

501 Mill Street Ely, Nevada 89301  
City Hall (775) 289-2430  
[Cityofelynv.gov](http://Cityofelynv.gov)

## 2. PUBLIC COMMENT

Sandy Moreno stated I am here to speak on behalf of section B, item 5 to draft an ordinance amending Title 3 Chapter 5 that applies to the gaming code. Today I made a post on Facebook with Josh's permission. The post had a link to Terrible's who is the developer that wants to come in and build Starbucks, a gas station, a convenience store, and a tavern. They have six different taverns to choose from and they haven't decided which one will come in. I am here in favor of the project and in favor of amending this ordinance. I have witnessed a former councilwoman come up here and speak that in 2017 they put this ordinance in place, and you know why, but as an outsider looking in, I don't know why. I have heard rumors, but to an outsider looking in, it looks like it was put in to protect a certain few people in this town. The way the ordinance is currently written is not clear and it allowed a developer to come in and spend a lot of time, effort, and money trying to bring a new project into town. I think it is time to get it addressed and I like option d. A fifty-room hotel is a very large parcel. Hotels usually don't provide for cooking in the rooms so that is why they want a restaurant attached to a hotel. If you think of the parcels left in this town to do that type of work, there aren't many options. The Rustic Inn only has sixteen rooms, the Jailhouse has sixty rooms, Copper Queen has sixty-five rooms, and they don't even have a full-size restaurant. The logistics you are telling someone they would have to do to meet these requirements to bring gaming in is not very realistic anymore. I want to say the Facebook post I made about Terrible's from mid-morning until now there were seventy-five likes.

Caroline McIntosh stated as Chairman of the White Pine Tourism and Recreation Board and White Pine County Mainstreet Association I spend many volunteer hours a week working on diversifying our local economy through tourism. Currently fifteen percent of the local workforce is employed in the hospitality business. Through good planning, proper ordinances, and investment I believe we can grow our hospitality industry to twenty-five percent of our workforce. I have a great deal of respect for the former council that passed the ordinance regarding the requirement of fifty lodging rooms; thank you Councilman Carson. For business owners that want to have more than fifteen gaming machines that council understood the long-term benefit of adding local rooms to the inventory and the basic premise of the multiplier effect for all businesses. However, the word "may" needs to be changed to "shall." My children and I moved to Ely in 1992, as it is now, finding housing was a challenge and we lived at the Great Basin Inn in one of the hotel rooms until we could secure housing. The Great Basin Inn was clean, safe, and had a beautiful outdoor swimming pool. The current condition of the property is due to neglect. The proposal to eliminate or reduce the responsibility of building lodging rooms is short-sided. Study after study regarding strengthening our tourism economy has indicated that we need more lodging rooms. The proposal to eliminate the lodging room requirement will reduce twenty motel rooms and three current RV spots from our current inventory and this makes no sense. I and many others are working hard to make Ely and White Pine County a destination and by eliminating the lodging room requirement we will be known as a gas, gamble, and go town and not a destination community. Thank you for your consideration to maintain the current ordinance and changing "may" to "shall."

Anne Kellogg stated I am from the Hotel Nevada and first I want to say I love seeing the graduating seniors on banners on Main Street, I think that is fabulous and am glad you are considering doing that again. I would also like to address item B-5. As you discuss and think about the long-term implications of this ordinance, I hope you keep in mind the overall impact that changing the laws for a future project might have on the community. The hotel/casino operators in White Pine County have achieved a delicate balance with regards to tapping the locals for their gaming business. The 3,900 people that live in this City and the 10,000 people in the County by in large are not in the position where they have a lot of wiggle room with their budgets which is why we have always relied on tourism to drive the casino business. This project is not guaranteed so if it falls through and we are left with this law it could have a lasting impact. I also want you to keep in mind what it might mean for the downtown and the overall economic picture of Ely. Right now, we have a new investor/owner at the Jailhouse, The First National Bank of Ely is making a significant reinvestment, and the Hotel Nevada continues to make great strides in regard to upkeep and maintenance. We got an "all clear" from the EPA today for our tank that we found in the ground. On a more personal note, I would like to see an

effort to help Ely become a more travel to instead of a travel through place. The proposed project with his gas station, drive through coffee shop, and slot parlor does not say destination to me. I still stand by my original opinions about keeping the ordinance in place and just changing the language to tighten it up. I also realize that Ely has a large appetite to clean up the corner of Great Basin Highway and Aultman Street. If you find you would like to open up the City to businesses with sixteen or more machines without the room component perhaps you might consider keeping the fifty room requirement in place and increasing the number of slot machines to somewhere between sixteen and twenty-nine with sixty percent of that business footprint being dedicated to a bar or restaurant. In closing, I would like to say I lived at the Grand Central when looking for housing too, so I know what it is like to live in a hotel.

White Pine Director of Tourism Kyle Horvath stated I have been in Nevada's tourism industry in one way or another for about twenty-three years now. That is just barely over half my life dedicated to tourism and figuring this industry out. Instead of an emotionally driven speech I just want to throw out a couple of things that I feel are truths here and we could possibly all agree on. The first thing is that corner looks horrible, I think everyone agrees on that. It is a horrible first impression of the business part of town. It is a shame it was allowed to get that bad and some people's best argument is anything would be better than what it currently is. It really reinforces your duty as a regulatory agency to oversee the growth of this community, to make sure it is sustainable, that it is moving forward, and growing in alignment with the community's plan. I hope you don't get heartburn tonight over being a regulatory agency. The second thing is we are here because of a word and not because of an impressive policy. Pine West are businessmen, and I was in private business, and you push the envelope to find out where the boundaries are in the name of profit. All he is doing is exploring a loophole and is not arguing with the environmental codes, building codes, or health codes. He is just seeing how far you will bend for him or how you will stand for the community and that is why we are here. The third thing is tourism is booming and it is going to continue to grow. You have heard the facts that \$52 million in visitors spending, over a half a million in overnight visitors and even more coming through for daytime. Occupancy rates are through the roof and average daily rates have gone up immensely. Our top ten properties are all conducting remodels and that is community success. Supply is not keeping up with our demand, especially because we have many contractors coming for the construction projects over the next five years and that is going to stress our current infrastructure. Pine West wants to buy our most visible corner because of the communities' entire effort. Our lodging properties collect the room tax that ultimately gets distributed to the community and that is all of us here to the tune of \$1.2 million last year and it goes back into the community because of tourism; lodging properties are the mechanism to find the economic impact. Without lodging properties there is no room tax collected; that is how the tourism industry works. Like Caroline said if this project goes through as proposed or any of these other solutions you are going to lose twenty rooms and three RV spots. Any solution that doesn't involve lodging or jeopardizes future lodging is seen as shrinking our tourism infrastructure and that is what is confusing the community and angering people. At a time when there is a demand, how can we be pulling away from, albeit not the best rooms in town, but people do stay there, and it does contribute. If you are into long term development this is the last truth I want to put out there; lodging keeps people in town longer, not truck stops.

