



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.

July 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 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 an Application for a Variance. The applicants, Lloyd E. and Jean B. Phillips, wish to construct an exterior stairway and landing to the front of the house, as well as a new carport on the west side; the new construction would not meet the current set back requirements. The location is 1298 Ely Street, Ely, Nevada (APN 001-202-04).

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

1. Chairman Peeler – [Discussion/For Possible Action](#) – Consideration of an Application for a Variance. The applicants, Lloyd E. and Jean B. Phillips, wish to construct an exterior stairway and landing to the front of the house, as well as a new carport on the west side; the new construction would not meet the current set back requirements. The location is 1298 Ely Street, Ely, Nevada (APN 001-202-04).

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 Teri Doty to conduct a dog training business, d.b.a. *Adventure K9* located at 1280 Avenue L, Ely, Nevada.
2. Councilman Flangas – Chairman Peeler – Discussion/For Possible Action – Recommendation to post 20 MPH speed limit sign in residential area of Campton Street, west of the White Pine County Court House, where 20 MPH zone is reinstated.
3. Councilman Flangas – Chairman Peeler – Discussion/For Possible Action – Recommendation by City Planning Commission to actively recruit businesses for vacant buildings in the City of Ely.

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.
 - June 25, 2018
 - June 28, 2018
2. Discussion/For Possible Action –Bills.
 - [July 20, 2018](#)

B. NEW BUSINESS

1. Councilman Carson – *Mt. Wheeler Power General Manager Kevin Robison* – [Discussion/For Possible Action](#) – Presentation on November 2018 ballot Question 3 and possible position adoption by Ely City Council on Question 3.
2. Mayor Van Camp – Discussion/For Possible Action – Approval for Animal Control Advisory Board to meet the second Wednesday of every month at 5:30 p.m. in City Hall and direction to City Attorney to present the amendment of Ordinance 712, Section 2-4-9: MEETINGS to reflect the same; the Animal Control Advisory Board’s secretary would not incur overtime for taking minutes at these meetings.
3. Councilman Hanson – [Discussion/For Possible Action](#) – Consideration to override Mayor’s veto of the City Council’s July 12, 2018 action which directed City officials to negotiate with Ely Shoshone Tribal officials regarding terms for a marijuana dispensary compact between the two entities.
4. Council Members – City Attorney Odgers – [Discussion/For Possible Action](#) – Approval of Abandonment Order granting a portion of Southern Avenue and Belfort Avenue to Andre H. Bouchard, pursuant to the City Council’s January 25, 2018 action.
5. Council Members – City Administrator Switzer – City Fire Chief Rivera – Discussion/For Possible Action – Review of current City of Ely personnel policy and possible approval of policy allowing wage range penetration for new career hires based on experience and credentials, to be determined by the hiring authority.
6. Council Members – City Administrator Switzer – City Water/Sewer Leadman Siemer – [Discussion/For Possible Action](#) – Approval to expend \$200.00 from the Water Department fund for a De Minimis Discharge Permit filing fee for the Courthouse tank overflow.
7. Council Members – City Administrator Switzer – Discussion/For Possible Action — Approval of Payroll and Accounts Payable Services contract between the City of Ely and *Hinton Burdick, CPAs & Advisors* for a monthly fee of \$1,700.00.
8. Council Members – City Attorney Odgers – [Discussion/For Possible Action](#) – Approval to hire William G. Kimmel, Real Estate Appraiser & Consultant, to complete an appraisal of the railroad right-of-way corridor, owned by the Nevada Northern Railway Foundation and the City of Ely, from McGill to Cobre, Nevada for \$3,000.00.
9. Councilman Flangas – Discussion/For Possible Action – Approval to recruit for an Account/Utility Clerk position with an emphasis in accounts payable and payroll, including where to advertise the vacancy and whether the position should be full time.

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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/complaint_filing_cust.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. USDA is an equal opportunity provider, employer, and lender.

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 20, 2018 at 4:00 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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