT OF \$28,965.00 WAS INDICATED AS \$28,960.00 ON THE BID PROPOSAL. AN DECREASE DIFFERENCE OF \$5.

RECOMMEND AWARDED O'FLAHERTY PLUMBING IN THE AMOUNT OF \$480,349.00, UTILIZING THEIR UNIT COSTS.

Councilman Carson moved to award the bid to the lowest bidder, O'Flaherty Plumbing, for the construction of the Bell Avenue Water Main Upgrade Project, PWP# WP-2024-125. Councilwoman Elliott seconded the motion. The motion carried unanimously.

Mayor Pro-Tempore Williams-Harper passed the gavel back to Mayor Robertson.

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

A. CONSENT AGENDA

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 9A-1 Minutes and 9A-2 Bills.

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

1. Discussion/For Possible Action – Minutes.
 - May 9, 2024
2. Discussion/For Possible Action – Bills.
 - May 8, 2024
 - May 16, 2024

B. NEW BUSINESS

1. Mayor Robertson – Legacy Racing Race Director Donald Jackson – Discussion Only – Presentation on Legacy Racing's local race at the end of June 2024.

Legacy Racing Race Director Donald Jackson stated we're doing an off-road race from Mesquite to Ely June 28th, and then on the 29th, we're going to go Ely to Ely. It's a race for cars, trucks, bikes, quads, and UTVs. We've been working on it for over a year now with the BLM and Forest Service on our permitting process. We just wanted to make sure that city officials were aware of the event. We announced the locations in January of this year and within three days we sold out all the hotel rooms so it's going to be a fairly large event. We expect probably a hundred participants of race vehicles, and probably three hundred chase vehicles chasing them up and down the highway. We've talked to the Sheriff about the event, and so he's aware of it as well.

Mayor Robertson asked are you planning on making this an annual event?

Legacy Racing Race Director Donald Jackson stated we would love to, but we're going to see how it goes this first year. There's lots of puzzle pieces that we're finding may not work to everybody's benefit. Right now, we're dealing with sage grouse, which is all the way through June 30th. They want us to go later in the year, but then you get into the hunting season and if we do it earlier in the year, then you get into calving season. We also work with the road department and don't want the roads to be muddy or whatnot. There's a fine line of when we can put the event on, but we're going to get through this first one and then look to see what it looks like for future events. We also hope to reserve Broadbent Park because we're going to try and display the race vehicles on Friday night, that way the public can come see them, and interact with the racers too.

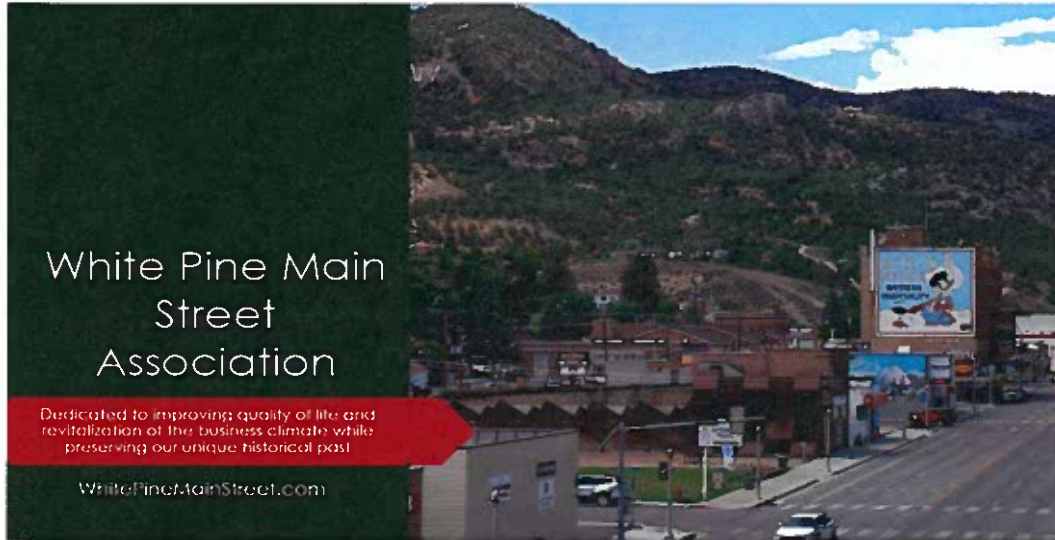
2. Mayor Robertson – Discussion/For Possible Action – Approval to uncommit \$660,000 Community Services funds previously set aside for the Central Sewer Upgrade project.