# Ely City Council – Regular Meeting – April 27, 2023

Marion J. (Sam) Hanson

City of Ely  
501 Mill Street  
Ely, Nevada 89301

24 April 2023

Dear Mayor and Members of the City Council:

re: Public Comment for the Regular City Council Meeting of Thursday, 27 April 2023

I was surprised to receive several phone calls today concerning agenda-item B 5. As I reviewed this item, obtained information concerning its ramifications, and reflected on the issues that surrounded the adoption of the current ordinance, Title 3 Chapter 5 (Gaming Code)—a code which was adopted when I served as a member of the Council—I most strongly urge the Council to adopt proposed change (a), which reads “change ‘may’ to ‘shall’ in Section 3-5-13(F) making the 50 hotel-room requirement in Section (F)12 mandatory...”

I understand that adoption of any of the options to modify Section 3-5-13(F) besides change (a) would exclusively benefit the out-of-area organization that proposes bringing in another gaming facility as part of their overall fuel station operation. Irrespective of any potential aesthetic improvement recurring to the designated site, the ordinance modifications they desire would prove disadvantageous to the City and its citizens for the following reasons:

- No local businesses have been involved in the planning, engineering, or construction aspects of this project.
- Profits generated from the operation would not remain in the City.
- Concerning the gaming activities, only one additional job would be created; few other jobs would be needed for the remaining aspects of the business.
- The proposed closure or abandonment of major sections of Avenue E will adversely impact traffic in that area.

Of far greater concern, the adoption of any change to 3-5-13(F) other than proposal (a)—the modification making the 50 hotel-room requirement in Section (F)12 mandatory—would result in substantial, immediate, and long-term harm to the City for the following reasons:

Agenda of regular City Council Meeting of Thursday, 27 April 2023 Meeting-Item Five

Hanson /Page 2

- The ongoing project to construct a subsidiary of a major hotel chain has already been put on hold pending resolution of this issue. If it fails to reach fruition, the City would lose the following:
- Approximately \$500,000.00 per year generated in taxes associated with the hotel and restaurant.
- One hundred permanent—local—employees to run the hotel, its 24-hour restaurant, and other permanent businesses associated with it.
- The one hundred unit apartment complex to be constructed in conjunction with the hotel-restaurant, along with its potential expansion to considerably more units.
- All current activities of the present project have been handled by local firms, from planning and engineering, to excavation, to construction, thus employing local workers and generating local income.

Notwithstanding the potential loss of a significant, recurring income stream to the City, there remains the issue of fairness to existing gaming purveyors, especially those local organizations who have invested significant amounts of their time and treasure to their present operations in the City, and abided by the current provisions of the ordinance in Title 3, Chapter 5. Any change to Section 3-5-13(F) other than proposal (a) would inequitably disadvantage them—especially in deference to an organization that is not local, has hired no local firms for its project, and thus has no real interest in the long-term growth and development of the City.

As my son, his wife, and their three children live in Mineral Heights—and many others about whom I still care deeply reside in the area—the continued development of Ely’s economic potential greatly concerns me. As a former member of the City Council, I cannot see how any change to Section 3-5-13(F) other than proposal (a) could be countenanced by anyone who truly cares for the long-term interests of the City.

Sincerely,



Marion J. (Sam) Hanson

MJH/n

Jennifer Lee

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**From:** bradsimpson elyliving.com <bradsimpson@elyliving.com>  
**Sent:** Thursday, April 27, 2023 11:18 AM  
**To:** Jennifer Lee  
**Subject:** Terrible Herbst

Jennifer Lee,

I would like to request that my comments be read into the City Council meeting minutes in reference to the proposed Gas station, convenience store, slot parlor proposed by Terrible Herbst for the corner of Great Basin and Aultman. My comments reflect the feelings and concerns of others in Ely and the Aultman (Main Street) corridor.

My concerns reflect my having worked on Aultman St as a realtor. Our community is in need of more hotel rooms, home rentals and residential properties for sale. All economic studies in our area show great concern for the need of more lodging rooms. These will be needed for the economic growth and vitality of our business corridor on Aultman St and the rest of the community

Waiving the lodging requirements for the number of slot machines requested will only allow a bar and gaming for a company that has no economic ties to our community and will not help with the economic growth of our community.

At the center of this issue is the wording of "may" rather than "shall" in the ordinance. Please do not let Pine West Development, Terrible Herbst take advantage of the bad wording of this ordinance.

"Regarding Title 3 Chapter 5 of the Gaming Code, please change "may" to "shall" in Section 3-5-13F making the 50 hotel room requirement mandatory.

Thank you

**Brad K Simpson**  
Happily Retired  
BradSimpson@ElyLiving.com  
Cell: 702-400-6353

Jennifer Lee

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**From:** bill hohlt.net <bill@hohlt.net>  
**Sent:** Thursday, April 27, 2023 11:56 AM  
**To:** Jennifer Lee  
**Subject:** Item 5 City Council Meet April 27, 2023

I will make this short and sweet. Per Title 3 Chapter 5 ("Gaming Code") build a casino and 50 hotel-room, NO 50 HOTEL-ROOMS, THEN NO CASINO.

Ely has enough casinos but we need more lodging rooms not less.

I am a Ely homeowner and resident.

Bill Hohlt

April 27, 2023

**Julie Gianoli**  
#1 Iron Horse Drive  
Ely, Nevada 89301

City of Ely  
501 Mill Street  
Ely, Nevada 89301

I am submitting this letter to request that City Council members consider amending city code Section 3-5-13 (F). Please change the word "may" to "shall," making the 50-hotel room requirement mandatory. In fairness to past and present hotel/casino owners, Pine West Development should be held to the same standards. Should Pine West Development be granted a full casino license without the mandatory 50-hotel room requirement, their business would not contribute to the customary room tax the existing hotels/casinos provide. In addition, community members, organizations, and business owners strive to make White Pine County a tourism destination. Every economic study done in White Pine County indicates the need for more lodging to grow the hospitality industry.

I support growth and new development in our community; therefore, regarding Title 3, Chapter 5 of the Gaming Code, I respectfully request the word "may" be changed to "shall" in Section 3-5-13 (F), thereby making the 50-hotel room requirement mandatory.

Cordially,

Julie Gianoli



May 27, 2023

Ms. Jennifer Lee  
City Clerk  
City of Ely  
501 Mill Street  
Ely, NV 89301

Dear Mayor and Members of Ely City Council:

I'm writing today because of my great concern for Item 5, under New Business, regarding the ordinance requiring 50 hotel rooms to be built if an establishment wishes to install more than 15 gaming machines.

