



CITY OF ELY

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

ELY CITY COUNCIL REGULAR MEETING

March 24, 2022 5:00 p.m. – Ely Volunteer Fire Hall – 499 Mill Street – Ely, Nevada

1. Mayor Robertson called the regular meeting of the Ely City Council to order at 5:00 P.M.; Pastor James Woffinden offered invocation. Mayor Robertson led in the Pledge of Allegiance and asked for Roll Call.

Members present:

- Mayor Nathan Robertson
- Councilman Ernie Flangas
- Councilman Kurt Carson (Zoom)
- Councilman Ed Spear
- Councilman Jim Alworth
- Councilwoman Jerri-Lynn Williams-Harper

City Officials and staff present in the building or via video conference:

- City Clerk Jennifer Lee
- City Treasurer-HR Director Janette Trask
- City Attorney Leo Cahoon
- Public Works Supervisor Mike Cracraft
- City Engineer BJ Almberg
- City Building Official Craig Peterson
- City Fire Chief Pat Stork
- City Municipal Judge Mike Coster (Zoom)
- City Administrative Assistant Patti Cobb

Also, in attendance: Members of the public in attendance at the Ely Volunteer Fire Hall signed in (appears below) and the following persons attended via video conference: Geri Wopschall and Cameron Gresh.

ELY CITY COUNCIL ATTENDANCE LIST

DATE: March 24, 2022

Print name below

Samantha Elliott

TONY ENRIQUETA

MICHAEL COHEN

Sherrie Marquez

George Chachas

Rev. James Woffinden

Jennifer Wopschall

Print name below

2. PUBLIC COMMENT

George Chachas stated on your agenda item 7B-5 you are to consider approving the emergency medical services billing rate. However, the resolution only shows the new rate and does not show the old rate to show the taxpayer the contemplated increase. Why are you raising fees when the City received American Rescue Plan Act Funds from which all City departments benefited from. On your agenda item 7B-8 you are to consider taking action against parcel number 001-093-05 owned by Juanita Pope and Sally Marques regarding an RV on their property. It appears the City is on a path of ethnic cleansing. You came after me and my family selectively. I was issued two citations while others around me were ignored and allowed selective treatment. You closed a trailer park that is owned by a Hispanic person that had been conducting business as others had for decades. At your last meeting you had several agenda items regarding “Tiny Homes” and “Park Model RVs” to ease the affordable housing dilemma in the City. What is so different here? You need to stop the open, immoral, and blatant discrimination against ethnic minorities, Veterans, Hispanics, and now Native Americans. At a recent City Council meeting held on March 10, 2022 Councilman Alworth expressed concern regarding the old Crabtree Trailer Park located on Avenue G. that is owned by my little brother. The property has an RV stored on it and there is no power to the property because a permit to operate has not been given. He has done nothing with blatant violations all around him. There is an RV not more than one hundred feet from him that is power connected with an extension cord across the sidewalk; sometimes it is connected and sometimes it is not; yet he seems to see nothing as well as Kurt Carson across the street.

Jennifer Drew-Lesher speaking as a private citizen stated I just want to briefly address agenda item number eight. This trailer is not too far from my house, and it has been a huge nuisance. There is no running water or sewer there. They make fires out in their yard cooking Lord knows what. There have been times we have had to go in the house because of smells coming from that house. They have had dogs up there that go after people going over the railroad tracks. It is a huge nuisance and there is more than one RV up on that lot. There are a lot of shady things going on that we can detect, and I would greatly appreciate the Councils approval on moving forward with the abatement on this property.

3. Mayor – Discussion/For Possible Action – Approval of Agenda, including removal of agenda items.

Mayor Robertson stated item B-2 will be removed and put on the April 14, 2022 agenda.

Councilman Spear moved to approve the agenda with the removal of item B-2. Councilman Alworth seconded the motion. The motion carried unanimously.

