



CITY OF ELY

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

ELY CITY COUNCIL REGULAR MEETING

PLEASE NOTE: THE COUNCIL MEMBERS MAY ADDRESS AGENDA ITEMS OUT OF SEQUENCE, COMBINE TWO OR MORE AGENDA ITEMS FOR CONSIDERATION, REMOVE AN ITEM OR DELAY DISCUSSION AT ANY TIME TO ACCOMMODATE PERSONS APPEARING BEFORE THE COUNCIL OR TO AID IN THE EFFICIENCY AND EFFECTIVENESS OF THE MEETINGS.

October 10, 2019 5:00 p.m. – Ely Volunteer Fire Hall - 499 Mill Street-Ely, Nevada.

1. OPENING ACTIVITIES:

MEETING CALLED TO ORDER
PLEDGE OF ALLEGIANCE
INVOCATION
ROLL CALL

2. PUBLIC COMMENT: Comments not exceeding three (3) minutes in length will be accepted from the general public in attendance. If any are made, there may be discussion upon those comments. No vote, decision, or action may be taken upon matters raised under this item until it is formally placed on the agenda. **Comments during Discussion Items will not be accepted from the General public.** “Section 7.05 of the Nevada Open Meeting Law Manual indicates that the Public Body may prohibit comment if the content of the comments is a topic that is not relevant to or within the authority of the Public Body or if the content of the comments is willfully disruptive of the meeting by being irrelevant, repetitious, slanderous, offensive, inflammatory, irrational or amounting to personal attacks or interfering with the rights of other speakers”.

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

4. CITY DEPARTMENT REPORTS

- [FIRE CHIEF](#)
- [POLICE CHIEF](#)
- MUNICIPAL COURT JUDGE
- CITY CLERK
- [CITY TREASURER](#)
- CITY PUBLIC WORKS SUPERVISOR
 - ❖ [Animal Control September 2019](#)
 - ❖ [Landfill September 2019](#)
 - ❖ [Street Dept. September 2019](#)
 - ❖ Water/Sewer September 2019
- [CITY WATER OPERATOR](#)
- [CITY ENGINEER](#)
- [CITY BUILDING OFFICIAL](#)

5. NNRY FOUNDATION REPORT

6. REPORTS

CITY COUNCIL

MAYOR

7. 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 – Approval to establish a spay/neuter voucher program, paid for through grant funds, possibly including a refundable deposit and adoption fee increase.
2. Chairwoman Roberts-McMurry – Discussion/For Possible Action – Approval to increase adoption fees; up to \$20 for cats and \$60 for dogs.

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

1. Board Members – City Clerk Lee – [Discussion/For Possible Action](#) – Review of Georgetown Ranch lease bids and Municipal Utilities Board’s recommendation. Award Georgetown lease.
2. Mayor Robertson – Mary Sorenson – [Discussion/For Possible Action](#) – Approval of request to waive Landfill metal disposal fees for a park clean-up in the town of Ruth.
3. Councilman Alworth – Discussion/For possible Action – Direction to City Staff to prepare a resolution lowering Landfill charges for businesses that travel to Ely to provide a service that may not be available in the City of Ely; these businesses must be licensed by the State of Nevada and obtain a City of Ely non-resident business license.
4. Councilman Carson – [Discussion/For Possible Action](#) – Determination of future Landfill tree pile processing procedure, with options to include but not limited to retaining the current tree chipper contractor, purchasing a tree chipper machine or obtaining a burn permit from the Nevada Department of Environmental Protection.
5. Councilman Carson – Discussion/For Possible Action – Direction to City staff to issue a Request for Proposals for metal recycling, as well as other recyclable materials.
6. Board Members – City Public Works Supervisor Cracraft – [Discussion/For Possible Action](#) – Approval to replace Terrace Well roof at a cost not to exceed \$6,400.00.
7. Board Members – Public Works Supervisor Cracraft – [Discussion/For Possible Action](#) – Approval to purchase a PLC upgrade for approximately \$32,259.74 and a SCADA subscription, \$75.00 per month, for the Waste Water Treatment Plant.

