

CITY OF ELY

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

ELY CITY COUNCIL REGULAR MEETING

August 28, 2025, 5:00 p.m. – Ely Volunteer Fire Hall – 499 Mill Street – Ely, Nevada

1. Mayor Robertson called the regular meeting of the Ely City Council to order at 5:00 P.M. Paul Podborny offered an invocation. Mayor Robertson led in the Pledge of Allegiance and asked for Roll Call.

Members present:

Mayor Nathan Robertson
Councilman Terrill Trask
Councilwoman Melody Van Camp
Councilwoman Michelle Yeoman
Councilman Dennis Perea
Councilwoman Jerri Lynn Williams-Harper

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

City Treasurer Janette Trask
City HR Director Desiree Ramirez
City Public Works Director Mike Cracraft
City Engineer B.J. Almberg
City Attorney Chris Arabia
City Building Official Don Hendrickson
City Police Chief Scott Henriod
City Administrative Assistant Patti Cobb

Also, in attendance: Members of the public in attendance at the Ely Volunteer Fire Hall signed in (appears below) and the following people attended via video conference: Geri Wopschall; Wyatt Cox, KELY; Jacob Pahnke, Waterworth; Eugene Harper; and Eduardo martinez.

ELY CITY COUNCIL ATTENDANCE LIST

DATE: August 28, 2025

Print name below

Jessica Hendrickson
Janet Van Camp
Dana Reynolds
PAUL PODBORN
Pastor Daniel Ebundem
George Chachas
Paula Carson
Kenna Anderson
John O'Plakosky
Brandon
Brynn Anderson

Print name below

2. PUBLIC COMMENT

Dwayne Pope stated I live at the trailer park with my kids and my wife, and we are trying our hardest to find another place to live. We are tribal members, but our tribe won't help. They refuse to help us with anything. We don't have much for transportation, and it's not easy trying to find a place. We're not giving up trying, but we need more time. Our family doesn't want to be on the street, but it's very hard to find a place with the large family I have. I'm begging the Council for more time, please and thank you. Also to let the council know I'm certified in meth inspection and cleanup so if there are any problems with meth, I have the authority to clean it.

John Taylor stated I live at the same trailer park. I just want to state that there's been vast improvement. A lot has been cleaned up and I'd also like to say a lot of the problem doesn't necessarily lie totally with the landlord, even though he needs to be accountable for a lot of things. There was a lot of riffraff and hoarders in there and all those people are gone. If you drive by the place, it's a lot cleaner, but it still needs improvement. He's had several buyers looking at the place. There are other solutions that could be addressed, and one of them I'm going to talk to him about is maybe he could parcel that place out and sell the individual lots to people that can afford it and reside there. There is no capacity in this town, and it's gracious that Human Services has helped people out with their first, last, and security in new places; how sustainable is that? The rent here is outrageous, and these people are going into homes they can't afford. They can afford it up front, because they have the help and that help is appreciated, but I don't think it's sustainable.

Steven Hoy stated I do see your point in that it was a really bad eyesore, but it is a lot better now and I am just trying to back up what John said by maybe dividing the parcels and selling them out. We keep our place very clean, inside and out. We have been there for almost ten years now.

George Chahas stated on your agenda item 8-2 regarding establishing grant requirements for the Redevelopment Agency; all rules, requirements, restrictions, parameters need to be in place first so that all citizens have a clear understanding of what they qualify for. Those items need to be in place before you consider Agenda item 8.1. That item smacks of a sweetheart deal. In the past, I received agendas for the Redevelopment Board and attended the meetings. I've signed up to receive all agendas for all City boards and I have not received any agenda for months. Mayor, your staff are discriminating against who gets agendas and that needs to stop. I'm getting tired of bringing the same things to you. On your agenda item 9B-4, regarding the possible approval of a business loan from the Revolving Loan Fund in the amount of \$100,000 for, Ojii-San Garage LLC, that item must be denied. That business is not local and not established. The City Council will be in violation of NRS which states a city may not, under NRS 268.512 to 268.568 inclusive, assist any manufacturing, industrial, warehousing, or other commercial enterprise or any organization for research and development to locate within the city or within ten miles of the city, which would compete substantially with an enterprise or organization which is already established in the city, or the county in which the city is located. You're giving out a loan to bring in a business and you can't do that. Once it was established, that fund was to help the businesses that are here expand whatever services they have. I've applied for permits and been denied. I'm a local business, and I'm established. You're funding a business that isn't even here. You have an employee who may face ethical concerns, as well as members of the Council, selectively obeying the law; you need to stop that. I want to remind you that the City cannot selectively enforce the law. The City must be compliant with federal law; in particular, Age of Discrimination Act of 1975, the Americans with Disability Act of 1990, and the Civil Rights Act of 1964. You need to review the City's Title VI plan. On your agenda item 9B-7 regarding the reconsideration of the Regional Planning Commission ruling on this zoning item for the O'Flaherty property, you must stand by what the Commission determined based on its testimony of those property owners in the affected area. Mr. O'Flaherty did not give any indication of any future enterprise.

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

Councilman Perea moved to approve the agenda as presented. Councilwoman Williams-Harper seconded the motion. The motion carried unanimously.

4. CITY DEPARTMENT REPORTS

➤ **CITY ENGINEER**

City Engineer Almberg stated obviously, the Aultman Street Project is still going and it's very busy out there. We are at our last sewer connection, and we came across a line that is hidden underneath a box that we're still trying to figure out what it is. We think it was the old sewer line that came out of the old swimming pool many, many years ago. Our 7th Street drainage CDBG project will hopefully be out on the street, towards the end of next week or the following week to be awarded later this fall. I anticipate this may be constructed in the spring, just because we're coming into fall.

2. PUBLIC COMMENT CONTINUED

Derek Steiner
730 High St
Ely, NV 89301
08/28/2025

City of Ely Council
501 Mill St
Ely, NV 89301

Re: Support for Agenda Item 8-1 – Redevelopment Area Residential Grant Application for BKA Investments LLC (High Street Properties)

Dear Council Members,

I am writing as a resident of High Street in Ely to express my strong support for Agenda Item 8-1: the redevelopment area residential grant application for BKA Investments LLC.

The High Street properties are close to downtown and in dire need of care. For years, they have faced issues with vandalism and even squatting, which has hurt the sense of safety and pride in our neighborhood. However, even recent cleanup efforts have already made a difference, fewer people loitering, less vandalism, and a stronger feeling of safety. This shows that when these properties are cared for, the entire area benefits.

Approving this grant will build on that momentum. With proper investment and residents living in these homes again, we can prevent vandalism and squatting long-term, restore pride to a neglected part of town, and create more available housing for Ely. Our community has a real need for additional housing, and redeveloping these properties not only strengthens the neighborhood but also helps meet that demand in a practical, lasting way.

I respectfully urge the Council to approve this application. Thank you for your time and for your commitment to keeping Ely a place we are all proud to call home.

Sincerely,
Derek Steiner

5. REPORTS

➤ **COUNCILMAN TRASK**

Councilman Trask stated I attended the Governor's meeting last night and the Tourism and Recreation meetings will be moving to Wednesdays instead of Tuesdays.

➤ **COUNCILWOMAN VAN CAMP**

Councilwoman Van Camp stated Monday, August 18th, I attended the town hall presented by Representative Mark Amodei. The discussion was about the Pumped Storage Project; members of FERC were in attendance, and BLM reported the drilling of the test wells will begin this month and be finished sometime in November, but I just heard they can't get a driller, so that's going to be put off. Tuesday, August 19th, I attended the Natural Resource Advisory Committee. It was a short agenda, but Bill Miller reported on the Coalition for Nevada Wildlife and its efforts to protest the Greenlink

Transmission line, which runs 235 miles along Highway 50 from Arrington, Nevada, to the Robison substation. Currently, there are 1,000 applications for solar farms. Various groups, including ranchers, wildlife enthusiasts, hunters, joined a roundtable discussion for input on white sage, wildlife, and many other issues in the Jakes Valley area. The Forest Service mentioned there was not much interest in the pine nut harvesting contracts this year, and there is a campaign to bring the Capitol Christmas tree to our area while in route to Washington this year. Yesterday, I attended the town hall meeting with Governor Lombardo and issues discussed were the Pumped Storage Project, solar, housing, cybersecurity, and he took many questions from the audience. Trash Troopers met last Saturday, and we had another huge cleanup, twenty-three bags, and lots of debris was collected. We concentrated on the Great Basin Highway area around McDonald's and R-place. KGHM General Manager Neil Jensen joined our cleanup, and I would also like to thank Mike Lemich as he brought his equipment up to the McDonald's area and did a massive cleanup to his properties and hauled off seven loads of debris from the area, and he's not done yet, so thank you, Mike. We have three scheduled cleanups for September. I also attended the Governor's Town Hall last night.

