



# 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.**

***September 27, 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. ITEMS FOR DISCUSSION/POSSIBLE ACTION ONLY OF THE ELY CITY COUNCIL.

1. Mayor Van Camp – [Discussion/For Possible Action](#) – Approval of Proclamation declaring the week of October 23-31, 2018 Red Ribbon week in the City of Ely.

### 5. CITY DEPARTMENT REPORTS

- FIRE CHIEF
- POLICE CHIEF
- [MUNICIPAL COURT JUDGE](#)
- [CITY ADMINISTRATOR](#)
- CITY ATTORNEY
- CITY WATER/SEWER LEADMAN
- CITY ENGINEER
- CITY BUILDING OFFICIAL

## **6. NTRY FOUNDATION REPORT**

### **7. REPORTS**

**CITY COUNCIL**

**MAYOR**

## **8. ITEMS FOR DISCUSSION/POSSIBLE ACTION OF THE ELY CITY COUNCIL AS RECOMMENDED BY THE ANIMAL CONTROL ADVISORY BOARD.**

1. Board Members – Animal Control Officer Hayes – [Discussion/For Possible Action](#) – Acceptance of the Animal Control Advisory Board’s prioritized goals and priorities.
2. Member Eldridge – [Discussion/For Possible Action](#) – Approval to implement any or all of the following revenue generating policies for Animal Control: 1) Electronic or paper reminders when dog licenses expire; 2) Requirement that local veterinarians provide to the City of Ely, on a monthly basis, a list of owners who have had their dogs vaccinated for rabies, so that licensing notices can be sent to them; and 3) An increased license fee for un-spayed or un-neutered dogs of \$100.00, unless owner possesses a breeders license.
3. Board Members – Animal Control Officer Hayes – [Discussion/For Possible Action](#) – Approval for Animal Control Officer Hayes to attend Saving Nevada’s Pets conference October 25-26, 2018 in Reno, Nevada as Humane Network’s guest; Humane Network will cover travel expenses and hotel.

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

1. Board Members – City Administrator Switzer – [Discussion/For Possible Action](#) – Authorization for mayor to sign water pipeline Right of Way NVN-059250 BLM Assignor Consent form and BLM application, transferring Mineral Heights water pipeline right of way from *Robinson Nevada Mining Company* to the City of Ely.
2. Councilman Carson – [Discussion/For Possible Action](#) – Approval to allow the property owners of 930 S. Michigan Avenue (APN 010-650-28) to connect to the City of Ely water line abutting the southwest corner of their property, waiving the Ely City Code 10-2-4-F-1 requirement, which is supported by NRS 534.120 (4), that the property owners must install an 8” water main for the full length of their property in order to connect to the City of Ely water system; the property owners are Ed and Debborah Carpenter.
3. 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.

**10. 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 10A-1 Minutes & 10A-2 Bills.

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

1. Discussion/For Possible Action –Minutes.
  - [August 22, 2018](#)
  - August 23, 2018
2. Discussion/For Possible Action –Bills.
  - [September 6, 2018](#)
  - [September 21, 2018](#)

**B. NEW BUSINESS**

1. Councilman Carson – City Attorney Odgers – Discussion/For Possible Action – Approval of Steptoe Valley Trap, Skeet and Target Club’s grant application with Nevada Department of Wildlife for construction of a building for purposes of hunter safety education and other community activity.
2. Council Members – City Administrator Switzer – Lindsey Wanless of *Leavitt Group Insurance* – [Discussion/For Possible Action](#) –Selection of a 2018-2019 Group Health Insurance Plan for City of Ely employees.
3. Council Members – City Engineer Almberg – NDOT Ely District Engineer Steve Baer – [Discussion/For Possible Action](#) – Concurrence with NDOT’s intent to close the Avenue F extension, located at E.15<sup>th</sup> Street (across from the *Sage Brush Texaco*) as part of the NDOT project to bring the intersection at Aultman/E.15<sup>th</sup> Streets up to current standards.
4. Mayor Van Camp – [Discussion/For Possible Action](#) – Extension of temporary Conditional Special Use Permit to the Ely Shoshone Tribe to operate a cannabis cultivation facility at 16 Shoshone Circle, Ely, Nevada, pending completion of their transfer to trust land or issuance of license by the Nevada Department of Taxation.
5. Mayor Van Camp – Discussion/For Possible Action – Approval of First Reading of Ordinance 715, Bill No. 2018-08, an ordinance establishing the City of Ely’s recreational marijuana rules, setting fees and zoning requirements.
6. Council Members – City Attorney Odgers – Discussion/For Possible Action – Approval of letter to send to the Nevada Department of Taxation to notify potential applicants of the City of Ely’s intent to pass Ordinance 715, limiting recreational marijuana licensing to those applicants that have a medical marijuana license and limiting the number of recreational dispensaries within the incorporated limits of the City of Ely to one (1) until the population exceeds 20,000 within the incorporated limits of the City of Ely.

