



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.

July 11, 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 ATTORNEY
 - ❖ [Animal Control June 2019](#)
 - ❖ [Liens Report](#)
- CITY PUBLIC WORKS SUPERVISOR
 - ❖ [Water/Sewer June 2019](#)
- 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. Chairwoman Roberts-McMurray – Discussion/For Possible Action – Approval to use a portion of Maddie’s Pet Project adoption funds grant to vaccinate every dog entering the Animal Control Facility for Parvo.
2. Chairwoman Roberts-McMurray – Discussion/For Possible Action – Approval to require licensing of cats in the City of Ely.
3. Board Members – Animal Control Officer Hayes – [Discussion/For Possible Action](#) –Approval for City of Ely Animal Control Officer to complete National Animal Control and Humane Officer Academy (NACHO) Certified Animal Control and Cruelty Investigations Training Module B December 2-6, 2019 in Las Vegas, Nevada.

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

1. Board Members – Raul Naranjo, City of Ely Water and Wastewater DRC – [Discussion/For Possible Action](#) – Approval to implement plan to run each City of Ely well at least once a quarter to verify wells are in good operating order and prevent stagnant water in the well pipes.
2. Councilman Carson – [Discussion/For Possible Action](#) – Approval to accept *Stetson Engineers, Inc.* Letter of Engagement for engineering services to identify additional water sources for the City and assist with matters pertaining to City’s 2009 agreement with *Robinson Mine*.
3. Councilman Carson – [Discussion/For Possible Action](#) – Approval of engagement agreement between the City of Ely and *Wolf, Rifkin, Shapiro, Schulman & Rabkin, LLP* to provide legal services with respect to the City of Ely’s municipal water resources, negotiations with *Robinson Mine* regarding impacts to the City’s water resources resulting from operations of the *Robinson Mine* and development of additional sources of municipal water.

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.
 - April 3, 2019
 - April 4, 2019
 - April 19, 2019
 - April 25, 2019
 - May 9, 2019
 - June 10, 2019
 - June 13, 2019
2. Discussion/For Possible Action –Bills.
 - [June 24, 2019](#)
 - [June 28, 2019](#)

B. NEW BUSINESS

1. Mayor Robertson – Discussion/For Possible Action – Pursue identification of property issues involving Ely Securities (Mike Lemich), including designation of a team from the Ely City Council and staff to research the issues, develop an action plan and enter preliminary negotiations with Mike Lemich.
2. Mayor Robertson – Discussion/For Possible Action - Approval to direct the City attorney and building official to research possible legislation for the regulation of short-term rentals, commonly known as air bnb's, within city limits.
3. Council Members – Nevada Rural Housing Authority (NRHA) Director of Homeownership Programs Diane Arvizo – [Discussion/For Possible Action](#) – Approval of Resolution 2019-15 providing for the transfer of the City of Ely's 2019 private activity bond volume cap to the Nevada Rural Housing Authority.
4. Councilman Flangas – [Discussion/For Possible Action](#) – Pursuant to 3(b)(vii) of the Development Agreement between the Nevada Northern Railway Foundation (NNRY) and the City of Ely, Provide reasonable notice to NNRY to inspect the records in connection with the NNRY \$200,000.00 loan approved by the Ely City Council on April 4, 2019, including purchase receipts and copies of cashed checks for products/services/repayment to the *First National Bank of Ely*.
5. Council Members – City Clerk Lee – [Discussion/For Possible Action](#) – Authorization for City Clerk Lee to appoint City Treasurer Trask as Deputy City Clerk, pursuant to Ely City Code 1-6-2.

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**

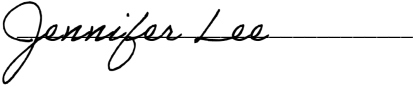
The meeting may be closed by appropriate motion for the purpose of discussion on any matter allowed under N.R.S. 241.031 and 241.033, (1) nothing contained in this chapter prevents a public body from holding a closed meeting to consider the character, alleged misconduct, professional competence or physical 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 **July 8, 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>.

A handwritten signature in cursive script that reads "Jennifer Lee". The signature is written in black ink and is followed by a horizontal line.