9. ITEMS FOR DISCUSSION/POSSIBLE ACTION ONLY OF THE ELY CITY COUNCIL.

A. CONSENT AGENDA (These items may be approved in one motion by the Council as its first action of business under For Discussion/Possible Action items.) Approval of the Consent Agenda approves each of these items. Council Members may remove any item from the Consent Agenda by notifying the Mayor or Mayor pro tem.

MOTION: Move to approve the Consent Agenda item 9A-1 Minutes and 9A-2 Bills.

Moved by: _____ Second by: _____ Vote: _____

1. Discussion/For Possible Action –Minutes.

- [May 16, 2019](#)
- [June 10, 2019](#)
- [June 13, 2019](#)
- June 26, 2019
- June 27, 2019
- July 11, 2019
- July 25, 2019
- August 8, 2019
- August 22, 2019
- September 12, 2019

2. Discussion/For Possible Action –Bills.

- [September 26, 2019](#)
- [October 3, 2019](#)

B. NEW BUSINESS

1. Mayor Robertson – Discussion/For Possible Action – Review, [Discussion and Possible Approval](#) of Proposed City of Ely organizational charts.
2. Mayor Robertson – [Discussion/For Possible Action](#) – Approval of First Reading of Ordinance 727, Bill No. 2019-10, An ordinance amending Chapter 5 of Title 1 of the City Code of the City of Ely requiring the City Council to create a code of conduct for its members; proscribing that violation of the Code of Conduct constitutes cause within the meaning of NRS 266.240; eliminating appointed department heads; creating a protocol for liaison appointments; proscribing that no city official may be appointed to a department if such appointment implicates a conflict of interest and; adding a severability clause.
3. Mayor Robertson – Discussion/For Possible Action – Confirmation of Mayor Robertson’s appointment of Michelle Beecher as liaison for the Public Safety Department.
4. Mayor Robertson – Discussion/For Possible Action – Appointment of Ed Spear as Animal Control Advisory Board liaison, to be seated as a non-voting board member.
5. Mayor Robertson – Discussion/For Possible Action – Appointment of Council Member Michelle Beecher as the City of Ely’s Northeastern Nevada Regional Development Authority (NNRDA) Board Member and Council Member Ernie Flangas as the City of Ely’s NNRDA Alternate Board Member.
6. Mayor Robertson – Discussion/For Possible Action – Appointment of Council Member Ernie Flangas to the White Pine County Water Advisory Committee.

7. Mayor Robertson – Discussion/For Possible Action – Appointment of Mayor Nathan Robertson to serve as the City of Ely’s representative on the Local Emergency Planning Committee.
8. Mayor Pro Tem Beecher – Discussion/For Possible Action – Appointment of Council Member Michelle Beecher, with the City Council’s consent, to serve as an Appointed Director on the Nevada Northern Railway’s Board of Directors.

10. 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”.

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

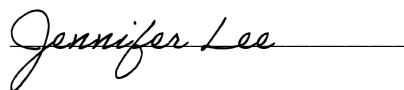
* Open session – Action/Discussion – Personnel**

The meeting may be closed by appropriate motion for the purpose of discussion on any matter allowed under N.R.S. 241.031 and 241.033, (1) nothing contained in this chapter prevents a public body from holding a closed meeting to consider the character, alleged misconduct, professional competence or physical or mental health of a person/employee. (2) A public body may close a meeting upon a motion, which specifies the nature of the business to be considered. (3) This chapter does not: (a) Apply to judicial proceedings. (b) Prevent the removal of any person who willfully disrupts a meeting to the extent that its orderly conduct is made impractical. (c) Prevent the exclusion of witnesses from a public or private meeting during the examination of another witness. (d) Require that any meeting be closed to the public. (e) Permit a closed meeting for the discussion of the appointment of any person to public office or as a member of a public body. (4) The exception provided by this section, and electronic communication, must not be used to circumvent the spirit or letter of this chapter in order to discuss or act upon a matter over which the public body has supervision, control, jurisdiction or advisory powers.

