



CITY OF ELY

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

ELY CITY COUNCIL REGULAR MEETING AGENDA

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.

February 22, 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
- CITY TREASURER
- CITY ATTORNEY
- CITY WATER/SEWER LEADMAN
- CITY ENGINEER
- CITY BUILDING OFFICIAL

5. REPORTS

CITY COUNCIL
MAYOR

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

1. Chairman Peeler – Public Hearing – [Discussion Only](#) – Consideration of a Petition for Vacation or Abandonment of Road or Easement. The desire is to have the street and/or easements on Avenue D between Highway 93 and the East side of 16th Street abandoned. The proposed abandonment is located primarily between APN 002-261-05 and APN 002-042-01 in Ely, Nevada. The applicants are Robert James and Mikki Van Camp d.b.a. *Van Camp Towing & Road Service*.
2. Councilwoman Gardner – City Administrator Switzer – Public Hearing – [Discussion Only](#) – Approval of Second Reading of Ordinance No. 708, Bill No. 2018-01, an ordinance amending City Code Title 1, Chapter 8 Elections by replacing the current version of Title 1, Chapter 8 based upon the Inter-Local Agreement for Elections with White Pine County, with a completely new version of Title 1, Chapter 8 Elections and to provide for the removal of the new version and reinstatement of the original version upon termination of the Inter-Local Agreement.
3. Councilman Hanson – Public Hearing – [Discussion Only](#) – Approval of Second Reading of Ordinance 709, Bill No. 2018-02 amending City Code Title 12, Chapter 14, Section 1 titled Home Occupations, to remove the annual home occupancy permit fee and amend the one-time home occupation permit application fee and remove the ability of the City Council to amend these fees by resolution.

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

1. Chairman Peeler – [Discussion/For Possible Action](#) – Consideration of a Petition for Vacation or Abandonment of Road or Easement. The desire is to have the street and/or easements on Avenue D between Highway 93 and the East side of 16th Street abandoned. The proposed abandonment is located primarily between APN 002-261-05 and APN 002-042-01 in Ely, Nevada. The applicants are Robert James and Mikki Van Camp d.b.a. *Van Camp Towing & Road Service*.
2. Councilwoman Gardner – City Administrator Switzer – [Discussion/For Possible Action](#) – Approval of Second Reading of Ordinance No. 708, Bill No. 2018-01, an ordinance amending City Code Title 1, Chapter 8 Elections by replacing the current version of Title 1, Chapter 8 based upon the Inter-Local Agreement for Elections with White Pine County, with a completely new version of Title 1, Chapter 8 Elections and to provide for the removal of the new version and reinstatement of the original version upon termination of the Inter-Local Agreement.

3. Councilman Hanson – [Discussion/For Possible Action](#) – Approval of Second Reading of Ordinance 709, Bill No. 2018-02 amending City Code Title 12, Chapter 14, Section 1 titled Home Occupations, to remove the annual home occupancy permit fee and amend the one-time home occupation permit application fee and remove the ability of the City Council to amend these fees by resolution.

8. ITEMS FOR DISCUSSION/POSSIBLE ACTION OF THE ELY CITY COUNCIL AS RECOMMENDED BY THE CITY PLANNING COMMISSION.

1. Chairman Peeler – [Discussion/For Possible Action](#) – Approval of Home Occupation permit to Randy Weaver to conduct an internet sales business, d.b.a. *Weaver Machinery* located at 1290 Mill Street, Ely, Nevada.
2. Mayor Van Camp – Caroline McIntosh, Downtown /Public Plaza & Nevada Northern Railway Beautification Steering Committee Member – Discussion/For Possible Action – Approval of Downtown /Public Plaza & Nevada Northern Railway Beautification Teams’ Request to utilize a City dump truck and employees for a city-wide clean up; discarded items would be picked up at the curb.

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 tem.

MOTION: Move to approve the Consent Agenda items 9A-1 Minutes & 9A-2 Bills.

Moved by: _____ Second by: _____ Vote: _____

1. Discussion/For Possible Action –Minutes.
 - [January 11, 2018](#)
2. Discussion/For Possible Action –Bills.
 - [February 6, 2018](#)
 - [February 13, 2018](#)

B. NEW BUSINESS

1. Mayor VanCamp – Councilman Carson – [Discussion/For Possible Action](#) – Approval of Compact with Ely Shoshone Tribe for the cultivation, production and manufacture of cannabis products at 16 Shoshone Circle, pending compliance with zoning, building and life safety matters for a period of five (5) years with renewals in five (5) year increments at the rate of 6% of gross sales of cannabis products on the wholesale price.
2. Councilman Carson – City Administrator Switzer – Discussion/For Possible Action – Approval to direct City Administrator to send written Ely Fire/EMS Services proposal to White Pine County with a monthly fee of \$6,000.00, \$72,000.00 annually.

3. Councilman Hanson – Discussion/For Possible Action – Direction to City Administrator to solicit proposals for police services or establish the City of Ely’s own police force.
4. Councilman Hanson – Discussion/For Possible Action – Direction to City Attorney to prepare ordinances decriminalizing selected offenses listed in the City Code.
5. Councilman Hanson – Discussion/For Possible Action – Approval to close the Recycling Center.
6. Councilman Carson – Discussion/For Possible Action – Instruction to City Administrator and City Treasurer to investigate the feasibility and possible cost savings of in-house billing of utilities.
7. Councilman Hanson – Discussion/For Possible Action – Approval to eliminate salaries of Mayor and all City Council Members.
8. Councilman Hanson – [Discussion/For Possible Action](#) – Approval to reduce the pay of City Administrator Robert Switzer by five percent (5%).
9. Councilman Hanson – [Discussion/For Possible Action](#) – Approval to reduce the pay of City Attorney Charles H. Odgers by five percent (5%).
10. Councilman Hanson – [Discussion/For Possible Action](#) – Approval to reduce the pay of City Treasurer Janette Trask by five percent (5%).
11. Councilman Hanson – [Discussion/For Possible Action](#) – Approval to reduce the pay of City Fire Chief Ross Rivera by five percent (5%).
12. Councilman Hanson – [Discussion/For Possible Action](#) – Reduction in Force of the City Treasurer’s position and replace the City Treasurer’s functions with the Accounting Firm of *Keddington and Christiansen, CPA* for full accounting services, at the cost of \$4,000.00 per month, without benefits, costs to be divided equally among all four funds, resulting in a savings to the City of approximately \$26,250.00 per year, of which approximately \$6,562.50 will be realized to the General Fund.
13. Councilman Hanson – Discussion/For Possible Action – In the alternative to reduction in force of the City Treasurer’s position, terminate the accounting agreement with *Hinton Burdick, CPA* at an annual savings of \$36,000 of which approximately \$9,000.00 per year will be realized to the General Fund.
14. Councilman Carson – Councilman DeFelice – [Discussion/For Possible Action](#) – Approval to reduce City Attorney Charles H. Odgers’ salaries and wages by twenty-five percent (25%). Total reduction in base salary would be \$26,906.25.

15. Councilman Carson – Councilman DeFelice – [Discussion/For Possible Action](#) – Approval to reduce City Administrator Robert Switzer’s salaries and wages by twenty-five percent (25%). Total reduction in base salary would be \$20,935.00.


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, audiotope, 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 .

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 **February 15, 2018** at **8:00 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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