Pine West has the properties under contract **ONLY** if the City Council waives the lodging room requirement.

We must honor the integrity of this important ordinance and **NOT** change the requirement(s) for hotel rooms as stated in the ordinance. Hotel/Motel rooms are at a premium in Ely during major events and throughout the year. Our Tourism success is based on accommodations we can provide as a community.

Thank you.

Sincerely,

Marietta Henry  
2375 Iron Drive  
Ely, NV 89301

/mh

Stefanie Woywod with the Prospector Hotel and Gambling Hall stated I know there is so much emotional and financial investment in what we are talking about tonight and we appreciate you hearing us out. At the last City Council Meeting I think it is safe to say that eighty-five to ninety percent of the constituents that came or wrote in were against any large-scale slot parlor here in town. I think it is safe to say that ninety-nine percent are against large-scale slot parlors here in town. Many of you have heard our proposal and many in the gaming industry here believe it is strong. All of us have a very strong financial investment in this town. We pay taxes and employ a lot of people so they can put food on the table. We appreciate your time and consideration and you hearing us out in full tonight. We are happy to answer any questions or be a part of the conversation when we do reach agenda item five.

Randy Larson stated my comments are in regard to item number five. I believe the initial proposals on this bill when it was passed were sound and I believe we should retain this mandatory requirement of fifty rooms or more. On the second point I believe Ely needs new construction of hotels and motels and we should pursue any opportunity for that if possible. In the proposal to the Federal Energy Regulatory Commission (FERC), I have read some comments through the railroad and have also looked at some of the proposals on the pipe project. I have some serious concerns on how this is going to be designed in a regulatory manner and presented to Federal Energy Regulatory Commission (FERC). I am also concerned that many of the requests that have been made by the local community members have not been answered, including the BLM and the National Forest Service. The economic outcome of this project does not look good, and I have an extreme concern that the community will be left with the reclamation and the recovery of all the property involved with this potential project along with the damage to our water, ranches, highways, and possibly the town of McGill.

Pat Robison stated I was a council member when we put that ordinance in and just to let everybody know it was a unanimous vote by five council members and that says a lot. I am here to ask you to vote on changing the "may" to "shall." Ely is becoming quite well known and voted the second most popular small city in the country to come visit, that says a lot. We have the cleanest air in the nation and so many assets here and we want to have quality businesses here.

George Chachas stated on your agenda item 6B-5 you are to consider drafting an ordinance amending the Title 3 Chapter 5 “Gaming Code” making the hotel/motel requirement section mandatory regarding “shall” and “may” to correct a previous City Attorney’s screw up. The council was clear at that time, and you had public hearings that anybody could have been a part of. At your last City Council Meeting, two previous City Council members attended that voted to put that ordinance in place. There is no real benefit to the City with the removal of the room requirement. Only through property and room tax will there be a substantial benefit to our community. In the month of January, a middle of the road motel with thirty-one units brought in \$4,091.00 in room tax and a high-end property with one hundred rooms brought in \$25,474.00. I want to remind you that Nevada Revised Statutes forbid the City from assisting an enterprise which is already established in the city or county in which the city is located in.

**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 ENGINEER**

City Engineer Almberg stated Mike and I attended the County Commission meeting earlier this week regarding the item on the County agenda regarding assisting the City on repairing some of their roads. The agenda item went very well, and they agreed to assist us due to the hard winter and the condition our roads are in. We will coordinate with the County guys, and I think it will be a good way for the County and City to work together to improve the roadways. CDBG got back to us, and they have gone through all the environmental studies. They are in the final comment period and anticipate getting back to us by the end of May and release us on those projects. With it being so close to the end of the year, we will probably start those projects in the new fiscal year.

**5. REPORTS**

➤ **COUNCILWOMAN WILLIAMS-HARPER**

Councilwoman Williams -Harper stated I have been doing quite a few things with the railroad and our bill and that has been taking up quite a bit of time. The other thing is I would like to disclose that I am in the Lion’s Club and one of our constituents talked about the Silver State Classic Challenge and usually I am flipping pancakes. I want to say I hope it is not the last time I am flipping pancakes because I am going to be a navigator at 130 miles per hour and I hope I make you proud.

➤ **COUNCILMAN ALWORTH**

Councilman Alworth stated I would like to commend our three-man road crew for the pothole attack going on. They have had a couple of the Parks employees helping them too. They have done an outstanding job in the two weeks since we put this plan together. I throw a challenge out to the State Highway to do something with Aultman Street, that is an embarrassment because people come through this city and people think that is our road. I think it is time for the City to write a letter to NDOT Director Steve Baer. On another note, in the Aspen Heights housing area there is a pump station for those people that live out there and has been running for many years. It has been down from November to March. The sewer runs into there and they pump it all the way to the Wastewater Treatment Plant. It has been down and thankfully we have a local contractor that has been pumping that, but to date we have spent \$125,576.00. We had one day our local guy broke down and we had a contractor come from Elko and it cost \$10,935.00 for that one day. To repair it we are looking at an estimate of \$240,000.00 and there is a request for bid out right now. We are going to continue incurring this cost and those residents that live in Aspen Heights pay a monthly sewer fee, like we all do. In my opinion, it is time for the County to come to the table and start taking some responsibility. They are their residents and I believe we need to look at this after it is repaired, we need to come up with an agenda item to discuss the pumping costs and maintenance costs and come up with a better plan other than the City carrying it all. We can’t keep paying this \$125,000 and we probably have at least a couple months of this before it is fixed.

➤ **MAYOR ROBERTSON**

Mayor Robertson stated earlier this week a member of our community passed away under some unfortunate circumstances. It is hard anytime we lose somebody, and our community definitely gets affected by that. It is hard watching people grow up and leave before their time. I know there is a lot of heartache and disturbed kids at the high school over this and in our community. I would just like to encourage everybody to check on your loved ones, your friends, family, and your neighbors. You never quite know what is going through someone's head, but those things happen. It is times like these we come together as a community and would like to send our thoughts and prayers out to the family and friends of that individual.

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

**A. CONSENT AGENDA**

Councilman Alworth disclosed I am a past member of the Volunteer Fire Department and bills that are paid on behalf of the City of Ely Fire Department I believe are paid in the best interest of the citizens.

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

**MOTION:** Move to approve the Consent Agenda item 6A-1 Bills.

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

1. Discussion/For Possible Action – Bills

- April 12, 2023
- April 19, 2023

**B. NEW BUSINESS**

1. Mayor Robertson – Commnet Broadband Business Development Director, Jojo Myers Campos – Discussion Only – Update on City of Ely Wireless Area Network (WAN) and Ely Extension in the City of Ely.

