

**CITY OF ELKO**  
**REDEVELOPMENT AGENCY**  
**REGULAR MEETING MINUTES**  
**3:00 P.M., P.S.T., TUESDAY, APRIL 28, 2020**  
**ELKO CITY HALL, COUNCIL CHAMBERS,**  
**1751 COLLEGE AVENUE, ELKO, NEVADA**  
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**CALL TO ORDER**

The meeting was called to order by Reece Keener, Chairman of the City of Elko Redevelopment Agency (RDA).

**ROLL CALL**

**Present:**       **Councilman Bill Hance**  
                  **Councilman Chip Stone**  
                  **Councilman Robert Schmittlein**  
                  **Mayor Reece Keener**  
                  **Councilwoman Mandy Simons**

**City Staff Present:**   **Curtis Calder, City Manager**  
                              **Cathy Laughlin, City Planner**  
                              **Kelly Wooldridge, City Clerk**

**PLEDGE OF ALLEGIANCE**

**COMMENTS BY THE GENERAL PUBLIC**

Garret Camps, Living Stones Church, explained that they recently applied for the Storefront Improvement Grant through the rural development. He thought they were denied access to the Storefront Improvement Grant due to them being a non-profit organization. They just purchased their building eight months ago. Buying the building as a non-profit made them ineligible for the program. They had been leasing the building for the past eight years and the owner of the building was paying property taxes on the building from the money they were paying on the lease. Now from investing in the downtown, they are no longer eligible for the grant. He wanted the Council to reconsider their application, because they had covered taxes on the building for the past eight years. They bring over 500 people into the downtown every Sunday with their services. Many of the business owners comment on the amount of business that happens on a Sunday afternoon when church lets out. They think that they are a huge asset to the downtown. Their corner on 5<sup>th</sup> and Silver Street has been a blight for a long time, it looks like a big nasty shed, and their hope is to make is beautiful and make it into something that really represents downtown Elko.

Mayor Keener explained that this item would be heard later on the agenda and that the Council would take into consideration what Mr. Camps has said.

**APPROVAL OF MINUTES**

*\*Minutes were approved by general consent.*

## **I. NEW BUSINESS**

### **A. Review, consideration and possible action on the 2020 Storefront Improvement Grant Recipients and amounts allocated, and matters related to thereto. **FOR POSSIBLE ACTION****

The 2020 Storefront Improvement Grant applications were received from January 1, 2020 to March 30, 2020. The RDA has allocated \$50,000 each year for 5 years for storefront improvement grants. The Redevelopment Advisory Council did not review the applications as their April meeting was canceled due to COVID-19. Staff has completed the review of the applications and has included the information in the staff memo.

Cathy Laughlin, City Planner, went through the Staff Memo dated April 15, 2020.

Mayor Keener asked if Lockie and MacFarlan were advised that they were under the threshold for eligibility.

Ms. Laughlin explained that she didn't speak with them. Staff received their application right before the Covid-19 leave. They were provided a copy of the guidelines and it is clearly stated in the guidelines what the minimum requirement is. She wasn't sure if they would want to add more to their project, or if it could be approved, based on an exemption for that portion of the guidelines with some type of a finding.

Mayor Keener asked if there was an architect listed for this project.

Ms. Laughlin explained that they were just planning to paint the exterior and add a new sign, so there was not an architect associated with the project.

Mayor Keener thought they could approve this one on a minimum of \$10,000, if they could put some additional money into it.

Councilman Robert Schmidlein agreed with trying to get them to get their improvements up to \$10,000. Where were at today, any improvement is going to be huge, especially from the private sector.

Councilman Chip Stone said it made sense with them boosting the funds, as long as they kept it at \$10,000. Otherwise, if they start changing rules then they could get in trouble down the road.

Tara Lockie, Lockie and MacFarlan, stated that she appreciated the Council taking the time to review their application. Unfortunately, they did not see the \$10,000 minimum amount, or they would have planned ahead of time. She asked that the Council make an exception to the \$10,000 rule, because in the last two months, the income at the office has been cut drastically and they may not be able to make up that difference this year.

Mayor Keener stated that they were in unusual times, and he asked Mr. Calder for his opinion on Lockie and MacFarlan's request. Mayor Keener thought it was a reasonable request considering the circumstances right now with revenues plunging.

Curtis Calder, City Manager, agreed. He said anytime they could spend less money, he would probably do it. Mr. Calder recommended that the RDA accept the amendment to the Guidelines, which would allow a \$7,000 project versus a \$10,000 one.

Mayor Keener asked if there was any opposition for doing an amendment to the Guidelines.

Councilman Stone asked for clarification on the funding request for the Lockie and MacFarlan application.

