



CITY OF ELY

501 Mill Street Ely, Nevada 89301

City Hall (775) 289-2430

Cityofelynv.gov

ELY CITY COUNCIL REGULAR MEETING

May 23, 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. THE MAYOR WILL RECESS THE REGULAR CITY COUNCIL MEETING FOR A PUBLIC HEARING AT 5:30 P.M. ON THE FOLLOWING TOPICS.

1. Councilwoman Elliott – Public Hearing – [Discussion Only](#) – Approval of Second Reading of Ordinance 755, Bill No. 2024-01, an ordinance amending Title 3 Chapter 2, Section 11-4 (E) of the Ely Municipal Code to remove the transferability and site-specific restriction on bar and server cards requiring card holders to obtain a new card each time they change employment and/or location.
2. Council Members – City Attorney Cahoon – Public Hearing – [Discussion Only](#)– Approval of Second Reading of Ordinance 756, Bill No. 2024-02 An Ordinance amending Section 1-1-1 of the Ely Municipal Code to refer to the code as the Ely Municipal Code with the initials “EMC” and making other necessary changes throughout Title 1, Chapter 1.

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

1. Councilwoman Elliott – [Discussion/For Possible Action](#) – Approval of Second Reading of Ordinance 755, Bill No. 2024-01, an ordinance amending Title 3 Chapter 2, Section 11-4 (E) of the Ely Municipal Code to remove the transferability and site-specific restriction on bar and server cards requiring card holders to obtain a new card each time they change employment and/or location.

2. Council Members – City Attorney Cahoon – [Discussion For Possible Action](#) – Approval of Second Reading of Ordinance 756, Bill No. 2024-02 An Ordinance amending Section 1-1-1 of the Ely Municipal Code to refer to the code as the Ely Municipal Code with the initials “EMC” and making other necessary changes throughout Title 1, Chapter 1.

8. 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](#) – Review of bids received for the construction of the Bell Avenue Water Main Upgrade Project, PWP# WP-2024-125, with possible award.

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.
 - [May 9, 2024](#)
2. Discussion/For Possible Action – Bills.
 - [May 8, 2024](#)
 - [May 16, 2024](#)

B. NEW BUSINESS

1. Mayor Robertson – Legacy Racing Race Director Donald Jackson – Discussion Only – Presentation on Legacy Racing’s local race at the end of June 2024.
2. Mayor Robertson – [Discussion/For Possible Action](#) – Approval to uncommit \$660,000 Community Services funds previously set aside for the Central Sewer Upgrade project.
3. Mayor Robertson – Councilwoman Williams-Harper – Discussion Only – Report and recommendations from attending the 2024 National Main Street America Conference.
4. Councilwoman Elliott - Discussion/For Possible Action – Approval to expense previously-approved \$30,000 donation to White Pine Public Museum, to secure and transport antique vehicles and equipment, from uncommitted Community Service Funds.

5. Councilwoman Elliott – Councilman Alworth – [Discussion Only](#) – Update on Porter Group efforts on the City of Ely’s behalf to secure federal and State funding.
6. Councilwoman Williams-Harper - Discussion/For Possible Action – Approval to expense previously-approved \$15,000 to FMW Solutions, to complete Nevada Northern Railway Foundation’s Consolidated Rail Infrastructure & Safety Improvements (CRISI) grant application, from Community Service Funds.
7. Councilwoman Williams-Harper – Nevada Northern Railway Foundation President Mark Bassett – [Discussion/For Possible Action](#) – Approval of City of Ely’s Letter of Commitment to provide \$19,547,905 toward the Nevada Northern Railway Track Rehabilitation for Freight Traffic project. The City of Ely’s commitment letter is required to apply for a Consolidated Rail Infrastructure & Safety Improvements (CRISI) Grant.
8. Councilwoman Williams-Harper – Discussion Only – White Pine Chamber of Commerce monthly report on community activities.
9. Councilwoman Williams-Harper – White Pine Main Street Chairwoman Caroline McIntosh – Discussion Only – Report on White Pine Main Street’s community activities.
10. Council Members – City Clerk Lee – [Discussion/For Possible Action](#) – Approval to commit \$600,000.00 of Community Service Funds to Wastewater Treatment Plant CPF Upgrade Project.
11. Council Members - City Fire Chief Stork – [Discussion/For Possible Action](#) – Approval to order one (1) Rosenbauer Pumper Truck, complete with Rosenbauer Commander Chassis per specifications with funding from the following sources: City of Ely \$250,000, White Pine County \$200,000, Ely Volunteer Fire Department \$10,000, William B. Ririe Hospital \$10,000, and the Pennington Foundation \$457,508.
12. Council Members – City Fire Chief Stork – Discussion/For Possible Action - Approval of recommendation to suspend open burning in City of Ely limits May 27, 2024, thru October 15, 2024; this proposed action would not affect previously approved Open Burning permits.
13. Council Members - Fire Chief Stork – Discussion/For Possible Action – Approval to transfer 1922 Fire engine from the City of Ely to the Ely Volunteer Fire Department.

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.

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 **May 17, 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>.