7. Mayor Van Camp – [Discussion/For Possible Action](#) – Review recommendations of City Police Chief and City Engineer on the installation of two STOP signs on Avenue C at E. 15<sup>th</sup> Street, per City Code 6-3-2.
8. Council Members – City Fire Chief Rivera – Discussion/For Possible Action – Approval of Proclamation designating October 7-13, 2018 Fire Prevention Week in the City of Ely.
9. Councilman Hanson – [Discussion/For Possible Action](#) – Approval for City of Ely to assist in the establishment of a local Main Street organization by: 1. Direction to City Attorney to set up a 501c 3 for a local Main Street organization; 2. Direction to City Attorney to work with White Pine County’s District Attorney to draft an Interlocal Agreement for a Main Street organization, which would possibly include City Hall office space as an in-kind contribution for a future Main Street director. The local Main Street 501c 3 Articles of Incorporation/Bylaws and Interlocal Agreement will have to be approved by the Ely City Council and White Pine County Commission.
10. Mayor Van Camp – [Discussion/For Possible Action](#) – Approval of Nevada Division State Lands’ request to terminate the lease of the real property owned by the City of Ely located at 125 Mill Street, pursuant to Section 2. TERMS OF LEASE and Section 18. TERMINATION in the September 27, 2006 lease agreement between the City of Ely and the State of Nevada by the Division of State Lands on behalf of the Nevada Army National Guard.
11. Council Members – City Attorney Odgers – Discussion/For Possible Action – Approval to send offer of settlement to *S & S Shortline*.
12. Mayor Van Camp – Discussion/For Possible Action – Appointment of Melvin Bahls as a volunteer working with the City Administrator as a Compliance Officer for the City.
13. Mayor Van Camp – Discussion/For Possible Action – Appointment of Bruce Setterstrom as a volunteer working with the City Administrator as a Compliance Officer for the City.
14. Council Members – City Administrator Switzer – [Discussion/For Possible Action](#) – Selection of new truck for Water Department, which was budgeted in FY18-19 year.
15. Councilman Carson – Discussion/For Possible Action – Instruct City Administrator to provide financial statement to the City Council at the second meeting of every month.
16. Councilman Carson – Discussion/For Possible Action – Evaluation of contract between the City of Ely and *Hinton Burdick CPAs* for Payroll and Accounts Payable services.
17. Councilman DeFelice – [Discussion/For Possible Action](#) – Direction to City Attorney to draft amendment to Ely City Code 1-6-1(E) to increase City Treasurer salary range.

18. Councilman Hanson – Discussion/For Possible Action – Approval to recruit for a City Treasurer and leave the recruitment open until the position is filled; authorization to advertise in various locations, including, but not limited to INDEED and in other appropriate trade journals or in appropriate trade associations, expenses for advertising not to exceed \$5,000.00 to be charged to the Finance Department’s service and supplies.

19. Councilman Hanson – Discussion/For Possible Action – Authorization to hire a Utility Clerk to support the Treasurer’s function for payroll and accounts payable until such time as the City Treasurer is hired or other action of the City Council is approved terminating the recruitment for a City Treasurer.

**11. 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”.

**12. 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](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](mailto: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 **September 21, 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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