



# CITY OF ELY

501 Mill Street Ely, Nevada 89301  
City Hall (775) 289-2430 - Fax (775) 289-1463

**ELY CITY COUNCIL  
REGULAR MEETING  
AGENDA**

September 27, 2018 5:00 p.m. – Ely Volunteer Fire Hall - 499 Mill Street-Ely, Nevada.

1. Mayor Van Camp called the regular meeting of the Ely City Council to order at **5:01 p.m.**, led in the Pledge of Allegiance, Pastor Ian Bullis offered the Invocation and Mayor Van Camp asked for Roll Call.

Members present:

Mayor Melody Van Camp  
Councilman Kurt Carson  
Councilman Tony DeFelice  
Councilwoman Jolene Gardner  
Councilman Sam Hanson

Members absent:

Councilman Ernie Flangas

City Officials and Staff present:

City Administrator Robert Switzer  
City Attorney Charles Odgers  
City Engineer B.J. Almberg  
City Fire Chief Ross Rivera  
City Police Chief Scott Henriod  
Municipal Court Judge Michael Coster  
City Building Official Brad Christiansen  
Deputy City Clerk Jennifer Lee

Also in attendance: Members of the public signed in (appears below).

City Council	attendance list.	9-27-18
John Bullis		Trent Griffith
Sam Bullis		
Sam Bullis, Pastor		
Mike Kerner		
Pat Robinson		
Jeff Hyde		
Mike Higbee		
Allen Wise		
George Charles		
Bobby Parker		
John Mueller		
Mark Bassett		
Larry Jusk		
Kay McMurray		
Nathan Robertson		
Costa M		
Ed Carpenter		
DEBORAH CARPENTER		

## 2. PUBLIC COMMENT

Kerri Pintar stated for Jolene, the RTC, the City Road Department and everybody that's been involved in us getting the first treatment on our road for the same process as the Georgetown Road, we are very appreciative. We were told that this will fail through the winter, but will be completed next summer.

Deputy City Clerk Lee read the four letters appearing below into the record.

John O'Flaherty  
965 Pioche Hwy  
Ely, Nevada 89301  
775 289 2801  
775 289 4256  
[oflahertyph@sbcglobal.net](mailto:oflahertyph@sbcglobal.net)

9/26/2018

City of Ely  
City Council Members

RE: New business item #3

Dear Members,

I am the property owner of 1500 Ave F which is a professional office complex that is occupied by seven different business entities. Three of the seven entities are state offices. I have discussed this proposal by Nevada Department of Transportation with all entities in the business complex and all have agreed to not support this agenda item.

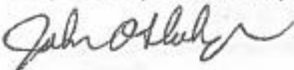
The concern that we have is that the existing parking lot for the office complex will be utilized as a turnaround point or a pass through point to Ave G. This is a major concern for the safety of the office workers, their patients, and/or the consumers of the complex.

I am also concerned that there are two additional intersections that are of similar characteristics that are not being addressed Lyons and Aultman and Fay and Aultman, both next to Sportsworld. I feel this closure is going to make it more cumbersome then it is presently.

I would also hope that the NDOT would have the courtesy to discuss this plan with the affected property owners prior to closure of the intersection which has been in existence for over 70 years.

Please place my opposition to this closure on record.

Respectfully submitted;



John O'Flaherty

September 27, 2018

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Dear Mayor and Council Members,

I am voicing my concern about county residents connecting to City of Ely utilities. I feel that the city utilities should be for city residents and county residents wishing to use city utilities should incorporate into the city. The increased fees paid by the county residents connected to city utilities do not offset the cost of the lack of growth of the city.

The city council should consider an ordinance that only city residents are allowed to connect to city sewer and water. The city can grow by using our utilities as an asset. The increased population growth in the county is hindering the growth of the City of Ely.



Dale Derbidge, Ely resident

1490 Avenue L  
PO Box 151854  
Ely, NV 89315

SAGEBRUSH TEXACO  
1490 E. AULTMAN ST.  
ELY, UT. 89301  
775-289-6688

9/27/2018

Dear Mayor and Council Members,

Sagebrush Texaco located 1490 E. Aultman Street in Ely will be impacted by the closure of the Avenue F extension. Sagebrush Texaco did not receive notice of this proposed road closure. Property owners should have been notified and a public hearing held.

Thank you.

Sagebrush Texaco

9/27/2018

GOOD AFTERNOON,

I AM JULIE SPEAR. I WORK FOR THE CITY IN THE FRONT OFFICE.

I HAVE SOME CONCERNS ABOUT THE PROPOSED ANIMAL CONTROL ITEM ON THE AGENDA ABOUT RAISING DOG LICENSE FEES FOR THE NON SPAYED OR NEUTERED ANIMALS TO \$100.00.

FOR THE ONES THAT DON'T KNOW I AM A LICENSED DOG BREEDER AND DOG OBEDIENCE TRAINER WITH THE CITY OF ELY. SO IT WON'T AFFECT ME BUT I DON'T THINK THAT RAISING THE FEE TO \$100.00 IS FAIR TO THE RESPONSIBLE DOG OWNERS THAT DON'T WANT TO SPAY OR NEUTER THEIR ANIMAL, THAT TAKE CARE OF THEIR ANIMALS AND KEEP THEM HOME. I AM NOT AGAINST RAISING MONEY FOR ANIMAL CONTROL. I AM ALL FOR TAKING CARE OF AS MANY ANIMALS AS WE CAN, BUT WE NEED TO BE FAIR. WHY NOT PENALIZE THE OWNER OF THE ANIMALS THAT ARE NOT SPAYED OR NEUTERED THAT ARE RUNNING THE STREETS BY RAISING THE AT LARGE FEES FOR THEM?

AND LET'S TALK ABOUT ALL THE CATS THAT RUN THE STREETS THAT AREN'T SPAYED OR NEUTERED. YOU WANT TO HAVE A PROGRAM TO SPAY AND NEUTER THEM FOR FREE AND THEY AREN'T LICENSED. HOW IS THAT FAIR? THERE ARE A LOT MORE CATS RUNNING THE STREETS THAN DOGS. I SAY LICENSE THE CATS. THAT WILL RAISE REVENUE FOR ANIMAL CONTROL AND PROTECT US MORE FROM THE THREAT OF RABIES. FIND PROGRAMS THAT WILL BENEFIT BOTH CATS AND DOGS.

I DO THINK THAT NON SPAYED AND NEUTERED ANIMALS SHOULD BE CHARGED MORE THAN SPAYED AND NEUTERED ANIMALS. \$10.00 FOR SPAYED AND NEUTERED AND \$25.00 FOR NON SPAYED OR NEUTERED IS NOT OUT OF LINE.

I THINK IT WILL ONLY HURT THE DOG LICENSING PROGRAM BY RAISING IT TO \$100.00 THEY JUST WON'T REGISTER THEM.

PLEASE RECONSIDER THIS ACTION. THANK YOU. JULIE SPEAR

Nathan Robertson stated my name is Nathan Robertson. I'm the owner of 1625 Avenue F, the *Soak & Suds* laundromat, here to comment on item B-3 from the agenda. I'm against this. I saw Steve Baer this morning and got a copy of the proposal. This would drastically impact the access to my business, especially during the summer months; we have a lot of people with RVs and semitrucks passing through. I can't have that being a dead-end road; there's no way for those people to turn around. Those impacts those other property owners like *Recks* and *Gust* too because if people can't turn around, they're using private parking lots and that's not fair to them. It is a bad intersection; it is clumsily laid out, but there's got to be a better solution than closing it.

Bobby Parker stated I've been looking at property owned by the City off of Lackawanna, the old White Pine County dump road; it was listed by *Keller Williams* for \$109,000.00. I found out today that somebody on the City Council accepted a bid for \$4,000.00. This property was forty acres. I didn't get a chance to put in a bid.

City Engineer Almberg stated it's a different parcel. That's not the City parcel you're talking about.

Bobby Parker stated the realtor told me it was accepted.



City Building Official Christiansen stated at the County Commission meeting yesterday.

Terry Gust stated I'm the owner of 1539 Avenue F. and it houses State probation offices, plus *Stewart Title Company*. Closure of Avenue F wouldn't be an advantage to anybody that has a business or property on that street. It's a tough deal now the way it is because I do have a legal approach to the viaduct and I get cars going through there, rather than going up. If that intersection was closed, you'd be forcing people to put up fences to keep the other people off their property. So, take that into consideration.