➤ **COUNCILWOMAN YEOMAN**

Councilwoman Yeoman Stated I also attended the Governor's Town Hall meeting last night.

➤ **COUNCILMAN PEREA**

Councilman Perea stated I was able to attend the Railroad Board meeting, and the LS agreement has finally been signed and approved at the last meeting, and I believe the Treasurer has received notice that the payment to the City is pretty imminent was a discussion we had. We also had the discussion there is a potential for another fairly large donation to the railroad, fortunately. The one item that was left out there that I'm happy, personally, to see is that the Board Chair and the Executive Director are going to be going over priorities and setting aside somewhat of a reserve of these funds for future issues instead of, not saying that they do it week by week, paycheck by paycheck, but a little bit more planning on the finance end.

➤ **COUNCILWOMAN WILLIAMS-HARPER**

Councilwoman Williams-Harper stated I also was able to attend the Governor's meeting last night. I'd also like to say that things went off very well for the school district this week and we finished our first week. Also, I'd like to say to my fellow Council Member, Mr. Trask, he's really got us going and we're thinking we're going to have a new school by 2028. It's a lot of work, and it's going very well. So, we're hoping the better our school district, the more draw we have for people coming into our community.

➤ **MAYOR ROBERTSON**

Mayor Robertson stated I was able to go to the Amodei Town Hall and there was some interesting discussion there, as everybody says. Yesterday evening, I was in Elko as an invite to the open house for their new LDS Temple up there. They were very gracious, and it was a beautiful structure.

B. NEW BUSINESS

1. Mayor Robertson – Discussion/For Possible Action – Determination of attendees for the Nevada League of Cities & Municipalities' 2025 Annual Conference October 26-29, 2025.

Councilman Trask moved to send Mayor Robertson, Councilwoman Van Camp, Councilman Perea, and Councilwoman Williams-Harper to the Nevada League of Cities & Municipalities' 2025 Annual Conference October 26-29, 2025. Councilwoman Van Camp seconded the motion. The motion carried unanimously.

2. Mayor Robertson – Discussion/For Possible Action – Approval of Inter-local Cooperative Agreement with the Northeastern Nevada Regional Development Authority (NNRDA) effective January 1, 2026 for a five-year term.

Mayor Robertson stated you have backup documentation there for the agreement, as the Council may or may not know we are required to be a part of this organization so that we can apply for CDBG grants, but we also benefit from their economic development work.

Councilwoman Van Camp moved to approve the Inter-local Cooperative Agreement with the Northeastern Nevada Regional Development Authority (NNRDA) effective January 1, 2025 for a five-year term. Councilwoman Williams-Harper seconded the motion. The motion carried unanimously.

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

Mayor Robertson stated I did have some discussions with Brian Bates on the phone earlier this week after some discussions with Amodei’s staff, and Senator Cortez Masto's staff regarding some of our lands requests as well as discussing the CRISI grant and hoping that since we've had the rest of our congressional delegation here this summer, that Senator Rosen would be able to come out.

4. Councilwoman Van Camp – Discussion/For Possible Action – Approval for the City of Ely to issue a business loan from the Revolving Loan Fund in an amount up to \$100,000.00 for Ojii-san Garage LLC, an automotive parts and accessories retailer providing automotive services, with a specified term and interest rate.

Mayor Robertson stated if the Council will recall this was an item tabled from our last meeting, pending some research from the City Attorney regarding any possible legal ethical issues.

City Attorney Arabia stated what has been proposed could be done. I don't have a level of detail, maybe as much as I'd like to, but what it generally hinges on is in respect to a public official and whether or not they have a significant pecuniary interest. Even if I knew what any potential pecuniary interest would be, I wouldn't be the one, ultimately, who would be making the decision. I can say, if this is a situation where a public official does have a substantial stake in this, that could potentially be problematic for the official. However, what I've been told about how this is set up, that wouldn't be the case. What I'm saying is what's legal. I'm not saying what people should or shouldn't vote for at all, that's not my role. It's basically whether there's a significant financial interest for the official coming from this action, and I haven't seen anything that says that, but that's kind of what the issue would be. The public official would have to make that decision, you know, bearing in mind that someone down the road would be looking at that and deciding whether it was what they considered to be significant, but in and of itself, the proposal is not problematic.

Mayor Robertson stated there was also a question on whether we had advertised these programs and for this particular one, there has been no advertisement as we checked with the City Clerk and City Treasurer.

City Attorney Arabia asked would this be separate marital property or community, because that could influence who's getting a potential substantial financial interest from us.

Ojii-san Garage LLC Member Manager Jessica Hendrickson stated I'm the complete member manager, 100% on it, but yes, I am married to a City of Ely employee.

Councilwoman Van Camp stated the proposed building you folks might get, it's been an eyesore forever and if this goes through, it would be wonderful to see something in that area to give the downtown a little bit of an uplift. It's been neglected and sitting vacant, so I am somewhat excited to see some interest in a new business in Ely.

Councilwoman Yeoman stated I would also just like to comment that, I have nothing against you personally, I do think it's a good business idea. However, I'm wondering if it would be more appropriate to discuss agenda item 5 before we make a decision on this agenda Item 4?

Councilman Perea stated if I could just say that I don't think that there's anything wrong with these applications, that if you don't ask, the answer is always no. They met the criteria, but I do have significant concern around the public trust issue that this generates, and there are some other issues that really need to be worked out here regarding how interest rates are set, who's eligible, how we set the terms, and what we use as collateral. I know that we're dragging this conversation on, but if we could table this or re-table it, and actually work through this. I do have significant concern about public officials partaking in this. I think that this business needs to happen, I just don't know that this is the mechanism. I was actually kind of excited to see it, and then I realized that there might be a conflict, so it does give me significant concern. I do think that if we don't advertise it and even if we do advertise it the next time around and we have applications, and we're picking City officials over citizens, it sets us up for issues down the road. I would like to be able to work through these. I do not have a problem with City officials with the request, they were eligible under the rules as it is; I just think that we need to get some clarity about it.

Councilwoman Yeoman stated I strongly second Councilman Perea's comments in that we are not saying no, and I know we are dragging it on by tabling it, but I have these same concerns.

Councilwoman Williams-Harper stated I still think that we have to be careful, because any one of us could want to do a business and I don't think we want to set a precedence that says, just because you work for the City, sorry. I think that we need to be very careful, and if we're talking about tabling this yet again, we need to have those very firm and exact questions that we need asked so they can be answered, because if we come back and ask them to come back again a third time, that's not a good look at all.

Mayor Robertson stated if I might summarize the discussion here, there's no legal issue at the moment, but there is a perception problem that the Council would like to address.

Councilman Perea stated as it pertains to this one, we would not only be essentially draining the budget for the entire year, but we would also be setting the terms for a loan that is meant to be below market rates and whatnot and have the perception of just setting those terms too low or too high. I don't know if I will ever be comfortable with public officials partaking in these, but that being said, if the terms, interest rates, and the collateral on these loans were actually done by a third party with a recommendation, I would feel better.

Councilwoman Yeoman stated I hear what you are saying 100%, and I absolutely don't want to discourage any City officials or ourselves from pursuing business opportunities. It's simply, opening it up to the public, even if we just define a time frame that we open this up and make it public knowledge, I would be satisfied.

Councilwoman Williams-Harper stated you know, it's a quandary, it's a catch-22, but we also have to think these are citizens who live here, they pay taxes just like the rest of us, and it would not be a good look if we open up and suddenly say, oh, got somebody else, and they're not an official, so they can have it.

Councilwoman Van Camp stated I think we're setting some new rules now. They evidently made the criteria, and now we're adding some more rules in midstream and it's not fair to anybody possibly earlier, that didn't have to abide by all the newest rules. So, I'm just saying they met the criteria and now we're going to set new rules that will set them back. When would this take effect? Are you going to wait until next year because somebody could easily come in and say I want this loan, but now there's new rules.

City Attorney Arabia stated Councilwoman, if I may, first, I appreciate the fact that everyone's having a reasonable discussion, and I just want to point out there is a distinction here, which is that the decision makers, which is you, is not the City official that we're talking about and obviously, if that City official were also making this decision, that would be problematic and it would be a different discussion. I think the reason why, legally, it's fine is because that's not what's happening. There's an independent body, which is the Council, that's making a decision, and I guess I can also

add that I don't have any concerns, that there's anything shady going on here. I think Councilman Perea has legitimate concerns, but I also agree that the point you're making is fair. So, I just wanted to make sure that that was out there.

Councilwoman Van Camp stated I think Ely struggles to be the land of opportunity when it comes to opening up a business. They're not lining up at the door to open up a new business in Ely. It's kind of nice to see something new and well needed, and again, an eyesore that is going to be eliminated and brought to life adding to our downtown.