In accordance with Federal civil rights law and U.S. Department of Agriculture (USDA) civil rights regulations and policies, the USDA, its Agencies, offices and employees, and institutions participating in or administering USDA programs are prohibited from discriminating based on race, color, national origin, religion, sex, gender identity (including gender expression), sexual orientation, disability, age, marital status, family/parental status, income derived from a public assistance program, political beliefs, or reprisal or retaliation for prior civil rights activity, in any program or activity conducted or funded by USDA (not all bases apply to all programs). Remedies and complaint filing deadlines vary by program or incident. Persons with disabilities who require alternative means of communication for program information (e.g., Braille, large print, audiotape, American Sign Language, etc.) should contact the responsible Agency or USDA’s TARGET Center at (202) 720-2600 (voice and TTY) or contact USDA through the Federal Relay Service at (800) 877-8339. Additionally, program information may be made available in languages other than English. To file a program discrimination complaint, complete the USDA Program Discrimination Complaint Form, AD-3027, found online at <http://www.ascr.usda.gov/complaintfilingcust.html> and at any USDA office or write a letter addressed to USDA and provide in the letter all of the information requested in the form. To request a copy of the complaint form, call (866) 632-9992. Submit your completed form or letter to USDA by: Mail: U.S. Department of Agriculture, Office of the Assistant Secretary for Civil Rights, 1400 Independence Avenue, SW, Washington, D.C. 20250-9410; Fax: (202) 690-7442; or Email: program.intake@usda.gov .

For access to the public packet, contact the City Clerk 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, City Clerk, did cause to be posted on **October 4, 2019 at 3:30 p.m.** five (5) notices of the Ely City Council Agenda in said City of Ely to wit: Posted at the doors or bulletin boards of City Hall located at 501 Mill Street, White Pine County Library located at 950 Campton Street, White Pine County Courthouse located at 801 Clark Street, the U.S. Post Office located at 2600 Bristlecone Avenue and the White Pine County Sheriff’s Office located at 1785 Great Basin Boulevard. The meeting notice is also posted on the City of Ely’s website at <http://www.elycity.com> and the State of Nevada Public Notices website at <http://notice.nv.gov>.





WHITE PINE COUNTY SHERIFF'S OFFICE

1785 Great Basin Blvd. Ely, NV 89301

Phone: (775)289-8808

Fax: (775)289-1468

Sheriff Scott Henriod
Captain Jaime Swetch

STATISTICS FOR THE CITY OF ELY JULY 2019 – SEPTEMBER 2019

INCIDENTS - 2705

TRAFFIC STOPS - 533

CITATIONS - 108

FELONY ARRESTS - 33

MISDEMEANOR ARRESTS - 60

NEW BOOKINGS - 93

TOTAL DAYS SERVED IN JAIL - 494

Summary: An ordinance amending Chapter 5 of Title 1 of the City Code of the City of Ely requiring the City Council to create a code of conduct for its members; proscribing that violation of the Code of Conduct constitutes cause within the meaning of NRS 266.240; eliminating appointed department heads; creating a protocol for liaison appointments; proscribing that no city official may be appointed to a department if such appointment implicates a conflict of interest and; adding a severability clause.

TITLE:

PROPOSED ORDINANCE AMENDING CHAPTER 5 OF TITLE 1 OF THE CITY CODE OF THE CITY OF ELY REQUIRING THE CITY COUNCIL TO CREATE A CODE OF CONDUCT FOR ITS MEMBERS; PROSCRIBING THAT VIOLATION OF THE CODE OF CONDUCT CONSTITUTES CAUSE WITHIN THE MEANING OF NRS 266.240; ELIMINATING APPOINTED DEPARTMENT HEADS; CREATING A PROTOCOL FOR LIAISON APPOINTMENTS; PROSCRIBING THAT NO CITY OFFICIAL MAY BE APPOINTED TO A DEPARTMENT IF SUCH APPOINTMENT IMPLICATES A CONFLICT OF INTEREST AND; ADDING A SEVERABILITY CLAUSE.