Allen Wise stated I'm Allen Wise, although I'm a County resident, I have driven over that intersection since 1972; there have been a few wrecks there, but usually it's because of people not paying attention. Coming from the hospital, the City has a good YIELD sign, but it's too far back. Just like everyone else, I'm opposed to it. In fact, the first letter from John O'Flaherty was the best. If you're looking at that intersection, you've got an intersection at *Sportsworld* that is the same way, although that one street's one way. You also have another street on the other side, which is the same type of intersection that NDOT is wanting to close. If you're going to close one, close them all. They're using an NRS to go after closure. There's probably been more wrecks on those two intersections then there ever have been by *Sagebrush Texico*. I was at the Landfill today. You guys are trying to do Recycling and what I saw out there appalled me. I don't know who did it, but in the metal pile there were probably 200-300 T posts, - which were damaged – a bunch of conduits used for chain link fencing. Also thrown in there, I would estimate, was ninety brand new spools of barbed wire. Why don't we change your policy? If that's restricted, pull it out. Use it or donate it to people. Why aren't we recycling that type of stuff? Why let them melt it down? Use it! I'm sure the City could use some of it. It's great for putting on the top of chain link fence for security.

George Chachas stated on your agenda item 8-2 policy 3, possible increase license fees for un-spayed or un-neutered dog, \$100.00 Is excessive; it should be reduced. Also, you have not addressed any licensing of cats. You're discriminating against dog owners by making them foot the bill for Animal Control. Cat owners need to pay the same fees. On your agenda item 10B-1 you're to consider approval of Steptoe Valley Trap Skeet and Target club's application for a building permit for hunter safety education as a community activity. Is there going to be any shooting within the building? If so, it needs to be denied. There's already a building at the old range in Murry Canyon. Stop the duplication, taxpayers' money. Keep in mind that the County may enact a two-mile 'no shooting' ordinance. You may not do any shooting near homes or the highways per NRS. On your agenda item 10B-9 you're to consider a Main Street organization: Where are you going to get the money? You've not addressed ADA; weeds; selective enforcement; junk yards near a new four million dollar high-end motel; raggedy, pot-holed streets; and you're going to join an organization that's going to tell you what I just mentioned, only you're paying for it. I'm free! Your building inspector's yet to address the incompetent roofing job done on my building; he destroyed the historic architecture of my building and now you're going to have a main street project telling me I've got to fix that? You have an obligation to protect me. You better start doing something. On your agenda item 10B-1 you're to consider the approval to send an offer of settlement to *S & S Shortline*; there should be no settlement considered until they have paid all their fees and obligations to the City. At your Council meeting held on June 25, 2018, the *S & S* representative implied reports had been sent to the City regarding track rental; who received them? Why wasn't that reported earlier?

Mark Bassett stated on your agenda item B-9 on the Main Street program, I was a project manager for Main Street in Laramie, Wyoming thirty years ago; that project is really needed here in Ely. When Wyoming did this, they did five communities. One of the communities was Rawlins, Wyoming; its downtown at that time makes our downtown look wonderful, that's how bad it was. The Rawlins downtown Main Street project was awarded the Main Street City of the Year about three years ago. One of the things we're seeing is we're hitting our upper limit of our passengers because people come here and they're looking for things a tourist community would have and we don't have that. Main Street is the first step in a long road to address these issues. I would volunteer to assist with this program because it's really needed. On B-11, the settlement offer, the Board of Directors of the Foundation voted unanimously to pursue that settlement offer.

### **3. Mayor – Discussion/For Possible Action – Approval of Agenda, including removal of agenda items.**

City Attorney Odgers stated I'm going to ask you to remove B-10, based on my discussions with the Nevada National Guard; they're going to send a letter to address at the next City Council to allow the National Guard to terminate the lease, to transfer the lease agreement to the State, and allow the State to find a State agency to occupy that building.

Councilman Hanson moved to approve the agenda, minus item 10B-10. Councilwoman Gardner seconded the motion. The motion carried unanimously.

#### 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.

Councilman Hanson moved to approve a proclamation declaring October 23-31, 2018 Red Ribbon Week in the City of Ely. Councilwoman Gardner seconded the motion. The motion carried unanimously.

Mary Kerner read Red Ribbon Week Proclamation into record.

### **Proclamation** **City of Ely**

**Whereas**, Alcohol and drug abuse in this nation has reached epidemic stages; and

**Whereas**, it is imperative that visible, unified prevention education efforts by community members be launched to eliminate the demand for drugs; and

**Whereas**, working collaboratively represents a key opportunity for communities to create significant, sustainable improvements in health and equity outcomes; and

**Whereas**, the National Red Ribbon Campaign offers citizens the opportunity to demonstrate their commitment to drug-free lifestyles (no use of illegal drugs, no illegal use of legal drugs); and

**Whereas**, The National Red Ribbon Campaign will be celebrated in every community in America during Red Ribbon Week, October 23-31; and

**Whereas**, business, government, parents, law enforcement, media, medical institutions, religious institutions, schools, senior citizens, service organizations, and youth will demonstrate their commitment to healthy, drug-free lifestyles by wearing and displaying red ribbons during this week-long campaign; and

**Now Therefore, We It Resolved** the City of Ely, does hereby proclaim October 23-31, 2018 as RED RIBBON WEEK, and encourages its citizens to participate in drug prevention education activities, not only during Red Ribbon Week, but all year long, making a visible statement that we are strongly committed to a drug free community.

#### 5. CITY DEPARTMENT REPORTS

- FIRE CHIEF

City Fire Chief Rivera stated the Honor Camp painted our doors and did our weeds. City crews did the asphalt in front.

- POLICE CHIEF

Police Chief Henriod stated on the new Court House and Jail expansion project, we have hired *LCA* as our architect along with our construction company, *CORE Construction*. Right now, we're doing conceptual plans to meet our budget. Last week we went through Lander County's Courthouse, which is a little over two years old. We're hoping to make that a reality next year.

- MUNICIPAL COURT JUDGE

Municipal Judge Coster stated I am nearing the end of my training cycle; I have about a day left. We had training about confidentiality of records and conversations outside of the work place. I've had a couple people come to me to express appreciation for the Court's speedy response.

- CITY ADMINISTRATOR

City Administrator Switzer stated we had a presentation by POOL PACT for a Safe and Sober Workplace and got as many employees there as we could.

- CITY ATTORNEY

City Attorney Odgers stated you've been getting my emails, so you know what I've been working on.

- CITY ENGINEER

City Engineer AlMBERG stated NDOT forwarded some information on right-of-way issues around the museum this week; I got that to Chuck and will assist Chuck to find answers to their questions. I want to thank Julie in City Hall; we've been doing water analysis on portions of our system and she's been providing meter reading stats. The big thing we've been working on is our Aultman sewer/water; we're in the process of a ton of coordination with NDOT since there's some very congested locations on Aultman Street.

#### 6. NNRV FOUNDATION REPORT

NNRV President Bassett reviewed the Nevada Northern Railway Foundation August 2018 report appearing below and stated the biggest news is 2019 is the 100<sup>th</sup> anniversary of completion of transcontinental railroad in Promontory, Utah and we have been receiving phone calls from people saying 'what are we going to do?' The State of Utah and the *Union Pacific Railroad* are investing two million dollars to bring people out west next year, so we put up our 2019 schedule early and we offer 916 events that can all be booked online. We also have over five hundred room nights available in the Bunk House



and Caboose. Over Labor Day Weekend, we brought out all of our steam powered equipment for a group photograph. September is running twenty-five percent (25%) ahead of last year. We were featured in the *Los Angeles Times* for our Star Trains; fortunately we had the 2019 Star Train schedule up, so we're selling 2019 Star Train tickets already. A couple of the weekends are sold out next year for our "Be the Engineer" program. The *Travel Channel* did a feature on "Twenty Terrific Train Trips for Family Adventures" and we were one of the trips.

## NEVADA NORTHERN RAILWAY

A NATIONAL HISTORIC LANDMARK

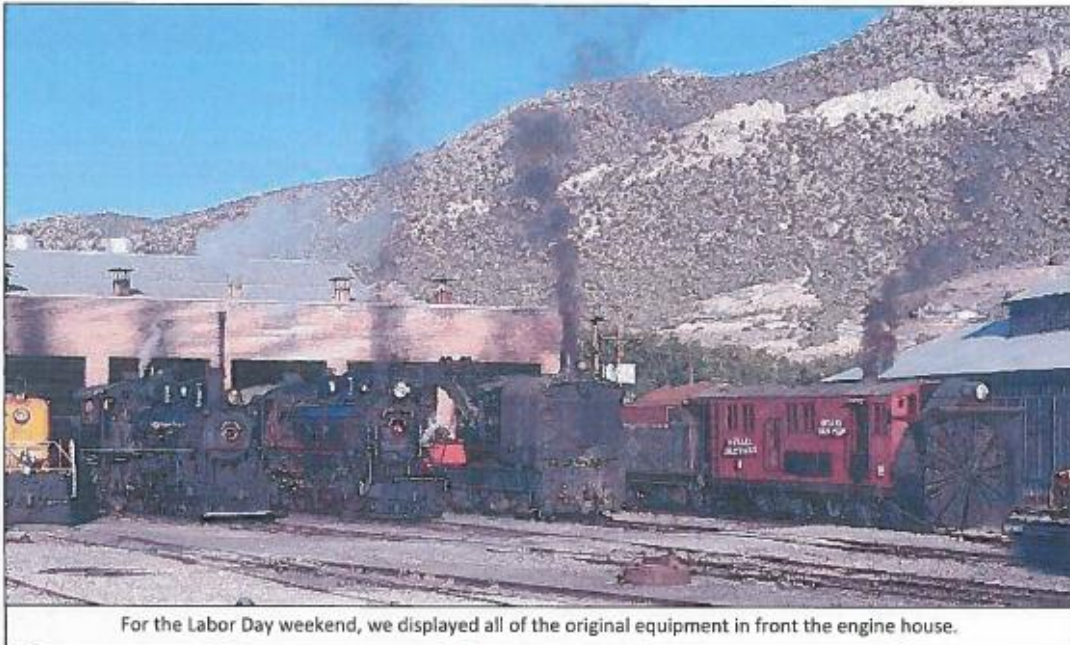


### Nevada Northern Railway Foundation

Depot: 1100 Avenue A, Ely, Nevada 89301  
Mailing Address: PO Box 150040, Ely, Nevada 89315  
Voice: (775) 289-2085 • Web: [www.nnry.com](http://www.nnry.com) • E-mail: [info@nnry.com](mailto:info@nnry.com)

