

CITY OF ELY

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

ELY CITY COUNCIL REGULAR MEETING

March 11, 2021 5:00 p.m. – Ely Volunteer Fire Hall – 499 Mill Street – Ely, Nevada

Pursuant to Governor Sisolak’s Directive 037 adjusting Statewide standards on public 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**
 - ❖ **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. NNRY 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. Councilman Flangas – Public Hearing - Discussion Only – Approval of Second Reading of [Ordinance 741, Bill 2021-04](#), amending Chapter 2 of Title 8 entitled Public Ways and Property, Cemetery of the City Code of the City of Ely replacing chapter 2 in its entirety and specifically updating operating hours, use of vehicles, headstones, and decorations of gravesites.

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

1. Councilman Flangas – Discussion/For Possible Action – Approval of Second Reading of [Ordinance 741, Bill 2021-04](#), amending Chapter 2 of Title 8 entitled Public Ways and Property, Cemetery of the City Code of the City of Ely replacing chapter 2 in its entirety and specifically updating operating hours, use of vehicles, headstones, and decorations of gravesites.

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

1. Councilman Carson – City Tree Board Chairman Bill Wolf – Discussion/For Possible Action – Approval to grant authority to Landfill Leadman to release clean wood chips deposited at the City Landfill to City of Ely Tree Board Members for beneficial community uses in perpetuity.
2. Board Members – City Clerk Lee– [Discussion/For Possible Action](#) – Approval to remove past due utility fee penalties up to the amount of \$1089.03 from 60 North Fourth Street, McGill, Nevada at the request of the property owner, Steve Willis.

10. 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 10A-1 Minutes and 10A-2 Bills.

Moved by: _____ Second by: _____ Vote: _____

1. Discussion/For Possible Action –Minutes.
 - [February 3, 2021](#)
 - [February 11, 2021](#)
 - [February 18, 2021](#)
2. Discussion/For Possible Action –Bills.
 - [February 21, 2021](#)
 - [February 25, 2021](#)

B. NEW BUSINESS

1. Mayor Robertson – Councilman Alworth – [Discussion/For Possible Action](#) – Acceptance of PORTER Government and Business Solutions’ proposal to promote City of Ely interests in the United States Congress and Nevada Legislature for a monthly cost of \$4000.00 with March 15, 2021 – March 31, 2021 fee to be prorated.

2. Councilman Alworth – [Discussion/For Possible Action](#) – Review and possible approval of the City of Ely’s list of prioritized interests to submit to PORTER Government and Business Solutions.
3. Councilman Alworth – White Pine County Tourism Director Kyle Horvath – [Discussion/For Possible Action](#) – Approval of support letters for Forest Service – Ely District proposal for the Ward Mountain Trail System Expansion.
4. Councilman Alworth – White Pine County Tourism Director Kyle Horvath – Discussion/For Possible Action – Approval of support letter for Trail Alliance Building Course to be located in White Pine County, Nevada
5. Councilman Alworth – Discussion/For Possible Action – Six-month Performance Evaluation of City Fire Chief Pat Stork including, but not limited to consideration of character, alleged misconduct, professional competence, or physical or mental health. Possible action includes, but is not limited to, termination, suspension, demotion, reduction in pay, reprimand, promotion, endorsement, engagement, retention, or “no action.”
6. Councilman Alworth – [Discussion/For Possible Action](#) – Approval of Third Amendment to Development Agreement between the City of Ely and Nevada Northern Railway Foundation, Inc., extending the term of the agreement to October 1, 2021.
7. Council Members – City Treasurer Trask - Discussion/For Possible Action – Review of proposals received for Certified Public Accounting Services to complete the City of Ely’s fiscal year 2021, 2022, and 2023 audits with possible acceptance of a proposal; proposals under consideration are: [Hinton Burdick CPAs & Advisors](#) and [Keddington & Christensen, LLC](#),
8. Council Members – City Fire Chief Stork– [Discussion/For Possible Action](#) – Approval of Cooperative Fire Protection Agreement between The City of Ely Fire Department and the USDI, Bureau of Land Management Ely District.
9. Council Members – City Fire Chief Stork – Discussion/For Possible Action – Approval for City Fire Chief to seek individuals who may be interested in purchasing Engine 7’s eight tires and rims previously advertised.
10. Council Members – City Attorney Manuele – Discussion Only – Review of research findings in connection with previous City Council action to draft ordinances making the Tree Board and Animal Control Advisory Board clerk-appointed committees.


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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”.

12. 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.cityofelynv.gov/>

I, Jennifer Lee, City Clerk, did cause to be posted on **March 5, 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.cityofelynv.gov/> and the State of Nevada Public Notices website at <http://notice.nv.gov>.

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