

CITY OF ELY

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

ELY CITY COUNCIL REGULAR MEETING

October 12, 2023, 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 5:01 P.M. Harry Rhea offered an invocation. Mayor Robertson led in the Pledge of Allegiance and asked for Roll Call.

Members present:

- Mayor Nathan Robertson
- Councilman Kurt Carson
- Councilwoman Samantha Elliott
- Councilman Jim Alworth
- Councilwoman Jerri Lynn Williams-Harper

Members absent:

- Councilman Terrill Trask

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

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

Also, in attendance: Members of the public in attendance at the Ely Volunteer Fire Hall signed in (appears below) and the following persons attended via video conference: Geri Wopschall, Michael Mushkin, Wyatt Cox, Nora Tadic, and Josh Lieberman.

ELY CITY COUNCIL ATTENDANCE LIST

DATE: October 12, 2023

Print name below

Sandra Peterson
Milo Jurg
Anne Kellogg
Charlene M. ...
George Chachas
MARK BASSETT
Matt ...

Print name below

2. PUBLIC COMMENT

George Chachas stated on your agenda item 10B-4 you are to consider the approval of the Business Impact Study results. The Council should take heed in what was presented by those affected and respond. The Council needs to bring back the thirty to fifty room requirement for

those that operate sixteen or more slot machines. I remind you of competition with the private sector pursuant to NRS 268.527 which restricts power on the City. You have local businesses that have complied with the room requirement, and you need to keep that standard. NRS 278.235 deals with the adoption and measures to maintain and develop affordable housing. Subsection 3 states on or before January 15th of each year the governing body shall submit to the Housing Division in the Business and Industry a report in the form described by the Housing Division to how measures adopted pursuant to Subsection 1 assisted the City or County in maintaining and developing affordable housing to meet the needs of the community for the preceding year. I would like to know if you have done that. If Bon Aire Park is eliminated from that development, there is no other area that they may move to in the City of Ely. You have failed to give me permits for my property, only citations, because of so-called zoning issues. Where do you plan on putting the Bon Aire residents? Some of them are economically challenged and can't afford KOA. I am concerned about the possible changes with public works. NRS 266.263 states the Cities power....

Mayor Robertson asked Mr. Chachas what agenda item does this pertain to?

Mr. Chachas continued stating 10B-4. All these NRS's pertain to that development. I am asking questions, and they need to be addressed. If there are any changes with public works in there, they haven't gone to the Regional Planning Commission yet. You guys are circumventing your own regulations and State regulations.

Wyatt Cox with KELY Radio stated I want to mirror some of the comments made by Mr. Chachas although in a different vein. This business that is being proposed intends to operate with fewer than the hotel rooms that have been discussed. It will damage business in the State and community, which in turn will damage our ability to operate as a public trustee. Businesses have to advertise on our radio station to help keep us afloat. If they do not, that does not allow us to continue to provide news and information that we provide twenty-four hours a day. How would one be able to propose putting businesses out of business, which this operation in my opinion would, and with this it will allow a business to come in that duplicates other businesses that are operating within current statutes. I believe that locally owned businesses need to remain in Ely, and this would not be a locally owned and operated business under the current understanding. We thank you for your information and support and we hope you will review these results in a manner in which they definitely indicate that this should not be changed.

PMKI LLC.



Hot Potato Properties

Anne Kellogg
Partner Hotel Nevada and Gambling Hall
Four Sevens, Grand Central, Fireside Inn, Postal Palace CC, 421 Aultman
Owner Postal Palace Townhouses, Hot Potato Properties
Partner PMKI LLC
370 Aultman, 448 Aultman, 598 Aultman
Partner Ely Duck Creek Lodge

510 E. Fairview Lane
Ely, NV 89301
(702) 595-4985
kelloggai@gmail.com

BLUF: 100 percent of the business impact responses were opposed to the most recent vote to change the gaming ordinance: the proposed ordinance creates an unfair advantage for predatory gaming operators (if this succeeds there will be more); the council seems to be laser-focused on the scourge of blight but changing gaming law is not a solution for an unsightly corner

Hello, all.

