



CITY OF ELY

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

ELY CITY COUNCIL REGULAR MEETING

January 25, 2024, 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
- CITY TREASURER / HR DIRECTOR
- CITY PUBLIC WORKS DIRECTOR
- CITY WATER OPERATOR
- CITY ENGINEER
- CITY BUILDING OFFICIAL

5. REPORTS

CITY COUNCIL

[MAYOR](#)

6. 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 6A-1 Minutes and 6A-2 Bills.

Moved by: _____ Second by: _____ Vote: _____

1. Discussion/For Possible Action – Minutes
 - [January 11, 2024](#)
2. Discussion/For Possible Action – Bills.
 - [January 12, 2024](#)
 - [January 18, 2024](#)

B. NEW BUSINESS

1. Mayor Robertson – *rPlus Energies* representative – [Discussion Only](#) – Presentation regarding White Pine Pumped Storage Project’s Nevada Northern Railway (NNRY) Visitor Use and Experience Survey and National Park Service (NPS) Study Dispute Resolution update.

2. Mayor Robertson – [Discussion/For Possible Action](#) – Review of residential increase proposals received for the purchase of the City’s Belfort Avenue parcel, APN 001-121-01, with possible acceptance of a proposal.
3. Mayor Robertson - [Discussion/For Possible Action](#) – Consideration and possible approval of appeal requested by White Pine County to reverse January 17, 2024, Regional Planning Commission decision regarding a [Parcel Map](#) dividing Assessor’s Parcel Number (APN) 010-420-06 to conform with the current footprint of the Golf Course. The subject property is Section 2, 3 & 10, Township 16N, Range 63E. The general location of the property is 1003 Lackawanna Road-Georgetown Ranch, and/or White Pine County Golf Course. Approval of appeal would approve said parcel map.
4. Mayor Robertson – Discussion/For Possible Action – Confirmation of Mayoral reappointment of Council Member Samantha Elliott to the White Pine County Natural Resources Advisory Committee through December 31, 2025.
5. Mayor Robertson – Discussion/For Possible Action – Confirmation of Mayoral reappointment of Council Member Kurt Carson to the White Pine Tourism and Recreation Board through December 31, 2025.
6. Mayor Robertson – Discussion/For Possible Action – Approve Mayoral reappointment of Kenna Almberg to the Regional Planning Commission, with term expiring December 31, 2027.
7. Mayor Robertson – Discussion/For Possible Action – Approve Mayoral reappointment of Mary Kerner to the Regional Transportation Commission (RTC) with term expiring December 31, 2027.
8. Mayor Robertson – Discussion/For Possible Action – Approve Mayoral reappointment of Gene Trask to the City Tree Board, with term expiring December 31, 2026.
9. Mayor Robertson - Discussion/For Possible Action – Reappointment of Municipal Utilities Board Member John O’Flaherty with term through December 31, 2027.
10. Mayor Robertson - Discussion/For Possible Action – Reappointment of Municipal Utilities Board Member Ken Ross with term through December 31, 2026.
11. Mayor Robertson - Discussion/For Possible Action – Reappointment of Municipal Utilities Board Member Greg Rivero with term through December 31, 2027.
12. Mayor Robertson – Discussion/For Possible Action – Removal of Leah Brown as a City of Ely representative on the Regional Planning Commission for failure to take the oath of office, pursuant to NRS 282.010 and Nevada Constitution Article 15 Section 2.

13. Councilwoman Elliott – [Discussion/For Possible Action](#) – Review of Letter of Engagement and First Addendum to Independent Contractor Agreement between Porter Group, LLC, and the City of Ely, as well as lobbying activities, with possible determination of future engagement terms.
14. Councilman Alworth – Discussion/For Possible Action – Discussion of hiring protocol for exempt employees with possible direction to City Human Resources Director and City Attorney to prepare a resolution establishing said protocol.
15. Councilman Alworth – [Discussion/For Possible Action](#) – Review of Utilities Board’s recommendation to direct City Attorney to draft a written agreement with White Pine County to address lift station costs, with possible approval to do so.
16. Councilwoman Williams-Harper – Discussion Only – White Pine Chamber of Commerce monthly report.
17. Council Members – City Fire Chief Stork – City Human Resource Director Trask - [Discussion/For Possible Action](#) – Approval of a one year Memorandum of Understanding between the City of Ely, and Local Union No. 3 for the City Fire Department Bargaining Unit modifying the minimum qualifications for temporary employees.
18. Council Members – City Treasurer Trask – [Discussion/For Possible Action](#) – Review of auditor proposals received for Certified Public Accounting Services to complete the City of Ely’s fiscal year 2024, 2025, 2026 audits with possible acceptance of a proposal; proposals under consideration are: [Keddington & Christensen, LLC](#) and [Hinton Burdick CPAs and Advisors](#)
19. Council Members – City Treasurer Trask - [Discussion/For Possible Action](#) – Approval of Resolution 2024-01 for the purpose of augmenting the City of Ely’s Street Fund using the Street Fund’s unbudgeted fund balance to apply towards the street improvements in the Street Fund.

7. 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”.

8. 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 **January 19, 2024**, 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>.