Commnet Broadband Business Development Director, Jojo Myers Campos stated I would just like to say that your project has finally commenced, and you are getting your fiber. I would like to invite Greg to speak and give an update on the Ely extension first and then I will give the update on your Wireless Area Network (WAN).

Greg Rivero with Commnet Broadband stated our contractor Fugal mobilized March 27th with actual construction starting on March 28th. We started with anchor placement on the existing poles which started close to the White Pine County school district building, which is our tie-in and proceeded along the route to the armory. The strand placement started at the White Pine County School District building tie-in and proceeded southerly and westerly to the Railroad crossing on North Street. The strand stopped one pole east of the railroad crossing as we do not have an easement in place to cross the railroad. The strand installation then began at the NDOT crossing on the south side of Aultman and Nevada Street, proceeded westerly, through the alley and along Clark Street to Mill Street, and southerly to Broadbent Park termination pole. Strand installation then was picked up at the NDOT crossing and proceeded along Nevada Street alley to North Street and to the railroad crossing, stopping one pole west of the railroad. Fiber installation (lashing and MST's) began on April 1<sup>st</sup> at the Broadband pole and continued to the NDOT crossing. The crossing was completed on April 3rd. A break in construction occurred and a plan verification and design modification were completed on April 4th. Fugal returned to the project on April 10th and lashed the strand and fiber from Aultman/Nevada Street to North Street and easterly to the railroad crossing, stopping one pole west of the railroad crossing. Lashing resumed one pole east of the railroad crossing and terminated to the White Pine County School District building tie-in. We are still



awaiting final documentation for the railroad Crossing easement to connect the fiber at the railroad crossing. On Monday fugal showed up and we did the trenching from the last pole here over to the armory. We had to bore underneath the park and I want to thank Mike and his crew for helping us to locate some underground utilities. We found a thousand-gallon diesel tank that we did not know was there, but with his help and some underground technologies we were able to navigate around it. Once we have an agreement with the railroad, we can connect the two and light you guys up.

Mayor Robertson asked did you find other instances where you were having to cross private property?

Greg Rivero with Commnet Broadband stated no, we utilized everything within Mt. Wheeler's easements, and we have signed pole agreements with Mt. Wheeler Power on every pole.

Commnet Broadband Business Development Director, Jojo Myers Campos stated I don't think in all my years in telecommunications I can genuinely say I have had a project quite like this with so many delays and obstacles. It was bad timing after COVID and then we couldn't get our Ely extension going, so I cannot tell you finally how happy I am to finally stand here and say we have amazing progress with that. As you know, City Hall is going to be the hub where your point to point is going to be for that. The railroad is a sticking point for us right now. Our legal team has been trying for four weeks and I have offered for our attorney to meet with their legal team in Reno next week to see if we can get this agreement moving. Once all of this is done there will have to be testing done at City Hall and additional equipment along with firewalls being installed. All of the point to points will be tested including the Fire Department, the Wastewater Treatment Plan, and dedicated internet access to City Hall. All of that should go pretty smoothly and once we get the railroad agreement; we can light you up. At that point we will turn everything over to you and you should be good.

Councilman Alworth asked who has been your contact at the railroad?

Commnet Broadband Business Development Director, Jojo Myers Campos stated I will have to get with our legal department on that but am happy to get that name from our legal department and let you know.

Councilman Alworth stated just send that information to City Clerk Lee and she can send it on to me.

2. Mayor Robertson - Discussion/For Possible Action – Reappointment of Regional Planning Commission Member Leah Brown with term through December 31, 2026.

Councilman Carson moved to approve the reappointment of Regional Planning Commission Member Leah Brown with term through December 31, 2026. Councilman Alworth seconded the motion. The motion carried unanimously.

3. Mayor Robertson – City Clerk Lee – Discussion Only – Review of investment into former Armory building located at 125 Mill Street; rent received and lease timelines.

City Clerk Lee stated Public Works Supervisor Cracraft and I met with State Administration and Public Safety Employees via Zoom regarding implementation of an after-hours utility usage fee. They acknowledged the proposed hourly charge of \$14.59 is based on actual billings, but indicated they wanted to negotiate the five percent annual increase. A lease modification would have to be approved by the State Board of Examiners and they are estimating it will be July before the State Board of Examiners reviews it. We have a little bit, but I did request that it be made retroactive to May 1<sup>st</sup> of this year.

Mayor Robertson asked with the five percent annual increase, are they asking for a reduction?

City Clerk Lee stated probably, they said the person that will be negotiating indicated he would probably want to negotiate that percentage.

Mayor Robertson stated even after they saw the cost incurred there?

City Clerk Lee stated yes, they acknowledged the costs were genuine and they have to be covered.

Mayor Robertson stated for the benefit of the Council could you give a little background on how that works and who pays what?

City Clerk Lee stated when the State was negotiating a lease with the City, the City requested they pay utilities and we were informed by the State they prefer full service leases for budgeting purposes. How the lease works is the City pays for all the utilities and the State pays one monthly payment.

Mayor Robertson stated the lease payment covers the utilities, which currently is not?

City Clerk Lee Stated no, it is not. For the record, Leo did draft the modification to the lease agreement, but the State wants their attorneys to draft it; they do have his copy.

Mayor Robertson stated this is a five-year lease I recall.

City Clerk Lee stated yes, it ends on April 30, 2026. This modification will just be for this current lease. When it comes due again the City can decide if they are going to renew with Public Safety then we can renegotiate the price per square foot.

Mayor Robertson asked is that what they pay off of is they have a price per square foot?

City Clerk Lee stated, I guess. When we were proposing what we wanted it was based on estimates of when the Department of Military was in there, when the High School was using it for wrestling practices, and the City was using the building for meetings twice a month.

Councilman Alworth stated I am glad Jennifer did the research on this and it is pretty simple math, and we are getting hosed. The building is heated by oil, and they need to come to the table and own up to it because they are not going to be there for free.

4. Councilwoman Elliott – Public Works Supervisor Cracraft - Discussion/For Possible Action- Selection of Cemetery storage building quote, budgeted in FY 2023.

Councilman Alworth moved to table the selection of cemetery storage building quote, budgeted in FY 2023. Councilwoman Elliott seconded the motion. The motion carried unanimously.

