



CITY OF ELY

501 Mill Street Ely, Nevada 89301
City Hall (775) 289-2430
Cityofelynv.gov

ELY CITY COUNCIL REGULAR MEETING

September 12, 2024, 5:00 p.m. – Ely Volunteer Fire Hall – 499 Mill Street – Ely, Nevada

The Ely City Council meeting can also be accessed via video conference/teleconference. Please call City Hall or email CityClerk@cityofelynv.gov 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

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.

1. OPENING ACTIVITIES:

MEETING CALLED TO ORDER
PLEDGE OF ALLEGIANCE
INVOCATION
ROLL CALL

2. PUBLIC COMMENT: Per City Council action October 27, 2022, and in accordance with Nevada Revised Statutes 241.020, **public comment at the beginning of city council meetings is narrowed to agenda items only.** The public comment period at the close of city council meetings is for any matter relevant to or within the authority of the Public Body. 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
- CITY CLERK
 - ❖ [Liens](#)
 - ❖ [Lien Releases](#)
 - ❖ [New Business](#)
- CITY TREASURER / HR DIRECTOR
- [CITY PUBLIC WORKS DIRECTOR](#)
 - ❖ [Animal Control](#)
 - ❖ [Landfill](#)
 - ❖ [Parks/Cemetery](#)
 - ❖ [Streets](#)
 - ❖ [Water/Sewer](#)
- [CITY WATER OPERATOR](#)
- CITY ENGINEER
- CITY BUILDING OFFICIAL
 - ❖ [Permits-Inspections](#)

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 – Review of proposed CDBG projects and additional project ideas suggested by the public. Proposed projects and estimated funding are listed below. **Only projects listed here and proposed at the meeting will be forwarded to the Council for approval.**

| | |
|--|--------------|
| • Wastewater Treatment Plant Upgrade | \$603,750.00 |
| • White Pine Public Museum Fence Project | \$221,372.00 |
| • 7th St. Drainage Improvement Project | \$265,400.00 |
| • North Street and Fay Avenue Storm Drainage Upgrade | \$511,800.00 |
| • Parks Water Reclamation Feasibility Study | \$ 75,000.00 |

2. Council Members – City Building Official Hendrickson – Public Hearing – [Discussion Only](#) - Consideration for a proposed Petition for Vacation or Abandonment of Road or Easement on property located in Ely, NV The applicant is Robert Martinez. He is requesting the abandonment of approximately 1,157 square feet of City of Ely right-of-way at the corner of Mill Street and Mill Avenue in front of Assessor’s Parcel #001-363-04, under Chapter 8.1.0 of the Ely Municipal Code (Ordinance 689) and NRS 278.480. The subject property address and/or general location is: 1375 Mill Street, Ely, NV 89301.

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

1. Council Members – City Clerk Lee – City Engineer Almberg – [Discussion/For Possible Action](#) – Approval to submit selected CDBG proposed projects to the Governor’s Office of Economic Development (GOED) for eligibility verification.

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

1. Board Members – City Clerk Lee - [Discussion/For Possible Action](#) – Approval for Betsy Vogler to sublet a portion of the Georgetown Ranch, pursuant to [Section X Subleasing/Assignment](#) of Joint Development and Beneficial Use Lease Agreement between Betsy Vogler and the City of Ely, to Ethan Marshall for 100 head of cattle November 1, 2024 thru April 30, 2025; Mr. Marshall will provide his own feed.
2. Board Members — City Engineer Almberg – Discussion/For Possible Action – Approval to allow White Pine County Youth Center to connect water line for its Temporary Safe Housing Duplex to existing building’s water line at 399 First Street.

10. THE MAYOR WILL RECESS THE REGULAR CITY COUNCIL MEETING FOR A MEETING OF THE ELY LIQUOR LICENSING BOARD.

1. Board Members – [Discussion/For Possible Action](#) – Approval of Class IV Liquor License, effective September 13, 2024, to Terzetto, LLC dba The Prospector located at 1501 East Aultman Street, Ely, Nevada.

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 temp.

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
 - [August 22, 2024](#)
2. Discussion/For Possible Action – Bills.
 - [August 21, 2024](#)
 - [August 27, 2024](#)

B. NEW BUSINESS

1. Mayor Robertson – [Discussion/For Possible Action](#) – Approval of support letter for Balanced Rock LLC’s right-of-way application to construct the Samantha Solar Project, a proposed 600-megawatt (MW) alternating current solar facility on approximately 2,891 acres of BLM-managed land in White Pine County approximately 15 miles west of Ely.
2. Mayor Robertson – [Discussion/For Possible Action](#) – Acceptance of Gregory Rivero’s resignation as a City of Ely representative on the Regional Planning Commission.
3. Mayor Robertson – [Discussion/For Possible Action](#) – Acceptance of Gregory Rivero’s resignation as an Ely Municipal Utilities Board member.
4. Councilman Carson – Discussion/For Possible Action – Discussion regarding City Attorney’s research on other Nevada municipalities’ ‘No Hunting in City Limits’ ordinances, with direction to draft an ordinance prohibiting hunting in the City of Ely.
5. Councilman Alworth – Discussion/For Possible Action – Update from Human Resources Director Trask on search for an attorney who would be a City of Ely employee; update to include recruitment sites, notifications sent, and number of applications received to date.

6. Councilwoman Williams-Harper – [Discussion/For Possible Action](#) – Approval of First Reading of Ordinance 759, Bill No. 2024-05, An Ordinance Increasing the Salary Ranges of City Attorney and City Fire Chief.
7. Council Members – City Engineer Almberg – Discussion/For Possible Action – Review of bids received for the Road Slurry Seal Project 2024, PWP# WP-2024-505, with possible award.
8. Council Members – City Attorney Manuele – [Discussion/For Possible Action](#) – Approval of Amendment No. 3 to the One Nevada Agreement on Allocation of Opioid Recoveries.
9. Council Members – City Clerk Lee – City Fire Chief Stork – Discussion/For Possible Action – Review of bids received for the replacement of the Ely Fire Station Photovoltaic Panel System, Energy Efficiency and Conservation Block Grant (EECBG) Funded Project #C66854, with possible award.
10. Council Members – City Clerk Lee – Discussion/For Possible Action – Approval to hold one regular meeting in November on November 14, 2024, and one regular meeting in December on December 12, 2024, due to the Holidays.

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. The City of Ely’s designated civil rights coordinator is its Human Resources Director. To file a program discrimination complaint, complete the USDA Program Discrimination Complaint Form, AD-3027, found online at <https://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 "Additional Documentation" on the City's website at <https://www.cityofelynv.gov/>

I, Jennifer Lee, City Clerk, did cause to be posted on **September 6, 2024**, by **5:00 p.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 <https://www.cityofelynv.gov/> and the State of Nevada Public Notices website at <https://notice.nv.gov>.

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