



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.

January 9, 2020 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 ATTORNEY
 - [Liens](#)
- CITY CLERK
 - [New Business](#)
- CITY TREASURER
- CITY PUBLIC WORKS SUPERVISOR
 - [Animal Control Dec. 2019](#)
- CITY WATER OPERATOR
- CITY ENGINEER
- [CITY BUILDING OFFICIAL](#)

5. NNRV FOUNDATION REPORT

6. REPORTS

CITY COUNCIL

MAYOR

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

1. Mayor Robertson – [Discussion Only](#) – Approval of the Second Reading of Ordinance 727, Bill No. 2019-10, An Ordinance amending Title 1, Chapter 5 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.
2. Mayor Robertson – [Discussion Only](#) – Approval of the Second Reading of Ordinance 725, Bill No. 2019-11, An Ordinance amending Title 6, Chapter 12 section 2 entitled HIGHWAYS AND ROADS IN THE CITY OF ELY DESIGNATED FOR PURPOSES OF OHV TRAVEL, bringing the City Code into conformity with State law, clarifying certain sections of the City Code, requiring that OHVs that operate on City roads and highways have liability insurance; adding a severability clause; all other provisions not designated shall remain unchanged.

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

1. Mayor Robertson – [Discussion/For Possible Action](#) – Approval of the Second Reading of Ordinance 727, Bill No. 2019-10, An Ordinance amending Title 1, Chapter 5 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.
2. Mayor Robertson – [Discussion/For Possible Action](#) – Approval of the Second Reading of Ordinance 725, Bill No. 2019-11, An Ordinance amending Title 6, Chapter 12 section 2 entitled HIGHWAYS AND ROADS IN THE CITY OF ELY DESIGNATED FOR PURPOSES OF OHV TRAVEL, bringing the City Code into into conformity with State law, clarifying certain sections of the City Code, requiring that OHVs that operate on City roads and highways have liability insurance; adding a severability clause; all other provisions not designated shall remain unchanged.

9. 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](#) – Approval of the “Agreement for the Adjustment of Utility Facilities” contract between the City of Ely and the Nevada Department of Transportation (NDOT).

2. Board Members – City Clerk Lee – [Discussion/For Possible Action](#) – Consideration and possible approval to remove the past due utility fee penalties in the amount of \$198.60 from 126 S Main Street, Ruth Nevada at the request of the property owner, Antoinett Erekson.
3. Board Members – City Clerk Lee – [Discussion/For Possible Action](#) – Consideration and possible approval to remove the past due utility fee penalties in the amount of \$1010.20 from the Commercial Club, 1 Main Street, Ruth Nevada at the request of the property owner, Frank Collins.

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

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

MOTION: Move to approve the Consent Agenda item 10A-1 Minutes and 10A-2 Bills.

Moved by: _____ Second by: _____ Vote: _____

1. Discussion/For Possible Action –Minutes.
 - December 5, 2019
2. Discussion/For Possible Action –Bills.
 - [December 19, 2019](#)
 - [December 30, 2019](#)

B. OLD BUSINESS

1. Councilman Flangas – [Discussion/For Possible Action](#) – Approval of Resolution 2020-1 changing the time for regular City Council meetings to 1:00 p.m.
2. Mayor Robertson – [Discussion/For Possible Action](#) – First Reading of Ordinance 729, Bill No. 2019-13, with approval to move to Second Reading. [Ordinance 729](#) amends Title 1, Chapter 6 entitled CITY OFFICERS AND EMPLOYEES, codifying the City’s existing authority to appoint a Fire Chief and describing the Fire Chief’s duties, AND adding Chapter 6, entitled ELY CITY FIRE DEPARTMENT, to [Title 7](#), codifying the existing Ely City Fire Department and its existing function and duties.

C. NEW BUSINESS

1. Council Members – City Treasurer Trask – Hinton Burdick CPAs representative(s) – Discussion/For Possible Action – Presentation and possible acceptance of the Year Ended June 30, 2019 fiscal audit for the City of Ely, prepared by Keddington & Christensen, CPA’s.
2. Mayor Robertson - [Discussion/For Possible Action](#) – Direction related to Community Economic Development Strategy (CEDS) process as it relates to resiliency planning for the City of Ely.
3. Mayor Robertson – Discussion/For Possible Action – Appointment of an Ely City Council Member to serve as the Liaison to the Regional Planning Commission.

4. Councilwoman Beecher – [Discussion/For Possible Action](#) – Approval of Resolution 2020-2, a Resolution to amend the Emergency Medical Service (EMS) Billing Rate Schedule.
5. Councilwoman Beecher – [Discussion/For Possible Action](#) – Approval of Resolution 2020-3, a Resolution to amend the Rescue/Extrication Billing Rate Schedule.
6. Councilwoman Beecher – [Discussion/For Possible Action](#) – Approval of Resolution 2020-4, a Resolution to amend the City of Ely Fire Department Stipends Rates.

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

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

* Open session – Action/Discussion – Personnel**

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

In accordance with Federal civil rights law and U.S. Department of Agriculture (USDA) civil rights regulations and policies, the USDA, its Agencies, offices and employees, and institutions participating in or administering USDA programs are prohibited from discriminating based on race, color, national origin, religion, sex, gender identity (including gender expression), sexual orientation, disability, age, marital status, family/parental status, income derived from a public assistance program, political beliefs, or reprisal or retaliation for prior civil rights activity, in any program or activity conducted or funded by USDA (not all bases apply to all programs). Remedies and complaint filing deadlines vary by program or incident. Persons with disabilities who require alternative means of communication for program information (e.g., Braille, large print, audiotape, American Sign Language, etc.) should contact the responsible Agency or USDA’s TARGET Center at (202) 720-2600 (voice and TTY) or contact USDA through the Federal Relay Service at (800) 877-8339. Additionally, program information may be made available in languages other than English. To file a program discrimination complaint, complete the USDA Program Discrimination Complaint Form, AD-3027, found online at <http://www.ascr.usda.gov/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 **January 6, 2020** by **9:00 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>.