Hope you are well and looking forward to this weekend's Ring of Fire Eclipse - so exciting.

Thank you for time and thoughtful consideration of this important matter.

I want to call to your attention that 100 percent of the responders to the business impact surveys were opposed to your most recent vote that proposes to pass an ordinance that would embrace the ludicrous concept that a restaurant with 40 machines is a substitute for a lodging requirement.

As I have stated before, we believe this new ordinance will syphon business and employees and prey on the residents of Ely and White Pine County while creating an extraordinarily unfair advantage for this one particular slot parlor operator.

I know that the proposed corner is severely blighted and people want it developed. The city council's dangerous solution to this single situation could have catastrophic impact locally and could also impact gaming laws that govern hotel/casino businesses throughout the state.

According to the city attorney, the city council seems to think it can legislate business hours and space requirements that would make a 40-machine casino something other than a slot machine arcade. That is foolish.

An establishment with or without a restaurant with more than 25 machines is a slot machine arcade or slot parlor by all industry standards.

Several months ago you voted on a drastic compromise of the original ordinance that would allow for 30 machines with 40 rooms and it was still not good enough so you changed it.

This reminds me of the story about a person who thinks it best to treat the pain of a headache by picking up a hammer and pounding on their head with it.

I'd like to restate my opinion, that the original ordinance that was passed in 2017 which required any business with more than 16 machines to also have 50 or more lodging rooms was ideal and the gaming industry standard. The proposed developers of Great Basin Highway and Highway 50 said they found a minor flaw in the original language and it has been taking advantage of that ever since.

The Hotel Nevada, along with Hot Potato Properties, Postal Palace Townhouses and PMKI is still in this important conversation and we are hopeful that this city council will find a way to put down the hammer.

Thank you for your time and continued service to the City of Ely.
Anne Kellogg
Partner Hotel Nevada

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 FIRE CHIEF

City Fire Chief Stork stated just to give you a heads up of what is going on this weekend. You have on the agenda to approve the money for overtime, and I have all my staff scheduled starting tomorrow morning through Sunday morning. We also have our Volunteers scheduled so we have all three of our ambulances covered for the next forty-eight hours. I also have Med-X picking up the life flights for the next forty-eight hours so that we will have all of our ambulances available for 911 calls. On Saturday morning we will have the Reach helicopter here and staged at our station. We will be able to utilize it for longer distances, so we don't have to run to Baker and everywhere else.

➤ CITY POLICE CHIEF

City Police Chief Henriod stated, "I am curious to see how this weekend is going to turn out." We also have every man available working this weekend and will be concentrating out in Baker and the train depot to make sure the NASA folks are all squared away. My guys will be out there and hopefully we don't get stretched to thin.

➤ CITY ATTORNEY

City Attorney Cahoon stated so far, my office has sent out twenty-eight letters notifying property owners that have current liens for landfill fees on their property that the City will be seeking foreclosure. Eleven letters have been returned undelivered, and eight of them have been collected on. So far, we have collected \$8,028.20 and I believe there have been a total of three payment plans set up for property owners that needed additional time to pay the principle with the interest.

➤ CITY PUBLIC WORKS DIRECTOR

City Public Works Director Cracraft stated I want to report at the Wastewater Treatment Plant we were able to replace the bearing on the screw pump and it is working properly. In this next fiscal year, we will budget to have some spare parts for it, so we don't run into this again. The work at the lift station continues. We were able to install a valve at the y so forty years from now when they have to work on it again, they don't have to drain three and a half miles of sewage. We were able to install the new pump and motor in the North Street Well and as soon as the samples come back good, we will put it in the system.

➤ **CITY ENGINEER**

City Engineer Alberg stated we are working diligently with NDOT on the Aultman Street Project. We are starting to meet more regularly as we are getting to the final details and the bidding for the project should be hitting the street next March, and later that summer they will award that project. We are also working diligently on our CDBG Bell Avenue Project and are hoping to have that tied up and turned in for approval to the State in the next week or two. We will then start working on completing the Central Ely Sewer Line CDBG Project. Both of these projects should be ready for bid early in the spring and will have a couple of projects going on next summer.