5. Councilwoman Elliot - Discussion/For Possible Action - Direct City Attorney to draft an ordinance amending Title 3 Chapter 5 ("Gaming Code") in accordance with one of the following options or variations thereof and making other necessary changes throughout: (a) change "may" to "shall" in Section 3-5-13(F) making the 50 hotel-room requirement in Section (F)12 mandatory; (b) eliminate the hotel room requirement entirely; (c) remove the hotel room requirement but limit the total number of non-restricted gaming licenses that can be issued; or (d) require gaming license applicants to either have 50 hotel rooms or have at least one bar with permanent seating capacity for more than 20 patrons and at least one restaurant with permanent seating capacity for more than 40 patrons that is open to the public 6 days a week during regular business hours.

Mayor Robertson stated we will be taking input and the Council will be asking questions of stakeholders to include some of the property owners affected by this whether they are selling property, buying property, or developers; we will only have one representative per party speaking.

Councilman Carson stated in 2017 when we started this ordinance let's address the "you know why." The you know why is that a gaming business wanted to put some gaming slot machines in Riddleys at the time and everybody thought that was a horrible idea. We

thought that people would go in and gamble before they bought their groceries. We started looking at it even more and at that time we were trying to get contractors up here to build lodging and hotels and that is why we attached the hotel rooms to this. I think it tied in nicely. I stood by it at that time, and I still stand by it now. As far as this location we all want to see it remodeled and want to see something new there. Is it feasible to put fifty hotel rooms in this particular spot? Probably not, but that is my two cents on it.

Councilwoman Elliott stated I appreciate everyone coming that is passionate about this project. Everyone agrees that we want to see this corner cleaned up. We all want growth and last week we tabled this to gather more information and options. To echo what Councilman Carson said, do we think fifty hotel rooms can fit there? No, and that is why we came up with option d because a lot of stakeholders said at the last meeting that we need not just a slot parlor there. We all agree that we don't just want gaming, but something that will help, whether it be a hotel, restaurant, or a bar; so, we came up with option d. If there is another option that one of our stakeholders has, I think we want other options and we want to make a good choice. We are not saying the 2017 Council did not do this without doing their homework, but I think a few years later we have growth and people want to come to Ely. They want to invest in our community, and we want to be that pro-business city that people can come to. I personally support option d where we are keeping the fifty-room requirement for other future development or saying put a restaurant or a bar in there.

City Attorney stated giving some background on option d, it was pulled from the Nevada Revised Statutes (NRS). The definition of resort/hotel for counties that have over seven hundred thousand people for unrestricted gaming licenses are required to have at least two hundred hotel rooms, a restaurant that seats sixty, and a bar that seats thirty. This was sort of a way to follow law that has already been established by the Nevada Legislature but putting a small change on it by making that "and" an "or" which would allow the development the City is considering now, but it would also keep in place the fifty-hotel room requirement.

Councilwoman Williams-Harper stated I feel like we are still all over the place. I am going to say my thought process is very much in line with Councilman Carson. We do want to be a destination place and we do need hotel rooms. I do know I don't want us to rush this, and I have had some folks with vested interest and other folks say they would still like to have more conversation. I would like to see us with the hotel rooms, but I would like to ask Leo is there a way we can legally, without infringing on the Open Meeting Law, have a meeting to have discussion rather than a three-minute this is what I think?

Mayor Robertson stated to clarify there is no three-minute limit on the discussion here tonight.

City Attorney Cahoon stated that is what we are doing tonight is giving the stakeholders a chance to have input on the discussion.

Councilwoman Williams-Harper stated if that is what we are doing, then I am okay with that.

City Attorney stated once the Council decides it is required under our City Code that we have a hearing and that would be another opportunity for everyone to come speak on the issue as well.

Councilman Elliott stated we also have to do a Business Impact Study.

Mayor Robertson asked was a Business Impact Study required when this was put into effect?

City Attorney Cahoon stated likely.

Mayor Robertson asked was it done?

City Attorney Cahoon stated that I don't know.

Mayor Robertson stated I have a question for Mr. Horvath. You mentioned the hotel rooms and RV spaces that would be going away if this development went forward. I noticed the Bon Aire is not listed on your monthly room tax report, is that covered under something else?

Tourism and Recreation Director Kyle Horvath stated it is when we ask our properties to report what facilities they have so we can update our lodging brochure. They fill out how many hotel/motel rooms or how many RV spots are available. I don't think Bon Aire was included in that. What I was going off of is what Great Basin Inn reported in their annual room tax license of what their facilities were.

Mayor Robertson asked you are not currently collecting room tax from the Bon Aire Trailer Park?

Tourism and Recreation Director Kyle Horvath stated no.

Councilman Trask stated I feel like in the short time I have been here I have been through one training and that training was about once a board has decided, we need to get on board with said decision so that is why I am prefacing this. I think option a with maybe an adjustment with being in line with the County and requiring thirty rooms and changing the "may" to "shall." This is the first time this ordinance is being tested and having Councilman Carson state they had public comments before, I don't feel like we should rehash something that has never been tested.

Councilman Alworth stated I appreciate the audience coming and voicing their opinion at the last meeting and this meeting. In 2017 I was living here but was not involved with the decision made. The choices they made I think we need to stick with them. I am focused on just the gaming code and don't think we need to muddy the water. Can we put fifty rooms out there? I guess they could be stacked. I would like to see the flexibility of how about thirty slot machines and twenty-five rooms or a type of sliding scale. We just found out tonight that it is anticipated to be Terrible's with a restaurant and a place to throw back a few so that changes my thoughts somewhat if they are going to do it, but we still don't know if they are going to do that part, so we are back to the dilemma of slot machines and how many rooms. I think we need to hear from the business owners and our constituents if that is something to consider, a sliding scale. I like the idea of the County Code, but I do not want it referred to as what the County has. I don't care what the County has. This is what the City has and what the City needs.

Mayor Robertson stated for clarification we are not legislating what someone should be doing on this corner. This has to be looked at independent of that and more on the effect on the community.

Jason Woywood with the Prospector stated in regard to the question is there enough room to build fifty hotel rooms on that corner, yes there is. The existing footprint of their slot parlor is 12,000 square feet so you could stack twenty-five rooms on 12,000 square feet and have a three-story building with the first floor being their slot parlor and the other two floors being hotel rooms. I am all in favor of the sliding scale.

Councilman Trask asked would you be okay with thirty rooms or the idea of a lower number to make Leo's job a little less difficult instead of trying to write a sliding scale into the ordinance?

Jason Woywood with the Prospector stated yes, we would be open to that. I think the industry is open and I think there is a huge advantage to the City by having rooms, not the slot machines that generate no income for this City.

Councilman Alworth asked by stacking the rooms, what would happen if they wanted to do food. Would they still be able to have a restaurant there?

Jason Woywood with the Prospector stated yes, it is a 12,000 square foot building. The Prospector casino is a 6,000 square foot building, and the Hotel Nevada is 6,000 square feet, so that gives you an idea of how big that building is going to be.

