



# CITY OF ELY

501 Mill Street Ely, Nevada 89301  
City Hall (775) 289-2430 - Fax (775) 289-1463

## ELY CITY COUNCIL MEETING

**PLEASE NOTE: 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.**

***October 11, 2018 5:00 p.m.*** – Ely Volunteer Fire Hall - 499 Mill Street-Ely, Nevada.

### 1. OPENING ACTIVITIES:

MEETING CALLED TO ORDER  
PLEDGE OF ALLEGIANCE  
INVOCATION  
ROLL CALL

**2. 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. **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 ADMINISTRATOR
  - ❖ [New Business September 2018](#)
  - ❖ [WWTP September 2018 Report](#)
  - ❖ [Landfill September 2018 Report](#)
  - ❖ [Street Dept. September 2018 Report](#)
  - ❖ [Parks/Cemetery/Recycling September 2018 Report](#)
- CITY ATTORNEY
  - ❖ [Animal Control September 2018 Report](#)
  - ❖ [Liens Report](#)
- [CITY WATER/SEWER LEADMAN](#)
- CITY ENGINEER
- [CITY BUILDING OFFICIAL](#)

**5. NTRY FOUNDATION REPORT**

**6. REPORTS**

**CITY COUNCIL**

**MAYOR**

**7. THE CITY COUNCIL WILL RECESS THE REGULAR CITY COUNCIL MEETING FOR A PUBLIC HEARING AT 5:30 P.M. ON THE FOLLOWING TOPICS.**

1. Council Members – City Administrator Switzer – City Engineer Almberg – Public Hearing – [Discussion Only](#) – Consideration of citizen comments regarding eligible activities the City of Ely should apply for under the State CDBG program.

**8. ITEM FOR DISCUSSION ONLY OF THE ELY CITY COUNCIL AS RECOMMENDED BY THE MUNICIPAL UTILITIES BOARD.**

1. Board Members – City Administrator Switzer – Nevada Rural Water Association Representatives Michael Boney and Adele Basham – [Discussion Only](#) – Presentation of workshop on effectively managed water utilities.

**9. ITEMS FOR DISCUSSION/POSSIBLE ACTION OF THE ELY CITY COUNCIL AS RECOMMENDED BY THE ANIMAL CONTROL ADVISORY BOARD.**

1. Chairwoman Roberts-McMurray – [Discussion/For Possible Action](#) – Recommendation to reactivate the City of Ely Pet Costume event, with awards to be from private donations, including advertising the event and setting the awards to benefit the City of Ely Animal Control facility.
2. Board Members – City Animal Control Officer Hayes – [Discussion/For Possible Action](#) – Recommendation to direct City Attorney to draft a volunteer contract between the City of Ely and Teri Doty, a licensed dog trainer; cost to the City of Ely limited to Workers Comp.
3. Chairwoman Roberts-McMurray – Discussion/For Possible Action – Approval to allow volunteers to call pet adoption contract holders to ensure compliance.

**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 tem.

**MOTION:** Move to approve the Consent Agenda item 10A-1 Bills.

Moved by: \_\_\_\_\_ Second by: \_\_\_\_\_ Vote: \_\_\_\_\_

1. Discussion/For Possible Action –Bills.
  - [October 4, 2018](#)

## B. NEW BUSINESS

1. Councilman Hanson – [Discussion/For Possible Action](#) – Approval of Resolution 2018-04 opposing Question 3, “The Energy Choice Initiative” for the 2018 General Election.
2. Councilwoman Gardner – Discussion/For Possible Action – Approval to spend up to \$25,000.00 from the Capital Projects Fund for curb and gutter improvements at Center and East 7<sup>th</sup> Streets.
3. Council Members – City Attorney Odgers – [Discussion/For Possible Action](#) – Approval of Nevada Division State Lands’ written request to seek an alternative state agency to occupy the building known as the National Guard Armory to assume the existing lease with the City, due to the Nevada Army National Guard’s intent to vacate that facility. The armory was constructed with State funds and is on ground owned by the City of Ely.
4. Councilwoman Gardner – [Discussion/For Possible Action](#) – Approval of First Reading of Ordinance 716, Bill No. 2018-09, An Ordinance amending City Code Title 4, Chapter 2, Sections 13 and 14 changing timeframe to abate nuisances before further action may be taken by the City of Ely .
5. Councilwoman Gardner – [Discussion/For Possible Action](#) – Approval of First Reading of Ordinance 717, Bill No. 2018-10, An Ordinance amending City Code Title 4, Chapter 3, Sections 3 changing timeframe to abate nuisances before further action may be taken by the City of Ely .
6. Council Members – City Administrator Switzer – Discussion/For Possible Action – Approval to hold only one regular City Council meeting in November and December, due to the Holidays, and direction to the City Attorney to amend City Code 1-5-1(A) to reflect the same for each year.

**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 <http://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](mailto:program.intake@usda.gov).

For access to the public packet, contact the City Administrator at 501 Mill Street, Ely, Nevada 89301 or call (775) 289-2430; all packet material is posted in the agenda's hyperlinks or under "Minutes" /"Other" on the City's website at <http://www.elycity.com/>

I, Jennifer Lee, Deputy City Clerk, did cause to be posted on **October 5, 2018** at **8:30 a.m.** five (5) 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, the U.S. Post Office located at 2600 Bristlecone Avenue and the White Pine County Sheriff's Office located at 1785 Great Basin Boulevard. The meeting notice is also posted on the City of Ely's website at <http://www.elycity.com> and the State of Nevada Public Notices website at <http://notice.nv.gov>.

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