5. NNRV FOUNDATION REPORT

Mayor Robertson stated I would like to disclose that I am a part-time employee of the Foundation, but this is not an item we vote on, and I don't vote anyways.

NNRV President Mark Bassett reviewed the following report:

NEVADA NORTHERN RAILWAY
NATIONAL HISTORIC LANDMARK



Nevada Northern Railway Foundation

A Nevada 501 (c) 3 Non-Profit Corporation
Depot: 1100 Avenue A, Ely, Nevada 89301
Mailing Address: PO Box 150040, Ely, Nevada 89315
Voice: (775) 289-2085 • Web: www.nnrv.com • E-mail: info@nnrv.com

Monthly Operations Report for September 2023

1. Locomotive Status – Updated
 - a. Locomotives in service: #81, #105, #204, #310, 801, Wrecking Crane A & Rotary B.
 - b. Locomotive 81 is out-of-service with running gear and boiler issues.
 - c. Locomotive 40 is out of service for her heavy repairs. We have started on her repairs; she will be out of service until 2025.
 - d. Locomotives out of service needing moderate repairs: #109 and #201.
 - e. Locomotives waiting funding for restoration: Steptoe Valley Smelting and Mining #309, Kennecott 802 and Rotary Snowplow B (for boiler overhaul.)
 - f. Locomotives out of service needing heavy repairs #80 and the military locomotives.
3. Rolling Stock Status – No change
 - a. Passenger equipment in service: #07, #08, #09, Flatcar #23, Coach #5, Baggage Car/RPO #20, Outfit Car #06.
 - b. Passenger equipment out of service: #10, #2 and #05 needing heavy repairs.
 - c. Caboose in service: #3 and #22 are operational.
 - d. Caboose out service: #5 and #6. Caboose #6 needs a 50-year waiver.
4. Track Status – No change
 - a. Keystone Branch is open.
 - b. Adverse Branch is open.
 - c. Museum Branch is open.
5. Ridership and Ticket Sales – Updated
 - a. In September we carried 1,904 passengers, this is an 1% increase over last year.
 - b. Year to date we have carried 12,446 passengers, this is a 4% decrease compared to 2022.
 - c. Since operations began in 1987, we have carried 359,760 passengers.
6. Economic Impact – Data from Travel Nevada Visitor Facts Pony Express 2016-2020
The average non-gaming & gaming daily expenditure per overnight visitor \$140.
Economic impact for September 2023 is $1904 \times 80\% \times 140 = \$213,248$
Economic Impact Year To Date is $11,915 \times 80\% \times 140 = \$1,668,100$
These numbers only reflect the economic impact of our train passengers and does not include visitors who did not ride the train.

Award Winning Destination

- Best Historic Railroad of the West – 2022
- Best Adrenaline Rush in Rural Nevada – 2020
- Best Museum in Rural Nevada – 2022, 2020, 2017, 2016, 2014, 2013, 2010, 2009, 2008
- Trip Advisor Certificate of Excellence – 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

7. Social Media: Our reach on social media continues to expand:

September:

- a. We reached 749,895 people.
- c. We have 132,451-page likes.
- d. 181,625 people follow our page.

8. Skeleton Crew



As you can tell we are operating with a skeleton crew for our Haunted Ghost Trains. The Haunted Ghost Trains operate on October 20, 21, 27 and 28. The Haunted Ghost Trains departs at 7:00 pm. Customs are encouraged.

6. REPORTS

➤ COUNCILWOMAN ELLIOTT

Councilwoman Elliott stated last week I went to a ribbon cutting out at the mine in Osceola and they were very gracious of our presence there. We are welcoming them to our community. They stayed at our hotels and ate at our restaurants so wanted to say thank you to that group. I want to say thank you to Mike and his crew for handling the port a potties around town for this upcoming weekend so businesses are not overwhelmed with patrons.

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

1. Councilman Carson – Discussion/For Possible Action – Review of draft Georgetown Ranch Bid Invitation, with possible revisions and approval.