Councilman Perea stated I would just like to reiterate, I don't think that there's anything wrong with them bringing these requests and I think they meet the criteria. I do believe it's up to us to maintain those criteria as issues come up. We have to make two calls tonight, and in both cases, I can't say this for certain, this is conjecture, but if you weren't a City official, would you know about it? Does it appear to be inside baseball? Do we lose public trust by doing stuff like this? I'd really like to see this tabled so that we can work through this, but like I said, I don't believe, me personally, that we can be picking winners and losers between City officials and the general public, and I don't think that we would maintain public trust by doing it. I do apologize for dragging this out, but I would move to table this and see if we can at least get through the other terms of the agreement. I don't know that we're ever going to get to whether it's appropriate or not for City officials and their families, and what is it, the third degree of sanguinity, or whatever the legal term is, or how we do that, but I do believe in maintaining public trust. If we go forward with it, I would really like these terms to be less subjective than us sitting here saying there's no way, even if it is totally legitimate, there's no way we're going to get away with saying this isn't a sweetheart deal, because it's supposed to be below market. It's supposed to be a deal to help businesses start. The perception issue, I just can't get past.

Councilman Perea moved to table the City of Ely to issuing a business loan from the Revolving Loan Fund in an amount up to \$100,000.00 for Ojii-san Garage LLC, an automotive parts and accessories retailer providing automotive services, with a specified term and interest rate and set up a group of two, a non-quorum to go through this, and come back with recommendations on how to deal with these issues in the future. Councilwoman Yeoman seconded the motion.

Councilman Trask stated I would just like to say that if we go forward with this table, and I understand, Councilman Perea, the perceptions there, but if we can come up with guidelines that are a little less subjective, I think it would be fair to all of us, we fly it and make sure that we post it and the public has enough knowledge in that. I understand your qualms on the perception of that, but I think we can set parameters that are strong enough that take some of the subjectivity out of it. I don't think it would be fair to automatically dismiss a public official if there's no legal ramifications on that. I understand where you're coming from, but I don't want to discourage anyone. We're a small town, as Councilwoman Van Camp said, and we do need to encourage business, and I would like to make sure that we don't preclude them just because of the job that they're doing for us.

Councilwoman Van Camp stated if this is tabled and it's discussed; can something be put together by the next council meeting or are we going to drag these poor folks out?

Mayor Robertson stated something could be presented at the next Council meeting for you guys to approve. We have a discussion item here; you could come up with some parameters and have something back on the agenda by the next meeting and they would possibly have to reapply.

Councilman Trask stated a question I have, is because of how tabling works, and correct me if I am wrong, but it would have to be brought back with the same language, correct? If we set these parameters, it would almost be better not to table and come back with a completely different agenda item?

City Attorney Arabia stated I think what you said would be the best way to do it. If there's a new set of parameters, I don't think there would be a lot involved in redoing the agenda item.

Mayor Robertson stated what you're suggesting is deny the loan, set the parameters, ask them to reapply, and then reconsider that under a new agenda item?

City Attorney Arabia stated I think that makes sense, but I would say, let's table it, too, just because that at least creates the possibility that we could maybe have something happen next meeting, because we don't know what, if any, parameters would come up and it's easier at that point, to say we can't go forward with this item than to just get rid of it now.

Councilwoman Williams-Harper stated I think the other obvious thing is we're changing horses in the middle of the stream and that's not a good look. We just had someone apply and do all the things they were supposed to do, and we went, nope, we're changing things, and that's not right.

City Attorney Arabia stated you both make fair points and there is a possibility, especially if it's been done this way in the past, that the parameters could follow this item and that would at least balance the fact that we've had a person come in and make a good faith proposal, and we have a good faith concern and going forward things would be clearer. As far as the legal side of it, I think that makes a lot of sense, but I'm not trying to put my thumb on the scale in any direction; you can certainly do that.

Councilman Trask stated another option I just wanted to throw out there, is we do have the ability to change some of these parameters right now.

Councilman Perea stated like I said, I don't know that I'm going to get there, but I do believe that if it is the Council's will to go there, that these terms should be pegged to something like a small business loan administration, or something along those lines, with a recommendation.

Councilman Trask stated that would be maybe a compromise here to this situation, because we did table it once before, brought it back with the caveat of making sure it was legal, and we found out it is legal.

Councilman Perea moved to withdraw the motion and go straight to a vote on the loan based off terms to be determined.

Councilwoman Yeoman moved to withdraw her second of the motion.

Councilman Trask stated I just looked up small business loan rates to see where we're at and they are between 6% and 13% for July and August. I don't want to be in the banking business, I don't think that is where we belong, but this fund has been set up for that and 3% makes sense to me, but I am open to discussion on that.

Councilwoman Williams-Harper asked was there an expectation of an interest rate when they applied?

Mayor Robertson stated the application was requesting a 1% interest rate. The application is a request of, you guys have a revolving loan fund, we would request this amount at this rate for these terms. I think the Council is free to propose terms back that they're comfortable with, as Councilman Trask suggested. Treasure Trask recommended not loaning more than \$95,000.00 out of there. The issue is that there is nothing written in black and white about the Revolving Loan Fund. They're free to propose what they'd like, and we don't have anything to go off of, which is Councilman Perea's point, that it's just kind of there, and there's really no rules around that. An applicant can propose what they like, and the Council can determine from there.

Councilwoman Williams-Harper stated it's not a good look for us to be sitting here doing this, and we need to do better.

Mayor Robertson asked are you in favor of putting parameters on before accepting applications, or considering this application as is only?

Councilwoman Williams-Harper stated I don't know.

Councilman Trask moved to approve for the City of Ely to issue a business loan from the Revolving Loan Fund in an amount up to \$95,000.00 for Ojii-san Garage LLC, an automotive parts and accessories retailer providing automotive services with a term of seven (7) years and interest rate 3%.

City Treasurer Trask stated part of the discussion last time was collateral. Is there any parameters that are in place that you guys want to talk about regarding that?

Mayor Robertson stated I believe what we were talking about last time was having the City as a lien holder on the building in question.

City Attorney Arabia stated we're going beyond the agenda item, and technically, I suppose you could, but there's a lot of reasons why it might not be a good idea for the City to be a lien holder. The main thing is, when it says with a specified term; a specified term means a term of time. If it said with specified terms, that would be a term of time, and also any other terms. I realize that's a hyper-technical thing, but I don't think it would be a good idea to add that. I think that would be best with another agenda item, and that's just my opinion.

Councilwoman Van Camp seconded the motion. The motion carried with 3 ayes, 1 nay from Councilman Perea, and 1 abstention from Councilwoman Williams-Harper.

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

1. Council Members – City Clerk Lee – City Engineer Almberg – Public Hearing – Discussion Only – Review of proposed CDBG projects and additional project ideas suggested by the public. Proposed projects and estimated funding are listed below. **Only projects listed here and proposed at the meeting will be forwarded to the Council for approval**

- Wastewater Treatment Plant Upgrade Project \$603,750.00
- E. 15th Street Waterline Project \$563,200.00
- 17th Street Development Sewer Project \$2,916,900.00

City Engineer Almberg stated this is for the 26/27 CDBG Application and this is the second public hearing for this. The background on this is the Wastewater Treatment Plant Upgrade Project would benefit approximately 1,505 low-income individuals or 57% of two census blocks. The East 15th Street Waterline Project would benefit approximately 345 low-income individuals, or 56.6% of the current census block area. The 17th Street Development Sewer Project would benefit approximately 875 low-income individuals or 21.6% of its census block area. The CDBG activities must benefit at least 51% of LMI people in their project area.

Janet Van Camp stated I hope you consider the 17th Street Development Sewer Project, as this will help with our housing problem and give us a start if we can get developers to come in.

George Chachas stated the number one priority should be the Wastewater Treatment Plant Upgrade Project. If you have any kind of impact, housing or otherwise, and you can't meet the needs at the Wastewater Treatment Plant, you have got bigger problems; that needs to be addressed first before you move on to so-called future projects. You can't handle what you have now. You may not recall that the City paid \$600,000 or more when that pump station out by the Industrial Park went south. You couldn't get pumps, and you waited, what was it, three or six months? It cost the City a lot of money because you could not take care of the sewage that was building up in the industrial park area.

City Engineer Almberg stated, some of the key considerations of this hearing tonight is to accept these requests and hear public input for the 26/27 grant cycle. No additional projects can be submitted after October 17, 2025 and the third public hearing to determine projects for the submittable application will be held here in the Ely City Fire Hall on November 13th, 2025.