Ms. Laughlin explained that they submitted three bids for paint and three separate bids for the sign. We would take the lowest bid for the paint and the lowest bid for the sign, which would be \$5,800 for paint and \$314.36 for the sign. They would receive a reimbursement for half of those two amounts, which would be \$3,057.18.

Mayor Keener suggested that they vote on the projects one at a time.

**\*\*\* A Motion was made by Councilman Robert Schmidlein, seconded by Councilman Bill Hance, to approve a minimum reduced amount to accommodate the application for Lockie and MacFarlan, understanding that an amendment will have to be made to the RDA Application Guidelines.**

*\*Motion Passed Unanimously. (5-0)*

Mayor Keener moved onto discuss the Braemar Applications.

Mayor Keener thought they could conditionally approve the application, based on DDS Properties, LLC getting a City Business License.

**Councilwoman Simons logged out of the meeting.**

Councilman Schmidlein wanted to add an item to that. He felt that the entrance to the west of their facility needed to have some sort of privacy fence put it if they were going to grant approval. They have a lot of building materials on the side of their facility, which was the reason for Councilman Schmidlein's proposed condition.

Mayor Keener asked if Councilman Schmidlein was talking about the Silver Street side.

Councilman Schmidlein clarified that he was referring to the Idaho Street side.

Mayor Keener thought that was reasonable. He then asked Mr. Calder if he was ok with the possibility of approval of this application, contingent on the applicant getting everything straightened out with the Nevada Secretary of State filing for DDS Properties, LLC.

Mr. Calder said yes.

Councilman Hance asked if they would be seeing anything coming back to the RDA with the property being located on Railroad property.

Mayor Keener thought that the building was taxed, so that would be tax increment into the City.

Ms. Laughlin stated that that was correct. The City is receiving tax increment from the building, but not the land.

**\*\*\* A Motion was made by Councilman Chip Stone to accept Braemar Construction's Storefront Improvement Grant for \$25,000, contingent upon a privacy fence being added to the Idaho Street side of the property, and DDS Properties, LLC registers with the Secretary of State.**

*\*With no second or vote, the motion died.*

Before the second or the vote, Ms. Wooldridge added that Braemar Construction would need to update their ownership information on their City Business License if they would be the grantee.

Mayor Keener asked for clarification.

Ms. Laughlin explained that the owner of Braemar Construction is Dusty Shipp, but the business license for Braemar does not have Mr. Shipp listed as the owner. DDS Properties, LLC is also owned by Mr. Shipp, but there is currently not a City Business license issued to Mr. Shipp for DDS Properties, LLC. Both of those issues will need to be taken care of if they are granted a Storefront Improvement Grant.

Mayor Keener asked Mr. Calder if he had any issues with those conditions.

Mr. Calder said as long as it is contingent and it is straightened out he didn't have any concerns.

Mayor Keener suggested that they should make a new motion, because he created some confusion.

**\*\*\* A Motion was made by Councilman Bill Hance, seconded by Councilman Chip Stone, to approve the application for Storefront Improvement for Braemar Construction, with conditions that both the Braemar Construction and DDS Properties, LLC business licenses be corrected, and to address the privacy fence adjacent to the facility.**

*\*Motion Passed Unanimously. (4-0)*

Mayor Keener then went on to the Cowboy's Bar application. He asked Ms. Laughlin if the application was completely in compliance.

Ms. Laughlin stated that it was.

Councilman Schmidtlein wanted to ensure that the windows would comply with the Liquor Code. He also had concerns, because they only show a single door. There is a possibility that they need to have a double door in the front, but the Building Department would have to determine that.

Ms. Laughlin stated that when the applicant submits for a Building Permit staff will make sure that they are in compliance with the occupancy and the Building Code for their exit width requirement. Ms. Ayala had discussed with Ms. Laughlin that she wanted to make some minor changes to the design that was submitted.

Lori Ayala stated that they would follow the requirements of the Liquor Code. They do have a few changes that they would like to the front of the building. She thought anything that they did to the building would be a much-needed improvement.

Councilman Hance had a question about the drawing that was submitted with the application. He asked if they would have issues with encroachments into the right-of-way with their proposal.

Ms. Laughlin pointed that out as the part Ms. Ayala wanted to change. The Building Code states that you can have a projection over a public right-of-way, as long as there is eight feet clear underneath it, and it is not projecting any closer than two feet from the curb.

Councilman Hance asked if the building itself would be projecting into the right-of-way.

Ms. Laughlin clarified that the building would not. The applicant is planning to take of the existing brick and replace it.