Councilman Carson stated the Municipal Utilities Board recommended approval this morning on this with one modification. On the term of the lease where it says, “the term of the lease shall be five-year increments” we also want to add “it is not renewable.” I think the terms are very well spelled out and the bidders will know that we want weed control, we want the fences repaired, and they need to divert the wastewater from the treatment facility. I think it looks good unless anyone else has any recommendations.

Councilman Carson moved to approve the Georgetown Ranch Bid invitation with modification stating it is not automatically renewed and must be bid every five years. Councilwoman Williams-Harper seconded the motion. The motion carried unanimously.

2. Board Members – City Clerk Lee – Discussion/For Possible Action – Approval to remove past due utility fee penalties up to the amount of \$244.09 from 19 Keystone Street, Ruth, Nevada at the request of Property Owner, Nathan and Kezia Kelly.

Councilwoman Elliott moved to approve removal of past due utility fee penalties up to the amount of \$244.09 from 19 Keystone Street, Ruth, Nevada at the request of Property Owner, Nathan and Kezia Kelly. Councilman Alworth seconded the motion. The motion carried unanimously.

3. Board Members – City Clerk Lee – Discussion/For Possible Action – Approval to remove past due utility fee penalties up to the amount of \$175.86 from 3013 North 9th West Street, Ely, Nevada at the request of Property Owner, Laura and Wray Cote.

Councilman Carson stated the Municipal Utilities Board recommended approval.

Councilman Carson moved to approve the removal of past due utility fee penalties up to the amount of \$175.86 from 3013 North 9th West Street, Ely, Nevada at the request of Property Owner, Laura and Wray Cote. Councilwoman Williams-Harper seconded the motion. The motion carried unanimously.

4. Board Members – City Clerk Lee – Discussion/For Possible Action – Approval to remove past due utility fee penalties up to the amount of \$382.28 from 1405 Lyons Avenue, Ely, Nevada at the request of Property Owner, Ordination of Heliotropes, LLC.

Councilman Carson stated the Municipal Utilities Board recommended approval.

Councilman Carson moved to approve the removal of past due utility fee penalties up to the amount of \$382.28 from 1405 Lyons Avenue, Ely, Nevada at the request of Property Owner, Ordination of Heliotropes, LLC. Councilwoman Elliott seconded the motion. The motion carried unanimously.

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

A. CONSENT AGENDA

MOTION: Move to approve the Consent Agenda item 10A-1 Minutes and 10A-2 Bills.

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

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

Moved by: Councilwoman Elliott Second by: Councilwoman Williams-Harper Vote: Unanimous

1. Discussion/For Possible Action – Minutes
 - August 24, 2023
2. Discussion/For Possible Action – Bills.
 - September 28, 2023
 - September 29, 2023

B. NEW BUSINESS

1. Mayor Robertson – Discussion/For Possible Action – Review of proposal received for Building Inspection services from Craig Peterson, with possible acceptance of proposal.

Mayor Robertson stated for all intents and purposes this is the same agreement we have with Brad Christiansen with the exception that Mr. Peterson requested he only be called out with a four-hour minimum of work to do. He and Brad are both willing to fill in until we get someone hired and we appreciate their willingness to help.

Councilwoman Elliott moved to accept proposal received for Building Inspection services from Craig Peterson. Councilman Alworth seconded the motion. The motion carried unanimously.

2. Mayor Robertson – Discussion/For Possible Action – Approval to spend \$20,000 in Community Service Funds for City Parks and Fire Departments' overtime on October 14-15, 2023, during the Ring of Fire Eclipse Festival.

Mayor Robertson stated the Department Heads discussed last week with all the people downtown this weekend to have someone empty trash cans and make sure our parks are taken care of. Pat stated he also has everyone scheduled this weekend so this will cover the overtime. This is a high number, so it is up to this amount, but we wanted to make sure this was covered.

Councilwoman Williams-Harper moved to approve spending \$20,000.00 in Community Service Funds for City Parks and Fire Departments’ overtime on October 14-15, 2023, during the Ring of Fire Eclipse Festival. Councilwoman Elliott seconded the motion. The motion carried unanimously.