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

1. Council Members – City Clerk Lee – City Engineer Almberg – Discussion/For Possible Action – Prioritization of selected CDBG proposed projects and approval to submit said projects to the Governor’s Office of Economic Development (GOED) for eligibility verification.

• Wastewater Treatment Plant Upgrade Project	\$603,750.00
• E. 15th Street Waterline Project	\$563,200.00
• 17th Street Development Sewer Project	\$2,916,900.00

Mayor Robertson asked City Engineer Almberg if he had any recommendation on prioritizing these projects.

City Engineer Almberg stated I actually agree with George, I think number one for us should be the Wastewater Treatment Plant Upgrade Project. This is going to be part of our matching funds for the earmark that we received for the Wastewater Treatment Plant. The earmarks do not allow federal funding to actually be used as an earmark. However, CDBG is one of the exceptions that can be used as the match for that project, so I recommend that being number one. I would recommend the East 15th Street Waterline Project as the second priority, and the only reason I say that is because of the price compared to the 17th Street Development Sewer Project. That's a big enough project that we may have to find some other type of funding to try to get a project that large completed.

Mayor Robertson asked, “What does the 15th Street Project accomplish?”

City Engineer Alberg stated at the completion of the Aultman Street Project we will have a new 10-inch water line going down East Aultman Street, and it goes down to 15th Street, and then it is basically stubbed into 15th Street with a fire hydrant there at the end. This project would take it from 15th Street, down to Avenue C, which would tie into the big water line coming in from the Golf Course domestic well and that would allow us to have a big feed, so we could feed from the Golf Course municipal well, push it back up and through our big lines, and get it all the way up to the end of town. The way the City system was built many, many years ago, our main source of water was actually Murry Springs. We always had big lines for Murry Springs and the lines got smaller and smaller as they went to the far end of town and now, we have got to push that water in the other direction.

Mayor Robertson asked, “Can we submit all three projects?”

City Engineer Almberg stated we can only submit two projects to CDBG, but all three will be submitted for eligibility to make sure they clear all the hurdles that they need to.

Councilwoman Van Camp moved to prioritize CDBG proposed projects with the Wastewater Treatment Plant Upgrade Project first, and the E. 15th Street Waterline Project second, and to submit said projects to the Governor’s Office of Economic Development (GOED) for eligibility verification. Councilwoman Williams-Harper seconded the motion. The motion carried unanimously.

B. NEW BUSINESS CONTINUED

10. Council Members – City Attorney Arabia – Building Official Hendrickson – Discussion/For Possible Action – Update on implementation of Resolution 2025-03, a Resolution Revoking White Pine Mobile Park’s business license with possible Council direction regarding further action necessary.

City Building Official Hendrickson stated my update is after we granted the 30-day extension, there were ten families at the time that had not moved out. Since then, there are only six families left and I just received notification from one that he is moving out in two weeks as he has a place that he's moving to, so that'll take it down to five tenants. Mr. Moattar, since the extension, actually has made very little effort to continue to comply with the decision that you've made. So, at that point, I would turn it over to the legal aspect of this for us to take action.

City Attorney Arabia stated What I'm going to propose here is something that I really didn't want to have to ever propose. I'm not happy about it and I feel bad about it. With that preamble out of the way, I don't really see any other choice at this point but to start the proceedings to have the courts involved in ordering people to get out, and it's a time-consuming process. It's not something that will get resolved quickly and in having to take this step, which again, I find to be very unfortunate, I will do everything I can within the framework of this direction that we're moving in to treat the remaining tenants with courtesy, and to try to help. I just don't see any other way other than doing what we just did, which has its drawbacks, but we've gone out of our way to extend the amount of time, and we just can't do that forever. So, I guess what I would ask is that you authorize me to start that process.

Councilwoman Yeoman asked, “Did I hear that he is actively trying to sell that land?”

City Building Official Hendrickson stated I have spoken with many buyers on that property. As a matter of fact, it went as far as a buyer that had an agreement up until this week. They sent their manager over to check out the property, and immediately after seeing pulled their escrow. There has been efforts and I've worked with those potential buyers and talked with them about what the expectations would be with the business license and whatnot, and there was no issue there until they actually visited the park. Currently, there is no offer or real estate deal on the table; the only offer has been revoked.

Councilman Trask moved to authorize the City Attorney to start the legal process to have tenants removed from the White Pine Trailer Park. Councilwoman Van Camp seconded the motion. The motion carried unanimously.

THE MAYOR WILL RECESS THE REGULAR CITY COUNCIL MEETING FOR A MEETING OF THE REDEVELOPMENT AGENCY OF THE CITY OF ELY

8. ITEMS FOR DISCUSSION/POSSIBLE ACTION OF THE REDEVELOPMENT AGENCY OF THE CITY OF ELY.

1. Redevelopment Agency Members – City Treasurer Trask – Discussion/For Possible Action – Approval of Redevelopment Area Residential Grant Applications submitted by Property Owner, BKA Investments, LLC – B.J. and Kenna Almberg for: APN 001-156-01, \$ 6,165.50; APN 001-156-02, \$14,730.00; APN 001-156-03, \$14,317.50; APN 001-156-04, \$16,804.00; and APN 001-156-05, \$11,216.00.

Mayor Robertson stated as the Council will recall, applications came to the Treasurer and were reviewed by staff, Councilman Perea, and myself to make sure they were in compliance with what the Council had voted on. These are in compliance with what the Council voted on last time, but I know there are some concerns that have been discussed, about maybe needing some other parameters involved.

Kenna Almberg stated I'm excited to bring these applications before the Council because we have talked about the housing crisis for a long time now. I've been on different boards

to discuss it and as a local realtor, it's definitely a problem. The lack of rentals is also a major concern. People come through my door every day looking for rentals, and I have to tell them I know of nothing, but here, let me take your name and number, and if I hear of something, I'll let you know. When I had the opportunity to purchase these High Street properties, I found a solution for some of that, by providing some much-needed rental properties. These need an extreme amount of work. I probably wouldn't have been interested if it was just one, but it made sense to me when I had the opportunity to buy all of them on that same street. I shared some pictures with you, and I am very excited about what I plan to do with these. I learned how to use GPT Chat, so I got to play around with some colors and some landscaping to see what all this would look like. Mostly, I'm happy about the idea of being able to provide nine rentable units in an area that would definitely benefit and help to clean up that block, but also the neighboring blocks. The letter that was submitted by Derek Steiner increased my excitement, because just by cleaning up the properties, he has noticed a decrease in vandalism. I think it's a minimal request for each of those properties. I'm not trying to max out the amount. If you went per address, there's nine addresses, but I chose to just do parcel numbers, because some of those parcel numbers have multiple units on them. I think these properties are exactly what this Redevelopment Fund was set out to do in improving areas of town like this. I didn't know about these funds until this spring, when all the letters were sent out, I got one like everybody else did. I understand that this has been in place for over twenty years.

Mayor Robertson stated if I could add a little context for the Council and public at large, as you may recall, we have divided this program into commercial areas and residential areas. One of the issues that did come up in our discussions on whether to bring these forward was that this seems to be a commercial enterprise in a residential area dealing with residences. I personally feel like it does fit under residential, because it's addressing residential houses and properties. I admit that the second item under the Redevelopment Agency, looking at these applications and the parameters that the Council did approve previously, there may need to be some added parameters on how many times a person can apply, and how many applications from one entity can be put in. Right now, these applications do meet the criteria, and I really feel they meet the intent of the Redevelopment Agency. They've been collecting property taxes in these areas for twenty years to do this very thing, to improve these properties, and to improve the neighborhoods. This block has been vacant to some extent or another for twenty years or more. If I lived on this block and had to look at this for the last two decades, I would be excited that somebody was coming in to do this. I'd like the Council to take these applications, at their face value, and very seriously, because I think it needs to be done. It does address, furthermore, a housing issue that we have. We do need rentals; I get asked, probably not as much as Kenna does. We've had our problem right here sitting with us amongst our own staff. This is an issue, and this is a solution addressing that issue.

Councilman Perea asked if there was ever a discussion of a cap on these grants?

Councilman Trask stated per application, yes.

Mayor Robertson stated the cap was \$20,000 per application and the intent was that a property would be applied for. I would hazard to guess, and this is just me stepping out on a limb, that this kind of situation is not one the Council considered.

Councilman Trask stated we did have a conversation stating commercial would be capped at \$80,000 and residential was capped at \$20,000. I believe the intent was we would have one household come to us.

Mayor Robertson stated BKA Investments would be investing a sizeable amount into these properties.

Kenna Almberg stated, and this is just the outside of these properties we are talking about.

Councilwoman Van Camp stated we have had issues with this property trying to get the landowner to clean it up, and it's always been an eyesore. I'm kind of excited to see something attractive get done, and some cleanup.

