



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.

August 13, 2020 5:00 p.m. – Ely Volunteer Fire Hall - 499 Mill Street-Ely, Nevada.

Pursuant to Governor Sisolak’s Directive 021 limiting gatherings to fifty people or less and the March 20, 2020 White Pine County Public Health Decree requiring six-foot social distancing, the Ely City Council meeting can also be accessed via videoconference/teleconference. Please call City Hall or email jlee@elycity.com if you have questions regarding accessing the meeting.

Link: <https://zoom.us/j/9771306332> **Meeting ID:** 977 130 6332

Please Note: If you log on and experience difficulty hearing the meeting please also call the toll-free numbers.

Dial by your location: +877-853-5247 US Toll-free
+888-788-0099 US Toll-free

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 July 2020**
- **CITY TREASURER**
- **CITY PUBLIC WORKS SUPERVISOR**
 - ❖ **Animal Control July 2020**
 - ❖ **Landfill July 2020**
 - ❖ **Street July 2020**
 - ❖ **Water/Sewer July 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. Council Members – City Clerk Lee – City Engineer Almberg – Public Hearing – **Discussion Only** – Consideration of citizen comments regarding eligible activities the City of Ely should apply for under the State CDBG program.
2. Mayor Robertson – **Public Hearing** – Discussion Only – Approval to sell APN 001-474-30 for less than fair market value pursuant to NRS 268.059.
3. Mayor Robertson – Public Hearing – **Discussion Only** – Approval of Second Reading of Ordinance 735, Bill 2020-07 amending Title 9, Chapter 5 entitled IMPROVEMENTS, amending City’s curb and sidewalk policies.

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

1. Mayor Robertson – **Discussion/For Possible Action** – Approval to request proposals to sell APN 001-474-30 for less than fair market value pursuant to NRS 268.059.
2. Mayor Robertson – **Discussion/For Possible Action** – Approval of Second Reading of Ordinance 735, Bill 2020-07 amending Title 9, Chapter 5 entitled IMPROVEMENTS, amending City’s curb and sidewalk policies.

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

1. Councilman Carson – [Discussion/For Possible Action](#) – Recommendation to approve ten-year lease proposal terms for the building, owned by Robinson Nevada Mining Company, located at #1Murry Springs Circle.
2. Councilman Carson – Discussion/For Possible Action: Approach Robinson Nevada Mining Company (RNMC) to develop an emergency response plan between RNMC and City of Ely staff, to include points of contact information and list of available parts.
3. Board Members – City Water Operator Raul Naranjo – [Discussion/For Possible Action](#) – Recommendation to approve City of Ely Wastewater Treatment Plant Septic Disposal Guidelines revision.
4. Board Members – City Attorney Townsend – [Discussion/For Possible Action](#) – Recommendation to grant Mt. Wheeler Power, Inc. a right-of-way easement across the City of Ely’s shooting range currently leased by the Steptoe Valley Trap Club, i.e. the NE ¼ of Sec 16 T 17 N., R. 63 E., M.D.B. & M.
5. Board Members – City Attorney Townsend– [Discussion/For Possible Action](#) – Recommendation for approval to remove the past due utility fee penalties in the amount of \$618.90 from 32 First Street, Ruth, Nevada at the request of the property owner, Terri Martinez.
6. Board Members – City Clerk Lee – [Discussion/For Possible Action](#) – Recommendation for approval to remove the past due utility fee penalties in the amount of \$2,450.99 from 1 A North First Street, McGill, Nevada at the request of the property owner, V.I.T.A.L.
7. Board Members – City Engineer Almberg – [Discussion/For Possible Action](#) – Recommendation to approve Will Serve application for White Pine Tourism and Recreation Board for an ½” water service for landscape irrigation in the parking lot between 5th and 6th Streets and High Street and Lyons Avenue.
8. Board Members – City Engineer Almberg – [Discussion/For Possible Action](#) – Recommendation to approve Will Serve application for the Nevada Department of Transportation for a new sewer connection at 1401 E. Aultman Street, Ely, Nevada.
9. Board Members – City Engineer Almberg – Discussion/For Possible Action – Recommendation to construct the south diversion ditch to divert water away from the Landfill deposit area even though the south detention pond is not 100% complete.

