

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.

March 12, 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
- CITY ATTORNEY
 - [Liens February 2020](#)
- CITY CLERK
 - [New Business](#)
- CITY TREASURER
- CITY PUBLIC WORKS SUPERVISOR
 - [Water and Sewer Report February 2020](#)
 - [Street Department Report February 2020](#)
 - [Landfill Report February 2020](#)
 - [Animal Control Report February 2020](#)
- CITY WATER OPERATOR
- [CITY ENGINEER](#)
- [CITY BUILDING OFFICIAL](#)

5. NNRY 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. Councilman Carson – Public Hearing – [Discussion Only](#) – Approval of Second Reading of Ordinance 731, Bill 2020-2. Ordinance 731 amends Chapter 2 of Title 4 of the City Code of the City of Ely providing residents who take their trash to an adjoining County’s landfill and pay to that landfill may provide proof of that payment to the City Clerk in order to receive a credit for the period of time the resident pays to the adjoining County’s landfill.
2. Councilman Flangas – Public Hearing – [Discussion Only](#) – Approval of Second Reading of Ordinance 727, Bill 2020-3. Ordinance 727 amends Chapter 5, Title 2 of the City Code of the City of Ely clarifying the Regional Planning Commission’s lack of authority to dispose of government property; defining “appropriate governing body”; specifying appeal procedure.

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

1. Councilman Carson – [Discussion/For Possible Action](#) – Approval of Second Reading of Ordinance 731, Bill 2020-2. Ordinance 731 amends Chapter 2 of Title 4 of the City Code of the City of Ely providing residents who take their trash to an adjoining County’s landfill and pay to that landfill may provide proof of that payment to the City Clerk in order to receive a credit for the period of time the resident pays to the adjoining County’s landfill.
2. Councilman Flangas – [Discussion/For Possible Action](#) – Approval of Second Reading of Ordinance 727, Bill 2020-3. Ordinance 727 amends Chapter 5, Title 2 of the City Code of the City of Ely clarifying the Regional Planning Commission’s lack of authority to dispose of government property; defining “appropriate governing body”; specifying appeal procedure.

9. 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](#) – First Reading of Ordinance 733, Bill 2020-5, with approval to move to second reading. Ordinance 733 amends Title 5, Section 3B-18 Kennel Regulations to require that the Kennel or Breeder Business License No. be displayed in all advertising and purchase receipts.
2. Chairwoman Roberts-McMurray – Discussion/For Possible Action – Approval for the City of Ely Animal Control facility to participate in Maddie’s Pet Adoption Days, a two-day adoption event for the Dave & Cheryl Duffield Foundation, June 5-6, 2020 AND September 25-26, 2020; all adoption fees must be waived and \$200.00 will be given to City of Ely Animal Control for every adoption of a dog/cat, to offset adoption costs and other Animal Control needs.
3. Chairwoman Roberts-McMurray – Discussion/For Possible Action – Update on newly-installed Animal Control facility kennels with possible approval of budget recommendations for future enhancements.

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

1. Board Members – City Engineer Almberg – [Discussion/For Possible Action](#) – Acceptance of C.H. Spencer LLC proposal to replace the submersible motor and cable for the [Terrace Well](#) in the amount of \$36,148.00 and hiring of Great Basin Irrigation for installation at a cost of up to \$6,200.00, pursuant to [NRS 332.115](#); Robinson Nevada Mining Company (RNMC) to pay one hundred percent (100%) of total cost.
2. Councilman Carson – [Discussion/For Possible Action](#) – Approval to temporarily suspend the acceptance of paper and plastic at the Regional Landfill Recycling Center due to current market conditions. The Recycling Center will continue to accept aluminum and tin cans.

11. 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 11A-1 Minutes and 11A-2 Bills.

Moved by: _____ Second by: _____ Vote: _____

1. Discussion/For Possible Action –Minutes.
 - [February 13, 2020](#)
2. Discussion/For Possible Action –Bills.
 - [February 27, 2020](#)

B. NEW BUSINESS

1. Mayor Robertson – Rachel Schlick, RDSBC Representative – [Discussion Only](#) – Review of Rural Desert Southwest Brownfields Coalition (RDSBC) progress in White Pine County, including projects within the City of Ely.
2. Mayor Robertson – [Discussion/For Possible Action](#) – Approval of White Pine County’s request to waive building permit fees on 14 homes in the amount of approximately \$35,115.50 OR development of a counter offer.
3. Councilman Alworth – Discussion/For Possible Action – Advice and Consent of City Council to approve Mayor Robertson’s appointment of Ross Rivera as Fire Chief of the City of Ely.
4. Mayor Robertson – [Discussion/For Possible Action](#) – Acceptance of Paul Holdaway’s resignation from the Municipal Utilities Board.
5. Mayor Robertson – Discussion/For Possible Action – Reappointment of John O’Flaherty to the Municipal Utilities Board, term ending June 30, 2023.
6. Mayor Robertson – Discussion/For Possible Action – Reappointment of Ken Ross to the Municipal Utilities Board, term ending 2023.
7. Council Members – City Clerk Lee – Discussion/For Possible Action – Approval to go out to bid for janitorial service at City Hall.

12. 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".

13. 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 **March 6, 2020** by 5:00 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>.

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