### Monthly Operations Report for August 2018

1. 2019 Schedule - Our 2019 Schedule is now online. For 2019 we offer 916 events that can be booked online and over 500 room-nights of lodging are available.
2. Locomotive Status – Updated
  - a. Locomotives in service: #40, #93, #105, #109, #204, #310, Wrecking Crane A & Rotary B.



For the Labor Day weekend, we displayed all of the original equipment in front the engine house.

- b. Locomotives out of service needing moderate repairs: #45 – We have started repairs on this locomotive.

### Award Winning Destination

Best Tour in Rural Nevada – 2017  
Nevada State Treasure – 2013 & 2012  
Trip Advisor Certificate of Excellence – 2017, 2016, 2015, 2014  
Best Preservation Effort in the West • Attraction of the Year – 2012  
Best Museum in Rural Nevada – 2017, 2016, 2014, 2013, 2010, 2009, 2008  
Best Museum - Special Recognition – 2010 • Favorite Nevada Attraction – 2008  
Best Event in Rural Nevada – The Polar Express – 2017, 2016, 2015, 2014 & 2013  
Best Place to Take the Kids in Rural Nevada – 2018, 2015, 2014, 2013, 2012, 2011, 2010, 2009, 2008, 2007

- c. Locomotives waiting funding for restoration: Steptoe Valley Smelting and Mining #309 and Rotary Snowplow B (for boiler overhaul.)
  - d. Locomotives out of service needing heavy repairs #801, #802, #81, #80 and the military locomotives.
  - e. Locomotive 81 is in the Machine Shop. Work continues on the locomotive. More of the running gear is being removed. We still have a lot of work to do. The good news is that we are not facing anything unusual at this time.
2. Rolling Stock Status – No change
    - a. Passenger equipment in service: #07, #08, #09, Flatcar #23, Coach #5, Baggage Car/RPO #20, Outfit Car #06.
    - b. Passenger equipment out of service: #10, #2 and #05 needing heavy repairs.
    - c. Cabooses in service: #3, #6 and #22 are operational.
    - d. Cabooses out service: #5
  3. Track Status – Updated
    - a. Keystone Branch is open
    - b. Adverse Branch is open.
    - c. The Foundation received a \$347,670.22 grant to replace the signals at the US 93 crossing. Construction is almost complete on the signals.
  4. Building Status – No change: We have received two grants. One for the McGill Depot and one for drainage and track repair in front of the Machine Shop.
  5. Ridership and Ticket Sales – Updated
    - a. In August we carried 1,328 passengers. This is a decrease of 461 passengers or 25%.
    - b. Our annual ridership stands at 8,118. This is an increase of 474 passengers or 6% over last year. 2017 was the largest year we have ever had, our challenge will be to top it, early indications are that we will.
    - c. Since operations began in 1987, we have carried 281,927 passengers.
  6. Paint the Railroad Red – No Change: We plan to paint the Electric Shop weather cooperating the



weekend of September 22nd. This will be the last building along Avenue A that needs painting. Once this is completed, we'll move to the yard buildings. This will be a continuing initiative to keep the building painted and looking good.

7. Media Report – We were featured in the LA Times for our Star Trains Los Angeles Times, [Star parties at these five dark-sky places bring the heavens to life](#), by Mary Forgiione.

And also on the Travel Channel [20 Terrific Train Trips for Family Adventures](#)  
All aboard these historic trains for family adventure, special holiday themed-events and trips through some of America's most beautiful country. We were number 10 on the list.  
<https://www.travelchannel.com/interests/family/photos/15-fantastic-family-fun-trains>

Mayor Van Camp stated you guys did a wonderful job on Race the Rails; it was the second year it was put on and I participated. You had twenty-five more than last year?

NNRY President Bassett stated yes. We went to Tour and Rec. this morning and are planning on it for next year.



## 7. REPORTS

### CITY COUNCIL

Councilman Hanson reviewed his report appearing below and stated I attended the County Water Advisory Board meeting yesterday. I visited with Ernie, he sends greetings and anticipates being back with us.

#### Memorandum

to: Mayor Van Camp and Member of the Ely City Council  
from: Marion J. (Sam) Hanson  
date: 27 September 2018  
re: Report of the 2018 Nevada League of Cities and Municipalities Conference

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I took note of the following items during my attendance at the 2018 Nevada League of Cities and Municipalities Conference held in Winnemucca earlier this month:

- Roy Edgington, Mayor of the City of Fernley, announced that his city has determined to test the limits of the Nevada Home Rule legislation passed in 2015. They have submitted a BDR which proposes—unless the 2019 legislative session precludes it—to allow municipalities to impose a tax of 5¢ per gallon on diesel fuel sold within their jurisdiction, with proceeds to be specifically designated for road improvements.
- The keynote presentation by Bodine Balasco stressed the importance of historical preservation as a means to drive economic development, stating that recent data shows that every \$1.00 spent on historic preservation in municipalities in the United States yields an eventual return of \$32.50, perhaps the highest ratio of investment to return available. Significant ROI stems from zoning ordinances which allow for mixed use in downtown areas that facilitate residential dwellings within walking distance of downtown attractions. Certified Local Government programs are available to assist in the development of downtown areas; moreover, a 20% tax credit is available if the target property is listed on the National Historic Register. The presenter from SHPO urged municipalities to partner with both them and the Main Street program for maximum benefit.
- Disturbingly, with its far lower price heroin has supplanted meth as the drug of choice in both Humboldt County (population, approximately 8500) and Winnemucca City (population also approximately 8500), according to Winnemucca Police Lieutenant Jody Marvel, where his colleagues have averaged confiscating one half-pound bag of heroin per week, but estimates that up to 200 such bags are used weekly between the city and county residents. Recently, a dangerous new trend has appeared; sellers are lacing one random bag in twenty with fentanyl to result in near-certain death. Paradoxically, the practice has actually boosted sales for dealers as drug users liken the experience to purchasing such a bag to playing “Russian roulette.” The entire situation seems to have begun in the Reno area and appears to be gradually progressing eastward through the state. Emergency response personnel in Winnemucca train in the use of and carry specific equipment to deal with those who appear to be in a life-threatening situation. The demand of substance abuse response leaves little time for traditional public safety enforcement activities, nor implementation of prevention programs.



- Seeing legislation stalled in committee in the U.S. Congress, the cell-phone industry has asked the Federal Communications Commission (FCC) to implement regulations which would drastically limit a municipality's ability to control the installation and regulation of small-cell transmission towers, including a severe restriction on the amount of money that could be charged for use of a municipality's existing infrastructure, such as street lights, etc. (Twenty states have already enacted such legislation at the behest of the cell phone industry.) Concerned municipalities and individuals should contact their representatives in Washington, D.C. and urge them to tell the FCC of their strenuous opposition to the proposed regulations.
- Wayne Carlson, Executive Director of Pool Pact, addressed the business session and provided specific advice to recently-elected municipal office holders concerning their role and function as municipal elected officials. (I afterwards suggested to Mr. Carlson that Pool Pact publish the information in the form of a guide for newly-elected officials.) He also noted that NRS (he did not quote the section) stipulates that when elected bodies of five members have enough members present to constitute a quorum, but members are missing or cannot vote, a simple majority of votes is sometimes insufficient to pass a motion. In other words—and particularly—if only three members of the City Council are present at a meeting, it takes all three to pass any motion; a simple 2-1 majority is not sufficient. This information may also be found in the Open Meeting Manual.
- Wes Henderson, Executive Director of the League stated that the 2019 legislative session will be carefully monitored by two lobbyists retained by the League. Of particular note is SJ-14 which would reset property tax to the point of sale, which would increase the taxable rate of older residences and increase revenues to municipalities. A bill draft has also been submitted which would allow municipalities to expand the number of marijuana licenses for dispensaries. The League will carefully monitor and report developments of concern to its members.

I appreciate the opportunity to have participated. Thank you.

