



# CITY OF ELY

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

## ELY CITY COUNCIL REGULAR MEETING AGENDA

**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.**

**June 28, 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
- CITY ATTORNEY
- CITY WATER/SEWER LEADMAN
- CITY ENGINEER
- CITY BUILDING OFFICIAL

### 5. REPORTS

CITY COUNCIL  
[MAYOR](#)

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

1. Chairman Peeler – Public Hearing – [Discussion Only](#) – Consideration of an application for Reclassification of Property Zoning. The applicant wishes to re-zone the property from the current R-M-50 Zone (Residential) to a C-2 Zone (Commercial). The property address is 480 Campton Street, Ely, NV. The Assessor Parcel number is 001-291-03. The applicant is John O’Flaherty-*O’Flaherty Rentals, LLC*.

**7. DISCUSSION/POSSIBLE ACTION ITEMS PERTAINING TO THE PUBLIC HEARING.**

1. Chairman Peeler – [Discussion/For Possible Action](#) – Consideration of an application for Reclassification of Property Zoning. The applicant wishes to re-zone the property from the current R-M-50 Zone (Residential) to a C-2 Zone (Commercial). The property address is 480 Campton Street, Ely, NV. The Assessor Parcel number is 001-291-03. The applicant is John O’Flaherty-*O’Flaherty Rentals, LLC*.

**8. ITEMS FOR DISCUSSION/POSSIBLE ACTION OF THE ELY CITY COUNCIL AS RECOMMENDED BY THE CITY PLANNING COMMISSION.**

1. Chairman Peeler – [Discussion/For Possible Action](#) – Consideration and possible approval of zoning reclassification application fee waiver in the amount of \$500.00 to John O’Flaherty-*O’Flaherty Rentals, LLC*, as 480 Campton Street, APN 001-291-03, was always commercial use since its construction in 1980 and prior to that as well.
2. Chairman Peeler – [Discussion/For Possible Action](#) – Approval of Home Occupation permit to Emily Munk to conduct a screen printing business, d.b.a. *Daxco Ink, LLC* located at 1240 Avenue G, Ely, Nevada.

**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 items 9A-1 Minutes & 9A-2 Bills.

Moved by: \_\_\_\_\_ Second by: \_\_\_\_\_ Vote: \_\_\_\_\_

1. Discussion/For Possible Action –Minutes.
  - May 24, 2018
2. Discussion/For Possible Action –Bills.
  - [June 11, 2018](#)

## B. NEW BUSINESS

1. Council Members – City Administrator Switzer – Nevada Public Agency Insurance Pool Representative – Tina Perchetti of *L/P Insurance Services* – [Discussion/For Possible Action](#) – Acceptance of Renewal Proposal from Nevada Public Agency Insurance Pool (POOL) and approval for payment from Fiscal Year 2018-2019 funds, to be paid in equal share from each of the covered funds.
2. Councilman Hanson – Nevada Rural Housing Authority Homebuyer Services Director Diane Arvizo – [Discussion/For Possible Action](#) – Approval of Resolution No. 2018-02 providing for the transfer of the City’s 2018 Private Activity Bond Volume Cap to the Nevada Rural Housing Authority.
3. Mayor Van Camp – Bureau of Land Management Ely District and *Robinson Mine* Representatives – [Discussion Only](#) – Presentation on *KGHM Robinson Mine*’s proposed [Keystone Waste Rock Dump expansion project](#).
4. Councilman Carson – [Discussion/For Possible Action](#) – Direction to City staff to send a letter to the White Pine County Commission acknowledging that, pursuant to Article II(2-4)Term of Agreement, the Interlocal Agreement for Temporary Fire Protection and EMS Services between the City of Ely and White Pine County terminates on June 30, 2018 AND noticing White Pine County that the City of Ely Fire Department/Emergency Medical Services (EMS) will no longer respond outside of City of Ely limits.
5. Councilman Carson – City Fire Chief Rivera – [Discussion/For Possible Action](#) – Acknowledgement of Assistant Fire Chief David Steiner’s resignation effective September 1, 2018 and authorization of recruitment process to fill the position.
6. Council Members – City Administrator Switzer – Discussion/For Possible Action – Consideration and possible approval of the Nevada Department of Transportation (NDOT) request that the City of Ely assume responsibility for the monthly electricity cost of the following new street lights to be installed by NDOT as part of their US Hwy 6 project on Aultman Street: 3<sup>rd</sup> St. & Aultman; 11<sup>th</sup> St. & alley; Ely Ave. & Aultman; E 15<sup>th</sup> St. & Aultman; and US 93 at Ave. C.
7. Councilman Hanson – Discussion/For Possible Action – Approval to enter float in the 4<sup>th</sup> of July parade, with the cost of candy donated by the Mayor and City Council Members.

**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, audiotope, 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/complaint\\_filing\\_cust.html](http://www.ascr.usda.gov/complaint_filing_cust.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](mailto:program.intake@usda.gov). USDA is an equal opportunity provider, employer, and lender.

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 **June 25, 2018** 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>.

  
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