



# CITY OF ELY

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

## ELY CITY COUNCIL REGULAR MEETING

**August 18, 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
- CITY CLERK
  - ❖ [Liens](#)
  - ❖ [Lien Releases](#)
  - ❖ [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 MEETING OF THE ELY PROSTITUTION LICENSING BOARD.

1. Board Members – City Clerk Lee – City Attorney Cahoon – [Discussion/For Possible Action](#) – Consideration to revoke, suspend, withdraw or discontinue business license issued to Stardust Ranch; S&G 1966 LLC, pursuant to Section 3-6-14 of the Ely City Code.

**THE MAYOR WILL RECONVENE THE REGULAR CITY COUNCIL MEETING.**

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

1. Council Members – City Building Official Peterson - [Public Hearing](#) – Discussion Only – Approval of Second Reading of [Ordinance 746, Bill 2022-02](#), a proposed Ordinance updating and amending Title 9 of the Ely City Code thereby adopting operative building standards; adopting codes for residential, plumbing, electrical, mechanical, energy conservation, and off-site modular and prefabrication construction; and providing other matters properly relating thereto.

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

1. Council Members – City Building Official Peterson – Discussion/For Possible Action - Approval of Second Reading of [Ordinance 746, Bill 2022-02](#), a proposed Ordinance updating and amending Title 9 of the Ely City Code thereby adopting operative building standards; adopting codes for residential, plumbing, electrical, mechanical, energy conservation, and off-site modular and prefabrication construction; and providing other matters properly relating thereto.

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

1. Councilman Alworth – City Attorney Cahoon – Discussion/For Possible Action – Direct City Clerk to publish notice of intent to pursue legal action on past-due landfill accounts, including lien fees and accrued penalties.
2. Board Members – City Engineer Almberg – [Discussion Only](#) – Update regarding Ely NDOT truck wash project water service.

**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
  - [July 14, 2022](#)
2. Discussion/For Possible Action – Bills.
  - [July 28, 2022](#)
  - [July 29, 2022](#)
  - [August 9, 2022](#)

## B. NEW BUSINESS

1. Councilman Alworth – Councilwoman Williams-Harper – Discussion/For Possible Action – Consideration of a possible approval to increase pay for hourly employees up to an additional 7.5% over the previously approved 3% increase, in light of present economic hardships.
2. Councilman Alworth – Discussion/For Possible Action – Direction to HR Director and the City Attorney to propose a plan, and suggested amendments to the City Code if needed, to transition the Public Works Supervisor position to the Mayor - appointed/Council - approved “Director of Public Works”. Plan and amendments to be brought back before the Council for changes and approval.
3. Mayor Robertson – *rPlus Energies* representative – Discussion Only –White Pine Pumped Storage Project’s draft license application and project update.
4. Mayor Robertson – Discussion/For Possible Action – Consideration of recommendation from City Hall Review Committee regarding design professional qualifications presented AND possible selection from the following submitted proposals: [Paul Cavin, Architect, LLC](#) and [Parallel Lines Studio](#).
5. Mayor Robertson– [Discussion/For Possible Action](#) – Approval to refund business license fees up to the amount \$124.50 to the White River Boutique Co. at the request of business owner, Jenna Rosevear due to closing of the business effective August 1, 2022.
6. Mayor Robertson – [Discussion/For Possible Action](#) – Approval of Memorandum of Understanding between the Bureau of Land Management Ely District Office and the City of Ely as a cooperating agency regarding the Environmental Impact Statement for the KG Mining (Bald Mountain) Inc. Plan of Operations Amendment Juniper Project.
7. Mayor Robertson – Discussion/For Possible Action – Annual Performance Evaluation of City Attorney Leo Cahoon 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.”
8. Councilman Spear – Councilman Alworth – Discussion Only – Update on Porter Group efforts on the City of Ely’s behalf to secure federal and State funding.
9. Councilman Alworth – Discussion/For Possible Action – Consideration to advertise the City’s property on Belfort Avenue for sale to develop housing projects.
10. Councilwoman Williams-Harper – [Discussion/For Possible Action](#) – Approval of Resolution 2022-09 to amend the salary ranges for the positions of the various appointed officials.

11. Council Members – City Attorney Cahoon - [Discussion/For Possible Action](#) - Approval of the Cooperative Interlocal Agreement for Jury Administration Services Between White Pine County and the City of Ely.

**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](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 **August 12, 2022**, by **5:00 p.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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