MJH/mh

### **MAYOR**

Mayor Van Camp reviewed her report appearing below and stated I attended the Broadband meeting; they're bringing updates regarding getting better internet to this area and we had the School District, Police Department, and Tribe there. It's a slow process, but we are ahead of other communities. I also attended a meeting on the window painting.

#### **1. I approved a Special Event License to:**

- Ian Bullis for "Backpack Give Away" at Sculpture Park on 8-24-18.
- WPC Tour & Rec. for Race the Rails event at Freight Barn on 1100 Ave. A on 9-8-18.

#### **2. I approved a 24-Hour Liquor License to:**

- *Hotel Nevada* for Silver State Classic Challenge events at Convention Ctr. September 14-15, 2018.

### **10. ITEMS FOR DISCUSSION/POSSIBLE ACTION ONLY OF THE ELY CITY COUNCIL. B. NEW BUSINESS**

1. 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.

Jeff Hyde of *Leavitt Group Insurance* reviewed the City of Ely Health Benefits bid tab appearing below and stated we went out to bid like we've done every year. There are limited options within the White Pine County area. In the health insurance world, there has been legislation passed that allows for association plans; that information will start to hit in 2019. For those buying insurance individually, it is rough.

	<div>SIERRA HEALTH AND LIFE <small>Aetna Health Plan of Nevada</small></div>		<div>Anthem BlueCross</div>		<div>Aetna</div>	
	2000/80% H.S.A.		PPO 2000/20%		NV PPO 2500	
	In Network	Out of Network	In Network	Out of Network	In Network	Out of Network
Calendar Year Deductible (Individual/Family)	\$2000/\$4000	\$4000/\$8000	\$2000/\$4000	\$4000/\$8000	\$2500/\$5000	\$7500/\$15,000
Coinurance Maximum (Individual/Family)	\$6500/\$13,000	\$13,000/\$26,000	\$4000/\$8000	\$8000/\$16,000	\$6800/\$13,600	\$27,200/\$54,400
Office Visit (Primary/Specialist)	20% <sup>AD</sup>	50% <sup>AD</sup>	\$20/\$50	50% <sup>AD</sup>	\$35/\$95	50% <sup>AD</sup>
Preventive Care	Covered 100%	50% <sup>AD</sup>	Covered 100%	50% <sup>AD</sup>	Covered 100%	50% <sup>AD</sup>
Outpatient Services	20% <sup>AD</sup>	50% <sup>AD</sup>	20% <sup>AD</sup>	50% <sup>AD</sup>	30% <sup>AD</sup>	50% <sup>AD</sup>
Inpatient Hospital	20% <sup>AD</sup>	50% <sup>AD</sup>	20% <sup>AD</sup>	50% <sup>AD</sup>	30% <sup>AD</sup>	50% <sup>AD</sup>
Maternity	20% <sup>AD</sup>	50% <sup>AD</sup>	20% <sup>AD</sup>	50% <sup>AD</sup>	30% <sup>AD</sup>	50% <sup>AD</sup>
Urgent Care	20% <sup>AD</sup>	50% <sup>AD</sup>	\$50	50% <sup>AD</sup>	\$95	50% <sup>AD</sup>
Emergency Room		20% <sup>AD</sup>		20% <sup>AD</sup>		\$500 + 30% <sup>AD</sup>
Pediatric Dental/Vision	Included	Included	Included	Included	Included	Included
Chiropractic	20% <sup>AD</sup>	50% <sup>AD</sup>	20% <sup>AD</sup>	50% <sup>AD</sup>	30% <sup>AD</sup>	50% <sup>AD</sup>
Prescriptions		20% <sup>AD</sup>	\$10/\$20/\$40/\$80/ 25% up to \$400	50% <sup>AD</sup>	\$12/\$55/\$95/40% up to \$500	50% <sup>AD</sup>
Mental Health						
Inpatient	20% <sup>AD</sup>	50% <sup>AD</sup>	20% <sup>AD</sup>	50% <sup>AD</sup>	30% <sup>AD</sup>	50% <sup>AD</sup>
Outpatient	20% <sup>AD</sup>	50% <sup>AD</sup>	\$20	50% <sup>AD</sup>	\$35	50% <sup>AD</sup>
	Current	Renewal				
Total Monthly Premium	\$40,396.08	\$31,947.64	\$46,137.60		\$36,190.35	
Premium Amount City Pays (80%)	\$24,316.86	\$25,553.31	\$36,910.08		\$28,952.28	
Total Monthly Increase		5%		52%		19%

Councilman Hanson moved to approve the same *Sierra Health* (\$2,000.00/80% HSA) 2018-2019 group insurance Plan. Councilwoman Gardner seconded the motion. The motion carried unanimously.

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.

City Attorney Odgers reviewed the Animal Control Advisory Board’s prioritized goals appearing below.

PRIORITIZED

Animal Control Goals

1. Start a Feral Cat Program. I would like grants to be procured to fund a feral cat program to ease and ultimately stop the flow of massive amounts of cats that come into my facility.

3. Revamp Animal Control website. I would like the Animal Control website to be able to collect donations, give valuable and much needed information to the public and post events. Getting information out to people about taking care of their pets is the main goal. (Adoptapet.com))

5. Renovate Animal Control. I would like grants for capital improvement to be procured through grants or donations. I realize this will be an ongoing process and I also realize my facility is 20 years behind other standard facilities. (ie. No quarantine area, euthanasia room, fence dogs can climb, no permanent cover for outside kennels)

2. Volunteer Program. I would like a program put in place to assist me in animal control. The less I have to be in the facility the more I can go out and check on animals. If i can not have volunteers to help directly with the animals I would like them to help in other aspects. (ie. Man the office, clean empty kennels, make transport or supply runs). I would like research done on how much liability insurance cost for each volunteer and if its even feasible for a program.

4. Programing. I would like for most of my intake and standard paperwork to be on the computer with a program that will be easy to access compared to the fishing through paperwork method I use now. This will require lots of time putting old information in but will make it much better when looking up records. I also would like a laptop for mobile purposes but not necessary at the time.

6. Deter Programs. I will be assisting people coming in to surrender animals in many ways in an effort of keeping said animals out of my facility. Depending on donations and what the people need I will determine if they can keep the animal permanently or temporary and assist them into adopting the animal out without the unnecessary use of my facility. (better for the animal and workload)

(Ongoing)

Councilman Hanson moved to accept the Animal Control Advisory Board’s prioritized goals and priorities. Councilwoman Gardner seconded the motion. The motion carried unanimously.

- 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.

City Attorney Odgers reviewed the applicable Animal Control Board minutes appearing below.

Regular Meeting of the Animal Control Advisory Board September 12, 2018

Chairwoman Roberts-McMurray called the regular meeting of the Animal Control Advisory Board to order at 5:38 p.m., led in the Pledge of Allegiance and asked for Roll Call.

Members present:

Chairwoman Kaylynn Roberts-Mc-Murray  
Member Robin Eldridge  
Member Tandy Haslem

Members absent:

Member Tracey Greenwell  
Member Ramona Maestes

City Staff present:

City Animal Control Officer Andrew Hayes  
Deputy City Clerk Jennifer Lee

Also in attendance: Harry Franke

3. Member Eldridge – Discussion/For Possible Action – Presentation of revenue generating policies for Animal Control, with recommendation to implement any or all of those policies.

Member Eldridge stated in California we printed out a rabies report, handed it over to Animal Control and they would start sending notices out to people that didn't have a license. Since we are required to license our animals, there's no real way to enforce that unless they're picked up. There's all these dogs that aren't licensed that never go out, but they're still supposed to be licensed. Chuck had said our ordinances don't allow for that, but I don't know why those can't be changed. The rabies report has that person's name and address; they never considered it a confidentiality thing. I lived in a rural area. Also, if you had an un-neutered or un-spayed animal, your license was \$100.00 and if your animal was spayed or neutered, it was \$10.00. If an un-neutered or un-spayed animal was out, the fine was way more than if the animal was spayed or neutered.

City Animal Control Officer Hayes stated I'm for that. I think it should be the price of how much it costs to spay or neuter your dog more, so it would be cheaper for them to spay/neuter their dog.

City Animal Control Officer Hayes asked does City Hall send out notices for dog licenses?

Deputy City Clerk Lee stated I don't know that we do.

Chairwoman Roberts-McMurray stated hence, the volunteer program could help with some of that.

Member Haslem moved to recommend sending out reminders when dog licenses expire. Chairwoman Roberts-McMurray seconded the motion. The motion carried unanimously.

Chairwoman Roberts-McMurray moved to recommend requiring local veterinarians to provide the City of Ely a monthly list of owners who have had their dog(s) vaccinated for rabies. Member Eldridge seconded the motion. The motion carried unanimously.

Member Eldridge moved to recommend a differentiation in licensing cost between altered and unaltered animals. Unaltered animals would cost \$100.00 more to license unless the owner has a Breeders license.