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

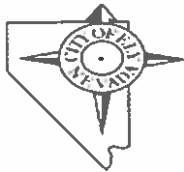
Councilwoman Elliott stated last time we talked it was about the electric charging stations and I haven’t been back by to see if the one at the Shell station was back up.

Mayor Robertson stated it is not.

Councilwoman Elliott stated we will be meeting with Brian next week.

4. Council Members – City Clerk Lee – Discussion/For Possible Action - Approval of Business Impact Study Results regarding proposed Ordinance 751, Bill No. 2023-05 amending Title 3, Chapter 5, Section 13 of the Ely City Code to require gaming license applicants who intend to operate 16 or more slot machines to have a restaurant and bar or at least 30 hotel rooms.

City Clerk Lee reviewed the following results:



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**Business Impact Study Summary Regarding Title 3 Chapter 5
 “Gaming Code”**



In Favor Comments:

- There were no letters agreeing with the unanimous Council decision made on August 24, 2023, to direct the city attorney to amend Section 3-5-13(F) of the Ely City Code to require all gaming license applicants who intend to install 16 or more slot machines to have a restaurant and bar or at least 30 hotel rooms.

Opposed Comments:

- There were 8 responses opposed to the proposed change and below are comments from those constituents:
 - ❖ “My concern is that as we grow in the retail sector adding more “like” businesses to our community without increasing demand through increased population, existing businesses will struggle to survive. The City of Ely requiring hotel rooms to be built, when a casino is built, benefits the community, by helping to increase opportunities for more people to come and stay, increasing demand for the goods and services provided by local businesses, allowing growth, without jeopardizing existing businesses.”

The City of Ely is an equal opportunity provider and employer.

- ❖ “**Adamantly** against the proposal as it both (a) imposes a direct significant economic burden upon a business and (b) directly restricts the formation, operation, or expansion. Giving out of town operators an unfair advantage will directly restrict positive growth to our community.”
- ❖ “This proposal will negatively impact local motel and casinos that rely mostly on local gaming players as additional gaming establishments with no hotel/motel rooms will also rely on local players and if this goes through, we anticipate a decrease in gaming revenues which could result in reduction of staff and restaurant closures.”
- ❖ “The proposed change would syphon the local customer market and employees. Currently, the businesses in White Pine County that exist with over 16 machines also have traditional rooms or overnight parking and some type of food service to support the slot machine business. It’s not an either rooms or food; it is both lodging and food. I advocate a compromise of 30 machines or less with 50 plus hotel rooms.”

Mayor Robertson stated it is my understanding this item is just to accept the results as presented.

City Attorney Cahoon stated yes, it is. I did miss a step and at the next meeting we will need to have an item on the agenda for the Council to determine whether the proposed rule will have a significant impact on those businesses and other businesses that this rule pertains to. The following meeting will then be a Business Impact Statement and then the second reading of the Ordinance in December. The Council has already done a lot of consideration of the impact on all the businesses involved, but the Council will need to consider the impact and whether there are any remedies or methods to minimize the impact.

Mayor Robertson asked do we have the latitude to talk about the Impact Study results?

City Attorney Cahoon stated yes, you can talk about the results.

Mayor Robertson stated my understanding of the NRS is the purpose of the impact study is to determine whether or not there would be an impact to businesses in forms of this is an onerous rule to comply with; this is going to cause us money and personnel to implement; this is going to cost us more money in fees; and not necessarily, is this going to cause us competition. Is that correct?

City Attorney Cahoon stated that is correct, I believe this rule was meant for proposed rules or ordinances that would impose fees on businesses. However, if my memory serves me right, there was an Attorney General opinion sort of broadening that to have any impact on businesses. I think the consideration is still if there is a direct impact. It says here significant economic burden, or directly restrict the formation, operation, or expansion of a business.

Councilwoman Elliott moved to accept the Business Impact Study Results regarding proposed Ordinance 751, Bill No. 2023-05 amending Title 3, Chapter 5, Section 13 of the Ely City Code to require gaming license applicants who intend to operate 16 or more slot machines to have a restaurant and bar or at least 30 hotel rooms. Councilwoman Williams-Harper seconded the motion. The motion carried unanimously.