Whereas, NRS 266.240 provides that the City Council shall determine its own rules of procedure, may punish its members for disorderly conduct, and, with the concurrence of two-thirds of the members of the city council, may expel a member for cause;

Whereas, Chapter 266 of the Nevada Revised Statutes provides that the Mayor is the chief executive of the City of Ely charged with supervising the affairs of the the City, enforcing the rules of the City Council, and preserving order and decorum among the members of the City Council;

Therefore, the City Council of the City of Ely, State of Nevada, does AMEND and otherwise ordain that the sections of Chapter 5 of Title 1 of the City Code of the City of Ely specified below shall read as follows:

1-5-6: DEPARTMENTS OF CITY COUNCIL:

A. Designation: The city council is hereby segregated into five (5) departments to be known as the public safety department, health and sanitation department, parks and

recreation department, street department, water & sewer department and administration department. (Prior Code § 2-27)

B. Department Heads Liaison Appointments: The mayor shall be responsible for the administration department of the City. The mayor shall ~~further~~ appoint from the council membership departmental heads liaisons for the remaining ~~four (4)~~ five (5) departments. (Prior Code § 2-27A)

C. Scope And Jurisdiction: The scope and jurisdiction of such departments shall be the following:

1. Administration Department: The administration department shall include the city clerk's office, city court and parking meters.

2. Public Safety Department: The public safety department shall include the police and fire departments.

3. Health And Sanitation Department: The health and sanitation department shall include the landfill and sewage treatment facility.

4. Street Department: The street department shall include all city streets and storm drains.

5. Parks And Recreation Department: The parks and recreation department shall include the city parks and the city cemetery. (Prior Code § 2-27B)

6. Water and Sewer Department. The water and sewer department shall include all city water and sewer infrastructure not within the scope and jurisdiction of the above departments.

D. Operating Heads Role of Appointed Liaisons: Liaison appointments ~~The present operating heads of the various departments are not supervisory in nature. Instead, the primary function of a Council liaison is to be a two-way communication vehicle between the Council and the department to which he or she is appointed. Council liaisons must be in touch with their appointed department to communicate what is going on with the City of Ely as a whole and how it affects the department, and to give direction, guidance, and support to the department. Council liaisons must provide reports to the Council regarding the department from time-to-time. shall be placed under the immediate supervision of the councilmen selected as department~~

~~heads as provided for under subsection A of this section, subject to the approval of the mayor.~~ (Prior Code § 2-27C)

E. Conflicts of Interest: No city official, whether councilmember or the mayor, may serve as liaison to any department which employs the city official or employs any person or entity to which the city official owes a commitment in a private capacity. Likewise, no city official may serve as liaison to any department whose operations confer a pecuniary benefit upon the city official or any person or entity to which the city official owes a commitment in a private capacity.

1-5-7: CONDUCT OF THE CITY COUNCIL:

The City Council shall adopt and be bound by a code of conduct for its members. Violation of the Code of Conduct shall constitute cause for removal within the meaning of NRS 266.240.

1-5-87: SALARIES OF ELECTED OFFICIALS:

A. Mayor: The salary of the mayor shall be set at six hundred dollars (\$600.00) per month.

B. Councilmen: The salaries of each respective city council member shall be set at five hundred dollars (\$500.00) per month. (Ord. 518, 6-12-1997)

1-5-9: SEVERABILITY:

If any provisions of this Ordinance are held invalid, such invalidity shall not affect other provisions and each provision is hereby declared to be severable.

This Ordinance shall take effect from and after passage, approval, and publication.

PROPOSED on the ____ day of _____, 2019.

PROPOSED by _____.

PASSED on the ____ day of _____, 2019.

