



CITY OF ELY

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

ELY CITY COUNCIL REGULAR MEETING

May 12, 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 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. ITEMS FOR DISCUSSION/POSSIBLE ACTION OF THE ELY CITY COUNCIL AS RECOMMENDED BY THE MUNICIPAL UTILITIES BOARD.

1. Councilman Carson – Discussion/For Possible Action – Approval to waive commercial fees to deposit metal at City Landfill May 15, 2022 thru May 31, 2022 to encourage commercial property owners to clean up their property.
2. Board Members – City Clerk Lee– [Discussion/For Possible Action](#) – Approval to remove past due utility fee penalties up to the amount of \$6,671.79 from 8400 North SR 892, Ely, Nevada at the request of property owner, Donald and Sandra Garrett.
3. Council Members – City Attorney Cahoon – [Discussion/For Possible Action](#) – Approval of Joint Development and Beneficial Use Agreement between the City of Ely and Cody Bliss, Cody Coombs and Ben Noyes for the 18.83-acre Georgetown Ranch section.

8. 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 745, Bill 2022-01](#), a proposed Ordinance annexing certain territory, owned by Lemich Family Trust, to the City of Ely, repealing conflicting Ordinances and providing other matters properly relating thereto.

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

1. Mayor Robertson – Discussion/For Possible Action – Approval of Second Reading of [Ordinance 745, Bill 2022-01](#), a proposed Ordinance annexing certain territory, owned by Lemich Family Trust, to the City of Ely, repealing conflicting Ordinances and providing other matters properly relating thereto.

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 Bills.

Moved by: _____ Second by: _____ Vote: _____

1. Discussion/For Possible Action –Bills.
 - [April 28, 2022](#)

B. NEW BUSINESS

1. Mayor Robertson - Discussion/For Possible Action - Direct City Attorney to draft Conduit License Agreement between the City of Ely and Commnet of Nevada, LLC for the use of City conduit for telecommunication services starting at or near the Zayo ILA near the KOA and ending at or near 10th street in the City of Ely.
2. Mayor Robertson – [Discussion/For Possible Action](#) – Approval of Support letter for Nevada Department of Transportation’s application for the Multimodal Project Discretionary Grant (MPDG) which includes three funding opportunities: the National Infrastructure Project Assistance grants program (Mega), the Nationally Significant Multimodal Freight and Highways Projects grants program (INFRA), and the Rural Surface Transportation Grant program (Rural).

3. Mayor Robertson – [Discussion/For Possible Action](#) – Approval to participate in Bald Mountain Mine Plan of Operations Amendment #6 Juniper Project Environmental Impact Statement as a cooperating agency.
4. Mayor Robertson – [Discussion/For Possible Action](#) – Approval for mayor and city council members to attend the Nevada League of Cities & Municipalities’ 2022 Annual Retreat June 8-10, 2022.
5. Mayor Robertson – [Discussion/For Possible Action](#) – Approval for mayor and city council members to attend the Nevada League of Cities & Municipalities’ 2022 Annual Conference August 9-12, 2022.
6. Mayor Robertson – Discussion/For Possible Action – Approval to reschedule the August 11, 2022 City Council meeting to August 18, 2022 so City officials attending the Nevada League of Cities Conference August 9-12, 2022 will not miss August’s first meeting.
7. Councilman Spear – Councilman Alworth – Discussion Only – Update on Porter Group efforts on the City of Ely’s behalf to secure federal and State funding.
8. Councilman Alworth – Discussion/For Possible Action – Authorization to send a letter from the City of Ely to both Senators and our Congressman saying we would like their support of correcting the Safe, Accountable, Flexible, Efficient Transportation Equity Act, Public Law I 09-59, to transfer the HiLine to the City and correct other errors in the bill.
9. Council Members – City Attorney Cahoon -- [Discussion/For Possible Action](#) -- Approval of the 2022-23 Victim/Witness Service Program (VWS) Memorandum of Understanding between VWS and Ely City Attorney's Office establishing a cooperative relationship to better serve victims of crime within the City of Ely.
10. Council Members – City Attorney Cahoon – Discussion/For Possible Action – Direction to City Attorney to draft proposed ordinance updating and amending the applicable chapters of Title 9 of the Ely City Code thereby adopting operative building standards, an energy conservation code, and an off-site modular and prefabrication construction code, and providing other matters properly relating thereto.
11. Council Members – HR Director/City Treasurer Trask – [Discussion/For Possible Action](#) – Approval of revision to Section 5.2 Workweek Defined of the City of Ely Personnel Manual.
12. Council Members – HR Director/City Treasurer Trask – Discussion/For Possible Action – Approve Budget Committee’s recommendation of Community Service Fund expenditures, to include, modify or exclude the following:
 - [White Pine County Search and Rescue Request for \\$45,100.00](#)
 - [White Pine Horse Races Request for \\$25,000.00](#)
 - [Ely Tree Board Landfill Planting Project for \\$4,602.37](#)

11. 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”.

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

I, Jennifer Lee, City Clerk, did cause to be posted on **May 9, 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>.