Chairwoman Roberts-McMurray seconded the motion. The motion carried unanimously.

Councilman Carson asked can we make vets do that?

City Attorney Odgers stated we can request that. We have no vets in the City. The County would have to adopt an ordinance to require that.

Councilman Carson stated it seems more user friendly to just work with the vets instead of mandating something.

Animal Control Advisory Board Chairwoman Roberts-McMurray stated one of our board members, Dr. Eldridge, suggested this, so I don't think it's going to be a problem. If we can get the doctors to give us a list of the rabies vaccinations, then we can send out licensing notifications; hopefully, we can get a volunteer to do that because it's just paperwork and they're not interacting with an animal. We would get more people to license their animals, revenue would certainly come in, and maybe it would create more responsible animal owners in the City, in the County.

Mayor Van Camp stated I listened to Julie Spear's letter about the increased licensed fee.

Animal Control Advisory Board Chairwoman Roberts-McMurray stated we're trying to get pet owners to be more responsible. When you don't spay or neuter your animal, you're causing more animals to be in the shelter, more animals to be euthanized. Quite frankly, it's \$60.00 to spay or neuter your pet; if they can't afford \$60.00 to spay or neuter their pet, maybe there should be a repercussion of \$100.00 if the animal ends up being out.



City Attorney Odgers stated Clark and Washoe counties have the same requirement and the State law does require spay and neutering.

Councilman Hanson moved to approve all three of the revenue generating policies suggested by the Animal Control Board. Councilwoman Gardner seconded the motion.

Councilman Carson stated I think \$100.00 is a little steep.

City Attorney Odgers stated if this passes, it will come back to you as a resolution.

Councilman Hanson's motion carried unanimously.

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.

City Attorney Odgers stated this request comes from me. It was sent to me from the Humane Society; it is geared towards facilities like ours and gives access to grants. It's not going to cost the City anything, other than Andrew being gone.

Councilman Hanson moved to approve for Animal Control Officer Hayes to attend Saving Nevada's Pets conference October 25-26, 2018 in Reno, Nevada. Councilman DeFelice seconded the motion. The motion carried unanimously.

## **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.

City Administrator Switzer stated this was considered at the last Utility Board meeting and they recommended passage. This issue was brought to my attention last year by a right-of-way BLM agent and *Robinson Nevada Mine* employee.

Councilman Hanson moved to authorize for the mayor to sign water pipeline Right of Way NVN-059250 Assignor Consent form and BLM application, transferring Mineral Heights water pipeline right of way from *Robinson Nevada Mining Company* to the City of Ely. Councilwoman Gardner seconded the motion.

Councilman Carson asked are there rental fees on that property?

City Attorney Odgers stated we will. It's \$474.85 a year.

City Administrator Switzer stated the rental fees are paid up until 2024.

Councilman Hanson's motion carried unanimously.

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.

Ed Carpenter stated we'd like to request a waiver for having to extend basically a stub with a fire hydrant across the front of our property attaching to nothing.

Debborah Carpenter stated the properties beyond ours are already improved as much as they're going to be, they're on wells and are not going to connect to the City.

Ed Carpenter stated I understand the City would like a loop in place, but the remainder of it, I don't see a plan in place to continue this.

City Attorney Odgers stated the Utilities Board's recommendation was to deny the request. Nevada Revised Statutes require that anybody within four hundred feet (400') of a water source or sewer line to connect to that water or sewer line. In this particular case, Nevada Revised Statutes also requires you to extend that along the entire length of the property. The reason that is in the statute and the ordinance is

because future owners have a right to attach to that same water line. I recommend against it because of statute and the ordinance.

Mayor Van Camp asked I talked to B.J. about this. We can't annex them because there's County property.

City Engineer Almberg stated they're not contiguous to the City. Mr. Carpenter came to my office and we talked about this. I explained that I don't have the authority to waive that connection and that it would have to come back to you guys to waive that connection. Chuck is correct in why that hasn't happened. The reason there's a water line adjacent to Mr. Carpenter's property today is because the property owner to the south of him extended it to the end of their property. We would be going against City Code. I expressed to Mr. Carpenter the City's desire to create a looped system east of the highway. Last City Council meeting, a property owner south of the Sheriff's Office requested the extension of that line, so it is in the works as the community develops to have a looped system. It would be hard to waive it for him and require a future property owner to extend the line further.

Ed Carpenter asked what is the distance between the extension that's proposed and our four hundred feet?

City Engineer Almberg stated by the time he finishes developing his property, we will be about nine hundred feet (900') from you on Michigan. There is a lot of vacant land adjacent to the Tribe's truck stop.

Ed Carpenter stated the alternative is to drill a well then.

City Attorney Odgers stated no. The law won't allow you to drill a well.

City Engineer Almberg stated we regularly get requests from well drillers. The well drillers have to file a notice of intent to drill a well; if that well is within proximity of the City, the State Engineer's Office makes that well driller get a waiver from us. We say on those waivers 'we have no water in the area'. In this circumstance, based on my conversation with the State Engineer's Office, even if they tried to do a well and that well driller came into us, that waiver would have to come to the City to waive that requirement. The State Engineer's Office said even if the City decided to allow him to put in a well, he may not waive it to allow them to drill a well.

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.

Deputy City Clerk Lee read email (appears below) from Paul Holdaway, owner of *Outwest Excavation*, into the record.

From: paul holdaway [pholdaway@yahoo.com]  
Sent: Tuesday, September 11, 2018 10:34 AM  
To: Jennifer Lee  
Subject: Outwest contract with city

Jennifer could you please read this for me when my agenda item comes up as I will not be present at either mtg. Thanks.

It has become apparent that some members of the city council and city staff have made the contract between the city of ely and out west excavating a personal matter. Therefore regardless of what recommendation the council makes, any and all proposed changes will need to be submitted in writing to the law office of Barry Clarkson. Legal counsel for outwest excavating. Until the time any modifications are reviewed and agreed upon by both parties Out west will expect the city of ely to stand behind the contract which is already in place and is binding until January 1st 2020.

Sincerely, Paul Holdaway owner of Outwest Excavating

Councilman Carson stated this is absolutely nothing personal. I've had contracts before too. I know when they expire. I know the terms of them and if I want to renew them, I show up to that office and I – paperwork in hand – and I want to secure that contract. It specifically says in this that the parties shall, upon the sale of the metal recycling pile prior to January 2020, meet and confer; that's all I'm trying to do. This is not personal.

City Attorney Odgers stated if the City Council passes this today, we'll have a demand to meet and confer issued to *Clarkson & Associates* to invoke that provision of the contract. The Utility Board recommended approval by the members present.

Councilman Hanson stated I would move that we direct City staff and the Council Landfill liaison to meet with Paul Holdaway of *Outwest Excavation* regarding continuance of the metal recycling contract and renegotiating the contract terms, pursuant to Article III Section 3.0. "Term" in contract dated December 22, 2016.

Councilman Carson stated I'll second.

Mayor Van Camp asked any more discussion? All in favor?

Councilman Hanson voted Aye.

Councilman DeFelice voted Aye.

Councilman Carson voted Aye.

Councilwoman Gardner voted Nay.

Councilman Hanson's motion carried 3 to 1, with Councilwoman Gardner voting Nay.

## **10. ITEMS FOR DISCUSSION/POSSIBLE ACTION ONLY OF THE ELY CITY COUNCIL.**

### **A. CONSENT AGENDA**

**MOTION:** Move to approve the Consent Agenda items 10A-1 Minutes & 10A-2 Bills.

Moved by: Councilman Hanson Second by: Councilman Carson Vote: Unanimous

1. Discussion/For Possible Action –Minutes.
  - August 9, 2018
  - August 22, 2018
  - August 23, 2018
2. Discussion/For Possible Action –Bills.
  - September 6, 2018
  - September 21, 2018

City Attorney Odgers stated my son received a subpoena payment.

### **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.

City Attorney Odgers stated Bill Ricci came to my office. NDOW has a \$350,000.00 grant that they would like to give to the Steptoe Valley Trap Skeet and Target Club to build a building for hunter safety. Contrary to George's contention, this has nothing to do with actual shooting in the building; it is an educational building, it would be placed on our property and improve it. They have a long term lease on our property. The grant does require that in the event the Steptoe Valley Trap Skeet and Target Club folds, that the City take over the building.

Councilman Hanson moved to approve the 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. Councilman Carson seconded the motion. The motion carried unanimously.

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.

NDOT District Engineer Steve Baer stated through the course of our project we've identified the Avenue F extension and we have determined because of the speed and geometrics of that location – there is a number of serious accidents that have happened and the layout is confusing – to propose that we close off that leg of Avenue F to improve safety. We do have NRSs that will support that. We're not going to push this on you. If you feel you want to keep it open, that's your prerogative. The improvements would be taking place on City right-of-way. It would be funded and built by DOT as a part of the project; all maintenance of the barrier after that would be turned over to the City. I see it as a big safety improvement.

Mayor Van Camp stated we were hearing from a lot of the business people in that area, telling us that they weren't informed or involved in this project.