4. CITY DEPARTMENT REPORTS

➤ CITY CLERK

City Clerk Lee stated as of 5:00 p.m. last Friday only one candidate, Terrill Trask, had filed for seat one so he is declared elected and will be sworn into office December 8th. As of 5:00 p.m. last Friday only two candidates, Samantha Elliott and Bruce Setterstrom, had filed for seat three so that race will be decided in the General Election on November 8th. As of 5:00 p.m. last Friday only one candidate, Jerri-Lynn Williams, had filed for seat five so she is declared elected and will be sworn into office December 8th. In regard to our broadband, Commnet has told me during their biweekly update last Friday that the larger Sysco firewall has been received in Vegas and it is being configured. Installation of our wireless component of our system has begun. They further informed me that Mount Wheeler Power is charging them a \$56,000.00 plan review fee and an \$80,000.00 pole inspection fee; those were unexpected, and it is delaying them time wise, but they are working through that. The BLM Ely District office notified me Tuesday that there has been a new Greenup funding opportunity released and we have begun work on that; that application is due May 25th.

Mayor Robertson asked is that plan review fee going to increase our cost?

City Clerk Lee stated it is not, Commnet is absorbing those as well.

➤ **CITY ENGINEER**

City Engineer Almborg stated our next phase of the Murry Street Sewer Project hit the street on Friday. We have had two contractors pick up bid packets for that. I have had a couple conversations with NDOT this week on the Aultman Street Project. One of the discussions was on applying for a grant that would complete this next phase and the final phase of this project. We had a conversation regarding what was needed from our side and how it will benefit this community. NDOT has hired a consulting firm to complete the application on their behalf for this federal grant. The other conversation with NDOT was proceeding with the project on Aultman. They have a deadline of the 26th of next month to have a meeting going over everything that has been prepared up to this point. They anticipate keeping this project on schedule for the 2024 construction season they will be starting, and you will see some potential activity around town such as easements, appraisals, and other work that has to do with this project. We also continue to work with the PORTER Group.

➤ **CITY BUILDING OFFICIAL**

City Building Official Peterson stated I would like to report that on April 14th and 15th I will be going down to Vegas for the training on HUD mobile/manufactured certification. I have not heard back from the State Fire Marshall, and I have emailed him a few times and am hoping to get word from him shortly. We have some ordinances for building codes that are coming up soon to add to what we are going to be proposing in a couple of weeks. One of those will be the manufactured offsite code for container homes. We will have a standard that everyone can look at and fall back on in order to design the container homes that are coming into the County. We do have a couple of those that have been proposed out in Baker for later this year.

5. REPORTS

➤ **COUNCILMAN FLANGAS**

Councilman Flangas stated I would like to commend our Building Official for the wonderful job that he has done with the Regional Planning Commission and responding to all the problems that seem to arise. I would like to pass this picture around. It is a picture taken many years ago of members of the 20/30 club and in the center is Senator McCarran. He came at that time to dedicate the airport in White Pine County for being the very first airport in the State of Nevada and assisting the common people of Ely to enact an airline which did come into existence called Ananda Airlines that flew between Ely and Tonopah. Eventually, they flew to Reno, but then got resolved. If anyone knows anyone else in the picture, we would like to have it. I think preserving as much of the history of our community is important.

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

1. Chairman Wolf – Discussion/For Possible Action – Approval that May 7, 2022 be proclaimed Arbor Day in the City of Ely.

Councilman Alworth moved to approve May 7, 2022 be proclaimed Arbor Day in the City of Ely. Councilman Flangas seconded the motion. The motion carried unanimously.

7. ITEMS FOR DISCUSSION/POSSIBLE ACTION ONLY OF THE ELY CITY COUNCIL.

A. CONSENT AGENDA

MOTION: Move to approve the Consent Agenda item 7A-1 Minutes and 7A-2 Bills.

City Clerk Lee stated I wanted to note that on the February 24, 2022 minutes I stated on the record the Armory lease was for two years and I was incorrect on that. It is for five years and there is an option to renew, but the price per square foot has to be renegotiated.