Councilwoman Yeoman asked is this within the budget?

City Treasurer Trask stated if you were to approve all three, yes, it is within the residential budget that was allocated for this year, but it would leave \$16,767.00 for the rest of the fiscal year, which we are only in about two months now.

Mayor Robertson stated I really feel like having this kind of work done shows other people what can be done, and I'm hoping we get more applicants. Right now, the application pool has been kind of slow. I think we've only gotten one other residential application for this project so far and that was from last year.

City Treasurer Trask stated it is still part of the budget this year.

Councilwoman Van Camp moved to approve Redevelopment Area Residential Grant Applications submitted by Property Owner, BKA Investments, LLC – B.J. and Kenna Almberg for: APN 001-156-01, \$ 6,165.50; APN 001-156-02, \$14,730.00; APN 001-156-03, \$14,317.50; APN 001-156-04, \$16,804.00; and APN 001-156-05, \$11,216.00. Councilwoman Williams-Harper seconded the motion.

Councilman Trask stated I can tell you, we never had a conversation about giving multiple \$20,000 to single individuals and that's the only hiccup I still have.

Councilwoman Yeoman stated to Terrell's point, just to be clear, there was nothing stating that a single entity or individual couldn't apply for more than one.

Councilman Trask stated not that I can remember.

Councilwoman Yeoman stated I just wanted to make sure. I would just like to make a disclosure that I do live downtown, and I do walk by these properties a lot, but I have nothing personal to gain from this, other than what everyone else is saying, that it would be nice if they looked nice.

The motion carried 4 to 1 with Councilman Trask voting nay.

2. Redevelopment Agency Member Perea – Discussion/For Possible Action – Review and establishment of additional Redevelopment Agency grant requirements as may be determined by the Council, comprising but not limited to eligible applicants for residential and commercial funding respectively, including whether City of Ely officials and their family members, or City of Ely employees and their family members may apply; and maximum amounts which may be awarded per grant cycle.

Councilman Perea stated I think we pretty much had that conversation discussing setting a cap, are multiple applications okay, better defining commercial and residential in writing so that it is clear, and maybe how many times you can apply within a time frame.

Mayor Robertson asked, "Do you have suggestions on parameters you'd like to put in?"

Councilman Perea stated I would say that one application per applicant with a maximum of \$20,000 every three years.

Councilman Trask stated I think the last one specified a two-year grant cycle.

Mayor Robertson stated this isn't related, but just kind of tangentially, for the weatherization program, which I do inspections for, they do a rehab program funded by State and federal dollars, and it's once every five years they can apply.

Councilman Perea stated I'm not going to put it in the motion, but I still want to put out there that I don't think public City officials should be taking City money, but I think that would kill it because of our previous discussion. I would move to set the parameters for the Redevelopment Agency grant requirements to one application per applicant with a cap of \$20,000 and may only apply every two years.

Councilman Trask stated for this item right here, I will say the advertisement was well done and we went out of our way. I just want to address your City official comment. I wholeheartedly understand and I would also push back just a little bit. I know we're not going to make it a requirement but just wanted say that they live in the City and they pay their taxes. We're grateful to have these people and I would hate to deter any people because they can't be afforded the same availability as any other citizen in this City.

Councilman Perea stated it's an incredibly important business to the community and they serve a huge purpose.

City Attorney Arabia stated I just wanted to mention that the previous discussion was item 9B-4 and possibly 9B-5, if anyone ever watched this, they would know what we were discussing.

Councilman Perea moved to establish Redevelopment Agency grant requirements to be capped on the commercial property at \$80,000 and on residential property at \$20,000, with applicants only able to submit one application for each program, residential and commercial, once every two years. Councilwoman Yeoman seconded the motion. The motion carried unanimously.

THE MAYOR RECESSED THE REGULAR CITY COUNCIL MEETING AT 6:30 P.M.


THE MAYOR RECONVENED THE REGULAR CITY COUNCIL MEETING AT 6:35 P.M.

THE MAYOR WILL RECESS THE REDEVELOPMENT AGENCY OF THE CITY OF ELY AND RECONVENE THE REGULAR CITY COUNCIL MEETING.

B. NEW BUSINESS CONTINUED

6. Council Members – City Treasurer Trask – Jacob Pahnke of Waterworth – Discussion Only – Presentation of financial-infrastructure strategic planning software capabilities.

Jacob Pahnke with Waterworth's Client Success Team stated Waterworth is a software that empowers local governments like yours to achieve financial sustainability while balancing affordability. Now, we know this is tough, but it can be done through the practice of what's called continuous revenue management, which is two things. One, it's keeping a live financial forecast model up to date at all times, which you'll see today, and then two, it's keeping our rate makers and our deciders informed continuously about the financial reality, so you make smart decisions quickly and efficiently. Think of it kind of as results, not reports. So today, Janette, BJ, and I have worked together to get all of your data inputted to help develop some of these visualizations and see the fund's current trajectory for you to consider. He then reviewed the following presentation:



Waterworth

A financial forecasting and revenue calibration solution adopted by hundreds of organizations across North America. Our job is to help utilities like yours plan financially — so you can avoid surprises, avoid emergency rate hikes, and make smart choices about how to invest in your infrastructure.


Our Tool

Continuous Process


Full Cost Recovery

Communication

Presentation Outcomes



- To have a clear picture on current/forecasted financials
- To know what the revenue requirements are
- To have an actionable plan



- Understanding of our tool/process
- To know how we have produced the information
- Have confidence in the results
- Access to the information

Our Process

Establish Financial Baseline

Build Long-term Financial Forecasts

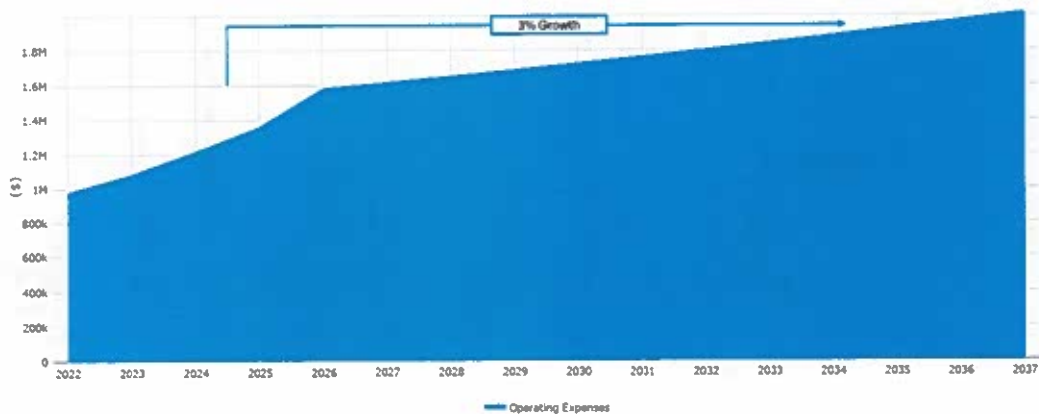
Determine Revenue Needs and Funding Strategies

Communicate, Refine and Repeat

Operating Expenses



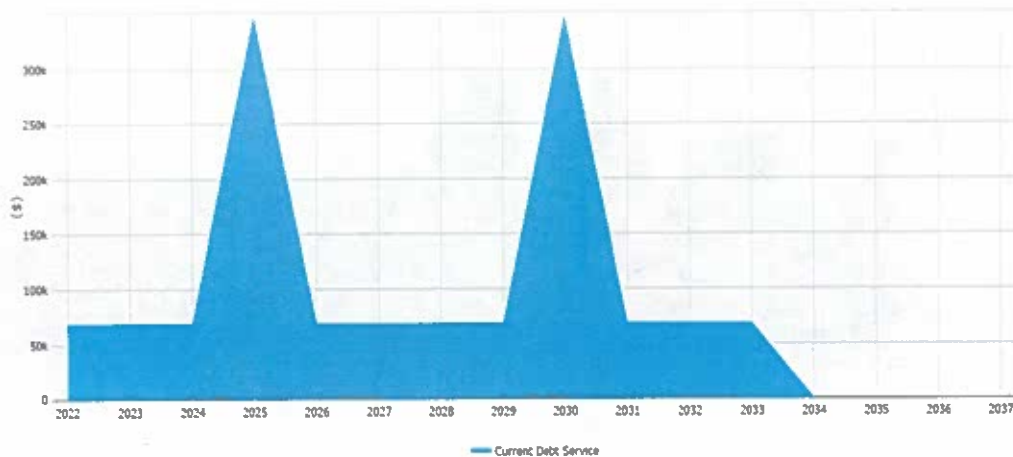
This chart illustrates the operating & maintenance expenses - the routine costs required to provide safe and reliable water service. These include but are not limited to salaries & benefits, contracted services, system maintenance, utilities, treatment chemicals, insurance and other operating and administrative costs.



