

CITY OF ELY

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

ELY CITY COUNCIL REGULAR MEETING

November 18, 2021 5:00 p.m. – Ely Volunteer Fire Hall – 499 Mill Street – Ely, Nevada

Pursuant to Governor Sisolak’s Directive 045(signed and effective May 3, 2021), the State of Nevada is automatically adopting the latest Centers for Disease Control and Prevention (CDC) guidance related to mask requirements. 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
 - ❖ [Liens](#)
 - ❖ [Lien Releases](#)
- CITY CLERK
 - ❖ [New Business](#)
- CITY TREASURER
- [CITY PUBLIC WORKS SUPERVISOR](#)
 - ❖ [Animal Control](#)
 - ❖ [Landfill](#)
 - ❖ [Streets](#)
 - ❖ [Water/Sewer](#)
- [CITY WATER OPERATOR](#)
- CITY ENGINEER
- CITY BUILDING OFFICIAL
 - ❖ [Permits-Inspections](#)

5. NNRV FOUNDATION REPORT

6. REPORTS

CITY COUNCIL
MAYOR

7. 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](#) – Prioritizing and final Selection of CDBG project(s) for the 2022-2023 Program Year application submission.

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

1. Council Members – City Clerk Lee – City Engineer Almberg – [Discussion/For Possible Action](#) - Prioritizing and final Selection of CDBG project(s) for the 2022-2023 Program Year application submission.

9. 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 9A-1 Minutes and 9A-2 Bills.

Moved by: _____ Second by: _____ Vote: _____

1. Discussion/For Possible Action –Minutes.

- [October 14, 2021](#)
- [October 20, 2021](#)

2. Discussion/For Possible Action –Bills.

- [October 28, 2021](#)
- [November 10, 2021](#)

B. NEW BUSINESS

1. Mayor Robertson – Discussion/For Possible Action – Approval to reappoint the following Council Members as liaisons 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, 2022.
2. Mayor Robertson – [Discussion/For Possible Action](#) – Approval to participate in the Cross-Tie 500-kV Transmission Line Project Environmental Impact Statement as a cooperating agency.
3. Mayor Robertson – Discussion/For Possible Action – Approval to grant Nevada Radio, LLC’s request for an extension through July 31, 2022 to bring their Georgetown Ranch Lease payments current.
4. Mayor Robertson – [Discussion/For Possible Action](#) – Approval of Proclamation to declare November 27, 2021 Small Business Saturday in the City of Ely.
5. Councilman Spear – Discussion/For Possible Action - Direct City Police Chief to conduct a traffic study regarding possible future installation of two-way traffic signs placed on 8th Street between Aultman Street and Clark Street and to provide the results of that traffic study to the City Engineer in order for both officials to make recommendations at the City Council meeting following completion, pursuant to City Code 6-3-2(B).

6. Councilman Spear – Councilman Alworth – Discussion Only – Update on PORTER Group efforts on behalf of the City of Ely.
7. Councilman Alworth – [Discussion/For Possible Action](#) – Review of City Police Chief’s and City Engineer’s recommendations in regards to the removal of STOP signs on North Street at the following intersection, based upon a traffic study: Ogden Avenue and North Street AND possible direction that a public hearing be held prior to Council’s final action to remove said signs.
8. Councilman Alworth - [Discussion for Possible Action](#) - Termination of the Settlement, Sale, and Mutual Release of All Claims Agreement, dated as of November 12, 2020, by and among Nevada Northern Railway Foundation, Inc., a Nevada nonprofit corporation, formerly known as White Pine Historical Railroad Foundation, Inc., a Nevada nonprofit corporation, the City of Ely, Nevada, a Nevada municipal corporation, and S & S Shortline Leasing, LLC, a Utah limited liability company, and all exhibits thereto.
9. Councilman Alworth - Discussion/For Possible Action - Approval for and direction to City Clerk to send Notice of Contract Termination to all parties to Settlement, Sale, and Mutual Release of All Claims Agreement by and among Nevada Northern Railway Foundation, Inc., a Nevada nonprofit corporation, formerly known as White Pine Historical Railroad Foundation, Inc., a Nevada nonprofit corporation, the City of Ely, Nevada, a Nevada municipal corporation, and S & S Shortline Leasing, LLC, a Utah limited liability company (the “Settlement Agreement”) in accordance with Section 21 of the Settlement Agreement.
10. Councilman Alworth - [Discussion/For Possible Action](#) - Approval of Fifth Amendment to the Development Agreement between the City of Ely and Nevada Northern Railway Foundation, Inc., extending the term of the Development Agreement to January 1, 2023.
11. Council Members – City Treasurer Trask – Discussion/For Possible Action – Establishment of an application deadline for City American Rescue Plan business grant.

10. 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. “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”.

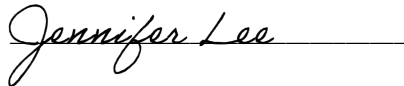
11. ADJOURNMENT: THE MEETING MAY BE ADJOURNED BY APPROPRIATE MOTION OF THE CITY COUNCIL.

* 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 "Additional Documentation" on the City's website at <https://www.cityofelynv.gov/>

I, Jennifer Lee, City Clerk, did cause to be posted on **November 15, 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 <https://www.cityofelynv.gov/> and the State of Nevada Public Notices website at <https://notice.nv.gov>.

A handwritten signature in cursive script that reads "Jennifer Lee". The signature is written in black ink and is positioned above a horizontal line that extends to the right.