Councilman Alworth disclosed I am a past member of the Ely Volunteer Fire Department and when approving bills, I am doing what is in the best interest of the City.

Moved by: Councilman Alworth Second by: Councilwoman Williams-Harper Vote: Unanimous

1. Discussion/For Possible Action –Minutes.
 - February 24, 2022
 - March 4, 2022
2. Discussion/For Possible Action –Bills.
 - March 7, 2022

B. NEW BUSINESS

1. Mayor Robertson – Discussion/For Possible Action – Approve Mayoral appointment of Kenna Almborg to the Regional Planning Commission, with term expiring December 31, 2023.

Mayor Robertson stated this is the seat that was vacated by Jason Bath who resigned at our last meeting. Mrs. Almborg is here with us tonight. I was really pleased she was willing to accept this appointment. She has many years of experience in property issues, real estate, and certainly the housing in our area and I think she will bring a lot of experience to the Regional Planning Commission.

Councilman Alworth stated I will echo that comment Mr. Mayor. We really need someone that knows the layout of the land. The history she knows of the City and County are going to be a great asset.

Councilman Alworth moved to approve the Mayoral appointment of Kenna Almborg to the Regional Planning Commission, with term expiring December 31, 2023. Councilman Spear seconded the motion. The motion carried unanimously.

3. Councilman Spear – Councilman Alworth – Discussion Only – Update on PORTER Group efforts on behalf of the City of Ely.

Councilman Alworth stated this week the offices of both Nevada’s Senators provided additional guidance to PORTER Group for use in making the City’s four FY23 CPF (or earmark) requests to those offices. We were awarded the \$3.3 million for sewer projects. The House and Senate Appropriations Committees have not yet issued guidance on the finer points of accessing and spending the CPF funding the City received earlier this month; how we are going to distribute it is up in the air right now. The mayor did meet with the Governor earlier this month and they talked about some of the ARPA funding. The PORTER Group is still working diligently with us on housing funding for the hospital’s need for medical staff housing. If for whatever reason, we don’t get a piece of the pie of the State of Nevada’s \$2.6 billion, the PORTER Group is prepared to immediately pursue funding opportunities with the Nevada Agricultural Rural Development Program and other discretionary grant programs to secure funding for this critical healthcare investment. The PORTER Group is working with NDOT to secure Congressional support for NDOT’s application for the RAISE grant for the Ely Downtown Project to increase its competitiveness and bolster its chances of success.

Mayor Robertson stated I would like to add I did get a phone call from both of our Senators after the \$3.3 million earmark passed to talk about our sewer issues and they were pleased that it passed.

4. Councilman Alworth – Discussion/For Possible Action – Approve extension of PORTER Group’s current engagement with the City of Ely.

Councilman Alworth stated we got into this a year ago and it is due for renewal. It is very important what the PORTER Group does for us. We are in the middle of nowhere and we don’t see senators, congressmen, or assemblymen unless it is election time. The PORTER Group is so important walking up and down those halls, getting us lined out, and contacting B.J. and his crew so when they make a presentation it is really professional. It is expensive at \$48,000.00 a year and the Treasurer splits that four

different ways, but that investment yielded us \$3.3 million for a sewer project. We have several more projects out there waiting to see what happens. I guarantee you it will not happen unless you have people in Washington representing us. In working with this group, I have found out that local government works slow, but federal government works way slower, and I have learned to be patient and you will be rewarded. I think this would be a great thing to continue with and will benefit the community seeing bigger and better things in the future.