Debt Expense



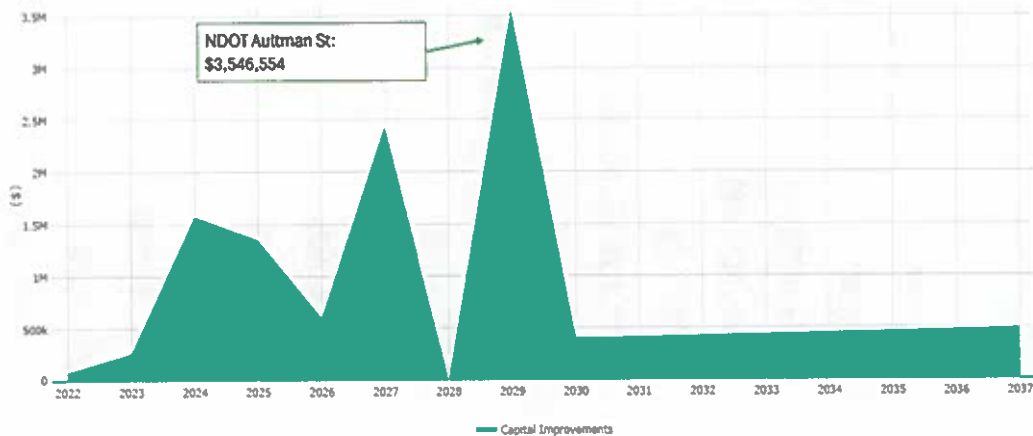
This chart represents the utility's use of debt to fund capital investments and manage cash flow needs. Debt financing allows the utility to spread the cost of large infrastructure projects over time, aligning repayment with the useful life of the assets and the benefits received by future ratepayers. Historic figures reflect actual debt service payments, while future projections are based on existing debt schedules and anticipated borrowing tied to planned capital improvements.



Capital Expenses



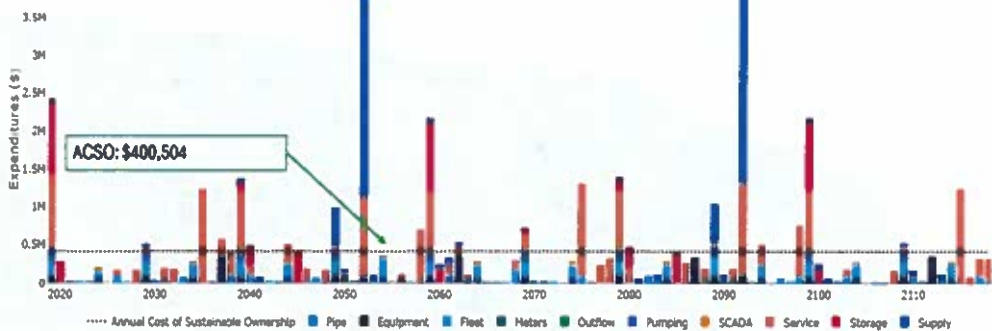
In addition to meeting ongoing operating costs, the utility must continue to invest in capital improvements for system renewal and capacity improvements to ensure long-term service reliability. Historic years are based on audited actuals, the current year on the approved budget, and future years on projections.



Asset Replacement Schedule



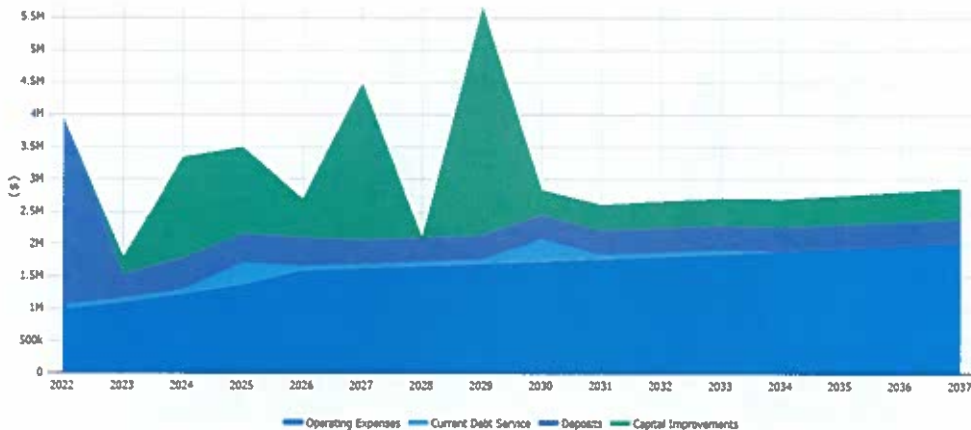
This chart illustrates the projected timeline for replacing all assets over the next 100 years, with all costs presented in today's dollars (i.e., without inflation adjustments). The dashed line represents the Annual Cost of Sustainable Ownership (ACSO)—the average annual reinvestment required to maintain long-term infrastructure sustainability. This figure serves as a valuable benchmark for future capital reinvestment planning, particularly when establishing baseline financial models.



Revenue Requirements



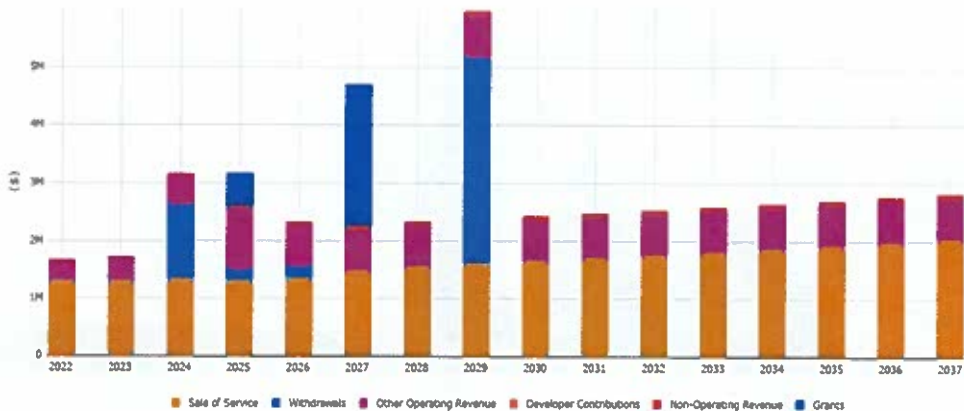
Revenue requirements are the total annual funds needed to operate, maintain, and reinvest in infrastructure sustainably. This includes operating costs, debt service, and capital replacement needs. Understanding these requirements helps ensure long-term financial planning, supports rate setting, and highlights funding gaps to guide informed decisions.



Projected Revenues – Assumes 10% increase in 2027



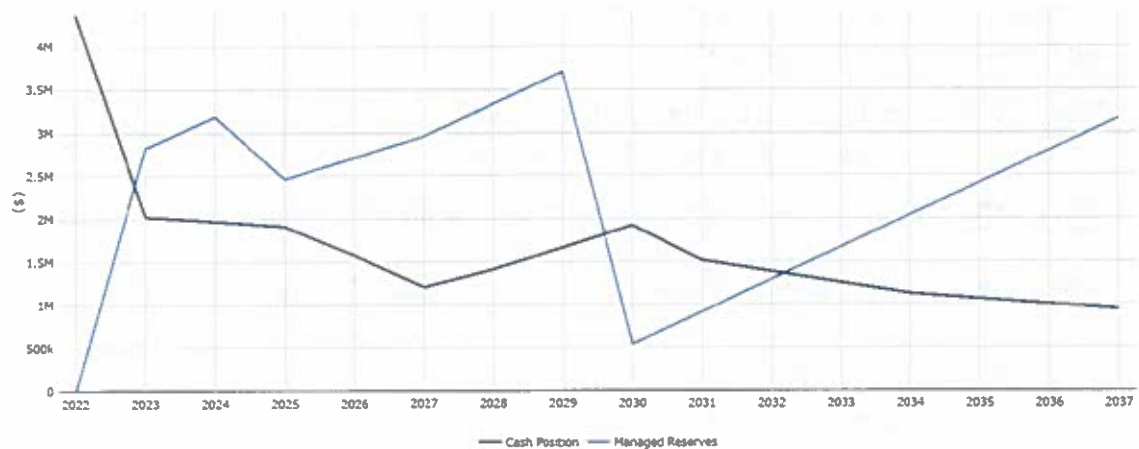
Status quo revenues refer to the funding expected under current rates, policies, and practices without any changes. This projection helps determine whether existing revenue streams are sufficient to cover future operating costs, debt obligations, and capital needs. Comparing status quo revenues to revenue requirements reveals any gaps that may need to be addressed through rate adjustments or new funding sources.



