



CITY OF ELY

501 Mill Street Ely, Nevada 89301
City Hall (775) 289-2430 - Fax (775) 289-1463

ELY CITY COUNCIL 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.

February 8, 2018 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 ADMINISTRATOR
 - ❖ [New Business](#)
 - ❖ [WWTP January 2018 Report](#)
 - ❖ [Landfill January 2018 Report](#)
 - ❖ [Streets January 2018 Report](#)
 - ❖ [Parks/Cemetery/Recycling January 2018 Report](#)
- CITY TREASURER
- CITY ATTORNEY
 - ❖ [Animal Control January 2018 Report](#)
- [CITY WATER/SEWER LEADMAN](#)
- 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 MUNICIPAL UTILITIES BOARD.

1. Board Members – City Attorney Odgers – Discussion/For Possible Action – Review of City Attorney’s discussion with Max Ahlvers of *Ahlvers Plumbing’s* regarding the events which transpired during his work to restore sewer service at 681 Parker Avenue in July 2017.
2. Board Members – City Engineer Almberg – [Discussion/For Possible Action](#) – Acceptance of the completion of the WWTP Aeration Basin Air Improvement 2017, PWP #WP-2017-194 and Approval of Change Order No. 1 to the final cost of the project.
3. Mayor Van Camp – [Discussion/ For Possible Action](#) – Approval to withhold overpayment by *Outwest Excavating and Grading* for the 2014 and 2016 recycled metal payments received by the City of Ely, until the current metal pile at the Landfill is sold, for repayment, at no interest, from the City’s portion of the proceeds earned from the sale of the current metal when the metal pile is sold.
4. Councilwoman Gardner – City Administrator Switzer – [Discussion/For Possible Action](#) – Approval of Amended Resolution 2017-13 Resolution from the City of Ely to document the current rates for Water and Sewer in the City of Ely.
5. Councilwoman Gardner – City Administrator Switzer – [Discussion/For Possible Action](#) – Approval of Amended Resolution 2017-14 Resolution from the City of Ely to document the Landfill rates in effect and include the Landfill rate previously approved by the City Council for commercial waste going across the scales.
6. Councilman Carson – City Administrator Switzer – Discussion/For Possible Action – Establishment of requirement that all City of Ely elected/appointed officials and staff route potential engineering questions through the City Administrator, with the City Administrator determining which items will be submitted to *Basin Engineering*.

8. 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 8A-1 Bills.

Moved by: _____ Second by: _____ Vote: _____

1. Discussion/For Possible Action –Bills.

- [January 24, 2018](#)
- [January 27, 2018](#)

B. OLD BUSINESS

1. Council Members – City Attorney Odgers – [Discussion/For Possible Action](#) – Consideration and possible approval of City Planning Commission’s January 26, 2017 recommendation to ‘grandfather’ in the six or seven recreational vehicles in place at the *Apeceche Trailer Park* on January 26, 2017, as per Judge Maddox’s December 22, 2017 Order in Case No. CV-1707087 requiring that the City Council re-consider this matter.

C. NEW BUSINESS

1. Mayor Van Camp – Caroline McIntosh – Discussion Only – Update on the activities of the Downtown Public Plaza and Nevada Northern Rail Way (11th St. East) Beautification Teams.
2. Mayor Van Camp – Councilman Hanson – NNRV President Mark Bassett – Discussion/For Possible Action – Approval of Letter in Support of opening the railroad track from the Nevada Northern Railway Museum to the White Pine Public Museum through a Nevada Department of Transportation “Transportation Alternatives Program” grant to be applied for by the Nevada Northern Railway Foundation; upon information and belief, there is no fiscal impact to the City.
3. Councilman Carson – Discussion/For Possible Action – Review of legal options available to the City of Ely to receive its share of Ambulance/EMS Tax approved by all County residents in 1992, to be shared between the City and the County based upon property valuation at the rate of \$0.035 cents per \$100.00 of valuation.
4. Councilman Hanson – City Administrator Switzer – [Discussion/For Possible Action](#) – Pursuant to City Code 1-5-5 (A), Approval of Resolution 2018-01 to Change the Day and Time of the Ely City Council regular meetings to 8:30 a.m. on the second and fourth Fridays every month.
5. Council Members – City Administrator Switzer – [Discussion/for Possible Action](#) – Acceptance of City Administrator’s General Fund Expenditure Reduction Plan, to include a reduction-in-force affecting the General Fund.
6. Councilwoman Gardner – [Discussion/For Possible Action](#) – Approval of First Reading of Ordinance 710, Bill No. 2018-03, an Ordinance amending City Code Title 3, Chapter 1, Section 4 General Business Licenses, to change the due date of all business licenses to July 1 of each year, to allow for the pro-rating of business licenses for businesses starting on a date other than July 1 of each year.
7. Council Members – City Administrator Switzer – City Treasurer Trask – [Discussion/For Possible Action](#) – Acceptance of Corrective Action Plan for the over expenditure in the Fire Protection/Street Improvement Fund, noted in the Nevada Department of Taxation’s January 25, 2018 letter, pursuant to NRS 354.6245.

8. Council Members – City Attorney Odgers – [Discussion/For Possible Action](#) – Acknowledgement of January 23, 2018 filing by City Attorney Odgers of a summary of all claims made against the City of Ely for tortious conduct, pursuant to NRS 41.0385.

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10. 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 Administrator 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, Deputy City Clerk, did cause to be posted on **February 2, 2018** at **4:30 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>.