Councilman Spear stated I would echo exactly what Jim said. The opportunity we have in the future is unbelievable. The City Council has been struggling since the eighties with infrastructure and we have been in real trouble. After deciding to hire a lobbying firm out of D.C. the City of Ely for the first time has received a congressional earmark. We have an opportunity moving forward with the PORTER Group and the due diligence of our City Engineer and staff to get information collaborated. You are going to see many improvements over the next several years of our infrastructure. We have four earmarks this year for water projects: the Downtown Ely Project, the Lower East Ely Water Project, continuing the Central Ely Sewer Project, and getting meters for municipal water. If we get one of those a year, what an impact that is going to make on this community. We can only hope for this kind of funding without having to borrow and all the stuff we've had to do in the past. I think the PORTER Group is essential in improving the City of Ely and the infrastructure.

Mayor Robertson stated I would echo all those sentiments. They have been a great tool for us on many levels.

Councilman Spear moved to approve the extension of the PORTER Group's current engagement with the City of Ely. Councilman Alworth seconded the motion. The motion carried unanimously.

5. Council Members – City Fire Chief Stork – Discussion/For Possible Action – Approve Resolution 2022-05 amending the Emergency Medical Service (EMS) Billing Rate Schedule.

City Fire Chief Stork stated the only thing we are changing is our stand-by rate. It has been \$75.00 since the inception of our ambulance service. Now when we are covering for special events for private entities, if I have to have career staff on the stand-by it is costing us money to do it, and that is going backwards. We increased it to \$125.00 so if we have to have career staff do it and they are on overtime at least we are covering our costs. We also added a mileage, so EMS 128 is new. The mileage fee is if we had to go out on Highway 318 for the car race to cover fuel. If something should happen and someone gets injured, they go to the other rates and other mileage.

Councilman Alworth asked is that mileage rate the same on our engines and your truck?

City Fire Chief Stork stated I will have to look and see how they were set up on the past resolution. I want to say they are higher to respond to an emergency, but this fee is for stand-by and just to cover the mileage and wear and tear. Private entities are having to pay for this separately for us to do a stand-by.

Councilman Alworth asked when you do the football games that is included in that fee also?

City Fire Chief Stork stated yes, If you read the Resolution it states over ten miles we charge the mileage and if it is under ten miles, such as a high school football game we don't charge the mileage.

Councilman Spear asked how soon will this take effect?

City Fire Chief Stork stated as soon as you vote on it tonight.

Councilman Spear stated the reason I ask is I am a board member for the Silver State Classic Challenge, and have they noticed you yet about the May race?

City Fire Chief Stork stated no.

Councilman Spear stated if it takes effect immediately, they need to budget for that.

Councilman Alworth moved to approve Resolution 2022-05 amending the Emergency Medical Service (EMS) Billing Rate Schedule. Councilwoman Williams-Harper seconded the motion. The motion carried unanimously.

6. Council Members – City Treasurer Trask – Discussion/For Possible Action – Approval to report American Rescue Plan Act (ARPA) funds received by the City of Ely under the “Standard Allowance” option.

City Treasurer/HR Director Trask stated it is my recommendation to take the first half of our first allotment we have gotten, which was just over \$2.6 million, and go with this revenue loss and put it towards the operating expenses for the FY 22 and if there is anything left over for the FY 23. With doing this it would help with the monies we have committed and have already spent for the reporting that I have to do on the 15th of April.

Councilman Spear stated I think this is a no-brainer after we had the presentation from McKay last meeting. We will be getting our second tranche in a couple of months, right?

City Treasurer/HR Director Trask stated yes, it will be another agenda item that we can address at that time.

Councilman Alworth stated for clarification in the minutes you stated our first half of our first allotment.

City Treasurer/HR Director stated I apologize; it is our first half of the actual amount given to us which is the \$2.68 million.

Councilman Alworth stated in this agenda item you need to state for this fiscal year we are in right now, so it is clear.

City Treasurer/HR Director stated I asked for this year but also to include FY 23 if there should be any left over, we can go into the FY 23 year that I am budgeting for now. I don't expect it would be much, but in case there is some.

Councilman Spear moved to approve reporting the American Rescue Plan Act (ARPA) funds received by the City of Ely under the “Standard Allowance” Option. Councilman Alworth seconded the motion. The motion carried unanimously.