5. Council Members – City Clerk Lee – Discussion/For Possible Action – Approval of Broadband Service Agreement between the City of Ely and Commnet of Nevada, LLC to provide DIA fiber to Ely Municipal Court.

City Clerk Lee stated this agreement is for three years and contemplates an \$850.00 monthly fee for fiber service for Municipal Court. I have visited with Commnet on it and they pointed out to me that once fiber is brought to City Hall our monthly fee for City Hall will be \$2,000.00 a month and the Fire Department and Wastewater Treatment Plant will both be \$999.00 a month respectively. It is in line with the market. It is an enterprise service so if there are latency issues where it is not available then the City can request credits on its bill. The Municipal Court needs this in order to bring testimony in from across the State on video conferencing.

Councilwoman Elliott stated it says it is going to be \$42,000.00 to install; am I reading that right?

City Clerk Lee stated there is no installation cost. They are using the existing conduit and running a line from the server room patch panel, which they own there in the Justice Center, down to the Municipal Court offices. Exhibit A on page eight shows we are in the market and what we will be paying once our wireless area network is up.

Councilwoman Elliott asked what do we pay now for internet?

City Clerk Lee stated it is about \$120.00 a month for DSL here at City Hall. We have paid for installation fees with Commnet but have not commenced on monthly fees because we don't have our fiber to City Hall yet.

Councilwoman Elliott stated once we have the fiber it will be \$3,998.00 a month and the \$850.00 for Municipal Court?

City Clerk Lee stated yes, if this is approved tonight.

Councilwoman Elliott asked has this been budgeted for?

City Clerk Lee stated the phone bills with AT & T are increasing exponentially and our internet-based phones are a little bit more, but pretty much equaled out for better service. The \$850.00 was not budgeted. To be clear the Municipal Court has been on the County internet free of charge and what this does is give the Municipal Court a separate line and all of its equipment goes into Municipal Court offices to where our IT people have access whenever they need to work on it, update it, or configure it.

Councilwoman Elliott asked has that been a good relationship or a bad relationship where we need our own internet?

Mayor Robertson stated there has been a security audit at the County and there are new cybersecurity laws that the State is having all government entities implement. Having us on their system has caused security irregularities; not that there has been a breach, but it makes a weak spot. The easiest thing to do is get our own so we do not bother with their stuff, and they do not have a say in ours. I am uneasy about how much this is costing on a monthly basis and with that being said DSL service is a service that AT&T is no longer supporting, and we almost don't have an option here. I would like to keep on top of the agreement that if there are dues that need to come back because the service is not what they promised that the City is getting those back. In three years as connectivity and technology progresses, we need to make sure we are going back to the table and looking at better options that provide just as much service.

Councilwoman Williams-Harper moved to approve the Broadband Service Agreement between the City of Ely and Commnet of Nevada, LLC to provide DIA fiber to Ely Municipal Court. Councilwoman Elliott seconded the motion. The motion carried unanimously.

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

1. Councilman Alworth – Public Hearing – Discussion Only – Approval of Second Reading of Ordinance 752, Bill No. 2023-06, proposed ordinance adding Chapter 16 “Mobile Vendors” to Title 3 of the Ely City Code to regulate mobile vendors by licensure; and providing other matters relating thereto.

No Comments

Mayor Robertson stated my name should have been on the next item as the sponsor and not Councilman Alworth. I apologize for the oversight.

2. ~~Councilman Alworth~~ Mayor Robertson – Public Hearing – Discussion Only – Approval of Second Reading of Ordinance 753, Bill No. 2023-07, to amend Ely City Code 1-5-8 to increase City of Ely elected official salaries; per NRS 266.230, any increase to City of Ely elected official salaries would not benefit those currently holding office.

PUBLIC COMMENT

George Chachas stated on your agenda item regarding the increase of salary for elected officials, a one hundred percent increase is way too much. A ten to twenty percent increase at the most should be considered. I want to remind you that you gave some department heads ten to fifty thousand in raises and I want to know how you are going to sustain that. You have American rescue funds you are flushing out and down the road you will have problems. I want to remind you that you gave the City employees three percent and now you are going to give one hundred percent to yourselves and people coming in. You need to get real, ten to twenty percent is more than enough and if you don't like that you can run for another office.