**\*\*\*A Motion was made by Councilman Hance, seconded by Councilman Robert Schmidtlein, to approve the Storefront Grant Improvement in the amount of \$25,000 for Cowboy's Bar.**

*\*Motion Passed Unanimously. (4-0)*

Mayor Keener moved on to the Under Ground Night Club Application. He asked Ms. Laughlin if everything was in conformance on it.

Ms. Laughlin stated that the application was complete and they were in conformance.

Councilman Schmidtlein wanted to make sure the windows meet the Liquor Code on this one as well.

**\*\*\*A Motion was made by Councilman Chip Stone, seconded by Councilman Robert Schmidtlein, to approve the Under Ground Night Club and Clay Gremel for \$23,448 for the 2020 Storefront Improvement Grant.**

*\*Motion Passed Unanimously. (4-0)*

Mayor Keener went on to the Living Stones Church Storefront Application. Pastor Garret Camps spoke earlier on it. Mayor Keener said he had been down there and saw the traffic that it

generates. The restaurant downtown are very appreciative. Mr. Camps brought up some good points, that it had been on the tax rolls previously until this last year. It is a unique situation. Living Stones Church has been a great community partner. However, there is that caveat within the application, and it was acknowledged on the application. Mayor Keener said he was thinking about an amendment to allow for that, because he though non-profits added a lot to the downtown area. When you consider the traffic impact, that's exactly what is needed downtown.

Councilman Schmidlein stated that the Board wouldn't be doing their job if they didn't allow this improvement to go on. Mayor Keener and Mr. Camps summed it up well with their comments. Their proposal will bring a great improvement to not only that intersection, but also the whole downtown. The Church brings a lot of pedestrian traffic to the downtown. Councilman Schmidlein thought they would be foolish if they didn't allow this, and they have the right to make an amendment for this project.

Councilman Stone said what they were planning was a beautiful facility. He agreed with Councilman Schmidlein. He thought they needed to use some common sense and find a way to make this work. They are putting in dollars, doing their best, and it is a great thing for the community.

Mayor Keener disclosed that he owns the property across the street from the church.

Mr. Camps stated that he appreciated that the RDA heard him out.

Catherine Wines stated that a couple years ago the Western Folklife Center applied for a grant to replace their windows. She didn't remember if they were approved or not, but she thought a precedence was set then.

Ms. Laughlin said that they were approved for a grant.

**\*\*\* A Motion was made by Councilman Robert Schmidlein, seconded by Councilman Bill Hance, to grant an amendment to the Living Stones Church for not paying taxes to be allowed to receive the \$25,000 towards a Storefront Improvement.**

*\*Motion Passed Unanimously. (4-0)*

- B.** Review, consideration and possible action to extend the amount of time allocated for a 2019 Storefront Improvement Grant Participant, Catherine Wines, to contract the work as indicated in the Storefront Improvement Grant Participation Agreement, and matters related thereto. **FOR POSSIBLE ACTION**

The Participation Agreement Section II states that "Following approval, the Participant shall contract for the work within one hundred eighty (180) days from the date of approval by the RDA Grant Review Committee." The RDA approved a grant to Catherine Wines on May 21, 2019 and based on the Participation Agreement, she would have been required to contract the work by November 17, 2020. Ms. Wines has requested an extension, which is included in your packet.

Ms. Laughlin explained that staff reaches out to the Grant Recipients and put together their participation agreement and notice of participation agreement. The recipients then come in and sign the documents and the Notice of Participation Agreement is recorded. The Agreement states that they are responsible for three years of maintenance. The issue here is that Ms. Wines didn't sign her Participation Agreement, so it wasn't recorded. The agreement clearly states that it has to be signed within 180 days. Ms. Wines is asking for an extension so she can start on her project now.

Ms. Wines thought she had 360 days, instead of 180. She decided not to go forward last fall, because she thought she had a year and she wasn't sure what is behind the siding on her building.

**\*\*\*A Motion was made by Councilman Schmidlein, seconded by Councilman Chip Stone, to grant an extension for Ms. Wines' Storefront Improvement Project for an additional 180 days.**

*\*Motion Passed Unanimously. (4-0)*

## II. REPORTS

### A. Budget

*Ms. Laughlin went over the budget report.*

## COMMENTS BY THE GENERAL PUBLIC

*There were no public comments at this time.*

**NOTE:** The Chairman or Vice Chairman reserves the right to change the order of the agenda and if the agenda is not completed, to recess the meeting and continue on another specified date and time. Additionally, the Redevelopment Agency reserves the right to combine two or more agenda items, and/or remove an item from the agenda, or delay discussion relating to an item on the agenda at any time.

## ADJOURNMENT

There being no further business, the meeting was adjourned.



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Mayor Reece Keener, Chairman  
Redevelopment Agency