



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.

April 12, 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 March 2018](#)
 - ❖ [WWTP March 2018 Report](#)
 - ❖ [Landfill March 2018 Report](#)
 - ❖ [Streets March 2018 Report](#)
 - ❖ [Parks/Cemetery/Recycling March 2018 Report](#)
- CITY TREASURER
- CITY ATTORNEY
 - ❖ [Animal Control March 2018 Report](#)
 - ❖ [Liens Report](#)
- [CITY WATER/SEWER LEADMAN](#)
- CITY ENGINEER
- [CITY BUILDING OFFICIAL](#)

5. NNRV 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. Councilman DeFelice – Public Hearing – [Discussion Only](#) – Approval of Second Reading of Ordinance 711, Bill No. 2018-04, an ordinance amending City Code Title 3, Chapter 9, Section 4 Temporary Business Licenses, Fees by changing the fees paid for spaces by Nonprofit Organizations from \$10.00 per space to \$2.00 per space.

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

1. Councilman DeFelice – [Discussion/For Possible Action](#) – Approval of Second Reading of Ordinance 711, Bill No. 2018-04, an ordinance amending City Code Title 3, Chapter 9, Section 4 Temporary Business Licenses, Fees by changing the fees paid for spaces by Nonprofit Organizations from \$10.00 per space to \$2.00 per space.

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.
 - [March 8, 2018](#)
2. Discussion/For Possible Action –Bills.
 - [March 21, 2018](#)
 - [March 29, 2018](#)

B. OLD BUSINESS

1. Councilman Hanson – [Discussion/For Possible Action](#) – Approval to amend the Development Agreement paragraph 3, (b), (ii), to pay all or a portion of the annual audit of the Nevada Northern Railway Foundation and/or amend the Development Agreement adding a new paragraph 3, (a), (vii), requiring the Nevada Northern Railway Foundation to pay all or a portion of the annual audit.

C. NEW BUSINESS

1. Mayor Van Camp – White Pine County Wildlife Advisory Board Members – Discussion//For Possible Action – Approval of letter in support of the Comins Lake Project.
2. Mayor Van Camp – Ely City Tree Board Representative – [Discussion/For Possible Action](#) – Approval of Proclamation declaring May 12, 2018 as Arbor Day in the City of Ely.
3. Council Members – City Attorney Odgers – [Discussion/For Possible Action](#) – Presentation and Acceptance of Maddie's Pet' Project grant in the amount of \$1,600.00 for the City of Ely's Animal Control Officer to attend the Humane Society of the United States' (HSUS) Animal Care Expo in Kansas City, Missouri May 15-17, 2018; the grant covers Conference Registration, Lodging, Airfare, and other travel expenses.
4. Mayor Van Camp – Councilwoman Gardner – [Discussion/For Possible Action](#) – Approval of First Reading of Ordinance 712, Bill No. 2018-05, An ordinance creating the Animal Control Advisory Board, City Code Title 2, Chapter 4, setting membership requirements, terms of office, appointment procedures and authority of the newly created Advisory Board, establishing procedures for conducting of business and establishing the meeting dates.
5. Mayor Van Camp – Discussion/For Possible Action – Acknowledgment that the Animal Control Officer attended the April 5, 2018 Euthanasia Technician training with the State Veterinary Board due to the generous donation of a private citizen, who wishes not to disclose their name.
6. Councilman DeFelice – Discussion/For Possible Action – Direction to the City Attorney to prepare a contract between PETA and Dr. Sanders, with the City of Ely as a third party beneficiary, for the payment of euthanasia procedures until the City has completed the budgetary process.
7. Councilman DeFelice – Discussion/For Possible Action – Direction to the City Attorney to negotiate a contract for Fiscal Year 2018-2019 with Dr. Sanders for purposes of euthanasia by injection until all requirements can be met by the City of Ely for euthanasia by injection, negotiate the fee and other processes for euthanizing an animal in the control and custody of the Animal Control Officer, with the draft contract coming back before the City Council for approval.

8. Mayor Van Camp – Councilwoman Gardner – [Discussion/For Possible Action](#) – Approval of First Reading of Ordinance 713, Bill No. 2018-06, An ordinance amending City Code Title 5, Chapter 3B, Section 5 License Required changing dog licenses to be effective for the period of the rabies vaccination and eliminating the annual dog license and requirement that all dogs be licensed until their rabies vaccination becomes due, approximately three years.
9. Council Members – City Treasurer Trask – [Discussion/For Possible Action](#) – Approval of the City of Ely’s Fiscal Year 2019 Tentative Budget, to be filed with the Department of Taxation pursuant to NRS 354.596.
10. Council Members – City Treasurer Trask – [Discussion/For Possible Action](#) – Presentation and possible acceptance of Major Federal Program audit for the City of Ely, prepared by *Keddington & Christensen, CPA’s*.
11. Council Members – City Treasurer Trask – [Discussion/For Possible Action](#) – Presentation and Acceptance of Corrective Action Plan for Findings noted in City’s Major Federal Award Programs Audit.
12. Mayor Van Camp – Discussion/For Possible Action – Approval to appropriate 5% each fiscal year of marijuana revenues to be placed in the Beautification Special Revenue Fund, not to exceed \$5,000.00 each fiscal year.

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 <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 **April 9, 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>.

 _____