



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.

July 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 June 2018](#)
 - ❖ [WWTP June 2018 Report](#)
 - ❖ [Landfill & Streets June 2018 Report](#)
 - ❖ [Parks/Cemetery/Recycling June 2018 Report](#)
- CITY ATTORNEY
 - ❖ [Animal Control June 2018 Report](#)
 - ❖ [Liens Report](#)
- [CITY WATER/SEWER LEADMAN](#)
- CITY ENGINEER
- [CITY BUILDING OFFICIAL](#)

5. NNRV FOUNDATION REPORT

6. REPORTS
CITY COUNCIL
MAYOR

7. ITEMS FOR DISCUSSION/POSSIBLE ACTION OF THE ELY CITY COUNCIL AS RECOMMENDED BY THE MUNICIPAL UTILITIES BOARD.

1. Board Members – City Engineer AlMBERG – [Discussion/For Possible Action](#) – Approval of *Holiday Pine, LLC's* Will-Serve Application at 1505 East Aultman Street, Ely, Nevada (APN 002-261-05) for a 4” water main service and a sewer line servicing 640 new fixtures.
2. Board Members – City Attorney Odgers – [Discussion/For Possible Action](#) – Approval to write off previous balance owed by the prior owner of \$2,049.59, including penalties and lien fee, in the amount of \$1,035.71 for 45 South Nettie Avenue, Baker, Nevada, APN 005-113-05 AND to release the lien filed on the same. The current owner is *Gateway Accommodations, LLC*, business owner David Sturlin.
3. Board Members – City Attorney Odgers – [Discussion/For Possible Action](#) – Approval to close account number 2.9268.2 for 40 South Baker Avenue, Baker, Nevada, APN 005-113-04, as there is no longer a business or livable structure on this property AND to waive the remaining balance owed of \$14.32; this property is owned by *Gateway Accommodations, LLC*, business owner David Sturlin.
4. Board Members – City Attorney Odgers – [Discussion/For Possible Action](#) – Write off previous balance owed of \$731.27, including penalties in the amount of \$235.77, for 55 East Carson Street, Baker, Nevada, APN 005-113-01. The current owner is *Gateway Accommodations, LLC*, business owner David Sturlin.
5. Councilman Carson – [Discussion/For Possible Action](#) – Direction to City staff and the Council Landfill liaison to meet with Paul Holdaway of *Outwest Excavation* regarding whether to continue the metal recycling contract or renegotiate the contract terms, pursuant to Article III Section 3.0. “Term” in current contract dated December 22, 2016.

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 item 8A-1 Minutes and 8A-2 Bills.

Moved by: _____ Second by: _____ Vote: _____

1. Discussion/For Possible Action –Minutes.
 - June 14, 2018
2. Discussion/For Possible Action –Bills.
 - [July 5, 2018](#)

B. OLD BUSINESS

1. Mayor Van Camp – [Discussion/For Possible Action](#) – Mayoral Appointment of five (5) Animal Control Advisory Board Members, with the consent of the Ely City Council, from the following applicants: Robin Eldridge, DVM; Tracey Greenwell; Tandy Haslem; Ramona Maestes; KayLynn Roberts-McMurray; Patricia Robison; and Geri Whopschall. Two members will receive appointments through December 31, 2020 and three members will receive appointments through December 31, 2022.

C. NEW BUSINESS

1. Councilman Hanson – Ely Shoshone Tribe Representative – Discussion/For Possible Action – Approval to direct City officials to negotiate with Ely Shoshone Tribal officials regarding terms for a marijuana dispensary compact between the two entities.
2. Council Members – City Administrator Switzer – [Discussion/For Possible Action](#) – Approval of Mutual Modification of Interlocal Agreement for Police Protection between White Pine County and the City of Ely, approved by White Pine County June 27, 2018.
3. Council Members – City Attorney Odgers – Discussion/For Possible Action – Approval for the Ely City Council to meet with the White Pine County Commission, as per their July 3, 2018 request, for a joint meeting August 22, 2018 at 6:00 p.m. regarding a potential grant through the Governor’s Office of Economic Development (GOED), a fire services mutual aid agreement and other items to be determined.
4. Council Members – City Attorney Odgers – [Discussion/For Possible Action](#) – Removal of Cease and Desist order on Ray Keller, d.b.a. *Wolfie’s Wood* for failure to have the proper City licensing to sell second-hand merchandise.
5. Council Members – City Attorney Odgers – [Discussion/For Possible Action](#) – Approval of retainer agreement for the services of Larry Bertsch as the City of Ely’s Expert Witness for the accounting required by the contract between *S & S Shortline Leasing, LLC* and the City of Ely, to review all relevant documents and accountings provided by *S & S Shortline Leasing, LLC*, to prepare an expert report and to provide expert testimony at trial.
6. Council Members – City Administrator Switzer – Discussion/For Possible Action – Approval to allow *Hinton Burdick CPAs* access to reporting functions ONLY of the City of Ely bank accounts with the *First National Bank of Ely*.

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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.

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 **July 5, 2018 at 4:30 p.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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