



# 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.**

***April 26, 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](#)
  - ❖ [Animal Control](#)
- CITY WATER/SEWER LEADMAN
- CITY ENGINEER
- CITY BUILDING OFFICIAL

### 5. REPORTS

CITY COUNCIL  
MAYOR

**6. THE MAYOR WILL RECESS THE REGULAR CITY COUNCIL MEETING FOR A MEETING OF THE ELY LIQUOR LICENSING BOARD.**

1. Board Members – [Discussion/For Possible Action](#) – Approval of Fraternal Liquor License to the Ely Volunteer Fire Department located at 499 Mill Street, Ely, Nevada.

**7. 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 Jonathan Reed to conduct a landscaping business, d.b.a. *Reed Landscaping* located at 9 Connors Court, Ely, Nevada.

**8. 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 8A-1 Minutes & 8A-2 Bills.

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

1. Discussion/For Possible Action –Minutes.
  - [March 22, 2018](#)
2. Discussion/For Possible Action –Bills.
  - [April 11, 2018](#)

**B. OLD BUSINESS**

1. Chairman Peeler – [Discussion/For Possible Action](#) – Consideration of an application for a Conditional Special Use Permit. The applicant wishes to use the location for a Cannabis Cultivation Facility. The property address is 16 Shoshone Circle, Ely, NV. The Assessor Parcel number is 001-501-16, the applicant is the Ely Shoshone Tribe and the public hearing for this application was held March 22, 2018.

**C. NEW BUSINESS**

1. Mayor Van Camp – Nevada Rural Housing Authority Representative – [Discussion/For Possible Action](#) – Approval of support letter for Nevada Rural Housing Authority (NRHA)’s proposed rehabilitation of the Bristlecone Properties and its application for Low Income Housing Tax Credits (LIHTC’s) through the Nevada Housing Division.
2. Council Members – City Attorney Odgers – [Discussion/For Possible Action](#) – Approval of Abandonment Order granting a portion of Avenue D to *Prospector Enterprises Ely, LLC*, pursuant to the City Council’s December 14, 2017 action.

3. Mayor Van Camp – White Pine County (WPC) Airport Manager Lance Gale – [Discussion/For Possible Action](#) – Approval for White Pine County to use Broadbent Park June 12-16, 2018 for Ely Air Races events AND approval for White Pine County to use City of Ely bleachers at the airport during the Ely Air Races event.
4. Council Members – City Attorney Odgers – [Discussion/For Possible Action](#) – Approval for the City of Ely Animal Control facility to participate in Maddie’s Pet Adoption Days, a two day adoption event for Nevada-based animal groups, April 27-28, 2018; all adoption fees must be waived and \$300.00 will be given to City of Ely Animal Control for every adoption of a dog/cat, to offset adoption costs and other Animal Control needs.
5. Councilman DeFelice – Discussion/For Possible Action – Direction to the City Attorney to negotiate a contract for Fiscal Year 2018-2019 with *Eureka Vet Services* 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.
6. Councilman DeFelice – Councilman Flangas – Discussion/For Possible Action – Approval to destroy the Animal Control carbon monoxide (CO<sup>2</sup>) euthanasia box.
7. Councilman Flangas – Discussion/For Possible Action – Approval to appoint the City Administrator as Animal Control Supervisor, with all Animal Control matters being discussed with the City Council Animal Control Liaison.
8. Mayor Van Camp – City Attorney Odgers – [Discussion/For Possible Action](#) –Approval of Nevada Recycles \$5,225.00 grant funding agreement between Nevada Division of Environmental Protection (NDEP) and the City of Ely for the Ely Recycling Center Canopy Project; NDEP required receipt of the signed funding agreement by 4-18-18.

**9. 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”.

**10. 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 **April 23, 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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