City Clerk Lee stated this money was committed for the Central Ely Sewer Upgrade that I referenced earlier. We received a waiver in August of last year and that backup is in your packet and now that money can be used for other things. We have an item about where we'd like that to be used later on the agenda.

Councilwoman Elliott moved to approve uncommitting \$660,000 Community Services funds previously set aside for the Central Sewer Upgrade project. Councilman Carson seconded the motion. The motion carried unanimously.

3. Mayor Robertson – Councilwoman Williams-Harper – Discussion Only – Report and recommendations from attending the 2024 National Main Street America Conference.

Members of the White Pine Main Street Association reviewed the following:



National Main Street Program

Main Street America leads an inclusive, impact-driven movement dedicated to reenergizing and strengthening older and historic downtowns and neighborhood commercial districts nationwide.

White Pine Main Street Association

Partners

- Nevada Main Street Program
- Governors Office of Economic Development
- The City of Ely
- White Pine County
- White Pine County Tourism and Recreation
- Travel Nevada and Pony Express Territory
- Centennial Fine Arts Center
- White Pine School District
- NV Department of Transportation
- Office of Science, Innovation, Technology
- White Pine Chamber of Commerce
- Local Businesses and Events

Four Pillars

- The Main Street Approach is Centered Around Transformation Strategies.
- Four Pillars: Economic Vitality, Design, Promotion, and Organization.
- Our Transformational Strategy is Creatively Pairing Our Outdoor Recreation With Our Arts, Culture, History and Events.



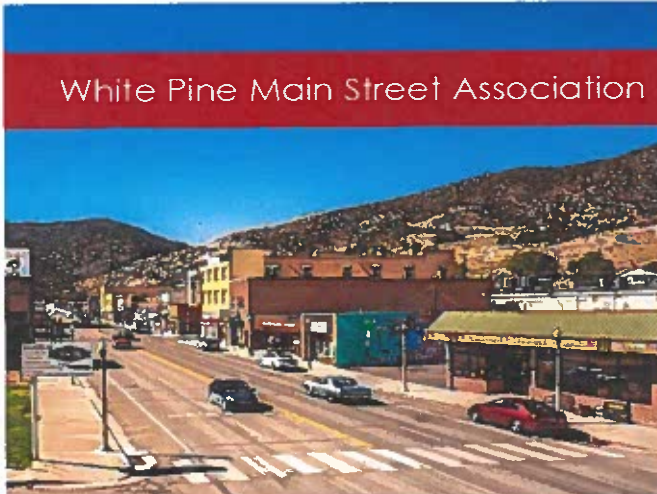
White Pine Main Street Association

Economic Vitality

- Most eligible building open house
- 10 Downtown Business Shop Small Incentive Programs
- Facilitated "Park To Park In The Dark" road trip itinerary w/ website and brochure
- Started The Ely Film Festival
- 3 New Murals
- Support to All Class Reunion and Independence Day Celebration
- Inventory of Vacant Properties
- Addressing Housing Needs By Sending Letter To Owners
- Funding Partnerships w/ Local Projects, Centennial Fine Arts Center

