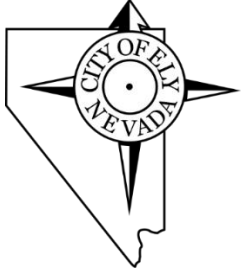


AMENDED



CITY OF ELY

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

ELY CITY COUNCIL REGULAR MEETING

August 31, 2021 5:00 p.m. – Ely Volunteer Fire Hall – 499 Mill Street – Ely, Nevada

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”.

AMENDED

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. THE MAYOR WILL RECESS THE REGULAR CITY COUNCIL MEETING FOR A PUBLIC HEARING AT 5:30 P.M. ON THE FOLLOWING TOPICS.

1. Mayor Robertson – Public Hearing – Discussion Only – Approval of Second Reading of Ordinance 743, Bill 2021-06, amending Title 5, Chapter 5 of the City Code of the City of Ely setting forth hours designated for public use of City Parks.
2. Councilman Spear – Public Hearing – Discussion Only – Public suggestions for the American Rescue Plan Act (ARPA) funding received by the City of Ely in responding to COVID-19 or the negative economic impacts of the COVID-19 public health emergency.

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

1. Mayor Robertson – Discussion/For Possible Action – Approval of Second Reading of Ordinance 743, Bill 2021-06, amending Title 5, Chapter 5 of the City Code of the City of Ely setting forth hours designated for public use of City Parks.

AMENDED

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 temp.

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.
 - [July 22, 2021](#)
2. Discussion/For Possible Action –Bills.
 - [August 16, 2021](#)

B. OLD BUSINESS

1. Mayor Robertson – Discussion/For Possible Action –Performance Evaluation of City Building Official Lee Walker 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.”

C. NEW BUSINESS

1. Mayor Robertson – Discussion/For Possible Action –Performance Evaluation of City Municipal Judge Michael Coster 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.”
2. Mayor Robertson – [Discussion/For Possible Action](#) – Retroactive approval of support letter for Ely Shoshone Tribe’s application for federal funding under the National Telecommunications and Information Administration’s Tribal Broadband Connectivity Program for broadband infrastructure.
3. Councilman Spear – Councilman Alworth – Discussion Only – Update on PORTER Group efforts on behalf of the City of Ely.
4. Councilman Alworth – [Discussion/For Possible Action](#) – Approval to loan at 0% interest **OR** donate \$144,987.12 City of Ely American Rescue Plan funds to the Nevada Northern Railway Foundation (NNRY) in order to restore the track between the White Pine Public Museum and the Nevada Northern Railway Museum prior to *Q & D Construction* paving it in place September 2021; NNRY allowed this track to be pulled up for the Nevada Department of Transportation’s (NDOT) sewer project due to being awarded NDOT TAP Grant 0033(017) NDOT 74285, funds for which are not available at this time.

AMENDED

5. Councilman Alworth – [Discussion/For Possible Action](#) – Review of City Police Chief’s and City Engineer’s recommendations in regards to installation of YIELD or STOP signs at the following locations, based upon traffic studies: 8th Street and Avenue N, 12th Street and Avenue L, 12th Street and Avenue K, and 12th Street and Park Avenue AND possible direction that a public hearing be held prior to Council’s final action to install said signs.
6. Councilman Alworth – Discussion/For Possible Action – Direct City Police Chief to conduct a traffic study regarding possible future removal of YIELD or STOP signs at the following locations – Murry Street and 1st Avenue, Murry Street and 3rd Avenue, and Murry Street and Annand Avenue– 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).
7. Councilman Alworth – Discussion/For Possible Action – Approval to hire temporary Utility-Accounts Clerk from recent interviewees due to current staffing situation in Finance Department.
8. Councilman Alworth – [Discussion/For Possible Action](#) – Approval of monthly balance sheets for general fund, street fund and enterprise funds.
9. Council Members – City Clerk Lee – Discussion/For Possible Action – Approval of three percent (3%) raise to Public Works Supervisor Cracraft based upon his August 23, 2021 performance evaluation.
10. Council Members – City Clerk Lee – [Discussion/For Possible Action](#) – Approval to hire Nevada Rural Water Association to conduct income surveys in proposed Parker Avenue Sewer and Bell Avenue Pipeline CDBG project areas for approximately \$6,600.00.
11. Council Members – City Treasurer Trask – [Discussion/For Possible Action](#) – Approve Budget Committee’s recommendation of the American Rescue Plan expenditures, to include, modify or exclude the following: Premium Pay for all current City of Ely employees as essential workers during COVID-19 pandemic in an amount to be determined; Fire/EMS Compensation for future COVID uncertainties-\$200,000; Committee Against Child Hunger (CACH) Program donation-\$10,000; Food Bank donation-\$10,000; and COVID-19 Vaccination Awareness Campaign-\$200,000.
12. Council Members – City Attorney Cahoon – Discussion/For Possible Action – Direction to City Attorney to Draft an Ordinance Amending Title 4, Chapter 2 of the Ely City Code for the Revision of Landfill Fee Assessment.


AMENDED

9. 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”.

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 “Additional Documentation” on the City’s website at <https://www.cityofelynv.gov/>

I, Jennifer Lee, City Clerk, did cause to be posted on **August 26, 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>.

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