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

1. Councilman Alworth – Discussion/For Possible Action – Approval of Second Reading of Ordinance 752, Bill No. 2023-06, proposed ordinance adding Chapter 16 “Mobile Vendors” to Title 3 of the Ely City Code to regulate mobile vendors by licensure; and providing other matters relating thereto.

Mayor Robertson stated I would just like the State to take note and hopefully amend some of their codes to help these mobile vendors as well.

City Attorney Cahoon stated the effective date is November 9, 2023, and there is a provision that states the licensing fee will be set by resolution. I will make sure to have an item on the next agenda for the resolution.

Councilman Alworth moved to approve the Second Reading of Ordinance 752, Bill No. 2023-06, proposed ordinance adding Chapter 16 “Mobile Vendors” to Title 3 of the Ely City Code to regulate mobile vendors by licensure; and providing other matters relating thereto. Councilwoman Elliott seconded the motion. The motion carried unanimously.

2. ~~Councilman Alworth~~ Mayor Robertson – Discussion/For Possible Action – Approval of Second Reading of Ordinance 753, Bill No. 2023-07, to amend Ely City Code 1-5-8 to increase City of Ely elected official salaries; per NRS 266.230, any increase to City of Ely elected official salaries would not benefit those currently holding office.

Councilman Alworth moved to approve the Second Reading of Ordinance 753, Bill No. 2023-07, to amend Ely City Code 1-5-8 to increase City of Ely elected official salaries; per NRS 266.230, any increase to City of Ely elected official salaries would not benefit those currently holding office. Councilman Carson seconded the motion. The motion carried unanimously.

B. NEW BUSINESS CONTINUED

6. Council Members – City Clerk Lee – Discussion/For Possible Action – Approval to hold one regular meeting in November on November 9, 2023, and one regular meeting in December on December 14, 2023, due to the Holidays.

Councilman Carson stated I will not be in attendance on November 9, 2023.

Councilman Carson moved to approve holding one regular meeting in November on November 9, 2023, and one regular meeting in December on December 14, 2023, due to the Holidays. Councilwoman Elliott seconded the motion. The motion carried unanimously.

11. PUBLIC COMMENT:

Caroline McIntosh stated I am here to pay a compliment to City Clerk Lee and Public Works Director Cracraft. Last week we had one hundred and fifty-five guests in town for the Episcopal Diocese of Nevada Convention and the day before they were to arrive the slurry seal folks went to the convention center and said we are going to slurry seal 6th Street tomorrow and that was going to cause a little bit of a problem for us with one hundred and fifty-five new people coming to town. I talked to City Clerk Jennifer Lee, and she got on it and they rearranged that until Monday. I appreciate how responsive they were. Thank you, City of Ely, for all your help with the Eclipse events. We have a lot of people rolling into town and we just want to have a wonderful time. We do have extra solar glasses if people need them. Mainstreet is doing a scavenger hunt that started a week ago and will go on for another week. There are twenty clues, and you can sign up at Economy Drug, This and That, the Museum, and Sportsworld. There are prizes and they are tough clues that Yvette Tillery did, and you know what a great job she does.

George Chachas stated recently a bank installed a sign that is not in compliance with the Code because it sticks out to far. I want to know who approved of that as there was no variance requested. Mr. Chachas stated ongoing concerns regarding the Community Choir building installing an elevator that he feels does not meet ADA requirements or fire code requirements; his opinion on people getting write-offs and he would like the same consideration; the billing on his property on 490 High Street and 622 High Street; his concern that the owners of 790 Avenue I got a \$4,000.00+ write off and they used all the utilities, but it was wrote off due to an employee error to justify the write off; his request to know who did the excavation and paving on the corner of 901 Avenue H and who paid for it; and his request for correspondence in regard to 701 Aultman code violations.

12. 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 **5:49 p.m.** Councilwoman Williams-Harper seconded the motion. The motion carried unanimously.



MAYOR



ATTEST