NDOT District Engineer Baer stated that is very possible. This came up last minute.

City Attorney Odgers stated in the last meeting we had with the NDOT engineers a little over a month ago – they're in about sixty percent (60%) of their design phase – this came up. The intersection itself is an illegal intersection as defined by law. They would like to see it closed. The best way to get this out into the public and have the conversation is the way we did it. It was supposed to go on the last City Council meeting, however it was moved to this one. So, that's the purpose of putting it on here is that the State does have the right to shut it down. Steve's indicating that's not their intent unless you want to do it, which is a change from what the people in Carson City are telling me.



Councilman Hanson asked it is confusing.

City Attorney Odgers stated I've had two accidents in court at that intersection in the last two months.

NDOT District Engineer Baer stated within the last three months, there's been two accidents there, with one of the vehicles pushed all the way over to our fence due to the speed.

Councilman Carson asked what makes this intersection different than the one behind *Sportsworld*?

NDOT District Engineer Baer stated speed and the geometrics.

Councilman Hanson stated I would like to see suggestions on what you could do to keep it open, but make it safer.

NDOT District Engineer Baer stated we could explore those alternatives further. If we delay much longer, it won't happen. Letting of plans is scheduled in November. I'll check with the designers in Carson City, but it could add further cost.

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.

Ely Shoshone Tribal Council Member Trent Griffiths stated when we originally paid for that permit, we paid the year fee and it was conditional. You guys received a tax payment; we're working on getting you another one. We're in the middle of harvesting right now. So, we need an extension to stay compliant on harvesting the rest of it out, so that we trim, transfer and store it, which is time consuming. That building will be vacant while everything else gets figured out. We're just finishing things out.

City Attorney Odgers stated the Tribe went to the Bureau of Indian Affairs to place the Colony into trust. This was at their attorney's request.

Councilman Carson asked how long is this extension for?

City Attorney Odgers stated it can't go past a year from when it was issued, which is May 10<sup>th</sup>, according to the minutes.

Councilman Hanson moved to extend the Conditional Special Use Permit to the Ely Shoshone Tribe to operate a cannabis cultivation facility at 16 Shoshone Circle, Ely, Nevada.

City Attorney Odgers stated I would ask you to modify that to include "but no later than May 2019".

Councilman Hanson modified his motion to reflect the same. Councilman DeFelice seconded the motion. The motion carried unanimously.

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.

City Attorney Odgers stated there are a couple of provisions in here that you need to be aware of. First is the limitation under the ordinance to allow one recreational license and that the one recreational license be connected with a medical marijuana certificate issued by the State, until such time as the population of the City of Ely reaches the population of 20,000 or more when we will seek or request additional licensing. This is a compilation of ordinances from three different jurisdictions including Henderson and Carson City. It's important to have this because the State is opening up a recreational marijuana licensing in this area for two licenses; that would include either the County or the City.

Mayor Van Camp stated John Mueller was the successful candidate.

John Mueller of *Acres Cannabis* stated we were the winner. They had twenty-two people look at it and five applications for the medical marijuana establishment, which is a merit-based system. White Pine County would be allowed two of the recreational licenses, but because of the delay in medical there was a window where you aren't using the recreational license yet, so they offered two more licenses. So a week and a half ago, everybody submitted for those two additional licenses, not talking to you guys first to see what you or White Pine County, so theoretically you could have us as a medical location, the Tribe, and then two additional people could be potentially coming into Ely, if you don't look at something along these lines. Having the recreational and the medical together is a good deal. We're supportive of this.

City Attorney Odgers stated I would draw your attention to 3-15-1, which is Purposes and Intents; these are findings of why we want to limit it to one. Our population isn't big enough to support that many licenses. Having it consolidated in one place makes the job of the Sheriff's Office a lot easier.

John Mueller of *Acres Cannabis* stated the City of Henderson was going to get six licenses and stopped anything not associated with a medical marijuana establishment three days before the application deadline.

City Attorney Odgers stated Carson City did the same thing.

Councilwoman Gardner moved to approve the First Reading of Ordinance 715. Councilman Carson seconded the motion. Councilwoman Gardner's motion carried 3 to 1, with Councilman Hanson voting Nay.

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.

City Attorney Odgers reviewed the draft letter appearing below.



## CITY OF ELY

501 Mill Street Ely, Nevada 89301  
City Hall (775) 289-2430 – Fax (775) 289-1463

September 27, 2018

To All Interested Parties:

Please be advised that the City of Ely is considering adopting an ordinance which governs the local licensing of marijuana retail stores in the incorporated City. That ordinance, Bill No. 2018-08, Ordinance No. 715 had its first reading by the City Council on September 27, 2018. The second reading will be held on October 25, 2018. Following the second reading, the ordinance will take effect on or about November 22, 2018.

A copy of the Ordinance may be found on the following link:

<http://www.elycity.com/meetings/city-council-meetings>

The ordinance requires a marijuana retail store to be jointly located with an existing medical marijuana dispensary in Ely that is operating in good standing. Because Nevada law currently limits the number of registration certificates that may be issued for medical marijuana dispensaries within each county under NRS 453A.324 and the City of Ely was issued one such medical marijuana dispensary registration certificate, the City of Ely has met its statutory cap pursuant to this statutory limitation, the effect of Ordinance 715, Bill No. 2018-08 is that no additional marijuana retail stores may be licensed within the City of Ely, except to the holder of the medical marijuana dispensary registration certificate. This ordinance is open for public input and will be adopted pursuant to state law, with the City of Ely concentrating on its commitment to the community and the medical and retail marijuana industries.

Accordingly, please be aware that even if you obtain a state-issued license, the City of Ely will be unable to process or issue a special use permit or business license to operate a marijuana retail store within the City of Ely, unless you currently are in possession of the medical marijuana dispensary registration certificate for the City of Ely, if the ordinance is passed and takes effect. The City of Ely intends to limit the medical and recreational license to one location, under one ownership, until the City reaches a population of 20,000 or more residents, at which time, it may consider requesting another license.

For more information, please contact Robert Switzer, City Administrator at: 775-289-2430 or [rswitzer@elycity.com](mailto:rswitzer@elycity.com) or

Charles H. Odgers, Esq., City Attorney at: 775-289-2430 or [codgers@elycity.com](mailto:codgers@elycity.com)

\*City of Ely is an equal opportunity provider and employer\*

Councilman DeFelice moved to approve the 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. Councilwoman Gardner seconded the motion. The motion carried 3 to 1, with Councilman Hanson voting Nay.

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.

City Engineer Almberg reviewed his letter appearing below.

September 20, 2018

Honorable Mayor VanCamp  
City of Ely  
501 Mill Street  
Ely, Nevada 89301

*Re: Ave C and East 15<sup>th</sup> Street Stop Sign;*

Dear Madam Mayor:

At the August 16th City Council meeting the council tasked our office to coordinate with the sheriff to complete a review of the need of a stop sign at the intersection of Ave C and E. 15th Street. For our office to complete an engineering review of the situation we needed traffic counts and five (5) years of accident history for the intersection. The Sheriff's office used their speed trailer to complete traffic counts and also provided us with the accident history.

We have analyzed the information provided and have compared it to the requirements for a stop sign per the MUTCD (Manual on Uniform Traffic Control Devices for Streets and Highways). The MUTCD is recognized as the national standard for all traffic control devices installed on any street, highway, bikeway, or private road open to public travel. Based on the engineering analysis, a stop sign at Avenue C is not warranted.

We have discussed our results with the Sheriff and we both concur that a stop sign is not warranted. If you need additional information regarding this matter, please feel free to call us at your earliest convenience.

Sincerely,

**BASIN ENGINEERING CORPORATION**



Emil W. Almberg, Jr., P.E./P.L.S.  
Principal



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.

City Fire Chief Rivera stated the Volunteer Fire Department buys a lot of materials for Fire Prevention Week.

Mayor Van Camp read the Fire Prevention Week Proclamation appearing below.

