



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 22, 2019 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 CLERK
- CITY TREASURER
- CITY ATTORNEY
- CITY PUBLIC WORKS SUPERVISOR
- CITY ENGINEER
- CITY BUILDING OFFICIAL

5. REPORTS

CITY COUNCIL
MAYOR

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

1. Board Members – City Clerk Lee – City Engineer Almberg – [Discussion/For Possible Action](#) – Approval of Grant of Easement and Grant of Construction Easement Agreement between the City of Ely and Robert Scherrer and Sharlene Stewart, Joint Tenants with right of Survivorship.
2. Chairman O’Flaherty – [Discussion/For Possible Action](#) – Approval of an extension of the existing Consulting Services Agreement between the City of Ely and *Basin Engineering*.

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

1. Chairman Peeler – [Discussion/For Possible Action](#) – Approval of Home Occupation permit to James S. Beecher to conduct a Law firm business, d.b.a James S. Beecher located at 623 Murry Street, Ely, Nevada.
2. Chairman Peeler – [Discussion/For Possible Action](#) – Approval of Home Occupation permit to Mckinzie Peterson to conduct an Attorney business, d.b.a Mckinzie Peterson, Esq. located at 1290 Avenue L, Ely, Nevada.

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 Minutes and 8A-2 Bills.

Moved by: _____ Second by: _____ Vote: _____

1. Discussion/For Possible Action –Minutes.
 - [April 19, 2019](#)
 - April 25, 2019
 - May 9, 2019
 - May 16, 2019
 - May 23, 2019
 - June 10, 2019
 - June 13, 2019
 - June 26, 2019
 - June 27, 2019
 - July 11, 2019
 - July 25, 2019
2. Discussion/For Possible Action –Bills.
 - [August 12, 2019](#)

B. NEW BUSINESS

1. Mayor Robertson – Discussion/For Possible Action – Confirmation of Mayoral Appointment of Councilman Sam Hanson as the City of Ely’s representative on the White Pine County Local Emergency Planning Committee.

2. Council Members – Animal Control Advisory Board Chairwoman KayLynn Roberts-McMurray – [Discussion/For Possible Action](#) – Approval for the City of Ely Animal Control facility to participate in Maddie’s Pet Adoption Days September 27-28, 2019; 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 event costs and other Animal Control needs.
3. Councilman Carson – White Pine County Tourism Director Kyle Horvath – [Discussion Only](#) – Presentation regarding potential impacts of passage of proposed Ordinance 726.
4. Councilman Flangas – [Discussion/For Possible Action](#) – Approval of First Reading of Ordinance 726, Bill No. 2019-09, an ordinance amending City Code Title 3, Chapter 3 Rental Businesses, changing the 0.5% room tax from being dedicated for use for “outdoor activities” to being placed in the City’s General Fund for the sole purpose of additional funding dedicated to the City of Ely Parks and Recreation Department and/or the Cemetery, increasing the 0.5% to 1% of gross room tax revenue beginning July 1, 2020, dedicating 2.5% of gross room tax revenue to be used specifically for the City of Ely Road Department effective July 1, 2020.
5. Council Members – City Clerk Lee – Discussion/For Possible Action – Approval for the Municipal Utilities Board and Ely City Council to participate in a special joint meeting in September or October for presentation by Simeon Herskovits and Great Basin Water Network.

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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 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 16, 2019** at **1:00 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>.