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.

- [June 11, 2020](#)
- June 25, 2020
- July 9, 2020

2. Discussion/For Possible Action – Bills.

- [July 23, 2020](#)
- [August 4, 2020](#)

B. NEW BUSINESS

1. Mayor Robertson – Discussion/For Possible Action – Update from White Pine Corral Association on their 501 C 3 nonprofit organization application status and direction regarding FY21 Ely City Corrals leases.
2. Mayor Robertson – [Discussion Only](#) – Interview of candidates for City Fire Chief position; the applicant is Pat Stork.
3. Mayor Robertson – Discussion/For Possible Action – Acceptance of the Mayor’s selection for appointment as the City Fire Chief and determination of salary.
4. Mayor Robertson – Discussion/For Possible Action – Appointment of new City of Ely Fire Chief to represent the City of Ely on the Local Emergency Planning Committee.
5. Mayor Robertson – [Discussion Only](#) – Interview of candidates for City Attorney position; the applicant is Theodore Medlyn, Esq.
6. Council Members – City Treasurer Trask – [Discussion Only](#) – Review of terms to contract with *Manuele Law, LLC* for legal services for the City of Ely.
7. Mayor Robertson – Discussion/For Possible Action – Acceptance of the Mayor’s selection for appointment as City Attorney and determination of salary OR approval to contract with *Manuele Law, LLC* for legal services for the City of Ely.
8. Mayor Robertson – Discussion/For Possible Action – Review and approval of *Business Continuity Technologies*’ (BCT) quote to set up .gov domain for the City of Ely website.
9. Mayor Robertson – Discussion/For Possible Action – Review and selection of website design company to enhance COVID-19 communication; vendors are *Proud City, Revize and WHYNT.com*.

10. Council Members – City Treasurer Trask – [Discussion/For Possible Action](#) – Review of offers to purchase the 2000 Freightliner FL60 MED with ambulance box, serial IFV3GFBC2YHA66864, with possible acceptance of an offer.
11. Mayor Robertson – Discussion/For Possible Action – Review and approval of sound system components and quote to improve social distancing measures due to COVID-19.
12. Mayor Robertson – [Discussion/For Possible Action](#) – Approval of City of Ely Coronavirus Relief Fund Second Allocation Expenditure Plan.
13. Mayor Robertson – Discussion/For Possible Action – Approval to contract with Ely Shoshone Tribal Clinic for rapid COVID-19 testing of City of Ely employees on an as-needed basis.
14. Councilwoman Beecher – [Discussion/For Possible Action](#) – Approval of amendment to paragraph iii of the joint development agreement with Nevada Northern Railway Foundation.
15. Councilwoman Beecher – [Discussion/For Possible Action](#) – Approval of response template for complaints regarding businesses in violation of Governor’s Directive 24.
16. Council Members – City Treasurer Trask – Discussion/For Possible Action – Termination of May 26, 2020 Memorandum of Understanding between the City of Ely and Operating Engineers Local 3 for the City Main Bargaining Unit.
17. Council Members – City Treasurer Trask – Discussion/For Possible Action – Termination of May 26, 2020 Memorandum of Understanding between the City of Ely and Operating Engineers Local 3 for the City Fire Department Bargaining Unit.
18. Council Members – City Treasurer Trask – Discussion/For Possible Action – Approval to reinstate base wages, previously reduced 12.5%, of mayor, city council members and all salaried employees.
19. Council Members – City Attorney Townsend – [Discussion/For Possible Action](#) – Termination of June 11, 2020 Memorandum of Understanding between the City of Ely and Basin Engineering.
20. Council Members – City Treasurer Trask – [Discussion/For Possible Action](#) – Acceptance of engagement letter between the City of Ely and *Hinton Burdick, CPAs*.

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 **August 10, 2020** by **9:00 a.m.** four (4) 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 and the U.S. Post Office located at 2600 Bristlecone Avenue. 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>.


