



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.

June 13, 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. SWEARING IN NEWLY ELECTED OFFICERS BY CITY CLERK

1. Mayor - Four-year term or until city elections are held in November 2024, pursuant to [Assembly Bill No. 50](#) becoming law.
2. Council Member Seat 2 - Four-year term or until city elections are held in November 2024, pursuant to [Assembly Bill No. 50](#) becoming law.
3. Council Member Seat 4 – Four-year term or until city elections are held in November 2024, pursuant to [Assembly Bill No. 50](#) becoming law.

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

1. Mayor – Council Members – [Discussion/For Possible Action](#) – Election of one City Council Member to serve as Mayor Pro Tem, per City Code 1-5-3.

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

6. CITY DEPARTMENT REPORTS

- [FIRE CHIEF](#)
- POLICE CHIEF
- MUNICIPAL COURT JUDGE
- CITY CLERK
 - ❖ [New Business May 2019](#)
- CITY ATTORNEY
 - ❖ [Animal Control May 2019](#)
 - ❖ [Liens Report](#)
- [CITY WATER OPERATOR](#)
- CITY PUBLIC WORKS SUPERVISOR
 - ❖ [Water/Sewer May 2019 Report](#)
 - ❖ [Landfill May 2019 Report](#)
 - ❖ [Street Dept. May 2019 Report](#)
 - ❖ [Parks/Cemetery/Recycling May 2019 Report](#)
- CITY ENGINEER
- [CITY BUILDING OFFICIAL](#)

7. [NNRY FOUNDATION REPORT](#)

8. REPORTS

**CITY COUNCIL
MAYOR**

9. THE MAYOR WILL RECESS THE REGULAR CITY COUNCIL MEETING FOR A PUBLIC HEARING AT 5:30 P.M. ON THE FOLLOWING TOPICS.

1. Councilman DeFelice – Public Hearing – [Discussion Only](#) – Approval of Second Reading of Ordinance 721, Bill No. 2019-04, An Ordinance establishing City Code Title 5, Chapter 3, Article D an Ordinance establishing the City of Ely’s Trap Neuter, Release program for feral cats.
2. Mayor – Public Hearing – [Discussion Only](#) – Approval of Second Reading of Ordinance 722, Bill No. 2019-05, An Ordinance amending Title 3, Chapter 3, Section 4 entitled COIN OPERATED AMUSEMENT MACHINES, License Fees, changing the rate for non-gaming coin operated amusement machines by three percent per year for the next three fiscal years, beginning July 1, 2019, with all other provisions not designated shall remain unchanged.
3. Mayor – Public Hearing – [Discussion Only](#) – Approval of Second Reading of Ordinance 723, Bill No. 2019-06, An Ordinance amending Title 3, Chapter 5, Section 4 entitled Gambling, License Fees, changing the rate for all gaming card games, gaming machines and coin operated amusement machines by three percent per year for the next three fiscal years, beginning July 1, 2019, with all other provisions not designated shall remain unchanged.
4. Mayor – Public Hearing – [Discussion Only](#) – Approval of Second Reading of Ordinance 724, Bill No. 2019-07, An Ordinance amending Title 3, Chapter 6, Section 10 entitled Prostitution, License Fees, making this provision consistent with other provisions of the City Code for business license categories, calculation of points, and the date upon which renewal licenses are due.

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

1. Councilman DeFelice – [Discussion/For Possible Action](#) – Approval of Second Reading of Ordinance 721, Bill No. 2019-04, An Ordinance establishing City Code Title 5, Chapter 3, Article D an Ordinance establishing the City of Ely’s Trap Neuter, Release program for feral cats.
2. Mayor – [Discussion/For Possible Action](#) – Approval of Second Reading of Ordinance 722, Bill No. 2019-05, An Ordinance amending Title 3, Chapter 3, Section 4 entitled COIN OPERATED AMUSEMENT MACHINES, License Fees, changing the rate for non-gaming coin operated amusement machines by three percent per year for the next three fiscal years, beginning July 1, 2019, with all other provisions not designated shall remain unchanged.
3. Mayor – [Discussion/For Possible Action](#) – Approval of Second Reading of Ordinance 723, Bill No. 2019-06, An Ordinance amending Title 3, Chapter 5, Section 4 entitled Gambling, License Fees, changing the rate for all gaming card games, gaming machines and coin operated amusement machines by three percent per year for the next three fiscal years, beginning July 1, 2019, with all other provisions not designated shall remain unchanged.
4. Mayor – [Discussion/For Possible Action](#) – Approval of Second Reading of Ordinance 724, Bill No. 2019-07, An Ordinance amending Title 3, Chapter 6, Section 10 entitled Prostitution, License Fees, making this provision consistent with other provisions of the City Code for business license categories, calculation of points, and the date upon which renewal licenses are due.