Councilman Alworth asked if Anne with the Hotel Nevada could come to the podium. I know you are pro-rooms, but I am curious about the Hotel Nevada being over the hill and out of the main thorough fair going through the City, how is your business affected if they put in these fifty rooms? Do you feel it will impact you in a negative way?

Anne Kellogg with the Hotel Nevada stated It would most likely pull away from our rooms, but we need the rooms in the community. The Hotel Nevada in my mind is an icon and is a destination within itself. By having the Jailhouse across the street there is some reciprocity there as far as customer base and yes it probably would have some impact on our business. However, as far as White Pine County is concerned, we really do need the rooms. We get full fast. When Jason's dad and my dad were partners, they bought a lot of the ancillary properties such as the Four Sevens and other motels anticipating getting more rooms. I would like to see development and I think it would be foolish and quite frankly selfish to look at it from my own perspective and not be open to the marketplace. I grew up with the Herbst boys and they definitely know what they are doing and if they decide to put a hotel here then that's what it is.

Councilman Alworth asked what would be your recommendation for that corner?

Anne Kellogg with the Hotel Nevada stated it would be great to see something that we have never seen before like maybe a pickle ball court or something.

Councilman Alworth stated I think there would be some negative feelings from the Hotel Nevada and the Jailhouse, but if you are saying you are going to be full and you don't have a problem losing business.

Anne Kellogg with the Hotel Nevada stated it is not that we don't have a problem with losing business, but what we believe is with the rehabilitation of the park and the different things happening along Main Street that will draw the community to the events. We rely on events such as the horse races, bike races, and other events where the City gets full and that won't change. I believe if you have more lodging the events will grow. Right now, we have to turn people away because everyone wants to be here at the same time.

Councilman Carson stated one thing to keep in mind too Jim is when they built the Holiday Inn Express, I didn't think they would ever even fill it. It is full all the time and I don't think they really impacted anyone else.

Mayor Robertson stated there is definitely a pin up demand for hotel rooms like everyone has been saying, but a hotel doesn't require a casino, but we are talking about a casino requiring a hotel.

Ann Kellogg with the Hotel Nevada stated the sixteen rooms is not an arbitrary number but was established by the gaming control laws. The idea that they need to have fifty rooms was established to swoop in the smaller casinos here that had fifty rooms like the Ramada and the Prospector at the time. If you were building a city from scratch out in the desert, you would probably see that most casinos would want to have at least one hundred to two hundred rooms because there is a number that exists for a casino to become profitable based on the hotel traffic. We get to do it our way here in White Pine County and my hope is we find a way to button up the ordinance and make it meaningful for people wanting to come here as well.

**Mayor Robertson recessed the Regular City Council Meeting at 6:20 P.M.**

**Mayor Robertson reconvened the Regular City Council Meeting at 6:30 P.M.**

Sandy Moreno stated we live right next to this proposed project, and it is actually our fault there is not a hotel going in. Josh did make us a really nice offer to purchase our



property and it just so happened that we had just moved in, and we really did look in earnest, but there was nowhere else to go for what we have and during COVID the property values tripled. We are on a retirement budget and to get another property that isn't even close to what we have was not realistic. Do any of you live in this neighborhood? Apparently, my husband and I are the only ones that live in this neighborhood, and everyone is proposing to put a motel in our back yard and that's not going to happen. I don't want something like the Holiday Inn down there in a residential neighborhood going straight up. There isn't room for the fifty rooms, a casino, and a restaurant that they want to do without going up. I believe that is zoned for two-story only.

Mayor Robertson stated I would like to take this opportunity to point out to the Council this ordinance has to be about our community and not how it affects certain businesses. Nobody comes in and asks my permission to put in another laundry mat, nor do they come in and ask to put in another restaurant or anything like that. This can't be how businesses affect other businesses specifically. It has to be how the community is affected for better or worse. I think that is why the ordinance was put in to begin with. We need to talk about how this affects the community as a whole.

Tyler West with Pine West stated I just wanted to add a couple of things I think are relevant in this conversation. Pine West is under contract to acquire thirteen parcels from three different sellers, which requires the signatures of five individuals. It has taken a long time to get to this point as we had to have three willing sellers and their signatories to agree to purchase to make this project happen. We are where we are today partly because Pine West is not a hotel developer. It is not our bread and butter; we are commercial, and retail and we are attracted to this corner because it is main and main in our opinion and a great part of Ely. We knew it was going to be challenging and we are now faced with spending \$100,000.00 just for our secondary environmental inspection and we are going to be pulling the trigger on that shortly. This inspection is to investigate the former laundry mat and the asbestos on the property. There is a significant amount of time and money we have spent to get to this point. We agree with what everyone is saying, there is a need for hotel rooms in Ely. We do not debate that at all and encourage it and want that to happen. Based upon our research between 1990 and today there was only one hotel that was built in Ely and that is the new Holiday Inn Express that was built a couple of years ago. That hotel was built after this 2017 ordinance was approved. Let's say we were to go back pre-2017 and not have this hotel requirement associated with gaming would hotels have been built? From 1990 to 2017 no hotels were built. Hotels are going to be built and it is going to be driven by the market, by investors and lenders that believe in the market opportunity that is Ely. We want hotels to be built, but the zoning of this subject property is C-2, and this is not hotel zoning. C-2 zoning allows for a wide variety of uses. We could build a trailer park, truck parking, or a tire shop; that is just a couple of the options that are permitted uses in the C-2 Zoning. I would also like to add if you look throughout northern Nevada, Ely is an incorporated City. What that means is the City of Ely abides by the ordinances that you guys pass as a council. Other Cities in Northern Nevada that are much more sizeable than Ely such as Elko with twenty thousand people, Fernley with twenty-three thousand people, and Winnemucca with ten thousand people do not have hotel requirements associated with the issuance of a gaming license with more than sixteen machines. If you look at those and drive through those towns, you don't have gaming parlors set up everywhere and the various problems people might lead you to believe. It is market driven and if a gaming operation doesn't do well it closes up. Someone is only going to spend that money and build that operation if they feel it is going to be a worthwhile investment. In Ely the casino definition is only allowed in the C-2 and C-3 zoning districts and that is just a handful of parcels along the main strip. If the City was to amend this code, such as if the hotel requirement was optional or removed, casino and slot machine use is still only allowed in a handful of areas throughout the City as it is today unless someone were to apply for a change. There are still restrictions in place that prohibit the proliferation of casinos and gaming that pop up. Thank you, I just wanted to share those thoughts.

Anne Kellogg with the Hotel Nevada stated I would like to address the gentleman's comments online. I believe the reason Elko, Fernley, and Winnemucca do not have ordinances is because their counties have these ordinances in place.