Downtown Mural Project Examples





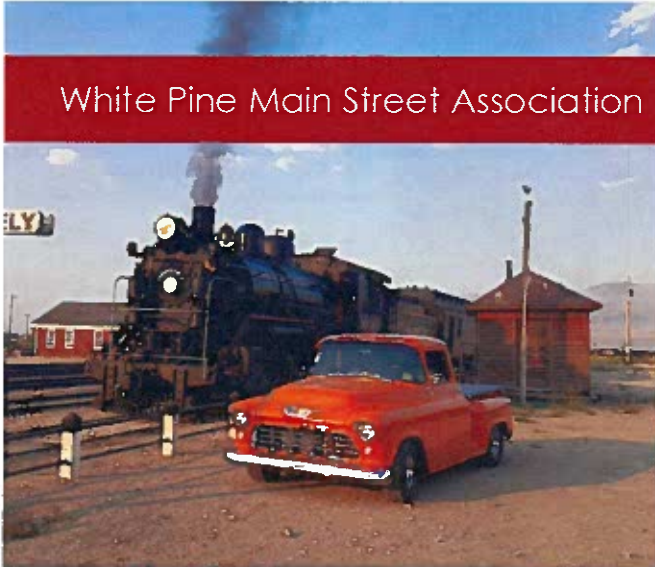
White Pine Main Street Association

Design

- Logo Design For Each Community
- Historic Color Palette Style Guide
- Branded Downtown Wayfinding Signs
- Large Branded Directional Signs
- Eclipse Logo and Poster
- Removal Of Old Signs and Posts
- Benches, Planters, and Trash Cans
- Façade Improvement Incentive Program

Signage and Project Examples

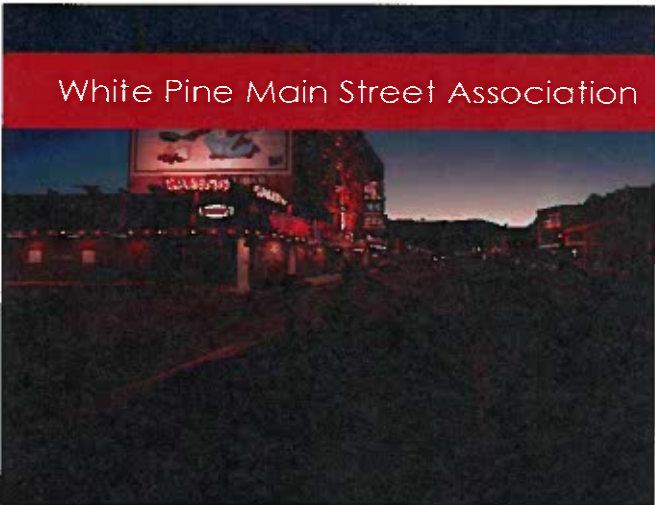




White Pine Main Street Association

Organization

- Became a 501c3 in 2019
- 12 Board Members
- All Volunteer Organization
- Monthly Board Meetings
- Host Community Meetings and Presentations
- Email Blast of Monthly Events and Meetings
- Letters of Support and Lobbying Strength
- Annual Main Street Now Convention



White Pine Main Street Association

Promotion


- Website: WhitePineMainStreet.com
- Facebook Page 2000 Followers and 15k Monthly Impressions
- Monthly Newsletter w/ 962 subscribers and a 40% Open Rate
- Direct Mailers
- Newspaper Ads and Inserts
- Radio Advertising
- Chamber Bucks To Partnering Conventions
- Downtown Trails Kiosk
- Aquatics Center Kiosk, Bench, Bike Rack
- 50 Fabulous Things To Do Field Guide
- 2 Downtown Billboards
- Baker Promotional Material and Signage
- Event Support and Marketing



White Pine Main Street Association

Funding

- Travel Nevada Grants
- Nevada Main Street Grants
- White Pine County Tourism and Recreation
- Great Basin Heritage Area Grants
- Donations From Local Industry
- No Membership Fees Every Business Welcome to Benefit



Goals

- Create and implement a new incentive program designed to encourage the occupancy of vacant buildings and storefronts located within the main street corridor.
- Acquire a vacant building in the downtown area and complete required improvements, refurbishments and retro fitting to supporting the opening and operation of a new business incubator.
- To address the housing deficit by encouraging and incentivizing the sell or rental of vacant houses and creatively setting an environment for new growth.

Mayor Robertson Opened item three under New Business.

3. Councilwoman Williams-Harper – White Pine Main Street Chairwoman Caroline McIntosh – Discussion Only – Report on White Pine Main Street’s community activities.

Councilwoman Williams-Harper stated it was wonderful to spend time with the people that we went with. The thing that I went to that meant the most to me was titled “Y’all Means All,” remember, we were in Birmingham. Simply said is, there is a place for every organization in our town to get together with other organizations and find out what it is we can contribute, or what we do best. There were a lot of eye-opening things I hope to take back to the places and people that I’m involved with. I’m ready to hit the ground running.