*WHEREAS, the city of Ely, Nevada is committed to ensuring the safety and security of all those living in and visiting Ely; and*

*WHEREAS, fire is a serious public safety concern both locally and nationally, and homes are the locations where people are at greatest risk from fire; and*

*WHEREAS, home fires killed 2,735 people in the United States in 2016, according to the National Fire Protection Association (NFPA), and fire departments in the United States responded to 352,000 home fires; and*

*WHEREAS, the majority of U.S. fire deaths (4 out of 5) occur at home each year; and*

*WHEREAS, the fire death rate per 1000 home fires reported to U.S. fire departments was 10 percent higher in 2016 than in 1980; and*

*WHEREAS, Ely's residents should identify places in their home where fires can start and eliminate those hazards; and*

*WHEREAS, working smoke alarms cut the risk of dying in reported home fires in half; and*

*WHEREAS, Ely's residents should install smoke alarms in every sleeping room, outside each separate sleeping area, and on every level of the home; and*

*WHEREAS, Ely's residents should listen for the sound of the smoke alarm and when it sounds respond by going outside immediately to the designated meeting place;*

*WHEREAS, Ely's residents who have planned and practiced a home fire escape plan are more prepared and will therefore be more likely to survive a fire; and*

*WHEREAS, Ely's first responders are dedicated to reducing the occurrence of home fires and home fire injuries through prevention and protection education; and*

*WHEREAS, Ely's residents are responsive to public education measures and are able to take action to increase their safety from fire, especially in their homes; and*

*WHEREAS, the 2018 Fire Prevention Week theme, "Look. Listen. Learn. Be aware - fire can happen anywhere™" effectively serves to remind us that we need to take personal steps to increase our safety from fire.*

*THEREFORE, I Melody Van Camp, Mayor of Ely do hereby proclaim October 7-13, 2018, as Fire Prevention Week throughout this city, and I urge all the people of Ely to be aware of their surroundings, look for available ways out in the event of a fire or other emergency, respond when the smoke alarm sounds by exiting the building immediately, and to support the many public safety activities and efforts of Ely's fire and emergency services during Fire Prevention Week 2018.*

Councilman Hanson moved to approve the proclamation designating October 7-13, 2018 as Fire Prevention Week in the City of Ely. Councilman Carson seconded the motion. The motion carried unanimously.

**Mayor Van Camp recessed the regular City Council meeting at 6:58 p.m.**

**Mayor Van Camp called the regular City Council meeting back to order at 7:12 p.m.**

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.

Councilman Hanson stated White Pine County has already committed to participate; they’re waiting for us to partner. As pointed out at the Nevada League of Cities Conference, there is a high return on investment for historical preservation.

Carson how will it help us because NDOT project coming anyway.

Councilman Hanson moved to approve for the City of Ely to assist in the establishment of a local Main Street organization by: 1. Direction to City Attorney to set up a 501c3 for a local Main Street organization; and 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 include City Hall office space as an in-kind contribution for a future Main Street director.

Councilman Carson stated I recently bought some property at 309 and 301 Aultman.

Councilman DeFelice stated my business is at 1455 Aultman and I’ll second the motion.

NNRY President Mark Bassett stated the Main Street program is over thirty years old. It is a program of the National Trust for Historic Preservation. The thing that is so great about the Main Street program is your downtown is promoted in a unified marketing plan. You can do the pretty building, but you have to have the economics to support it; I think that’s one of the most important parts of the program is doing the dollar and cents evaluation. The Main Street program won’t bring money in, nor can the Main Street program say ‘You will do this!’. The Main Street program focuses on education and once you become a Main Street city you’re tied into the National Main Street network. Every problem we have here has been addressed hundreds of times by the national Main Street organization across the country. When I was in Laramie, they created a Downtown Development Authority, which was voted on by the property owners, and the biggest critic became its first chairman and biggest supporter. This brings you’re your stakeholders together to recognize the problem. In Laramie, through the Main Street program, we brought in an outside person to develop the Johnson Hotel and the Rubles buildings for the tax credits; now those two buildings anchor Grand Avenue there. Rawlins, Wyoming, the Main Street City of the Year a few years ago, is a lot like Ely; it’s a hundred miles from anything. Rawlins had a prison and Interstate 80, but that’s about it. The population of Rawlins isn’t much greater than ours.

Mayor Van Camp stated the Main Street program also wants buy-in from the businesses.

Councilman DeFelice stated I come from a small town, 12,000 people; it went through what we’re going through. We haven’t hit bottom yet, but we can stop it. I can tell you the future of Ely: The business is going to be up on the hill. In my little town, they went to the highway and there was trash, drugs, and low-income housing. It took my town investing in it and within a twenty-five year period, it changed better than it ever was and is now kind of a high-end district. When we’re building a new road and sidewalks, you don’t want that to end with vacant buildings and vacant lots. Now is the time to invest.

NNRY President Bassett stated this is the ideal time to do this. If we’re not proactive now, NDOT is going to do their street beautification and we’ll have those empty buildings; people will say ‘what a waste of money’. By partnering with the National Main Street program and the National Trust, we have two hotels that are vacant now; I can see the same thing happening that happened in Laramie where we find an outside developer to get the tax credit and wind up with assets.

Mayor Van Camp stated the gal with the GOED office called me two weeks ago and they’re on board to help us.

Councilman Hanson stated SHPO (Nevada State Historic Preservation Office) is also anxious to help.

Mayor Van Camp stated if you don’t have a healthy downtown, you don’t have a downtown.

City Administrator Switzer stated I'm in favor of the program. The Mayor and I began over a year ago with the first meeting at the State level about the Main Street program. There will be a financial commitment from the City eventually. Probably this first year, if this were to go forward, it was my suggestion that we donate office space at City Hall; we have a spare office that we can use. We'll supply the copies and things like that, the physical space, as our in-kind contribution. We can do that for, I think, a couple years and then we'll have to step up the game and eventually be providing some financial – actual money – contribution.

Councilman Hanson's motion carried unanimously.

11. Council Members – City Attorney Odgers – Discussion/For Possible Action – Approval to send offer of settlement to *S & S Shortline*.

City Attorney Odgers stated the Foundation has met as a board of directors and presented an offer to settle; they've approved it unanimously. The five terms are: 1. No money will be exchanged and both parties will write off anything potentially owed; 2. Everybody releases each other, meaning both parties can't sue each other over the contract anymore; 3. Terminate the lease agreement, meaning they would have to leave the line within thirty days; 4. *S & S* in July of 2009 filed a request to be the operator of the line, so they would need to withdraw their STB filing; 5. *S & S* would have to withdraw their property from the line within thirty days.

Councilman Hanson moved to approve the settlement offer to *S & S Shortline* as presented. Councilwoman Gardner seconded the motion.

Councilman Carson stated it might be a good solution. I don't know that we can afford to keep dragging it on.

City Attorney Odgers stated litigation is expensive. If we win, there's the chance of appeal and bankruptcy. I think you should support it.

Mayor Van Camp asked he's going to say "No". We're wasting fifteen days.

City Attorney Odgers stated we're not wasting fifteen days. We're still doing our depositions.

Councilman DeFelice stated they have a weak position. We give up a lot to do this, but it gives them an out and they may counter.

Mayor Van Camp stated if we send this in, they could counter the day before the trial?

City Attorney Odgers stated absolutely. We're geared up to go to trial in January 2019.

Councilman Hanson's motion carried unanimously.

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.

Mayor Van Camp stated a concerned citizen gave Bob a stack of complaints; it's a never-ending procedure. I have three more to give to Bob tomorrow. The intent wasn't to make these two gentlemen officers and to run out to 'bang on people's doors', demanding. It was to pick up the slack when we get a complaint, for them to do the legwork; Bob and Chuck still have to do everything else, but they would at least do the paperwork, groundwork, maybe take the pictures and possibly follow up on the thirty-day notices. They came forward to help out. We don't have funding for compliance officers. This gives people someone to go to.

City Administrator Switzer stated we all recognize the need for follow up on our weeds, trash and junk vehicles; it takes time to do that and any help in that area would be welcomed.

City Attorney Odgers stated I've received several phone calls regarding this. This would be a volunteer position with no pay. The law requires us to pay Workers Comp. It takes on average thirty to forty minutes to do one location; that's forty minutes of Bob's time that could be used elsewhere. A volunteer would still have to report to Bob. Our process requires us to send three certified letters and we only have four months weather wise to do things. We haven't addressed a nuisance issue in a year and a half. This coincides with the Main Street stuff looking at the upgrades of downtown. You need to look at modifying the time frames.



Kerri Pintar stated I have stopped turning things into Bob; I know he's overwhelmed. I get a faster response calling the Sheriff's Office with all these notices. It's great to have the ordinance, but unless you have somebody full time to take care of that, you guys are losing ground.

City Attorney Odgers stated in some cases we've done that as well.

City Administrator Switzer stated that just happened two days ago. In a residential zone, we had twenty junk cars on property fifty feet wide by a hundred feet; so, we contacted the Sheriff's Office to deal with that. They had a car was on jacks out front where kids could get with it.

City Attorney Odgers stated the ordinance is necessary because without it, we can't call Scott. It's not always appropriate to send law enforcement to the door.

Councilman Hanson moved to appoint Melvin Bahls and Bruce Setterstrom as volunteers working with the City Administrator as compliance officers for the City.

Councilwoman Gardner stated I will be abstaining.

Councilman Carson stated it's not a bad idea, but I think before we accept anybody to volunteer for this we need to come up with guidelines. I can see it tying down Bob more, Chuck, the Building Inspector and Ross. The last time we lost a compliance officer, I came to the conclusion that we wouldn't send out any more letters until we cleaned up our own property. We should move the old cars out of the Waste Water Treatment Plant.

City Attorney Odgers stated there are still issues in the wintertime when people aren't shoveling their sidewalks.

Councilman DeFelice stated I recommend we straighten out the ordinance before we have people out there grabbing tires.

