



CITY OF ELY

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

ELY CITY COUNCIL REGULAR MEETING

PLEASE NOTE: THE COUNCIL MEMBERS MAY ADDRESS AGENDA ITEMS OUT OF SEQUENCE, COMBINE TWO OR MORE AGENDA ITEMS FOR CONSIDERATION, REMOVE AN ITEM OR DELAY DISCUSSION AT ANY TIME TO ACCOMMODATE PERSONS APPEARING BEFORE THE COUNCIL OR TO AID IN THE EFFICIENCY AND EFFECTIVENESS OF THE MEETINGS.

January 14, 2021 5:00 p.m. – Ely Volunteer Fire Hall - 499 Mill Street-Ely, Nevada.

Pursuant to Governor Sisolak’s Directive 035 adjusting Statewide standards on gatherings and the March 20, 2020 White Pine County Public Health Decree requiring six-foot social distancing, the Ely City Council meeting can also be accessed via video conference/teleconference. Please call City Hall or email CityClerk@cityofelynv.gov if you have questions regarding accessing the meeting.

Link: <https://zoom.us/j/9771306332> **Meeting ID:** 977 130 6332

Please Note: If you log on and experience difficulty hearing the meeting please also call the toll-free numbers.

Dial by your location: +877-853-5247 US Toll-free
+888-788-0099 US Toll-free

1. OPENING ACTIVITIES:

MEETING CALLED TO ORDER
PLEDGE OF ALLEGIANCE
INVOCATION
ROLL CALL

2. PUBLIC COMMENT: Comments not exceeding three (3) minutes in length will be accepted from the general public in attendance. If any are made, there may be discussion upon those comments. No vote, decision, or action may be taken upon matters raised under this item until it is formally placed on the agenda. **Comments during Discussion Items will not be accepted from the General public.** “Section 7.05 of the Nevada Open Meeting Law Manual indicates that the Public Body may prohibit comment if the content of the comments is a topic that is not relevant to or within the authority of the Public Body or if the content of the comments is willfully disruptive of the meeting by being irrelevant, repetitious, slanderous, offensive, inflammatory, irrational or amounting to personal attacks or interfering with the rights of other speakers”.

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

4. CITY DEPARTMENT REPORTS

- [FIRE CHIEF](#)
- POLICE CHIEF
- MUNICIPAL COURT JUDGE
- CITY ATTORNEY
 - ❖ [Liens – December 2020](#)
 - ❖ [Liens Released – December 2020](#)
- CITY CLERK
 - ❖ [New Business](#)
- CITY TREASURER
- [CITY PUBLIC WORKS SUPERVISOR](#)
 - ❖ [Animal Control](#)
 - ❖ [Landfill](#)
 - ❖ [Street](#)
 - ❖ [Water/Sewer](#)
- [CITY WATER OPERATOR](#)
- [CITY ENGINEER](#)
- [CITY BUILDING OFFICIAL](#)

5. [NNRY FOUNDATION REPORT](#)

6. REPORTS

CITY COUNCIL

[MAYOR](#)

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

1. Board Members – City Engineer Almberg – [Discussion/For Possible Action](#) – Approve Will Serve application for White Pine Corral Association for a new sewer connection at the Ely City Corrals; applicant is requesting fee waiver.
2. Councilman Carson – [Discussion/For Possible Action](#) – Determination of comment to be submitted on Robinson Mine expansion [draft environmental impact statement](#).
3. Councilman Carson – [Discussion/For Possible Action](#) – Review and discussion of written notice to request extension of assignment of lease of real property dated February 11, 2010, from Robinson Nevada Mining Company to extend the lease an additional 25 years to expire February 28, 2046, including review of contract terms and the City response to accept, reject, or amend the agreement and extension request.
4. Councilman Carson – [Discussion/For Possible Action](#) – Approve *Stetson Engineers* Letter of Engagement for Continued Engineering Services not to exceed \$30,000.
5. Board Members – City Clerk Lee – [Discussion/For Possible Action](#) – Increase lien filing fee to \$74.00 due to White Pine County Recorder’s fee schedule.

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

A. CONSENT AGENDA (These items may be approved in one motion by the Council as its first action of business under For Discussion/Possible Action items.) Approval of the Consent Agenda approves each of these items. Council Members may remove any item from the Consent Agenda by notifying the Mayor or Mayor pro tem.

MOTION: Move to approve the Consent Agenda item 8A-1 Minutes and 8A-2 Bills.