Mayor Robertson stated I’ll also add it’s always a great conference. There are more classes than anyone could possibly attend and any conference attendee with any question about any aspect of the Mainstreet Program, or with certain issues that are going on in their community, can find a class or twelve to attend on any particular issue or concern. I attended classes on historic funding preservation; driving economic vitality, which is one of their pillars; workforce housing, kind of the importance of having a geographic definition about your main street and community outreach; and one of the things I think our community does really well already is the outreach. We have so many organizations like SBDC, SBC, RNDC, the banks, and the Chamber is so invested in making sure our businesses are successful that they get a lot of one-on-one attention, and I think that’s a real strength in our community. When they were going through some of these things in this class that they do, I’m thinking, we do that, and we are really good at that already. We have some skills that are already serving us but have such a lot of potential for growth. One of the most interesting classes I went to was a class on workforce housing in Hugo, Colorado, which is out on the plains on the east side of the State. She started off by saying their town was four blocks wide by six blocks long, and she was their main street coordinator. They had a lot of housing issues similar to ours. They were near a state prison, they had teachers and other essential workers who needed housing, but rent was really high, and a lot of people were sitting on houses because it was so cheap to sit on houses that they wouldn’t sell them, rent them, or fix them up. One thing I heard a lot in a couple of different classes was about the vacancy tax and I think we’ve talked about that here before. Where, if you’re not selling, improving, or occupying your property instead of holding it hostage, you might get an extra fee on your property taxes to incentivize you to go do something else with it. A lot of the community outreach revolved around how interactive art, street murals, nice curbs and gutters, trees, somewhere to sit and things people can interact with would draw people downtown or to an area, because it’s a nice place to be. They want to interact with some art, and they want Instagram pictures. I think we all attended some classes that involved some of those street murals that slow people down as they drive by cause they’re looking at it, and it really drove home kind of the opportunity that we have here for this NDOT project that’s going on downtown, where they’re going to be doing a lot of these things that are going to be traffic calming and that’s something that drives economic vitality quite a bit. Another interesting class I went to was on the importance of having a geographically defined area for your downtown Mainstreet Program. It was given by people from the District of Columbia, where they have 28 different Mainstreet Programs just in the District of Columbia, because D.C. doesn’t really have a downtown, it’s got kind of different neighborhoods. Rather than have one main street program for the whole District of Columbia, they kind of focused on one, got it going, and then used that to leapfrog to other communities or neighborhoods in the D.C. area. I think that’s most of the highlights, but with the opportunities that are coming down the pike I’d really like to see Main Street kind of focus on the downtown with this NDOT project and get everything firing on all cylinders so we can take this program elsewhere. It really does have the potential to be able to use the strengths of our other organizations and businesses, and what the State has to offer to make it work in a small geographic area in downtown.

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

1. Councilwoman Elliott – Public Hearing – Discussion Only – Approval of Second Reading of Ordinance 755, Bill No. 2024-01, an ordinance amending Title 3 Chapter 2, Section 11-4 (E) of the Ely Municipal Code to remove the transferability and site-specific restriction on bar and server cards requiring card holders to obtain a new card each time they change employment and/or location.

No comments.

2. Council Members – City Attorney Cahoon – Public Hearing – Discussion Only – Approval of Second Reading of Ordinance 756, Bill No. 2024-02 An Ordinance amending Section 1-1-1 of the Ely Municipal Code to refer to the code as the Ely Municipal Code with the initials “EMC” and making other necessary changes throughout Title 1, Chapter 1.

No comments

7. DISCUSSION/POSSIBLE ACTION ITEMS PERTAINING TO THE PUBLIC HEARING.

1. Councilwoman Elliott – Discussion/For Possible Action – Approval of Second Reading of Ordinance 755, Bill No. 2024-01, an ordinance amending Title 3 Chapter 2, Section 11-4 (E) of the Ely Municipal Code to remove the transferability and site-specific restriction on bar and server cards requiring card holders to obtain a new card each time they change employment and/or location.