Councilman Hanson's motion died for want of a second.

14. Council Members – City Administrator Switzer – Discussion/For Possible Action – Selection of new truck for Water Department, which was budgeted in FY18-19 year.

City Administrator Switzer reviewed the quotes appearing below and stated we approached the three major brands – Dodge, Chevrolet and Ford - through State Purchasing. The Dodge dealer did not respond. The quotes include the installation of storage lockers and rack on top of the vehicle. The lowest quote came in at \$48,319.61, the Ford. In reviewing the budget, we have \$63,200.00 allocated for water department capital purchases; that included the estimated \$48,000.00 for the pickup and other pieces of equipment: a camera and the water department's portion of a concrete mixer.



## Quotation

4495 Copper Sage Street  
Las Vegas, NV. 89115  
www.SierraTruckBody.com

Phone: 702-633-7181  
Fax: 702-633-7182  
Matt@SierraTruckBody.com

Rep: Matt Beatty  
TERMS: *Net on Delivery*  
Date: August 23, 2018

### FORD COUNTRY

Attn: Tom Craddock  
280 Gibson Rd  
Henderson, NV 89014  
PH:  
Fax:  
Cell: 702-558-8061  
Email: Fleet@FordCountryLV.com

Re: Service Body W/ Ladder Rack & Liftgate

### Vehicle Information

Year: 2018 or 2019      Make: Ford  
Model: F-350              CA: 56"  
VIN: TBD

### SIERRA TRUCK BODY & EQUIPMENT PROPOSES THE FOLLOWING:

- Provide (1) Knapheide 696FJ40 Service Body. 8Ft Long SRW.
- Flip Up Tops with Dividers
- Flush Mount Lights with LED Light Package
- Paddle Latch Door Handles
- Master Lock System
- Knap-Lined Rear Step Bumper
- Knapheide Factory White Paint
- Rack-It Heavy Duty Ladder/Material Rack W/ Removable Center Bar & Swing Out Rear Bar. (Powder Coated White)
- Remove Pick Up Truck Bed and Install Service Unit.
- Provide & Install (1) Tommy Gate G2-54-1642-TP38 Liftgate
- 1600LB Capacity
- 49"x38" Treadplate Steel Platform W/4" Taper
- Factory Ford Hitch to Remain on Vehicle

PARTS:        \$ 10,657.36  
LABOR:        \$ 2,860.00  
SALES TAX:    \$ RESALE  
FREIGHT:      \$  
MISC:         \$ (400.00) Bed Credit

**TOTAL PRICE:        \$ 13,117.36**

CNGP530

VEHICLE ORDER CONFIRMATION

08/14/18 19:43:05

2019 F-SERIES SD

Dealer: F71168

Page: 1 of 2

Order No: 1111

Priority: K2

Ord FIN: 02572

Order Type: SB

Price Level: 925

Ord PER: 610A

Cust/Flt Name: CITY OF ELY

PO Number:

RETAIL

RETAIL

K3B

F350 4X4 S/C

164" WHEELBASE

100

1

OXFORD WHITE

1

CLTH 40/20/40

100

S

MEDIUM EARTH GR

610A

PREF EQUIP PKG

.XL TRIM

.TRAILER TOW PKG

572

.AIR CONDITIONER

NC

.AM/FM STER/CLK

996

.6.2L EFI V8 ENG

NC

44P

6-SPD AUTOMATIC

NC

TDB

.LT245 BSW AS 17

X37

3.73 REG AXLE

NC

90L

PWR EQUIP GROUP

315

59H

HI MNT STOP LMP

NC

JACK

SP FLT ACCT CR

FUEL CHARGE

DEST AND DELIV

1495

JOB #1 BUILD

10700# GVWR PKG

41H

ENG BLK HEATER

100

41P

SKID PLATES

100

425

50 STATE EMISS

NC

512

SPARE TIRE/WHL2

NC

52B

BRAKE CONTRLLR

270

TELE TT MIR-Pwr

TOTAL BASE AND OPTIONS

42640

TOTAL

42640

\*THIS IS NOT AN INVOICE\*

\$35,173.00 truck

13,117.36 Knapheide Service body

29.25 title

\$48,319.61 total

F1=Help

F2=Return to Order

F7=Print

F4=Submit

F5=Add to Library

F3/F12=Open Ord Menu

S099 - PRESS F4 TO SUBMIT

QCJ1440

V10P0245

2,5





## QUOTE

Date: September 7, 2018  
QUOTE # CITY OF ELY 09072018

**BILL TO:**  
CITY OF ELY NEVADA  
ACCOUNTS PAYABLE  
501 MILL STREET  
ELY, NV 89301  
775-289-2430

SPECS FROM NEVADA STATE CONTACT 8475 ITEM 3.3b	
Description	Total
2019 CHEVROLET 1 TON CREW CAB – BASE PRICE	\$29,165.00
LT PACKAGE	\$5,330.00
4 WHEEL DRIVE	\$3695.00
DELIVERY CHARGE TO ELY – 254 MILES	\$495.30
KNAPHIEDE BODY INSTALLED BY SIERRA TRUCK – SEE INVOICE	\$13,147.74
SUB TOTAL	\$51,833.04
TITLE FEE	\$29.25
Total Due	\$51,862.29

**Tax Identification Number – 20-4223895**

**Make all checks payable to Findlay Chevrolet**

**Billing Questions - Contact Dawn Yambo – 702-982-4024**

6800 S. TORREY PINES, LAS VEGAS, NV, Phone 702-982-4000, Fax 702-982-4420, [www.findlaychevy.com](http://www.findlaychevy.com)

**Thank you for your business!**

Councilman Hanson moved to purchase the *Ford* F-Series pickup quoted for the Water Department. Councilwoman Gardner seconded the motion.

Councilman Carson asked are we still doing maintenance logs?

City Administrator Switzer stated yes.

Councilman Hanson's motion carried unanimously.

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.

City Administrator Switzer stated I agree one hundred percent on this item. Since July 1<sup>st</sup>, our accountant has been busy with people on our audit. I sent an unaudited financial statement to all of you. This will dovetail with some of the suggestions for our next item. Janette had a policy to share that information with department heads and that's something I will be working on as well.

Councilman Hanson moved to instruct the City Administrator to provide a financial statement to the City Council at the second meeting of every month. Councilman Carson seconded the motion. The motion carried unanimously.

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.

City Administrator Switzer stated I suggest that the Mayor and I approach *Hinton Burdick* on a telephone call and remove the accounts payable services; we're doing it in house anyway. With the exception of a couple vendors we're late paying, we're caught up.

Councilman DeFelice stated if Hinton Burdick isn't doing our accounts payable, then we overpay them.

City Administrator Switzer stated they've run it two times, but we have more vendors than that on a monthly basis. I'd like to approach them and get a credit on what hasn't been done.

Mayor Van Camp read 10B-19 into the record.

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.

Councilman Hanson moved to direct the City Administrator and Mayor to re-negotiate with *Hinton Burdick*, including getting the reimbursement, and authorize the hiring of a Utility Clerk to support the Treasurer's function for payroll and accounts payable.

Councilman Carson asked full or part time?

City Administrator Switzer stated part time.

Councilman Carson seconded Councilman Hanson's motion. The motion carried unanimously.

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.

Councilman DeFelice stated I'd like to table this. I want to come up with a number to get a competent treasurer in here and see what other small cities are doing.

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.

Councilman Hanson stated in light of what Tony has done, we should let this die and bring it back later if necessary.

## 11. PUBLIC COMMENT

Jake Gubler stated I was concerned about the STOP signs on Avenue C.

City Attorney Odgers stated the Council took no action based on the Engineer's and Sheriff's recommendations.

Jake Gubler stated there's no STOP sign next to the railroad track on 14<sup>th</sup>. How are you going to solve this problem? When the Sheriff put in the speed indicator, guys were going 35 MPH and about threw themselves through the windshield.

George Chachas stated on item 10B-17 increasing the City Treasurer salary range, advertise for a City Clerk/Treasurer; you have a big salary range there. How many people are you going to hire? Where are you getting all this money? You're bleeding the City. You can't fix your streets. You can't replace your street lights. People are going up on the hill for four lanes. Older people don't want to be in front of a semi. It will be pretty downtown, but buy me out and I'll be happy. I want to know if the 490' of pipe taken from the Murry Street project . . .

Mayor Van Camp stated this Council voted on that.

George Chachas stated ongoing concerns regarding reimbursement for the sewer problem he cured at 681 Parker Avenue and the upgraded water line the City paid \$60,000.00 for.

**12. ADJOURNMENT: THE MEETING MAY BE ADJOURNED BY APPROPRIATE MOTION OF THE CITY COUNCIL.**

Councilman Hanson moved to adjourn the regular meeting of the Ely City Council at **8:37 p.m.**  
Councilman Defelice seconded the motion. The motion carried unanimously.

\_\_\_\_\_  
**MAYOR**

\_\_\_\_\_  
**ATTEST**

DRAFT