



CITY OF ELY

501 Mill Street Ely, Nevada 89301

City Hall (775) 289-2430

Cityofelynv.gov

ELY CITY COUNCIL REGULAR MEETING

April 13, 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 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
 - ❖ [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 PUBLIC HEARING AT 5:30 P.M. ON THE FOLLOWING TOPICS.

1. Councilman Carson – Public Hearing - [Discussion Only](#) – Approval to convert Murry Street to “One-Way” traffic, heading northbound into town OR southbound out of town, as well as possible installation of speed bumps.

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

1. Councilman Carson – [Discussion/For Possible Action](#) – Approval to convert Murry Street to “One-Way” traffic, heading northbound into town OR southbound out of town, as well as possible installation of speed bumps.

9. 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 of bid for construction of Landfill South Run-On Ditch PWP# WP-2023-163.
2. Board Members – City Clerk Lee - [Discussion/For Possible Action](#) – Approval to remove past due utility fee penalties up to the amount of \$296.43 from 17 First Street, McGill, Nevada at the request of Property owner, David Harris.
3. Board Members – City Clerk Lee – [Discussion/For Possible Action](#) – Approval to remove past due utility fee penalties up to the amount of \$632.06 from Major Place/R.V. Park, Ely, Nevada at the request of Property Owner, T & T.C. LLC.
4. Board Members – City Clerk Lee – [Discussion/For Possible Action](#) – Approval to remove past due utility fee penalties up to the amount of \$471.08 from 3 Second Street, McGill, Nevada at the request of Property Owner, Anne Ruckman and Steven Kaae.
5. Board Members – City Clerk Lee – [Discussion/For Possible Action](#) – Approval to remove past due utility fee penalties up to the amount of \$368.17 from 15 Juniper Street, Ruth, Nevada at the request of Property Owner, Mauricio Garcia.
6. Board Members – City Clerk Lee – [Discussion/For Possible Action](#) – Approval to remove past due utility fee penalties up to the amount of \$1,763.14 from 55 E. 400 N, Lund, Nevada at the request of Property Owner, Gubler Living Trust C/O Conan Gubler.

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 Minutes and 10A-2 Bills.

Moved by: _____ Second by: _____ Vote: _____

1. Discussion/For Possible Action – Minutes
 - [March 9, 2023](#)
 - [March 23, 2023](#)
2. Discussion/For Possible Action – Bills.
 - [March 22, 2023](#)
 - [March 30, 2023](#)

B. NEW BUSINESS

1. Mayor Robertson – *Nevada Division of Child and Family Services Representative Brandy Holbrook, Social Services Manager III* – Discussion Only – Presentation regarding the county crisis related to foster care and temporary shelter for children in the City of Ely.
2. Mayor Robertson – [Discussion/For Possible Action](#) – Approve Mayoral appointment of Bill Wolf to the City Tree Board, with term expiring December 31, 2024.
3. Mayor Robertson – [Discussion/For Possible Action](#) – Acceptance of Irene Chachas’ resignation from the City Tree Board effective April 6, 2023.
4. Mayor Robertson – [Discussion/For Possible Action](#) – Approve Mayoral appointment of Tami Church to the City Tree Board, with term expiring December 31, 2024.
5. Mayor Robertson – [Discussion/For Possible Action](#) – Approve Mayoral reappointment of Harry Rhea to the City Tree Board, with term expiring December 31, 2025.
6. Mayor Robertson – Discussion/For Possible Action – Approve Mayoral reappointment of Candice Campeau to the City Tree Board, with term expiring December 31, 2025.
7. Mayor Robertson - [Discussion/For Possible Action](#) – Approval to participate in the Stagecoach Wind Project’s Environmental Assessment (EA) and permitting processes as a cooperating agency.
8. Councilman Trask – Discussion/For Possible Action – Approval for City Treasurer to contact the appropriate White Pine County officials regarding negotiation of an interlocal Animal Control services agreement renewal.
9. Councilman Carson – Discussion/For Possible Action – Approval of the City of Ely draft mission statement: **The City of Ely is a vibrant mountain community whose mission is to enhance the quality of life for those who live in or visit our city by being responsive to public input and providing fiscally responsible and exceptional municipal services which contribute to our unique community’s development.**
10. Councilman Carson – Councilman Alworth – Discussion Only – Review of report by City Engineer and Public Works Supervisor on roads damaged due to extreme weather conditions. Review City Engineer’s cost estimate for damaged roads and discuss possible funding options.
11. Councilman Carson – Public Works Supervisor Cracraft – Discussion/For Possible Action – Approval to allow lead persons to take their assigned City vehicle home for call outs.

12. Councilwoman Elliott – Public Works Supervisor Cracraft - [Discussion/For Possible Action](#)- Selection of Cemetery storage building quote, budgeted in FY 2023.
13. Councilwoman Elliott – [Discussion/For Possible Action](#) – Review of Pine West, LLC’s request to Amend Ely City Code by eliminating hotel requirement text from Section 3-5-13 with possible direction to City Attorney to draft an ordinance for a First Reading.
14. Councilman Alworth – Councilwoman Elliott– Discussion Only – Update on Porter Group efforts on the City of Ely’s behalf to secure federal and State funding.
15. Councilwoman Williams-Harper – Fire Chief Stork – Discussion/For Possible Action – Direct City Attorney to enter into negotiations with Nye County and the Duckwater Shoshone Tribe regarding Fire Service agreements.
16. Councilwoman Williams-Harper – Fire Chief Stork – Discussion/For Possible Action – Approval to notice and accept bids for the City’s Ford E350 ambulance, which is out of service.
17. Council Members – City Engineer Almberg – Discussion/For Possible Action – Approval of proposed layout for Regional Transportation Commission (RTC) FY23 Murry Street construction, starting after 4th Avenue until Dickerson Avenue, taking place Summer 2023.
18. Council Members – City Treasurer Trask – Discussion/For Possible Action – Review of FY24 capital projects to haul Landfill fill material with possible selection of option(s).
19. Council Members – City Treasurer Trask – Discussion Only – Review of FY24 Redevelopment Fund and Revolving Loan budgets.
20. Council Members – City Attorney Cahoon – [Discussion Only](#) – Review of requirements to add property to the Redevelopment area.
21. Council Members – City Attorney Cahoon – [Discussion Only](#) – FIRST READING: Ordinance 747, Bill No. 2023-02, proposed ordinance establishing appraiser selection processes for the sale or lease of municipal real property.
22. Council Members – City Attorney Cahoon – [Discussion/For Possible Action](#) – Approval for the City of Ely to execute a "Subdivision Settlement Participation Form" (Exhibit K), pursuant to the One Nevada Agreement on Allocation of Opioid Recoveries ("One Nevada Agreement") previously agreed upon (by City of Ely in August 2021), electing to participate in the Allergan Settlement and release all claims against Allergan.

23. Council Members – City Attorney Cahoon – [Discussion/For Possible Action](#) – Approval for the City of Ely to execute a "Subdivision Settlement Participation Form" (Exhibit A), pursuant to the One Nevada Agreement on Allocation of Opioid Recoveries ("One Nevada Agreement") previously agreed upon (by City of Ely in August 2021), electing to participate in the CVS-Nevada Settlement and release all claims against CVS-Nevada.
24. Council Members – City Building Official Peterson – Discussion/For Possible Action - Approval to direct city attorney to draft an ordinance requiring a performance bond for curb and gutter installation.

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 <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.

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 10, 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>.