Councilman Trask moved to approve the Second Reading of Ordinance 755, Bill No. 2024-01, an ordinance amending Title 3 Chapter 2, Section 11-4 (E) of the Ely Municipal Code to remove the transferability and site-specific restriction on bar and server cards requiring card holders to obtain a new card each time they change employment and/or location. Councilwoman Williams-Harper seconded the motion. The motion carried unanimously.

2. Council Members – City Attorney Cahoon – Discussion/For Possible Action – Approval of Second Reading of Ordinance 756, Bill No. 2024-02 An Ordinance amending Section 1-1-1 of the Ely Municipal Code to refer to the code as the Ely Municipal Code with the initials “EMC” and making other necessary changes throughout Title 1, Chapter 1.

Councilwoman Elliott moved to approve the Second Reading of Ordinance 756, Bill No. 2024-02 An Ordinance amending Section 1-1-1 of the Ely Municipal Code to refer to the code as the Ely Municipal Code with the initials “EMC” and making other necessary changes throughout Title 1, Chapter 1. Councilman Carson seconded the motion. The motion carried unanimously.

B. NEW BUSINESS CONTINUED

4. Councilwoman Elliott - Discussion/For Possible Action – Approval to expense previously-approved \$30,000 donation to White Pine Public Museum, to secure and transport antique vehicles and equipment, from uncommitted Community Service Funds.

Councilman Trask approved to expense previously approved \$30,000 donation to White Pine Public Museum, to secure and transport antique vehicles and equipment, from uncommitted Community Service Funds. Councilwoman Williams-Harper seconded the motion. The motion carried unanimously.

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

Councilwoman Elliott stated we are in a holding pattern at this time with the requests that we have submitted.

Mayor Robertson stated we did have a decision to sit down with some of our senator's offices to talk about some of the changing requirements and haven't heard back from Brian so we're going to rattle his cage again.

6. Councilwoman Williams-Harper - Discussion/For Possible Action – Approval to expense previously-approved \$15,000 to FMW Solutions, to complete Nevada Northern Railway Foundation's Consolidated Rail Infrastructure & Safety Improvements (CRISI) grant application, from Community Service Funds.

Councilwoman Elliott approved to expense previously approved \$15,000 to FMW Solutions, to complete Nevada Northern Railway Foundation's Consolidated Rail Infrastructure & Safety Improvements (CRISI) grant application, from Community Service Funds. Councilman Trask seconded the motion. The motion carried unanimously.

7. Councilwoman Williams-Harper – Nevada Northern Railway Foundation President Mark Bassett – Discussion/For Possible Action – Approval of City of Ely's Letter of Commitment to provide \$19,547,905 toward the Nevada Northern Railway Track Rehabilitation for Freight Traffic project. The City of Ely's commitment letter is required to apply for a Consolidated Rail Infrastructure & Safety Improvements (CRISI) Grant.

Mayor Robertson stated I will disclose that I am a part time employee of the foundation. but don't have anything to do with this at this point and I don't vote.

NNRY President Mark Bassett reviewed the following:

NEVADA NORTHERN RAILWAY
NATIONAL HISTORIC LANDMARK



Nevada Northern Railway Foundation

A Nevada 501 (c) 3 Non-Profit Corporation

Depot: 1100 Avenue A, Ely, Nevada 89301

Mailing Address: PO Box 150040, Ely, Nevada 89315

Voice: (775) 289-2085 • Web: www.nnry.com • E-mail: info@nnry.com

TO: Mayor, City of Ely and the Ely City Council

FR: Mark S. Bassett, President

RE: Consolidated Rail Infrastructure and Safety Improvements ("CRISI") program grant application for the Nevada Northern Railway Track Rehabilitation for Freight Traffic.

The purpose of the grant is to rehabilitate the railroad from Shafter, Nevada (MP 18.5) to HiLine Junction, Nevada (MP 135.4), covering a total distance of 116.9 miles of railroad track. This section of the railroad predominantly consists of the original 60 pound rail from its construction in 1905/1906, whereas modern standard rail typically ranges from 130-pound to 141-pound rail. Fortunately, Kennecott previously upgraded the railroad from HiLine Junction to Ruth with 90-pound and 115-pound rail, which can accommodate modern freight traffic. Additionally, the Foundation conducted a tie replacement program from HiLine Junction to Ruth, resulting in this section of the railroad being in relatively good condition.