Cash Position



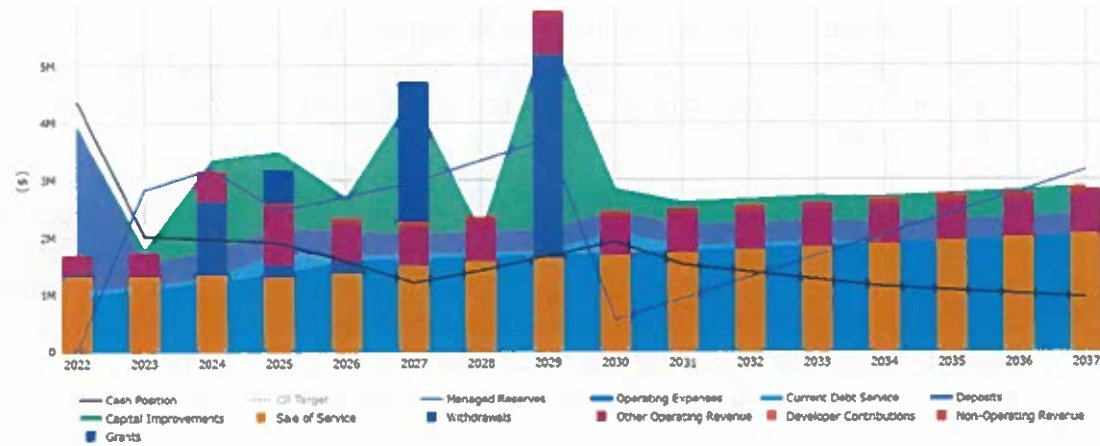
The cash position reflects the available funds a utility has on hand to cover operations, emergencies, and financial obligations. Maintaining adequate cash reserves—guided by targets or thresholds—ensures stability, supports long-term planning, and helps manage unexpected costs. Regularly tracking the cash position is key to maintaining financial resilience.



Long Term Financial Model – Water Increases: 10% 2027, 5% 2028, 3% 2029+



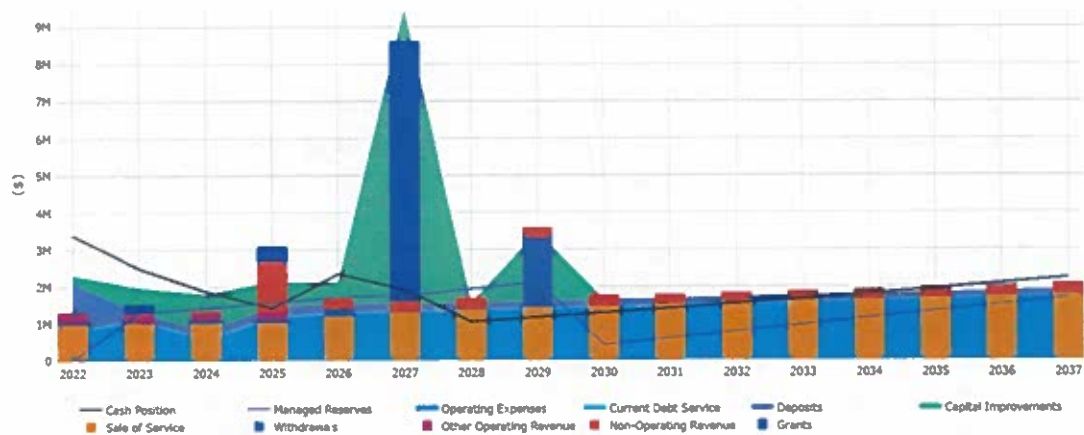
The long-term financial model reflects the utility's projected financial performance under current rates and policies. It shows how existing revenues align with future expenses, capital needs, and cash reserve targets. This model helps identify potential funding gaps, assess long-term sustainability, and determine whether further adjustments are needed to maintain financial stability.



Long Term Financial Model – Sewer Increases: 10% 2027, 5% 2028, 3% 2029+



The long-term financial model reflects the utility's projected financial performance under current rates and policies. It shows how existing revenues align with future expenses, capital needs, and cash reserve targets. This model helps identify potential funding gaps, assess long-term sustainability, and determine whether further adjustments are needed to maintain financial stability.



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

C. CONSENT AGENDA

Councilwoman Van Camp stated I would like to disclose my granddaughter is an employee of the City of Ely Fire Department.

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

MOTION: Move to approve the Consent Agenda item 9A-1 Minutes and 9A-2Bills.

Moved by: Councilman Trask Second by: Councilwoman Yeoman Vote: Unanimous

1. Discussion/For Possible Action – Minutes.
 - August 14, 2025
2. Discussion/For Possible Action – Bills.
 - August 19, 2025
 - August 21, 2025

B. NEW BUSINESS

5. Councilman Perea – Discussion/For Possible Action – Review and establishment of additional Revolving Loan Fund business loan requirements as may be determined by the Council, comprising but not limited to eligible applicants, including whether City of Ely officials and their family members, or City of Ely employees and their family members may apply; interest rate criteria, terms, maturity date criteria and maximum amounts which may be loaned.

Councilman Perea stated we talked about it at length, and I was hoping there was something less objective than just picking a number out of the air. My recommendation was that we peg it against something, whether it's a small business loan administration or something along those lines, so that it's not subjective. I also believe that we need to have language in there that collateral is needed, because it doesn't sound like from at least a legal standpoint that putting liens is going to be sufficient, and how do we recoup losses?

Mayor Robertson asked how would the Council feel about a motion to ask Treasurer Trask to come back with some recommendations, and any suggestions that council members have they can get to her to come back in the form of a plan?

Councilwoman Yeoman stated I would just like to comment, not to rehash this, but, just public knowledge, whether that's a link on the website or whatever, it doesn't have to be flyers on everyone's doorstep, but just some proof of public knowledge is really all I would be seeking in this.

Councilwoman Williams-Harper moved to direct City Treasurer Trask to compile recommendations and suggestions from council members regarding Revolving Loan Fund business loan requirements and present a plan at an upcoming City Council meeting. Councilman Perea seconded the motion. The motion carried unanimously.

7. Council Members – City Clerk Lee – Discussion/For Possible Action – Reconsideration of Regional Planning Commission's June 19, 2025 decision regarding O'Flaherty Rentals' application to reclassify Zoning on Property in Ely, NV; the request is to change the zoning of four parcels from R-M-50 (Residential) to C-2 (General Commercial) which is described in Title 12.6.1 of the Ely City Code, Ordinances 410, 660, and 680. The subject property addresses and/or general locations are: 480 Campton Street (APN 001-291-03), 420 Campton Street (APN 001-291-04), and the corner parcels of Campton Street and Murry Street, Township 16N Range 63E, Section 16, Parcel 1-B and Parcel 2 of Map 1179 (Assessor's Parcel Numbers 001-295-34 and 001-295-32), Ely, NV.

Mayor Robertson stated I will note to the Council, if it hasn't already been made clear in the backup documentation, the process approved by the Council and the County Commission for the Regional Planning Commission is they hear these applications and if someone wants to appeal that decision, it comes to the respective body where that parcel is located; if it's in the City, it comes to the Council and if it's in the County, it goes to the County Commission. So, this is the process, and Mr. O'Flaherty is here to appeal the decision that was made by the Regional Planning Commission.

Mr. O'Flaherty stated yes, I'm requesting to appeal the decision of the RPC. This property I purchased in 2023 as a parking lot. I think you're familiar with the area that I'm talking about, it was depicted here in the paper recently showing that the property actually was used as a commercial property. The Hazel Hotel sat on that property for an extended period of time and later was removed, and the Catholic Church extended that property into a parking lot, and it has been utilized as a parking lot since that time. In fact, it still is being utilized as a parking lot anytime there's major functions within the community. On the 4th of July, people park in it; funerals, they utilize it; and special events held at the County or City Park, they also utilize it. I purchased it for overflow parking for the DMV, requesting that the property be changed to a C-2 zoning to allow me to utilize that. At the present time, it is residential. In fact, those three properties that you had indicated, 420 and 480 Campton Street, which is the DMV building, and the small office building were both occupied at one point in time from the City of Ely and the city engineer for multiple years. Those were also zoned residential and somewhere along the line this got changed. These have always been commercial properties and been used as commercial properties. All I'm asking is to allow me to utilize what it was originally set up to be. I'm requesting that the property be utilized as a parking lot. I spent a lot of money last year having it slurry coated, it cost me an additional \$20,000. I've put some interest in that, and I think the best interest of the property is the parking lot.

Mayor Robertson stated the Council, as part of the backup documents, you have the minutes from the Regional Planning Commission where this was heard, including the public comments from those who objected, as well as a list of everybody who was notified about the zone change request. Are there any questions from the Council regarding this?

