



CITY OF ELY

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

ELY CITY COUNCIL REGULAR MEETING

June 8, 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**
 - ❖ **April Permits-Inspections**
 - ❖ **May 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. Board Members – City Engineer AlMBERG – [Discussion/For Possible Action](#) – Acceptance of Landfill South Run-On Ditch project, 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 \$578.19 from 3694 N. 151st Street, Ely, Nevada at the request of Property Owner, Rance Hutchinson.

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
 - [April 27, 2023](#)
2. Discussion/For Possible Action – Bills.
 - [May 30, 2023](#)

B. NEW BUSINESS

1. Mayor Robertson – Ely Benevolent and Protective Order of Elks (BPOE) Lodge Representative - [Discussion/For Possible Action](#) – Approval of proclamation declaring June 10, 2023, Ely Elks Lodge Day in the City of Ely in celebration of their 100 years of service to our community.
2. Councilman Alworth – White Pine County Representative – [Discussion Only](#) – Update regarding the White Pine County housing projects on 17th Street and Park Avenue.
3. Councilman Alworth – National Rail Consulting Group representatives – Discussion Only – Update from National Rail Consulting Group on the Consolidated Rail Infrastructure and Safety Improvements (CRISI) grant application to rehabilitate the northern rail line, owned by the City of Ely and the Nevada Northern Railway Foundation, from Mile Posts 0 through 128.
4. Council Members – [City Clerk Lee](#) – *LP Insurance Services* Principal Tina Perchetti – NPAIP Representative – [Discussion/For Possible Action](#) – Acceptance of renewal proposal from Nevada Public Agency Insurance Pool (POOL) and approval for payment in the amount of \$308,938.06 with a \$500.00 per claim deductible OR \$291,456.76 with a \$5,000.00 per claim deductible from fiscal year 2023-2024 funds.
5. Mayor Robertson – Discussion/For Possible Action – Direct staff to prepare a resolution outlining the intent to annex properties serviced by City of Ely utilities in and around the Mineral Heights subdivision.
6. Councilwoman Elliott – Public Works Supervisor Cracraft – Discussion/For Possible Action – Selection of Cemetery storage building quote, budgeted in FY 2024.

7. Councilman Alworth – Councilwoman Elliott– Discussion Only – Update on Porter Group efforts on the City of Ely’s behalf to secure federal and State funding.
8. Councilwoman Williams-Harper – [Discussion/For Possible Action](#) – Approval of Wireline Crossing Agreement by and among Nevada Northern Railway Foundation, a Nevada nonprofit corporation, the City of Ely, a Nevada municipal corporation and political subdivision of the State of Nevada, Commnet Nevada Subco, LLC, a Delaware limited liability company, and Commnet of Nevada, LLC, a Delaware limited liability company, relating to a limited non-exclusive license for an aerial crossing of the Nevada Northern Railway near North Street.
9. Councilwoman Williams-Harper – [Discussion/For Possible Action](#) – Approval of Wireline Crossing Agreement by and among Nevada Northern Railway Foundation, a Nevada nonprofit corporation, the City of Ely, a Nevada municipal corporation and political subdivision of the State of Nevada, Beehive Telephone Co., Inc., Nevada, a Nevada corporation, and Beehive Telephone Company, Inc., a Utah corporation, relating to a limited non-exclusive license for an aerial crossing of the Nevada Northern Railway near Mile Post 7 in Elko County, Nevada.
10. Councilwoman Williams-Harper – [Discussion/For Possible Action](#) – Approval of Resolution 2023-10 to ratify the approval of the Ely Renaissance Society Mural Selection Committee for placement of a new mural on 1141 E Aultman Street.
11. Council Members – City Fire Chief Stork – Discussion/For Possible Action – Approval of Resolution 2023-09, a resolution establishing a fire hydrant flow test fee of \$300.
12. Council Members – City Clerk Lee – [Discussion/For Possible Action](#) – Approve Lease Amendment adding monthly after-hours utility usage fee to 125 Mill Street lease between City of Ely and Nevada Department of Administration, May 1, 2023-April 30, 2026.
13. Council Members – City Clerk Lee – [Discussion/For Possible Action](#) – Approval of abatement action to include the removal of sacks of garbage, old mattresses, debris in the back yard, and the grass and weeds that are overgrown on private property located at 1075 Avenue D, Ely, NV, APN 002-027-10.

9. 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”.

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 <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 **June 5, 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>.


