

CITY OF ELY

501 Mill Street Ely, Nevada 89301
City Hall (775) 289-2430
Fax (775) 289-1463

ELY CITY COUNCIL REGULAR MEETING

January 28, 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

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.

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
- CITY CLERK
- CITY TREASURER
- CITY PUBLIC WORKS SUPERVISOR
- CITY WATER OPERATOR
- CITY ENGINEER
- CITY BUILDING OFFICIAL

5. REPORTS

CITY COUNCIL
MAYOR

6. 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 temp.

MOTION: Move to approve the Consent Agenda item 6A-1 Minutes and 6A-2 Bills.

Moved by: _____ Second by: _____ Vote: _____

1. Discussion/For Possible Action –Minutes.
 - [January 6, 2020 Minutes](#)
2. Discussion/For Possible Action –Bills.
 - [January 11, 2021](#)
 - [January 20, 2021](#)

B. NEW BUSINESS

1. Mayor Robertson – rPlus Energies representatives Matthew Shapiro and Luigi Resta – [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](#) – Approval to apply for Great Basin Heritage Foundation grant in the amount of \$20,000, with required match to be met using previously received Commission for Cultural Centers Historic Preservation grant.


3. Mayor Robertson – Discussion/For Possible Action – Reappoint John O’Flaherty and Ken Ross to the Municipal Utilities Board through December 31, 2023.
4. Mayor Robertson – Discussion/For Possible Action – Approval to reappoint the following Council Members to the following White Pine County Boards: Reappoint Jim Alworth to the Debt Management Commission, the Board of Equalization, and Regional Transportation Commission; reappoint Ed Spear to the Local Emergency Planning Committee; reappoint Kurt Carson to the Tourism and Recreation Board; and reappoint Ernie Flangas to the Water Advisory Committee and Soil Conservation District; all appointments will be through December 31, 2021.
5. Councilman Carson – Discussion/For Possible Action – Discussion regarding Robinson Nevada Mining Company’s counteroffer for the City of Ely to purchase the building at #1 Murry Springs at fair market value or renew the Assignment of Lease of Real Property under the previous terms.
6. Councilman Alworth – [Discussion/For Possible Action](#) – First Reading of Ordinance 738, Bill 2021-01, with approval to move to the second reading. Ordinance 738 amends Chapter 1 of Title 4 of the City Code of the City of Ely replacing chapter 1 in its entirety regarding Public Nuisances.
7. Councilman Alworth – [Discussion/For Possible Action](#) – First Reading of Ordinance 739, Bill 2021-02, with approval to move to the second reading. Ordinance 739 amends Chapter 2 of Title 4 entitled Public Health and Safety, Garbage and Refuse, Abatement of Unsafe Buildings, Filth, Rubbish of the City Code of the City of Ely specifically changing the timeframes outlined in Section 14.
8. Councilman Alworth – [Discussion/For Possible Action](#) – First Reading of Ordinance 740, Bill 2021-03, with approval to move to the second reading. Ordinance 740 amends Chapter 3 of Title 4 entitled Public Health and Safety, Weeds, Debris and Other Offensive Matter of the City Code of the City of Ely specifically changing the timeframes outlined in Section 3.
9. Councilman Alworth – Discussion/For Possible Action – Approval of monthly balance sheets for general fund, street fund and enterprise funds.
10. Council Members – City Clerk Lee – Discussion/For Possible Action – Direction to City Attorney Manuele to prepare revisions to Tree Board and Animal Control Advisory Board Codes changing the Boards to Clerk-appointed standing city committees.

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8. 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 or 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 22, 2021** by **5:00 p.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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