7. Council Members – City Treasurer Trask – Discussion/For Possible Action – Approval for continued utilization of *Hinton Burdick CPAs & Advisors*' consultation services on American Rescue Plan Act (ARPA) expenditures and reporting not to exceed \$5,000.

City Treasurer/HR Director Trask stated the first \$5,000.00 that was approved is pretty much spent and I will say it has been well worth it. I would like to continue to use them as questions come up, especially as I do my first reporting with the federal government to make sure I do it correctly. I am hoping we will not use the full \$5,000.00; I just think that would be a safe amount.

Councilman Alworth asked on this paper where you have the American Rescue funds broke down and it shows we committed \$5,000.00 and have expensed \$1,715.00. Since this report we have pretty well spent the remainder?

City Treasurer/HR Director Trask stated he has not physically sent a bill yet, but we have had conversations that the time he has put in is getting close to the \$5,000.00.

Councilwoman Williams-Harper asked you don't think there is anything we would get into that would go over that?

City Treasurer/HR Director Trask stated no. I am very optimistic that we would not go over the \$5,000.00.

Councilman Spear moved to approve for continued utilization of *Hinton Burdick CPAs & Advisors*' consultation services on American Rescue Plan Act (ARPA) expenditures and reporting not to exceed an additional \$5,000.00. Councilman Alworth seconded the motion. The motion carried unanimously.

8. Council Members – City Clerk Lee – Discussion/For Possible Action – Approval of abatement action to include the removal of the RV believed to be occupied and accumulation of debris on private property located at Parcel No. 001-093-05, currently owned by Juanita H. Pope ET AL and Sally Marques ET AL; current zoning does not allow for the use of a Recreational Vehicle to be used as a dwelling unit per Title 12 ZONING REGULATIONS and the accumulation of debris is in violation of City Code 4-1-4(I).

City Clerk Lee stated the timeline that Patti prepared for this property really shows it is a long-standing problem.

Councilman Spear stated I have always had a problem with these abatements, but this started in 2011 and now it is 2022, so over ten years this has been going on. There are some legal things we have to do to abate Leo and you are prepared to do those?

City Attorney Cahoon stated I am.

Councilman Spear moved to approve abatement action to include the removal of the RV believed to be occupied and accumulation of debris on private property located at Parcel No. 001-093-05, currently owned by Juanita H. Pope ET AL and Sally Marques ET AL; current zoning does not allow for the use of a Recreational Vehicle to be used as a dwelling unit per Title 12 ZONING REGULATIONS and the accumulation of debris is in violation of City Code 4-1-4(I). Councilwoman Williams-Harper seconded the motion.

Robert Pope stated I am Juanita Pope's husband and am here on her behalf because she has breathing problems.

Mayor Robertson asked City Attorney Cahoon is that allowable?

City Attorney Cahoon stated yes, I believe so.

Robert Pope stated it shouldn't have been an issue in 2011 because that stuff has only been there for two years.

Mayor Robertson stated the citations on the RV didn't start in 2011 it was on the property.

Robert Pope stated there is only one citation on the property and that was on vehicles, and I am still having...

Mayor Robertson stated it says we sent a notification letter in 2016 and another one in 2020.

Robert Pope stated it was on vehicles and some of them belong to other people and we are trying to get them to remove them. They took a Kia that was licensed and insured at that time, and we are fighting that issue now trying to find out what we can do about that. As for the trailers and the three vehicles that are on there now, we already went to court with the other City Attorney. When we went to court, they said it was grandfathered in because on November 1st of last year they revised the grandfather law. The trailers and such in Ely are grandfathered in because they have sat there for so long. I know some trailers that have been sitting for ten or twenty years that they don't use or have used once for deer hunting and then they sit there forever. There are a lot of trailers here in Ely where people live in them all over and I don't understand why this is a problem. We had

a trailer sitting there and someone needed a place to stay because it was during the COVID-19 when this all started. Mr. Coca that is with me tonight had to have a place to keep his stuff.

