



# CITY OF ELY

501 Mill Street Ely, Nevada 89301  
City Hall (775) 289-2430  
[Cityofelynv.gov](http://Cityofelynv.gov)

## ELY CITY COUNCIL REGULAR MEETING

**January 13, 2022 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](mailto: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 Alworth – Public Hearing – Discussion Only – Approval of Second Reading of Ordinance 744, Bill 2021-07 amending Title 4 of the Ely City Code Establishing Additional Notice Procedures and Requirements Relating to the Abatement of Nuisances, Re-Organizing the Title by Transposing the Contents of Chapter 3 into Chapter 1, and Adding, Removing, or Amending Other Provisions Throughout.

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

1. Councilman Alworth – Discussion/For Possible Action – Approval of Second Reading of Ordinance 744, Bill 2021-07 amending Title 4 of the Ely City Code Establishing Additional Notice Procedures and Requirements Relating to the Abatement of Nuisances, Re-Organizing the Title by Transposing the Contents of Chapter 3 into Chapter 1, and Adding, Removing, or Amending Other Provisions Throughout.

**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.

- [December 9, 2021](#)
- [December 14, 2021](#)

2. Discussion/For Possible Action –Bills.

- [December 9, 2021](#)
- [December 16, 2021](#)
- [December 29, 2021](#)
- [January 7, 2022](#)

**B. NEW BUSINESS**

1. Mayor Robertson – White Pine County School District Superintendent Adam Young - Discussion Only – Presentation to share progress on White Pine County School District’s Performance Plan and progress and challenges associated with the COVID-19 Pandemic.
2. Mayor Robertson – City Clerk Lee – [Discussion/For Possible Action](#) – Approval of Cooperative Agreement for Election Services between White Pine County and the City of Ely.
3. Mayor Robertson – [Discussion/For Possible Action](#) - Approval of Memorandum of Understanding (MOU) between U.S. Department of Interior, Bureau of Land Management, West Desert District, Fillmore Field Office and City of Ely establishing a cooperating agency relationship regarding the Cross-Tie Project.
4. Councilman Carson – Discussion/For Possible Action – Determination whether to continue commitment to have Zoom access available for City of Ely public meetings.
5. Councilman Spear – Councilman Alworth – [Discussion/For Possible Action](#) – Approval to request Nevada Capital Projects American Rescue Plan Act monies to fund William B. Ririe’s housing complex project for visiting medical professionals.

6. Councilman Spear – Councilman Alworth - Discussion/For Possible Action – Request Mayor Robertson, with the support of City staff and input from Council Members, to prepare and give a State of City address in accordance with NRS 266.190 2. (a). Address to be given at the first City Council meeting in February and also submitted in writing.
7. Councilman Spear – Councilman Alworth – Discussion Only – Update on PORTER Group efforts on behalf of the City of Ely.
8. Councilman Spear – [Discussion/For Possible Action](#) – Review of City Police Chief’s report concerning the intersection of 8<sup>th</sup> Street and Aultman Street in regards to making it a two way street AND possible direction that a public hearing be held prior to Council’s final action.
9. Council Members – City Clerk Lee – [Discussion/For Possible Action](#) – Approval of Interlocal Agreement between White Pine County and City of Ely for perpetual operation and maintenance of SNPLMA Funded Projects.
10. Council Members – City Treasurer Trask - [Discussion/For Possible Action](#) – Approval of Resolution 2022-1 for the purpose of augmenting the City of Ely’s General Fund using unbudgeted revenue collected in the General Fund to apply towards the operating expenses in the General Fund.
11. Council Members – City Attorney Cahoon – [Discussion/For Possible Action](#) – Approval of License Agreement between the City of Ely and Commnet Wireless, LLC.

**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”.

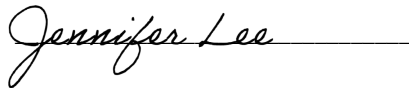
**11. ADJOURNMENT: THE MEETING MAY BE ADJOURNED BY APPROPRIATE MOTION OF THE CITY COUNCIL.**

\* 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](mailto: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 **January 10, 2022** 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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