Councilwoman Van Camp stated I would like to disclose I do rent 420 Campton Street from Mr. O'Flaherty. Do I need to abstain from voting on this?

Mr. O'Flaherty stated I'm not referencing 420 Campton Street or 480 Campton. The RPC did and those were approved and were changed back to C2 commercial. So, the property, 420 Campton, isn't in question.

City Attorney Arabia stated I would say you could vote.

City Building Official Hendrickson stated to address the Council as to how this came about, when Mr. O'Flaherty approached my department about the parking area, the other properties, in order to avoid spot zoning, were at question that needed to be rezoned as well to get to this point. As Mr. O'Flaherty has shown, there is history that's been used as a parking lot, but because the zoning is R-M-50 residential, technically it's not permitted to have parking there. So, in order to continue the use of the parking lot, it would need to be rezoned to C-2 commercial. So, I think it was imperative to inform the Council of that in order to meet what his request is.

Mayor Robertson asked, "Did your office have a recommendation initially on these zoning requests?"

City Building Official Hendrickson stated, "I can't make a recommendation on the zoning request, I have to be impartial."

Councilman Trask stated just for clarification, if we said nay, and we wanted it just to be residential, it would still be a parking lot, but no one could park on it. Is that the issue legally speaking?

Mr. O’Flaherty stated yes.

Councilwoman Yeoman stated I read the minutes of the Regional Planning Commission's meeting, and it sounds like they denied it based on the two neighbors that lived there that were worried, if I understood correctly, that a business other than a parking lot might move in in the future.

Mayor Robertson stated that is what you can read in the minutes, yes.

Councilwoman Yeoman asked.” How often are appeals like this successful?”

Mayor Robertson stated this is the first appeal we have heard since implementing the Regional Planning Commission.

Councilman Trask asked do you have grand plans to put a business there?

Mr. O’Flaherty stated what I want to utilize it for is expansion of the parking lot for the DMV, that's my purpose for it. If I ever wanted to build something there, I would think you would applaud, since nobody has built anything downtown commercially in years. Anytime anything burns down, it becomes a vacant lot. I mean, even if I were, which I have no plans to build an office building or something there, I would think you would applaud that.

Mayor Robertson asked.” Do you think you'd have any success getting people to park in the lot for the DMV instead of clogging up the roadway?”

Mr. O’Flaherty stated I don't know, it's pretty hard to say, since I haven't had the opportunity to do it, or post it. The issue I have a lot of times is people will bring their trailers in to get them licensed and it's difficult to park a trailer and a truck out in the street, so this would give them alternative parking.

Councilman Perea moved to approve O’Flaherty Rentals ‘application to reclassify Assessor’s Parcel Numbers 001-295-34 and 001-295-32 from R-M-50 (Residential) to C-2 (General Commercial). Councilman Trask seconded the motion. The motion carried unanimously.

8. Council Members – City Clerk Lee – Discussion/For Possible Action – Approval of Amendment No. 1 to Cooperative (Local Public Agency) Agreement No. PR508-24-063.

Councilman Trask moved to approve Amendment No. 1 to Cooperative (Local Public Agency) Agreement No. PR508-24-063. Councilwoman Williams-Harper seconded the motion. The motion carried unanimously.

9. Council Members – City Engineer Almberg – Discussion/For Possible Action – Approval to install Lumecon Anchorage decorative light poles, with Midtown North Hills Post Tops, between 1st and 10th Streets on U.S. Highway 50 as part of the Nevada Department of Transportation’s Ely Downtown Renovation Project, at their contractor’s request.

City Engineer Almberg stated this is different than what the Council approved some years ago, and so that's why we are here again; it is a replacement that's being proposed. I don't have the exact answer why, but my assumption is that the one originally approved is not available in a timely manner and so this is as close to the original as possible. They will review the submittal but want your approval if it is esthetically pleasing to you.

Mayor Robertson stated the only question I have, as I recall from years ago, those original lamp posts were dark sky compliant, and I didn't see anywhere on this Where it said that they met that same requirement.

City Engineer Almberg stated I will check on that. If the dark sky requirement ended up in their specification as a requirement, NDOT will definitely make sure that this will meet that requirement.

Councilman Trask moved to approve installation of Lumecon Anchorage decorative light poles, with Midtown North Hills Post Tops, between 1st and 10th Streets on U.S. Highway 50 as part of the Nevada Department of Transportation's Ely Downtown Renovation Project. Councilman Perea seconded the motion. The motion carried unanimously.

10. Council Members – City Attorney Arabia – Discussion/For Possible Action – Approval to engage consultants specializing in water law when the City Attorney ascertains a need, not to exceed \$5,000, to be expensed from the Water Fund.

City Attorney Arabia stated the reason for this is basically we have this water agreement, and I'll spare you the details, but it's been quite an ordeal. I'm thankful for BJ's help in the process. The thing about lawyers is there's a lot of specialization. Water law is very complicated, and anything involving water law in rural Nevada is high stakes by definition. I worked with Ross from the DA's office, also. This is kind of an insurance policy, something to have in the back pocket, because my background was more criminal, and when I was the DA in Nye County, we had a civil person who had a ton of experience with water, so I didn't learn as much about it as I could. There are going to be times when it would be nice to just make sure that we have that little extra bit of security. I don't want to take kind of a penny-wise, pound-foolish approach, and, you know, if this were a criminal thing, I would never need to ask for it, but it isn't, it's water, and I just think it's prudent to have that option in case it's needed.

City Treasurer Trask stated we can come up with this from the Water Fund.

Mayor Robertson stated this is a contingency ask in case it's needed at your discretion?

City Attorney Arabia stated right, this would either be for a water lawyer or a consultant.

Councilman Perea moved to approve engaging consultants specializing in water law when the City Attorney ascertains a need, not to exceed \$5,000, to be expensed from the Water Fund. Councilwoman Yeoman seconded the motion. The motion carried unanimously.

10. PUBLIC COMMENT


George Chachas stated On the Ojii-san project, we have no building and no appraisal, and yet, you're going to put a lien, or, cosign, or whatever it was. You are selectively doing business with selective people, and that needs to stop. On the 7th Street properties, you had an application for numerous properties and approximately half, I believe, were rented at one time and were being used. They are overgrown with trees and weeds, I'll give you that, but overall, the properties are not in bad shape. You change the rules after you give recognition to one individual; I consider that discrimination and you shut the door to everybody else. The rules should have been set prior to any, but you didn't do that. Again, you had better look at the federal regulations and discrimination merit. On the Moattar property, I told you months ago not to evict those people, because there's no place for them to go. Whatever needs to be done, you take the rent from Moattar, fix the problems, and leave those people at peace. Where in the hell are they going to go? I got a call from the Sheriff's offices last month on a piece of property that someone was squatting on stating, "George, are you the owner?" I said no, there's more than one George Chachas; the other guy is an attorney. There are problems here, folks, and you have got winter coming up. The other concern I've got, there's a rumor that the Railroad is close to \$2 million in debt; I don't know if that's true or not. You got two representatives on that board, and yet all I hear is, oh, we need more money. All three steam engines are down, you bought a gas-propelled device that I understand doesn't meet federal regulations, and now we're doing push carts. You need to bring the Railroad back under the auspices of the City Council. You have an obligation to this community. I support the Railroad, but I want to see how that money's spent. I've yet to receive any information in regard to the letters sent to the different people that received consideration on the write-offs. Some of them were Ralph Jones, Tina Templer, Elaine

Blackham, and so on and so forth. The Open Meeting Law says I get the information in five days, not five years.

Dwayne Pope stated I live in the White Pine Mobile Home Park and you're discussing having all of us evicted. Where are we going to go? What places are there to rent in this town? Do you guys know of any place to rent in this town? It's called having human decency to the people that are left. There are only about four or five of us left and we're all having trouble finding a place to live, because there's nothing to rent in Ely, McGill, or Ruth. I have eight kids, and I have nowhere to go. I'm part of the Ely Shoshone Tribe, but they won't help me out. They gave me the finger, just the same as you guys do. The only place I've seen for rent was a one bedroom, one bath home for \$1,800 in rent a month, that's like prices in Vegas and people in this town don't make that much. I have a lot of kids, and some of my kids are disabled and I have disabilities. To kick us out you would be in violation of the Disability Act. There's two other people in our park that are disabled too. Is there any way I can help Mark Moattar get the park fixed up? I'm willing to help him. I got a bad back, but if I have to break my back, I will do it just to keep a roof over my kids' heads.

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

Councilwoman Williams-Harper moved to adjourn the regular meeting of the Ely City Council at **7:16 p.m.** Councilwoman Van Camp seconded the motion. The motion carried unanimously.



MAYOR



ATTEST