City Clerk Lee stated for the record I have the file here and former Building Official Christiansen's March 23, 2016 letter has a picture of the trailer attached, so it has been there quite a while.

Robert Pope stated as for cleaning up the yard, we were going to do that, but Mr. Coca here got the COVID-19 and was in the hospital since November and that was right after he was done with the court. It is now muddy and there is snow. I can understand it needs to be cleaned up some and we are going to, but I don't see what the issue is when we have gone to court and made an agreement with the judge about the trailer being there.

Mayor Robertson asked City Attorney Cahoon was there a prior agreement on this that the Council needs to be aware of?

City Attorney Cahoon stated not that I am aware of.

Robert Pope stated he said he was going to check into it with the Judge.

City Attorney Cahoon stated the process is now that the property needs cleaned up or will go back in front of the court.

Robert Pope stated the property was cleaned up at that time, but it got dirty after we went to court. As for the vehicles, if they are a nuisance I will just put a car tarp on them and cover them for now. One of them is a classic and worth quite a bit of money.

City Clerk Lee stated I just want to bring to the Council's attention that we have gone through the abatement process as provided by our City Code and they were properly noticed for this hearing. At this point the Council could vote to abate that property. They would then be noticed again prior to removal of the items.

Mayor Robertson stated the next step if the Council chooses to take action would be continuation of abatement, which would trigger a court proceeding?

City Attorney Cahoon stated it would be an Application for Warrant if it's not cleaned up.

Robert Pope stated which it is going to be, but like I said the mud is still drying up and when it is dry, I can drive around and pick up the stuff. I have no problem cleaning it up.

Mayor Robertson stated the notice about the property Mr. Pope was sent two years ago and our records show your wife sent back a letter stating she doesn't own the property on Morley Avenue.

Robert Pope stated she doesn't own property on Morley Avenue. The property is on 7th Street, and it has been 7th Street since 1949. That is what she is saying in that letter.

Mayor Robertson stated regardless of whether it is on 7th Street or Morely Avenue the notification to clean up the property was sent two years ago.

Robert Pope stated right, and it was clean and then they have accumulated more stuff up there and garbage that we are going to pick up. The train goes up and down there and we don't want to make it look to bad for the train.

Mayor Robertson asked City Attorney Cahoon the options in front of the Council tonight are?

City Attorney Cahoon stated to approve or deny the abatement. If there is approval, that would trigger the action I would need to seek a warrant.

Robert Pope stated won't you give us thirty days to get it cleaned up since it is drying up?

Mayor Robertson asked is one of the options is the Council could give him extra time, or is that off the table at this point?

Councilman Spear asked can we amend the motion to give him thirty days to clean up the property?

City Attorney Cahoon stated absolutely, the Council can issue additional time.

Mayor Robertson stated to clarify the three options, they are: abate, deny, or provide more time at the discretion of the Council?

City Attorney Cahoon stated if conditions are not met in the specified time, then the abatement process would proceed.

Robert Pope stated is that just for the garbage or what?

City Attorney Cahoon stated it is for everything included in this letter.

Mayor Robertson stated it would be for the trash, the RVs, and anything that is not zoned for that area.

Robert Pope stated we went to court for the RVs, and we made an agreement with the judge on those.

City Clerk Lee stated we have been working on this a long time and my understanding is Judge Coster ordered that it be removed, and Mr. Coca did not comply.

Robert Pope stated the City Attorney asked for it to be removed and then the City Attorney said at that time they redid the grandfather law, and it was grandfathered in there. There is a double-wide no more than fifty feet from our property that I have been asking about. If it is not zoned for that and they said there are not supposed to be any trailers on Morely Street. Like I said before we don't own property on Morely Street. We own property on 7th Street.

City Clerk Lee stated Judge Coster has just joined the meeting again.