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

1. Councilman Hanson – NNRy President Mark Bassett – [Discussion/For Possible Action](#) – Approval of Nevada Northern Railway Foundation’s Will Serve Application for Sewer Services at 900 Avenue A; applicant requests waiver of \$4,637.50 tap fees.
2. Councilman Carson – Lance Gale of *Heggie and Gale Ranching* – [Discussion/For Possible Action](#) – Approval to extend the Joint Development and Beneficial Use Agreement between *Heggie and Gale Ranching* and the Municipal Utilities Board, an operating agency of the City of Ely, through June 30, 2020.
3. Board Members – City Attorney Odgers – Discussion/For Possible Action – Approval to direct Georgetown Ranch bid documents to be amended and reposted to reflect a revised possession date of July 1, 2020 and new submission deadline/opening/award dates.
4. Board Members – City Public Works Supervisor Cracraft – City Landfill Leadman Lawrence – [Discussion/For Possible Action](#) – Review of March 28, 2019 Wheeler Machinery T-A Inspection of Caterpillar 826C Compactor and Acceptance of *Wheeler Machinery*’s proposal to rebuild the Caterpillar 826C Compactor in the amount of \$211,416.80 and selection of one of three tire options (2 used or 1 retreading) ranging from \$15,825.00 to \$35,601.10.
5. Councilman Carson – City Public Works Supervisor Cracraft – [Discussion/For Possible Action](#) – Acceptance of *Watertech, Inc.* quote in the amount of \$7,329.00 for Polymer Make Down System for Waste Water Treatment Plant, per the *Andritz Separation, Inc.* technician’s and City Water Operator’s recommendations.

6. Councilman Carson – City Public Works Supervisor Cracraft – [Discussion/For Possible Action](#) – Acceptance of *W-Cubed Inc.* quote in the amount of \$5,317.00 for Waste Water Treatment Plant Influent Gate, per Nevada Rural Water’s and City Water Operator Naranjo’s recommendations.

12. 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 12A-1 Minutes and 12A-2 Bills.

Moved by: _____ Second by: _____ Vote: _____

1. Discussion/For Possible Action –Minutes.
 - April 3, 2019
 - April 4, 2019
 - April 19, 2019
 - April 25, 2019
 - May 9, 2019
2. Discussion/For Possible Action –Bills.
 - [May 21, 2019](#)
 - [May 31, 2019](#)
 - [June 5, 2019](#)

B. NEW BUSINESS

1. Councilman Hanson – NNRDA Eastern Economic Development Officer Donna Bath – Discussion/For Possible Action – Approval of support letter for the Northeastern Nevada Regional Development Authority’s (NNRDA) 2019 application for Economic Development Services.
2. Mayor – City Clerk Lee – [Discussion/For Possible Action](#) – Selection of decorative light pole preference and least desired for NDOT Aultman Street project, per NDOT’s request.
3. Council Members – City Attorney Odgers – [Discussion/For Possible Action](#) – Selection of bid to appraise the possible acquisition of Avenue A AND/OR review of legal appraisal requirements.
4. Mayor – [Discussion/For Possible Action](#) – Appointment of Councilman Jim Alworth, with City Council’s consent, to serve as an Appointed Director on the Nevada Northern Railway’s Board of Directors.
5. Mayor – [Discussion Only](#) – Interview of candidates for City Treasurer position, the applicants are Robert Dugan, Mary Herrera and Janette Trask.
6. Mayor – Discussion/For Possible Action – Acceptance of the Mayor’s selection for appointment as the City Treasurer and determination of salary.
7. Council Members – City Clerk Lee – Public Works Supervisor Cracraft – Discussion/For Possible Action – Designate Public Works Supervisor Cracraft as Animal Control Supervisor.
8. Council Members – City Attorney Odgers – Discussion/For Possible Action – Ratification of Mayor Van Camp’s prior approval to allow recruitment for a temporary legal secretary intern. Former temporary legal clerical assistant, Teri Doty, resigned her position effective June 7, 2019.

9. Mayor – [Discussion/For Possible Action](#) – Appoint heads for the following four departments from Council Membership, per City Code 1-5-6: Public Safety; Health and Sanitation; Street; and Parks and Recreation. The Mayor is responsible for the Administration Department.
10. Mayor – Discussion/For Possible Action – Confirmation of Mayor’s appointment of Councilman Jim Alworth to the White Pine County Regional Transportation Commission, White Pine County Tourism and Recreation Board, White Pine County Board of Equalization, White Pine County Debt Management Commission and Eastern Nevada Landscape Coalition.
11. Mayor – Council Members – City Clerk Lee – Discussion/For Possible Action – Approval to place Mayor, two City Council Members, City Clerk and City Treasurer on the signature cards for the City’s accounts at *First National Bank of Ely*.

13. 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”.

14. 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 (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 **June 10, 2019** at **8:00 a.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>.