FMW and the Foundation have conducted a comprehensive inspection of the entire railroad from Shafter to Ruth. Furthermore, FMW has updated previous engineering studies related to the railroad. Based on these assessments, the estimated cost to open the railroad to freight traffic is \$129.7M, with the grant request set at \$94.0M. We have secured a commitment of an estimated \$15,225,997 in ballast that can be used as match, leaving a remaining cash match of \$19,547,905. The cash match will not be required until October 2025 and only of the grant is awarded.

On the agenda is a Letter of Commitment to be signed by the Mayor in support of our mutual grant application. As I mentioned at the last City Council meeting, there are multiple avenues to pursue for raising the \$19.5M cash match including seeking support from the Nevada State Legislature, approaching the Nevada State Infrastructure Bank, and exploring federal options such as the Transportation Infrastructure Finance and Innovation Act (TIFIA) and the Railroad Rehabilitation & Improvement Financing (RRIF) loan.

If a loan is required, the financial plan indicates a minimum of 8,000 car loads a year, growing to over 12,000 car loads annually. The revenue generated from those car loads will cover the cost of a RRIF loan. The applicant for the RRIF could be the City of Ely, the Foundation or the Foundation's wholly owned freight railroad the Great Basin and Northern Railroad.

During the interim period, while awaiting the grant determination, FMW and the Foundation will collaborate on assembling a funding package for the cash match. This package will comprise of multiple components, in other words, our goal would be to find enough funding without the need for the a RRIF loan. But if a RRIF loan is needed, the particulars of the loan are unknown at this time. We have a year to make that determination, after the grant awarded, if it is awarded.

Award Winning Destination

Best Adrenaline Rush in Rural Nevada – 2020

Best Historic Railroad of the West – 2023, 2022

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

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

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

Councilwoman Williams-Harper stated I would like to see the CRISI grant application on the City of Ely website.

Councilwoman Elliott moved to approve City of Ely’s Letter of Commitment to provide \$19,547,905 toward the Nevada Northern Railway Track Rehabilitation for Freight Traffic project. Councilman Carson seconded the motion. The motion carried unanimously.

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

Mayor Robertson stated I would like to disclose the CEO of the Chamber of Commerce is my spouse, but this is not an action item, and I don’t vote anyway.

White Pine Chamber of Commerce CEO Shadrach Robertson reviewed the following:



White Pine Chamber of Commerce
636 Aultman St. Ely, NV, 89301
775-289-8877
WPCCA.WhitePineChamber.com

Good Evening Councilmembers,
Good Evening, Mr. Mayor,

Over the past month The Chamber of Commerce has been busy coordinating with new members, as well as planning a major Rural Nevada Economic Forum and Small Business Resource Fair for October 11th - I would like to personally invite all of you to that, as we are bringing together local, state, and federal representatives from elected offices as well as business support services, and education to boost our economic outlook and sustainability.

You are also invited to the Chamber’s Annual Member’s Networking BBQ event and Board of Directors Meeting at 6:00 pm on June 28th, at the Ely Elks Lodge.

I will be beginning Summer session Hours at the Chamber of Commerce beginning Monday May 28th, 9am- 5 pm Monday through Friday.

In the Back up documentation I have placed the Councilman Carson’s request of a Visitor Center Liason Job Description and we are happy to announce that we have interviewed a candidate that can provide weekend hours to greet visitors in this location seven days a week.

We wrote a support letter for the NNRY and City of Ely to Administrator Rose of the Federal Railroad Administration in favor of the Consolidated Rail Infrastructure and Safety Improvements (“CRISI”) program grant application for the Nevada Northern Railway Track Rehabilitation for Freight Traffic.

County wide economic report for last month, unemployment did go up 0.2% but White Pine still maintains lowest levels of unemployment in the state.

I will be attending the Nevada Creative Conference next week to help coordinate bringing the Nevada Arts Council Basin to Range Exchange back to Ely in May 2025.

If you have any questions I am available to you anytime.