Mayor Robertson stated the point is, there will be a record of that if that is the case and our Attorney will research that.

City Clerk Lee stated Judge Coster just answered via text. I texted him, "Did Robert Pope make an agreement with you?" and he responded, "no he did not."

Councilman Spear asked would thirty days give you an opportunity to get that cleaned up?

Robert Pope stated I don't see why I would have to move the trailers because I have made an agreement with the court.

Mayor Robertson stated those RV trailers are not permitted to be up there, and there is no agreement with the court.

Robert Pope stated yes there is sir, and I will get the stuff from the court if I have to.

Mayor Robertson stated if you can provide that, we will look at it, but currently our Attorney and the Municipal Court Judge says there is not.

Robert Pope stated this is not the attorney that was working with us.

Mayor Robertson stated that attorney did not have the authority to make that agreement. It was a case that had to be an order from the Judge, and if the Judge says he didn't do that then he didn't do that.

Councilwoman Williams-Harper asked do you have anything in writing?

Robert Pope stated I will have to get it from the court.

City Municipal Judge Coster stated I would invite Mr. Pope to come by our office Monday or Tuesday to retrieve and review his file with me to receive any copies of what would be helpful to him or to the City. The invitation is the same for the City Attorney.

Mayor Robertson stated I think that is an excellent suggestion.

City Municipal Judge Coster stated Mr. Pope could call ahead and maybe coordinate with the City Attorney and we could all meet at the same time.

Councilwoman Williams-Harper stated if this is going to happen Monday, or Tuesday can we deal with this at our very next meeting? I know as a Council; we have been working very hard to clean up the City and another thirty days after twelve years of this just seems obvious that nothing is happening. The City is following all the processes by notifying him and it is his responsibility to have that information in writing and if he doesn't have it I don't think it is a good idea to keep extending it. I think we should tie this up at the next meeting and not allow another thirty days.

City Clerk Lee stated the Council could vote to give Mr. Pope an extension of thirty days and if the property is not cleaned up then abate. If he produces his paperwork the City Attorney could bring it to the Councils attention, but just a reminder these abatements have to be noticed twenty-one days prior so we would not be able to put it on the next agenda.

Councilman Spear moved to amend his prior motion to give thirty days to the property owner to get the property cleaned up, meet with the City Attorney and judge, and if the property is not cleaned up in that timeline with the thirty days starting immediately the process of abatement action will proceed to include the removal of the RV believed to be occupied and accumulation of debris on private property located at Parcel No. 001-093-05, currently owned by Juanita H. Pope ET AL and Sally Marques ET AL; current zoning does not allow for the use of a Recreational Vehicle to be used as a dwelling unit per Title 12 ZONING REGULATIONS and the accumulation of debris is in violation of City Code 4-1-4(I). Councilman Alworth seconded the motion. The motion carried unanimously.

8. PUBLIC COMMENT

Cory Coca stated I was told at the court that I could keep my stuff there, but I was not able to live there. I have been in the hospital since November. I got double pneumonia and I was intubated for four weeks. I just got out the end of January.

George Chachas stated I talked earlier about the selective enforcement; here is a picture of an RV across from Councilman Alworth and Councilman Carson and nothing has been done. The photo was taken March 11th after the March 10th meeting when Councilman Alworth claimed there was power hooked to the RV stored on my brother's property. On March 14th I was going down main street and you have the Community Choir doing repairs on their building with no permit or contractor and yet it took me thirty attempts to get a permit to do a simple paint job. Mr. Chachas stated ongoing concerns regarding his request for a list of permitted RVs; City Code violations; and nuisances in the City of Ely.

9. ADJOURNMENT: THE MEETING MAY BE ADJOURNED BY APPROPRIATE MOTION OF THE CITY COUNCIL.

Councilman Alworth moved to adjourn the regular meeting of the Ely City Council at **5:54 p.m.** Councilwoman Williams-Harper seconded the motion. The motion carried unanimously.



MAYOR



ATTEST