Councilwoman Elliott stated no, they don't. I know that because at the last meeting when I read off the counties, Elko County and Humboldt County do not have a county ordinance.

Anne Kellogg with the Hotel Nevada stated fifteen of the seventeen Counties have similar ordinances, so just something to think about.

Mayor Robertson stated even if the Counties had an ordinance, it doesn't necessarily mean the Cities would be abiding by that.

Councilman Trask moved to direct the City Attorney to draft an ordinance amending Title 3 Chapter 5 ("Gaming Code") with changing the "may" to "shall" in Section 3-5-13(F), making the hotel room requirement no less than thirty (30) rooms, and a Business Impact Study to be completed before any changes occur to the ordinance. Councilman Carson seconded the motion.

Councilman Alworth asked who performs the Business Impact Study?

Mayor Robertson stated we do.

City Attorney Cahoon confirmed the City would be responsible for getting the surveys and notices out.

White Pine County Tourism and Recreation Director Kyle Horvath stated I would just request in the Business Impact Study that we have balance of the businesses that are impacted negatively and positively. If you look at Love's Gas station on the way to Las Vegas, it has been there for how long and no ancillary development has happened around it, but when a hotel pops up on the outskirts of town, what pops up next is a restaurant and a shopping area. Again, more development follows where people are hanging out for longer periods of time. I personally think the foot traffic to the museum, to the pizza place, to Shooters, to the market, and to the train yard is really going to invigorate that area and draw more development and more revitalization to that area. I hope that is considered as well.

City Attorney Cahoon stated the Nevada Revised Statute does contemplate positive and negative impacts on businesses.

Councilwoman Williams-Harper asked did we pick thirty rooms as a compromise as opposed to fifty rooms?

City Attorney Cahoon stated that is what the White Pine County Code requires.

Mayor Robertson stated they chose it to make it uniform.

Councilman Trask stated I think it is a bit of a compromise, but we are still doing what the previous Council voted on.

I think Mr. West's comment is well taken. It is market driven and if it is advantageous for them to put in more rooms, they will put in more rooms. It is clear, and this is where I am a little confused because hotels make money in this community. The reports that come from Tourism and Recreation show the two highest paying properties in our City are hotels that have no gaming, I would just like to point out. I am still struggling to see the connection between the casinos and the hotels as my understanding from talking to the owners is most of the business is locals playing. We are not a gambling destination. I get from that perspective a casino with rooms takes a privileged vice license like gaming in the State of Nevada and pairs it with something that the community needs. To me the number is arbitrary whether it is thirty, one hundred, or five point two. Someone is going to put in enough rooms to make them money, I guess is what my point is.

Councilman Trask asked do you have a number you are thinking of? I want to be clear I am not just thinking of this project, but community wide as the Mayor pointed out earlier.

Mayor Robertson called for the vote and the motion failed with two ayes and three nays; Councilman Alworth, Councilwoman Elliott, and Councilwoman Williams-Harper voted nay.

Councilwoman Williams-Harper moved to direct the City Attorney to draft an ordinance amending Title 3 Chapter 5 (“Gaming Code”) with changing the “may” to “shall” in Section 3-5-13(F), making the hotel room requirement no less than forty (40) rooms, and a Business Impact Study to be completed before any changes occur to the ordinance. Councilman Trask seconded the motion. The motion carried with three ayes and two nays from Councilwoman Elliott and Councilman Alworth.

7. Councilman Alworth – 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 we have good news in that the Campton Street Project got approved and will be renovated. There is nothing else at this time.

8. Councilman Alworth – Councilwoman Williams-Harper – Discussion/For Possible Action – Approval to submit comment letter to the Federal Energy Regulatory Commission (FERC) regarding the White Pine Pumped Storage Project.

Councilman Alworth stated we have a draft letter that came from the Railroad, and I feel this project is going to be a disaster to this community. It is going to tear up the countryside and drain the water in the valleys. I think it is going to take away some of the natural beauty, which is a draw to come here, when there is no hunting in Duck Creek and lights all over the place. I think the letter that was presented we could comment on and be good with it. It is not condemning the project but is pointing out a lot of what ifs. They have changed their plans several times and it has been fought from all sides.

Councilman Alworth moved to approve submitting a comment letter to the Federal Energy Regulatory Commission (FERC) regarding the White Pine Pumped Storage Project. Councilman Carson seconded the motion. The motion carried unanimously.

9. Councilwoman Williams-Harper – Discussion/For Possible Action – Approval to assist White Pine High School with the installation of their senior banners on light poles downtown. White Pine High School will secure permitting with the Nevada Department of Transportation, purchase the needed hardware, and contribute to the City of Ely to assist with labor costs. White Pine High School is requesting the City of Ely to assist with needed equipment and manpower.

Councilman Trask disclosed I am a member of the White Pine County School District, but I will be voting on this item because it does not impact me personally in any way.

Councilwoman Williams-Harper stated I am also disclosing that I am a member of the White Pine County School District, and it does not personally benefit me in any way. Who this does benefit is our Seniors, families, and our community. I think it is a wonderful thing to see when you drive up and down our streets.

Councilwoman Williams-Harper moved to approve the City assisting the White Pine High School with the installation of their senior banners on light poles downtown with needed equipment and manpower. Councilwoman Elliott seconded the motion.

Councilman Carson stated I do have a concern. I think it is a great thing for the Seniors and I will support them in any way I can. I wouldn’t mind donating some equipment, but maybe the School District can help out a little bit too. I don’t see where the disconnect is there.

Councilwoman Williams-Harper stated we are by buying the hardware and we are charging a little more for the banners so we can help with some of the labor costs.

Mayor Robertson asked are you talking about a cash donation to the City to assist with those labor costs? I think what Councilman Carson is asking is if there are people at the High School that could help. I know our labor force is kind of small.

Councilwoman Williams-Harper stated yes, there are. I actually talked to Mr. Cracraft today and he said there are some things he could show us how to do that would take a great deal of labor off of his crew.

Councilman Alworth stated I know my granddaughter was one of the first ones to have her picture hung on a pole and she is going to graduate from UNR in May, so I am really proud of her. Where is the stuff from last year and who has done it in the past years?

Mayor Robertson stated my understanding is there were some personal family members in the community that stepped up to do that and they are not willing to do that anymore.

Councilwoman Williams-Harper stated my understanding is the hardware and poles went with the kids when they were taken down. This year we will make sure we are collecting the poles and the hardware so we can continue doing it without the added cost each year.

Councilman Alworth stated by the numbers provided it looks like to me the City is going to have to come up with about \$3,400.00 in labor costs. The City's manpower is being stretched all over this community working on streets and doing cemetery stuff and graduation is right around the corner. When are we going to have time to do it and where is the money coming from?