Moved by: _____ Second by: _____ Vote: _____

1. Discussion/For Possible Action – Minutes.
 - [December 10, 2020](#)
2. Discussion/For Possible Action – Bills.
 - [December 11, 2020](#)
 - [December 21, 2020](#)
 - [December 30, 2020](#)

B. NEW BUSINESS

1. Mayor Robertson – White Pine Waterpower, LLC representative(s) – [Discussion Only](#) – Presentation on White Pine Pumped Storage Hydro Project and proposed Memorandum of Understanding allowing White Pine Waterpower, LLC, to realign approximately five (5) miles of railway owned by the Nevada Northern Railway Foundation and the City of Ely.
2. Mayor Robertson – Discussion/For Possible Action – Acknowledgement that Regional Planning Commission Member John Charchalis, re-appointed by Mayor Robertson and confirmed by the City Council November 12, 2020, has a term ending December 31, 2024.
3. Councilman Carson – Discussion/For Possible Action – Approve installation of perimeter and arena metal fencing at City Corrals by the White Pine Corral Association.
4. Councilman Carson – [Discussion/For Possible Action](#) – Approve construction of 24’ x 24’ metal building at City Corrals by the White Pine Corral Association.
5. Councilwoman Beecher – [Discussion/For Possible Action](#) – Direction to City Staff to fulfill notice requirements in order to abandon two unusable strips of right-of-way owned by the City of Ely and the Nevada Northern Railway Foundation.
6. Council Members – City Treasurer Trask – Discussion/For Possible Action – Acceptance of Corrective Action Plan for Finding noted in the City’s FY 2020 audit.
7. Council Members – City Fire Chief Stork – [Discussion/For Possible Action](#) – Approval to sell Fire Department personal property no longer required for public use.


8. Council Members – City Attorney Manuele – Discussion/For Possible Action – Status update on the City of Ely Opioid Litigation with possible approval to *Eglet Adams* to participate in allocation discussions regarding *Mallinckrodt Pharmaceuticals’* 1.6 billion fund, to compensate cities with opioid related claims, including support of allocation of *Mallinckrodt Pharmaceuticals’* 1.6 billion fund as part of *Mallinckrodt Pharmaceuticals’* final bankruptcy plan.
9. Council Members – City Attorney Manuele – [Discussion/For Possible Action](#) – Approval of Lexis+ Subscription Agreement through April 30, 2022 for \$179.00 monthly.

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

* Open session – Action/Discussion – Personnel** The meeting may be closed by appropriate motion for the purpose of discussion on any matter allowed under N.R.S. 241.031 and 241.033, (1) nothing contained in this chapter prevents a public body from holding a closed meeting to consider the character, alleged misconduct, professional competence or physical or mental health of a person/employee. (2) A public body may close a meeting upon a motion, which specifies the nature of the business to be considered. (3) This chapter does not: (a) Apply to judicial proceedings. (b) Prevent the removal of any person who willfully disrupts a meeting to the extent that its orderly conduct is made impractical. (c) Prevent the exclusion of witnesses from a public or private meeting during the examination of another witness. (d) Require that any meeting be closed to the public. (e) Permit a closed meeting for the discussion of the appointment of any person to public office or as a member of a public body. (4) The exception provided by this section, and electronic communication, must not be used to circumvent the spirit or letter of this chapter in order to discuss or act upon a matter over which the public body has supervision, control, jurisdiction or advisory powers. In accordance with Federal civil rights law and U.S. Department of Agriculture (USDA) civil rights regulations and policies, the USDA, its Agencies, offices and employees, and institutions participating in or administering USDA programs are prohibited from discriminating based on race, color, national origin, religion, sex, gender identity (including gender expression), sexual orientation, disability, age, marital status, family/parental status, income derived from a public assistance program, political beliefs, or reprisal or retaliation for prior civil rights activity, in any program or activity conducted or funded by USDA (not all bases apply to all programs). Remedies and complaint filing deadlines vary by program or incident. Persons with disabilities who require alternative means of communication for program information (e.g., Braille, large print, audiotape, American Sign Language, etc.) should contact the responsible Agency or USDA’s TARGET Center at (202) 720-2600 (voice and TTY) or contact USDA through the Federal Relay Service at (800) 877-8339. Additionally, program information may be made available in languages other than English. To file a program discrimination complaint, complete the USDA Program Discrimination Complaint Form, AD-3027, found online at <http://www.ascr.usda.gov/complaintfilingcust.html> and at any USDA office or write a letter addressed to USDA and provide in the letter all of the information requested in the form. To request a copy of the complaint form, call (866) 632-9992. Submit your completed form or letter to USDA by: Mail: U.S. Department of Agriculture, Office of the Assistant Secretary for Civil Rights, 1400 Independence Avenue, SW, Washington, D.C. 20250-9410; Fax: (202) 690-7442; or Email: program.intake@usda.gov. For access to the public packet, contact the City Clerk at 501 Mill Street, Ely, Nevada 89301 or call (775) 289-2430; all packet material is posted in the agenda’s hyperlinks or under “Minutes”/“Other” on the City’s website at <http://www.elycity.com/>

I, Jennifer Lee, City Clerk, did cause to be posted on **January 11, 2021** by **9:00 a.m.** four (4) notices of the Ely City Council agenda in said City of Ely to wit: Posted at the doors or bulletin boards of City Hall located at 501 Mill Street, White Pine County Library located at 950 Campton Street, White Pine County Courthouse located at 801 Clark Street and the U.S. Post Office located at 2600 Bristlecone Avenue. The meeting notice is also posted on the City of Ely’s website at <http://www.elycity.com> and the State of Nevada Public Notices website at <http://notice.nv.gov>.

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