White Pine Chamber of Commerce
636 Aultman St. Ely, NV, 89301
Phone: 775-289-8877 Email: WPCCA@WhitePineChamber.com
Serving White Pine County for Over One Hundred Years

Downtown Ely Visitor Center Plan

OVERVIEW:

- Local visitor’s centers are co-located within local chambers of commerce in most communities in the State of Nevada and across the United States.
- These visitor’s centers are funded by transient lodging tax, not the local chambers of Commerce.
- The high traffic, main street visibility, and the long-established tendency for visitors to stop at the WP Chamber of Commerce for local information was the reason an official visitor center was established at the Chamber office about 5 years ago.
- Since the withdrawal of support of that visitor center in December of last year, the WP Chamber of Commerce has continued to operate a visitor center as staffing and funding has allowed. This has included partnering with AARP to provide funding for wages for a part time employee to staff said visitor center.
- WP Chamber of Commerce is seeking funding from the City of Ely to be able to hire additional people specifically to staff the visitor center. The goal being to eventually secure enough funding to enable the visitor center return to being open and available to the traveling public 7 days a week.
- The funding being requested will not be used for the operation of the WP Chamber of Commerce or to pay the salary of any Chamber executive. Funding will only be used to pay for staff to operate a visitor center.
- Whether or not a supported visitor center is located at the WP Chamber of Commerce, visitors to our community will continue to stop at the Chamber for local information. Funding support staff to interface with out of area visitors allows the Chamber to continue its primary mission of supporting the member businesses contributing to the city and county’s enhanced quality of life.
- As a US Chamber of Commerce affiliated Chamber, our Charter complies with their definition of the organization operating as a voluntary partnership of businesses and professionals working together to build a healthy economy and improve the quality of life in a community. As a chamber works to accomplish these goals, it must champion many different functions: economic developer and planner, tourist information center, business spokesperson, economic counselor and teacher, government relations specialist, human resources adviser, and public relations practitioner.

Downtown Ely Visitor Center Liason Position Description

PRINCIPAL DUTIES AND RESPONSIBILITIES

- The primary role of the Visitor Centr Liason is to greet, welcome and inform out-of-area visitors that are utilizing the Chamber of Commerce office to obtain information about local amenities, attractison, events, lodging, dining options, and features of interest, in order to entice longer recreational stays in Ely and White Pine County.
- Seek to be a Local Expert, knowledgeable in entertainment, recreation, amenities, and business.
- Corrospund via electronic or postal mail in response to remote inquiries, supplying requested information in a timely manner.
- Investigate, learn, and maintain a current knowledge of events, attractions, weather conditions, and opportunities for travelers to take advantage of while in our area.
- Maintain the informational literature, brochures, handouts, rack cards, and current provisional materials to assist visitors in navigating the areas and supplying these along with personalized and friendly insights related to their journey.
- Interface with othr visitors centers along Highway 50, information suppliers, State agencies, Tourism Departments, non-profit organizations, and other communities to ensure useful information is kept up to date and shared through our office and its affiliated websites and social media accounts.
- Ensure a clean and welcoming Visitor Center that provides a warm and friendly experience that is non-partisan, non-sectarian, and reflects the community's openness and eagerness to accommodate visitors and new business.
- Provide the Chamber of Commerce supplemental supports in office related tasks as needed.
- Compile and supply a monthly Visitation report detailing origin of visitor, reason for visit or ultimate destination as well as number of visitors for an approximate estimate of out-of-area traffic.
- Maintain public sidewalk informational boards with up-to-date promotional materials.

INTERPERSONAL RELATIONSHIPS:

- Daily interactions with visitors, Board of Directors, committee members, area businesses, owners, prospective vendors, contractors, and volunteers.

KNOWLEDGE:

- Possess and develop sound knowledge of local tourist attractions and facilities and be aware of activities across the Eastern Nevada / Great Basin region.
- Ability to be a good team member and able to work independently • Office Suite, Google Suite, social media, etc.

WORKING CONDITIONS:

- 20 hours per week. Flexible hours possible
- Requires some weekends, holidays and occasional evenings.

Reports to: Executive Director of the Chamber of Commerce

10. Council Members – City Clerk Lee – Discussion/For Possible Action – Approval to commit \$600,000.00 of Community Service Funds to Wastewater Treatment Plant CPF Upgrade Project.