City Public Works Supervisor Cracraft stated it would be a stretch if we are doing it on company time because we do have to get the parks up and running.

Mayor Robertson asked what is the labor division you and Councilwoman Williams-Harper talked about? If they got some volunteers how many City people would it take?

City Public Works Supervisor Cracraft stated it would take Dale to show them what to do. The labor cost was figured at having two guys for ten days because it is quite a process to build the brackets, mount the banners on the brackets, and then put them on the poles.

Councilman Alworth stated since the bucket truck is the City's you cannot have people in the bucket truck that are not employees, I assume for insurance purposes.

City Treasurer/HR Director Trask asked are the maintenance guys at the school getting involved with this like you are asking our maintenance guys to be?

Councilwoman Williams-Harper stated we would not be using our maintenance guys; we would be using volunteers because Mr. Cracraft said he would show us how to put the hardware and poles together. We will pay for the hardware, and we are also going to donate to defray the labor costs. You guys have put them up in the past and the City truck has been used.

City Treasurer/HR Director Trask stated that was all donated time in the past.

Councilwoman Williams-Harper stated I understand that, but still the City truck has been used.

City Treasurer/HR Director Trask stated the people that will be doing it is the cemetery guy and the parks guy, so it hits their budget and whatever is donated goes in the general fund.

Councilman Alworth stated my thought on this is I think we are going to open up a can of worms. I am all for students, education, and all that goes with it, but what are other clubs going to want. I think the school district needs to stand up and do this. Whoever did it in the past, kudos to them, but here we are in the final stretch to graduation, and we don't

even have a plan. In my opinion, I just can't use City financing knowing that we have a school district that has a lot more money than the City.

Councilwoman Williams-Harper asked the City has given us the bucket truck in the past, correct?

City Treasurer/HR Director Trask stated yes and the people that ran it volunteered their time. I would like to give a quick history. The City does not do donations because of what Jim was just referring to because if we give to one we are going to get blasted with other requests.

Councilwoman Williams-Harper stated can we at least get the donation of the truck?

Mayor Robertson stated we currently have a motion and a second on the table that has to be voted on unless they retract it.

Councilwoman Williams-Harper stated I retract my motion to approve the City assisting the White Pine High School with the installation of their senior banners on light poles downtown with needed equipment and manpower. Councilwoman Elliott retracted her second.

Mayor Robertson stated I don't think the City could donate the truck without a City employee.

Councilwoman Williams-Harper stated it wouldn't be any different than what you have done in the past.

Councilman Alworth stated the operators have donated their time in the evenings and weekends. The City employees were both experienced and signed off operators.

Councilman Trask asked is that a possibility?

Mayor Robertson asked is there anybody willing to donate their time?

City Public Works Supervisor Cracraft stated no.

Councilman Trask asked have you reached out to anyone else that has a bucket truck?

Councilwoman Williams-Harper stated I am going to withdraw this item which means these kids pictures probably won't go up this year and it is really an internal thing, but that would be a shame.

Councilman Alworth stated it is sad that something that worked so great was busted for whatever reason. This community is together to do this and whatever upset and sunk the boat I am sorry for that. However, we have a City to run.

Councilwoman Williams-Harper moved to quash the approval to assist White Pine High School with the installation of their senior banners on light poles downtown with needed equipment and manpower. Councilman Alworth seconded the motion. The motion to quash carried unanimously.

10. Council Members – City Treasurer Trask – Discussion/For Possible Action – Approval to transfer \$300,000 of Community Service funds, that have been committed for up to two (2) miles of street repairs, into the Street Fund.

Councilman Carson moved to approve the transfer \$300,000.00 of Community Service funds, that have been committed for up to two (2) miles of street repairs, into the Street Fund. Councilman Trask seconded the motion. The motion carried unanimously.



## 7. PUBLIC COMMENT

Anne Kellogg with the Hotel Nevada stated thank you for your time and consideration. I know the issue with the ordinance was not an easy one. On item nine perhaps there may be someone that wants to start a Go Fund Me account to get the equipment for the light poles.

Stef Woywod with the Prospector stated I echo the Go Fund Me account for that. I love seeing the stuff on the light poles every summer and I think it is a great way to honor the kids. I also want to say thank you for your time and consideration in hearing us out. We are really looking forward to the future of our town.

George Chachas stated I think the community agrees that the corner of Great Basin and Aultman needs to be cleaned up. The property is owned by a contractor and there is no excuse for it to look the way it does. You have rules and regulations, yet you are not enforcing them. I am requesting again the name of the individual that Mr. Alworth mentioned at a previous meeting that had thirty or more properties and would not sell them. On your agenda item 6B-8 the Council needs to endorse the clean energy project and it will contribute considerably to the tax base and bring in more revenue than ever collected from S & S Shortline for track rental. On your agenda item 6B-2 you considered Leah Brown's reappointment to the Regional Planning Commission. It should have been denied. She has consistently failed to do her basic duties and address Code violations.


Ben Moreno stated I agree with George. We called the City for the blight on Avenue E and we were told there isn't enough garbage on that slope. You see garbage blowing down the street because it is not going to stay on the slope. The blight does need to be cleaned up. If we are talking about adding more rooms, it would be good if you could work with George to get those rooms opened up. He has tried to get permits and work on his apartments and you guys are concerned about getting rooms; he has about twenty rooms that he would like to start on. I don't know what the City Council's beef is with George, but if you could work it out that would be good.

Sandy Moreno stated I would like to back up what my husband said. I have turned in reports for garbage, dead trees, tires, cows, goats, and it doesn't go away. One of the people that likes to bring livestock into town is related to a City employee and I don't understand why we have to put up with this. This project that you guys just killed was our only chance to get the neighborhood cleaned up because nobody else has offered or is interested in fixing the motels or mobile park. We currently have kids that keep breaking into the tall building at Bon Aire and jumping out of the second story windows. Someone has now gone in there and started stripping the copper wire. We get no back up from the City and get ignored. Maybe some of the people sitting in the back of the room when they call code enforcement, they might get some action, but for some reason our neighborhood has been left behind. During heavy rains our shop gets flooded because we don't have a drain on our block. Josh has been more willing to work with our neighborhood and more understanding than some of these other people have been.

City Clerk Lee stated to clarify for the record what was passed tonight was to direct the City Attorney to draft an ordinance amending Title 3 and just so everyone is clear there is still a two-month process ahead of us to put in place what was approved tonight.

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

Councilman Carson moved to adjourn the regular meeting of the Ely City Council at 7:22 p.m. Councilwoman Williams-Harper seconded the motion. The motion carried unanimously.

  
\_\_\_\_\_  
MAYOR

  
\_\_\_\_\_  
ATTEST