



# CITY OF ELY

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

## ELY CITY COUNCIL REGULAR MEETING

**October 26, 2023, 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:** Per City Council action October 27, 2022, and in accordance with Nevada Revised Statutes 241.020, **public comment at the beginning of city council meetings is narrowed to agenda items only.** The public comment period at the close of city council meetings is for any matter relevant to or within the authority of the Public Body. 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
- CITY TREASURER / HR DIRECTOR
- CITY PUBLIC WORKS DIRECTOR
- CITY WATER OPERATOR
- CITY ENGINEER
- CITY BUILDING OFFICIAL

**5. REPORTS**

CITY COUNCIL  
[MAYOR](#)

**6. 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 Attorney Cahoon – Public Hearing – [Discussion Only](#) - Approval of Resolution 2023-12 suspending/revoking Chevron Food Mart’s Business License for selling tobacco products to minors in violation of NRS 370.521.

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

1. Council Members – City Attorney Cahoon – [Discussion/For Possible Action](#) - Approval of Resolution 2023-12 suspending/revoking Chevron Food Mart’s Business License for selling tobacco products to minors in violation of NRS 370.521.

**8. ITEMS FOR DISCUSSION/POSSIBLE ACTION OF THE ELY CITY COUNCIL AS RECOMMENDED BY THE ELY TREE BOARD.**

1. Chairman Wolf – [Discussion/For Possible Action](#) – Approval of an “Adopt a Corner” Program for businesses and organizations to care for future vegetation on Aultman Street, to be installed by the Nevada Department of Transportation as part of their Ely Downtown Project, and other possible methods to minimize care and upkeep of proposed planters.

2. Chairman Wolf – [Discussion/For Possible Action](#) – Review of Nevada Department of Transportation’s Downtown Ely Landscaping and Green Infrastructure Project plans, with approval to send letter of appreciation, with any requests, to the Nevada Department of Transportation.
3. Chairman Wolf – Discussion/For Possible Action – Approval to apply for a Community Forest Program grant through the Nevada Division of Forestry (NDF) with a 50% match required of the City of Ely.
4. Chairman Wolf – Discussion/For Possible Action – Approval to apply for an Urban Forestry Grant through the Nevada Division of Forestry.

**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.
  - [September 14, 2023](#)
2. Discussion/For Possible Action – Bills.
  - [October 9, 2023](#)
  - [October 17, 2023](#)

**B. NEW BUSINESS**

1. Mayor Robertson – Discussion/For Possible Action – Approve donation of \$10,000 in Community Service Funds to the White Pine Ministerial Association Food Bank’s renovation project located at 685 Lyons Avenue, Ely, Nevada.
2. Mayor Robertson – [Discussion/For Possible Action](#) – Approval of a support letter for Silver Lion Farm’s USDA grant application to purchase two biomass boiler systems for their farm located 60 miles north of Ely on US 93.
3. Mayor Robertson - [Discussion/For Possible Action](#) - Acceptance of proposal from Ninyo and Moore to provide geotechnical recommendations regarding Historic City Hall’s foundation for \$2,500, to be paid for with the Commission for Cultural Centers and Historic Preservation (CCCHP) grant funding the City of Ely has received.

4. Councilwoman Elliott – Discussion Only – Update on Porter Group efforts on the City of Ely’s behalf to secure federal and State funding.
5. Councilwoman Elliott – Councilman Alworth – [Discussion/For Possible Action](#) – Presentation by Silicon Ranch regarding their proposed solar project located near the White Pine County Airport, with possible review of Silicon Ranch’s request to purchase or lease 650 acres of the Georgetown Ranch north of Nevada Highway 490 to facilitate the project, and determination of whether the City is willing to receive a purchase/lease offer.
6. Councilman Alworth – [Discussion/For Possible Action](#) – Consideration to pay City of Ely hourly employees a lump sum payment up to \$1,000.00 during the month of November 2023 as a cost-of-living adjustment. Beginning January 1, 2024, increase each hourly employee hourly rate of pay by .50 cents per hour. Active employees with less than 6 months of service will be considered for a distribution up to \$1,000.00 after 6 months of service is reached from their hire date.
7. Councilwoman Williams-Harper – Discussion Only – White Pine Chamber of Commerce monthly report.
8. Council Members – City Treasurer/HR Director Trask – Discussion/For Possible Action – Leavitt Group Insurance Representative – Renewal proposal of healthcare coverage for the City of Ely, December 1, 2023-November 30, 2024.
9. Council Members - City Engineer Almberg – [Discussion/For Possible Action](#) - Acceptance of Golden Gate Petroleum’s proposal that they provide a bond to the City of Ely with a 1-year warranty period to mitigate their development’s impact on the Golf Course road.
10. Council Members – City Clerk Lee - Discussion/For Possible Action - Determine if proposed Ordinance 751 regulating gaming licenses in the City of Ely is likely to impose a direct and significant economic burden upon a business or directly restrict the formation, operation or expansion of a business and if so, consider methods to reduce the impact of the proposed rule on businesses including without limitation (1) simplifying the proposed rule; (2) establishing a different standard of compliance for a business; and (3) modifying a fee or fine set forth in the rule so that a business is authorized to pay a lower fee or fine.
11. Council Members – City Clerk Lee – [Discussion/For Possible Action](#) – Approval of Resolution 2023-13 Establishing a Mobile Vendor Surcharge between \$50 and \$100 pursuant to Section 3-16-3(B) of Ordinance No. 751.
12. Council Members – City Clerk Lee – [Discussion/For Possible Action](#) – Review and acceptance of appraisal from Mathews Appraisal Inc. for APN: 001-121-01; Belfort Property owned by the City of Ely.


**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 <https://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 **October 23, 2023**, 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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