



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.

March 8, 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 February 2018](#)
 - ❖ [WWTP February 2018 Report](#)
 - ❖ [Landfill February 2018 Report](#)
 - ❖ [Streets February 2018 Report](#)
 - ❖ [Parks/Cemetery/Recycling February 2018 Report](#)
- CITY TREASURER
- CITY ATTORNEY
 - ❖ [Animal Control February 2018 Report](#)
- [CITY WATER/SEWER LEADMAN](#)
- [CITY ENGINEER](#)
- [CITY BUILDING OFFICIAL](#)

5. [NNRY 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 Engineer Almberg – City Street Leadman Berky – Public Hearing – [Discussion Only](#) – Pursuant to NRS 365.550 (8) (a) and (b), Approval of Certification of Roads within the City of Ely.
2. Councilwoman Gardner – Public Hearing – [Discussion Only](#) – Approval of Second Reading of Ordinance 710, Bill No. 2018-03, an Ordinance amending City Code Title 3, Chapter 1, Section 4 General Business Licenses, to change the due date of all business licenses to July 1 of each year, to allow for the pro-rating of business licenses for businesses starting on a date other than July 1 of each year.

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

1. Council Members – City Engineer Almberg – City Street Leadman Berky – [Discussion/For Possible Action](#) – Pursuant to NRS 365.550(8) (a) and (b), Approval of Certification of Roads within the City of Ely.
2. Councilwoman Gardner – [Discussion/For Possible Action](#) – Approval of Second Reading of Ordinance 710, Bill No. 2018-03, an Ordinance amending City Code Title 3, Chapter 1, Section 4 General Business Licenses, to change the due date of all business licenses to July 1 of each year, to allow for the pro-rating of business licenses for businesses starting on a date other than July 1 of each year.

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 item 9A-1 Minutes and 9A-2 Bills.

Moved by: _____ Second by: _____ Vote: _____

1. Discussion/For Possible Action –Minutes.
 - January 25, 2018
 - January 29, 2018
2. Discussion/For Possible Action –Bills.
 - [February 21, 2018](#)
 - [February 28, 2018](#)

B. OLD BUSINESS

1. 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.
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 \$14,500.00, \$174,000.00 annually.

C. NEW BUSINESS

1. Mayor Van Camp – Tamera Brown, Nevada Small Business Development Center (SBDC) Eastern Region Business Advisor – [Discussion/For Possible Action](#) – Approval of Proclamation designating March 21, 2018 “National SBDC Day” in the City of Ely.
2. Councilman Hanson – White Pine County (WPC) Airport Manager Lance Gale – Discussion Only – Presentation on the Air Races to be held at WPC Airport in June 2018.
3. Councilman DeFelice – Sally Gust of Bristlecone Arts Council – [Discussion/For Possible Action](#) – Approval to direct the City Attorney to draft an ordinance reducing the space fee from \$10.00 per space per day to the prior amount of \$2.00 per space per day as found in City Code 3-9-4B.
4. Mayor Van Camp – John Mueller of *Acre's Dispensary, LLC* – [Discussion/For Possible Action](#) – Issuance of a Medical Marijuana Dispensary License to *Acre's Dispensary, LLC*, to be located at 940 E. Aultman Street, Ely, Nevada.
5. Mayor Van Camp – [Discussion/For Possible Action](#) – Approval of letter to the Department of Taxation requesting opening a new application period for a medical marijuana dispensary in the City of Ely.
6. Councilman Carson – [Discussion/For Possible Action](#) – Approval of Mutual Modification of Interlocal Agreement between White Pine County Fire District, White Pine County and the City of Ely for Temporary Fire Protection and EMS Services.
7. Councilman Carson – City Treasurer Trask – [Discussion/For Possible Action](#) – Approval to issue back paychecks with benefits for a total amount of \$15,392.40 to City of Ely paid Firefighters responding as volunteers on emergency calls and/or participating in required EMT re-certification training directly related to their job classification and/or as training officers conducting Fire/EMS training courses over the last two years, pursuant to the Fair Labor Standards Act.
8. Council Members – City Administrator Switzer – [Discussion/For Possible Action](#) – Approval to re-negotiate Ely Volunteer Fire Hall lease.

9. Council Members – City Administrator Switzer – City Treasurer Trask – [Discussion/For Possible Action](#) – Acceptance of *Hinton Burdick, PLLC's* Accounting and Advisory Services January 31, 2018 proposal for a monthly fee of \$2,400.00.
10. Mayor Van Camp – [Discussion/For Possible Action](#) – Approval to expend \$350.00 from the Recycling Center expense account in the Landfill fund to pay for the Recycled Art Contest cash prizes.
11. Councilman Carson – Discussion Only – Update on status of moving forward with placing landfill fees on the county tax rolls and collecting past due amounts owed.
12. Councilman Carson – Discussion Only – Update on discussion of obtaining fuel and propane bids for the City.

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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 <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 **March 5, 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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