City Clerk Lee stated as outlined in your backup documentation, in March of this year the EPA changed its cost share waiver criteria. Unfortunately, now the City doesn't qualify for any of the five points. For the other two projects we qualified for two. Thankfully we got those cost share waivers back in August, because that criterion was retroactive to those project years; so, we're grateful for that. Outlined in number one it explains that our cost share for the Wastewater Treatment project is \$1.2 million and if we commit 600,000 of that money that was set aside for Central Ely, that will just leave us \$603,750.00 and we received over that for our last CDBG ask. In the next round of CDBG grants that grant money is eligible to use with these. That's my recommendation that prevents us from having to borrow money to get that important Wastewater Treatment Plant Project done.

Councilman Carson moved to approve committing \$600,000.00 of Community Service Funds to Wastewater Treatment Plant CPF Upgrade Project. Councilman Trask seconded the motion. The motion carried unanimously.

11. Council Members - City Fire Chief Stork – Discussion/For Possible Action – Approval to order one (1) Rosenbauer Pumper Truck, complete with Rosenbauer Commander Chassis per specifications with funding from the following sources: City of Ely \$250,000, White Pine County \$200,000, Ely Volunteer Fire Department \$10,000, William B. Ririe Hospital \$10,000, and the Pennington Foundation \$457,508.

Councilwoman Elliott moved to approve ordering one (1) Rosenbauer Pumper Truck, complete with Rosenbauer Commander Chassis per specifications with funding from the following sources: City of Ely \$250,000, White Pine County \$200,000, Ely Volunteer Fire Department \$10,000, William B. Ririe Hospital \$10,000, and the Pennington Foundation \$457,508. Councilwoman Williams-Harper seconded the motion. The motion carried unanimously.

12. Council Members – City Fire Chief Stork – Discussion/For Possible Action - Approval of recommendation to suspend open burning in City of Ely limits May 27, 2024, through October 15, 2024; this proposed action would not affect previously approved Open Burning permits.

City Fire Chief Stork stated this is something we do every year. The weather this next week is going to start warming up and open burning becomes more of a nuisance for people than it does a big safety hazard in the City for us. We get flooded with complaints and with the people closer to the hillside it does present a hazard.

Mayor Robertson asked this does not affect if someone has a backyard fire pit?

City Fire Chief Stork stated no, those are perfectly fine to have.

Councilman Carson moved to approve suspending open burning in City of Ely limits May 27, 2024, through October 15, 2024; this proposed action would not affect previously approved Open Burning permits. Councilman Trask seconded the motion. The motion carried unanimously.

13. Council Members – City Fire Chief Stork – Discussion/For Possible Action – Approval to transfer 1922 Fire engine from the City of Ely to the Ely Volunteer Fire Department.

City Fire Chief Stork stated the Volunteers have had the 1922 GMC in their possession for fifty years that I know of. We finally found the title and this truck was still listed in the City's name. The 1928 has been signed over to the Volunteers, and the Volunteers are the ones who basically keep all the history for the Fire Department. I would like to see that truck signed over to them officially to where they can keep it along with the history.

Mayor Robertson stated my understanding was that was the intention years ago.

Councilman Carson moved to transfer the 1922 Fire engine from the City of Ely to the Ely Volunteer Fire Department. Councilwoman Williams-Harper seconded the motion. The motion carried unanimously.

10. PUBLIC COMMENT

George Chachas stated you folks talk about a housing shortage, but I've applied for permits and I'm refused. I don't want to hear you saying that you're going to force someone into selling their property by increasing their tax. I want to use my properties as others do, but I'm not allowed to. Councilwoman Elliott did a good job on Nevada Avenue. The complaint came in on the nineteenth and when I went by the morning of the twentieth it was patched. I want to know what kind of problem you've got with ethnic minorities and Vietnam veterans. We deserve the same consideration. Mr. Chachas stated ongoing concerns regarding the drainage issue behind NAPA near his property preventing him from getting in to do maintenance; The egress and ingress at Golden Gate Convenience Store; 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; and reimbursement for the sewer problem he took care of at his property located at 681 Parker Avenue.

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

Councilman Trask moved to adjourn the regular meeting of the Ely City Council at **6:08 p.m.** Councilwoman Elliott seconded the motion. The motion carried unanimously.



MAYOR



ATTEST

