

# CITY OF ELY

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

## ELY CITY COUNCIL REGULAR MEETING

**April 14, 2022 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](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. NNRV FOUNDATION REPORT**

#### **6. REPORTS**

**CITY COUNCIL  
MAYOR**

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

1. Board Members – City Engineer Almberg – Discussion/For Possible Action – Award bid for Murry Street Sewer Main Upgrade Project Phase III, CDBG funded project 21/PF/02 (PWP# WP-2022-162).
2. City Attorney Cahoon – Discussion/For Possible Action – Approval to temporarily hold in abeyance pending resolution of litigation the assessment of gate fees for residential and commercial waste (not to include Class III waste, which includes but is not limited to construction, concrete, and/or asphalt waste) collected and delivered by Ely Disposal Service, Inc., a Nevada Corporation, with continued waste measurement and recording of fees.

**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.
  - [March 10, 2022](#)
2. Discussion/For Possible Action –Bills.
  - [March 21, 2022](#)
  - [March 22, 2022](#)
  - [April 06, 2022](#)

**B. NEW BUSINESS**

1. Mayor Robertson – Kinross representative – [Discussion Only](#) - Update regarding the Bald Mountain Mine Juniper Project.
2. Mayor Robertson - [Discussion/For Possible Action](#) – Approve First Reading of Ordinance 745, Bill No. 2022-01, annexing certain territory, APN: 010-480-05 and 010-480-06, owned by Lemich Family Trust, to the City of Ely, repealing conflicting ordinances and providing other matter properly relating thereto.
3. Mayor Robertson – [Discussion/For Possible Action](#) – Approval to apply for Great Basin Heritage Foundation grant in the amount of \$20,000.00, with an \$8,000.00 match, to complete architecture and engineering plans for renovation of City Hall.
4. Councilman Spear – Councilman Alworth – Discussion Only – Update on Porter Group efforts on the City of Ely’s behalf to secure federal and State funding.
5. Councilman Spear – [Discussion/For Possible Action](#) – Approval of First Addendum to the Independent Contractor Agreement between the City of Ely and Porter Group, LLC with a new term commencing March 15, 2022 and ending March 14, 2024.
6. Councilman Alworth – [Discussion/For Possible Action](#) – Commission Stewart Title Company to perform a title search on APN 01-042-006; this parcel includes the Landfill, City portion of the Golf Course and the Heggie lease on G/T ranch. This is to properly identify bounds of legal ownership, legal boundaries, and potential future parceling, for what could lead into a possible land swap for land owned by White Pine County for future development.

7. Councilman Alworth – Discussion/For Possible Action – Direction to Public Works Department to remove dirt, sand, road chips, elm trees and foreign debris from APN 001-121-01 on Belfort Avenue, owned by the City of Ely.
8. Councilman Alworth – Discussion/For Possible Action – Consideration to establish APN 001-121-01 on Belfort Avenue, owned by the City of Ely, as an area for Tiny Homes and/or Park Model RVs with possible approval to direct City Engineer to survey/stake APN 001-121-01 and design a Tiny Home/Park Model RV area with beautification improvements, providing a conceptual drawing to the City Council upon completion. APN 001-121-01 is located within a City of Ely Redevelopment Area.
9. Councilman Alworth – [Discussion/For Possible Action](#) – Consideration of current situation of new construction in the City of Ely without required curb, gutter, sidewalks, fire hydrants, paved street and streetlights, with direction to City Clerk to notice possible business license revocation per City Code 3-1-12.
10. Councilwoman Williams-Harper – Fire Chief Pat Stork – [Discussion/For Possible Action](#) – Consideration of Ely Volunteer Fire Department’s request to increase the 7<sup>th</sup> Man Stipend from the current \$1,050 per month to \$1,500 per month, with possible approval of determined increase amount.
11. Councilwoman Williams-Harper – [Discussion/For Possible Action](#) – Approval of the Trackage Rights Agreement by and among Nevada Northern Railway Foundation, Inc., the City of Ely, Nevada, and Great Basin & Northern Railroad, Inc.
12. Council Members – City Treasurer Trask – [Discussion/For Possible Action](#) – Approval to accept an audit proposal for professional auditing services to perform Nevada Northern Railway Foundation’s calendar year 2021, 2022, and 2023 annual audits from *Hinton Burdick CPAs & Advisors* .
13. Council Members – City Clerk Lee – [Discussion/For Possible Action](#) – Approve Memorandum of Understanding between the City of Ely and the Nevada Rural Counties Retired & Senior Volunteer Program (RSVP) for volunteer(s) who photographs adoptable pets at the City of Ely Animal Control Facility.


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**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](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 **April 11, 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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