



ELY

CITY OF

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NOTICE OF PUBLIC HEARING

The Ely City Council will hold a Public Hearing at 5:30 p.m. at the regularly scheduled meeting to be held on January 9, 2020 at the Ely Volunteer Fire Hall, 499 Mill Street, Ely, Nevada. The purpose of the Public Hearing is for the second reading of Ordinance 727, Bill No. 2019-10, An Ordinance amending Title 1, Chapter 5 THE CITY CODE OF THE CITY OF ELY REQUIRING THE CITY COUNCIL TO CREATE A CODE OF CONDUCT FOR ITS MEMBERS; proscribing that violation of the Code of Conduct constitutes cause within the meaning of NRS 266.240; eliminating appointed department heads; creating a protocol for liaison appointments; proscribing that no city official may be appointed to a department if such appointment implicates a conflict of interest and; adding a severability clause.

Copies of the same are available on the City of Ely's website <http://www.elycity.com/> or at Ely City Hall located at 501 Mill St., Ely, Nevada for examination and distribution upon request.

You may voice your opinion concerning this action by appearing at the meeting or by sending written comments to the City of Ely no later than January 9, 2020. Any correspondence received after 4:00 p.m. on January 9, 2020 will not be considered.

Jennifer Lee
City Clerk

Publish: Ely Times December 27, 2019

Summary: An ordinance amending Chapter 5 of Title 1 of the City Code of the City of Ely requiring the City Council to create a code of conduct for its members; proscribing that violation of the Code of Conduct constitutes cause within the meaning of NRS 266.240; eliminating appointed department heads; creating a protocol for liaison appointments; proscribing that no city official may be appointed to a department if such appointment implicates a conflict of interest and; adding a severability clause.

TITLE:

PROPOSED ORDINANCE AMENDING CHAPTER 5 OF TITLE 1 OF THE CITY CODE OF THE CITY OF ELY REQUIRING THE CITY COUNCIL TO CREATE A CODE OF CONDUCT FOR ITS MEMBERS; PROSCRIBING THAT VIOLATION OF THE CODE OF CONDUCT CONSTITUTES CAUSE WITHIN THE MEANING OF NRS 266.240; ELIMINATING APPOINTED DEPARTMENT HEADS; CREATING A PROTOCOL FOR LIAISON APPOINTMENTS; PROSCRIBING THAT NO CITY OFFICIAL MAY BE APPOINTED TO A DEPARTMENT IF SUCH APPOINTMENT IMPLICATES A CONFLICT OF INTEREST AND; ADDING A SEVERABILITY CLAUSE.

Whereas, NRS 266.240 provides that the City Council shall determine its own rules of procedure, may punish its members for disorderly conduct, and, with the concurrence of two-thirds of the members of the city council, may expel a member for cause;

Whereas, Chapter 266 of the Nevada Revised Statutes provides that the Mayor is the chief executive of the City of Ely charged with supervising the affairs of the the City, enforcing the rules of the City Council, and preserving order and decorum among the members of the City Council;

Therefore, the City Council of the City of Ely, State of Nevada, does AMEND and otherwise ordain that the sections of Chapter 5 of Title 1 of the City Code of the City of Ely specified below shall read as follows:

1-5-6: DEPARTMENTS OF CITY COUNCIL:

A. Designation: The city council is hereby segregated into five (5) departments to be known as the public safety department, health and sanitation department, parks and recreation department, street department, water & sewer department and administration department. (Prior Code § 2-27)

B. ~~Department Heads~~Liaison Appointments: The mayor shall be responsible for the administration department of the City. The mayor shall ~~further~~ appoint from the council membership ~~departmental heads~~liaisons for the remaining ~~four (4)~~five (5) departments. (Prior Code § 2-27A)

C. Scope And Jurisdiction: The scope and jurisdiction of such departments shall be the following:

1. Administration Department: The administration department shall include the city clerk's office, city court and parking meters.

2. Public Safety Department: The public safety department shall include the police and fire departments.

3. Health And Sanitation Department: The health and sanitation department shall include the landfill and sewage treatment facility.

4. Street Department: The street department shall include all city streets and storm drains.

5. Parks And Recreation Department: The parks and recreation department shall include the city parks and the city cemetery. (Prior Code § 2-27B)

6. Water and Sewer Department. The water and sewer department shall include all city water and sewage infrastructure not within the scope and jurisdiction of the above departments.

D. ~~Operating Heads~~Role of Appointed Liaisons: Liaison appointments ~~The present operating heads of the various departments are not supervisory in nature. Instead, the primary function of a Council liaison is to be a two-way communication vehicle between the Council and the department to which he or she is appointed. Council liaisons must be in touch with their appointed department to communicate what is going on with the City of Ely as a whole and how it affects the department, and to give direction, guidance, and support to the department. Council liaisons must provide reports to the Council regarding the department from time-to-time. shall be placed under the immediate supervision of the councilmen selected as department heads as provided for under subsection A of this section, subject to the approval of the mayor.~~ (Prior Code § 2-27C)

E. Conflicts of Interest: No city official, whether councilmember or the mayor, may serve as liaison to any department which employs the city official or employs any person or entity to which the city official owes a commitment in a private capacity. Likewise, no city official may serve as liaison to any department whose operations confer a pecuniary benefit upon the city official or any person or entity to which the city official owes a commitment in a private capacity.

1-5-7: CONDUCT OF THE CITY COUNCIL:

The City Council shall adopt and be bound by a code of conduct for its members. Violation of the Code of Conduct shall constitute cause for removal within the meaning of NRS 266.240.

1-5-87: SALARIES OF ELECTED OFFICIALS:

A. Mayor: The salary of the mayor shall be set at six hundred dollars (\$600.00) per month.

B. Councilmen: The salaries of each respective city council member shall be set at five hundred dollars (\$500.00) per month. (Ord. 518, 6-12-1997)

1-5-9: SEVERABILITY:

If any provisions of this Ordinance are held invalid, such invalidity shall not affect other provisions and each provision is hereby declared to be severable.

This Ordinance shall take effect from and after passage, approval, and publication.

PROPOSED on the ____ day of _____, 2019.

PROPOSED by _____.

Bill No.

Ordinance No.

PASSED on the ____ day of _____, 2019.

Votes:

Yay: _____

Nay: _____

Absent: _____

MAYOR

ATTEST:

CITY CLERK

