



CITY OF ELY

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

ELY CITY COUNCIL REGULAR MEETING

February 10, 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 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. Councilman Spear – Public Hearing - [Discussion Only](#) – Approval to change 8th Street between Clark Street and Aultman Street to two-way traffic.

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

1. Councilman Spear – [Discussion/For Possible Action](#) – Approval to change 8th Street between Clark Street and Aultman Street to two-way traffic.

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

1. Member Rivero – [Discussion/For Possible Action](#) – Consideration and possible grant of White Pine County’s request to open negotiations for water allocations at the Golf Course.
2. Councilman Carson – [Discussion/For Possible Action](#) – Approve Resolution 2022-2 changing the fee commercial entities are charged to dispose of tires to \$280.00 per ton.
3. Councilman Spear – Councilman Alworth – [Discussion/For Possible Action](#) – Approval for PORTER Group to submit an earmark request on behalf of the City of Ely for system-wide water meter installation.

THE MAYOR WILL RECESS THE REGULAR CITY COUNCIL MEETING FOR A MEETING OF THE REDEVELOPMENT AGENCY OF THE CITY OF ELY

10. ITEMS FOR DISCUSSION/POSSIBLE ACTION OF THE REDEVELOPMENT AGENCY OF THE CITY OF ELY

1. Mayor Robertson – [Discussion/For Possible Action](#) – Direct City Clerk to form Redevelopment Area Action Committee to review the City of Ely Redevelopment Plan and make recommendations regarding Redevelopment funds.

THE MAYOR WILL RECESS THE REDEVELOPMENT AGENCY OF THE CITY OF ELY AND RECONVENE THE REGULAR CITY COUNCIL MEETING

11. 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 11A-1 Minutes and 11A-2 Bills.

Moved by: _____ Second by: _____ Vote: _____

1. Discussion/For Possible Action –Minutes.
 - [January 13, 2022](#)
2. Discussion/For Possible Action –Bills.
 - [January 26, 2022](#)

B. OLD BUSINESS

1. 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.
2. Council Members – City Attorney Cahoon – [Discussion/For Possible Action](#) – Approval for the City of Ely to execute a “[Settlement Participation Form](#)” (Exhibit B) and a “[Subdivision Settlement Participation Form](#)” (Exhibit K), each containing releases, pursuant to the One Nevada Agreement on Allocation of Opioid Recoveries (“One Nevada Agreement”) previously agreed upon (by City of Ely in August 2021) for participation in settlements with 1) the State of Nevada and three (3) of the opioids distributor defendants (AmerisourceBergen Drug Corporation, Cardinal Health, and McKesson, as listed in Exhibit C to the One Nevada Agreement) and, 2) the State of Nevada and one (1) opioid manufacturer defendant ([Janssen/Johnson & Johnson, as listed in Exhibit C to the One Nevada Agreement](#)); and, Execution of an “[Amendment No. 1 to One Nevada Agreement on Allocation of Opioid Recoveries](#)” regarding a reduction in attorney's fees to the One Nevada Agreement for purposes of these two (2) settlements only.

C. NEW BUSINESS

1. Mayor Robertson – Discussion Only – State of the City address.
2. Councilman Spear – Councilman Alworth – [Discussion/For Possible Action](#) – Approval for PORTER Group to submit an earmark request on behalf of the City of Ely for Fire Station solar panel replacement.
3. Councilman Spear – Councilman Alworth – Discussion Only - Update on PORTER Group efforts on behalf of the City of Ely.
4. Council Members – City Clerk Lee – [Discussion/For Possible Action](#) – Consideration of Karl Schoof’s offer to purchase APN 001-296-01 from the City of Ely in the amount of \$3,593.00 pursuant to NRS 268.059 AND possible direction to City Staff to prepare resolution that said purchase is in the best interests of the City of Ely.
5. Council Members – City Treasurer Trask – Discussion/For Possible Action – Approval to release a Request for Proposals for professional auditing services to perform Nevada Northern Railway Foundation’s calendar year 2021, 2022, and 2023 annual audits.
6. Council Members – City Treasurer Trask – Discussion/For Possible Action – Approval of Memorandum of Understanding between the City of Ely, on behalf of the City Fire Department Bargaining Unit, and the International Union Operating Engineers, Local 3.

12. 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”.

13. 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 **February 7, 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>.