Votes:

Yay: _____

Nay: _____

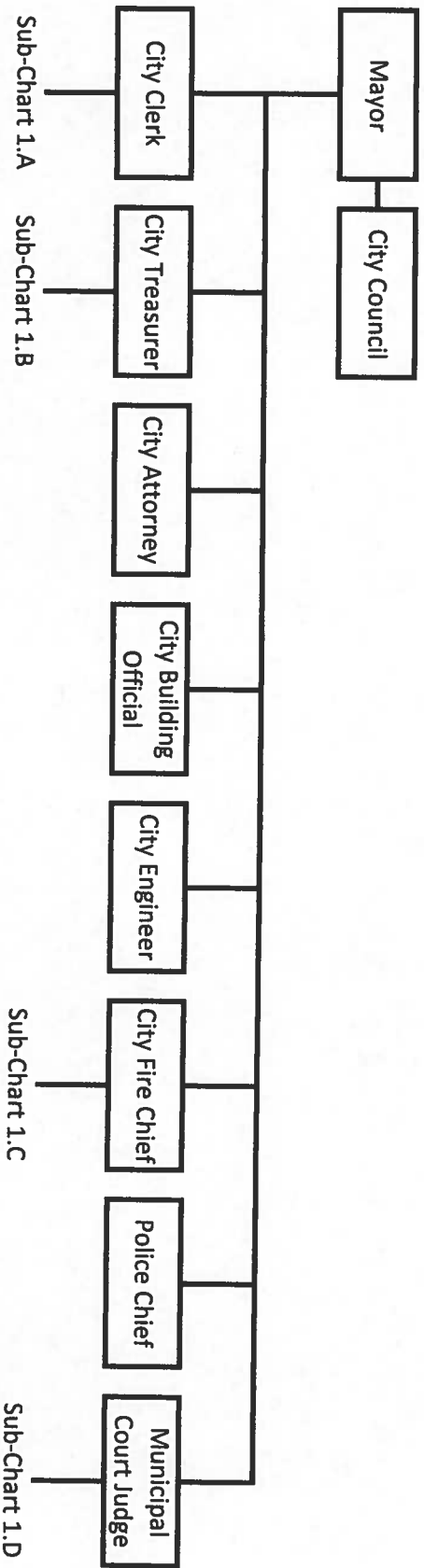
Absent: _____

MAYOR

ATTEST:

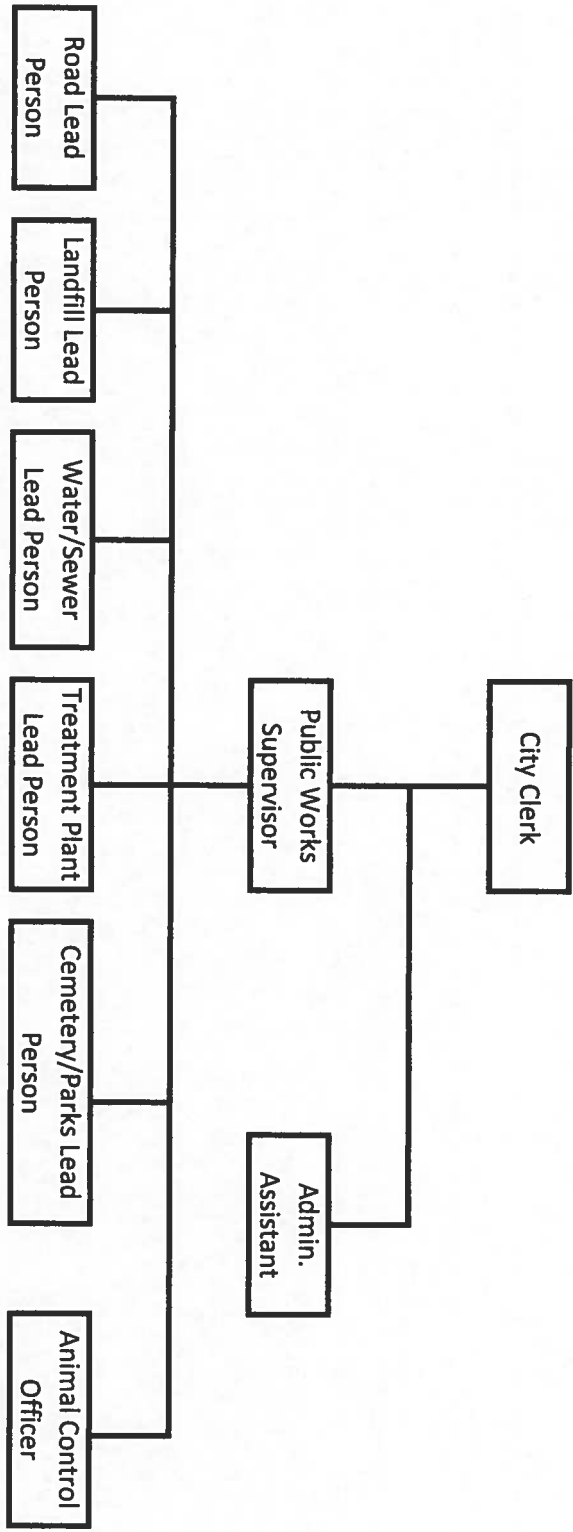
CITY CLERK

City of Ely Organization Chart

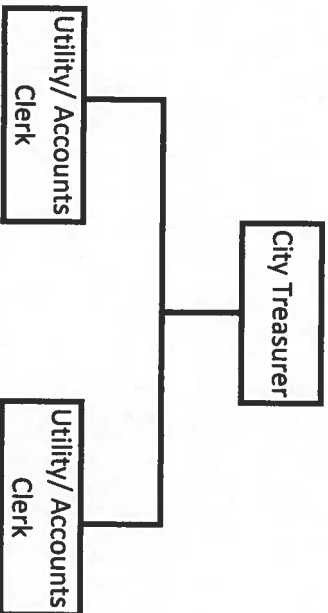


- The purpose of this chart is to offer members of the City organization guidance on how and from whom direction shall be given in regards to each employee's responsibilities.
- The organizational chart is also intended to provide employees direction on to whom they may appeal with complaints, questions or other issues that may arise in the course of fulfilling their duties.
- The intent of the organization being that employees shall seek direction and redress from their direct supervisors (going up the chain of command) and that the Mayor and members of the City Council provide direction and seek information from those under their direct supervision (i.e. appointed officials/department heads).
- Every position within the City of Ely is not listed as part of this document. Those position not listed are understood to be under the supervision of the next highest position listed on this organizational chart or sub chart.
- This chart (including sub charts) may be changed or amended as departments are rearranged, added or removed.

Sub-Chart 1.A



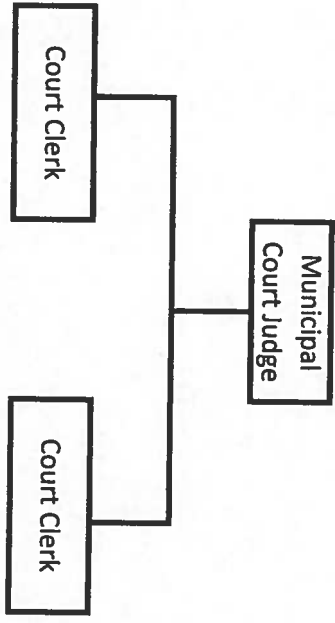
Sub-Chart 1.B

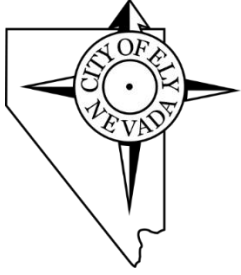


- The City Treasurer shall also serve as the head of Human Resources for the City of Ely.

- As such all employees of the City may approach at any time their direct supervisor or the City Treasurer in regards to a human resource matter.

Sub-Chart 1.D





CITY OF ELY

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

Date: October 1, 2019
To: **Mayor Robertson**
City Council Members
From: Russell Merritt - Street Department Leadman
Subject: Monthly Report – Street Department

STREET DEPARTMENT

During the month of September the Street Department swept city streets, cleaned DI's and Dura patched. The Street Department with the County's assistance chip sealed Mill street extension, applied rejuvenation oil to multiple city streets and completed the first phase of the road stabilization on Belfort. The Street Department also completed a skim patch on a section of Center and 15th.

During the month of October we will continue the daily maintenance of city streets (sweeping cleaning DI's), Depending on weather conditions we may plan more skim patches and oil applications. We will be gearing up for winter by servicing equipment (dump trucks, plows, sanders,) and ensuring we are prepared for snow