



# CITY OF ELY

501 Mill Street Ely, Nevada 89301  
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## ELY CITY COUNCIL SPECIAL MEETING

**October 7, 2022 8:00 a.m. – Ely Volunteer Fire Hall - 499 Mill Street-Ely, Nevada.**

1. Mayor Robertson called the special meeting of the Ely City Council to order at 8:00 A.M., led in the Pledge of Allegiance and asked for Roll Call.

Members present:

- Mayor Nathan Robertson
- Councilman Ernie Flangas
- Councilman Kurt Carson
- 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 Attorney Leo Cahoon
- Public Works Supervisor Mike Cracraft

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, Becky Bruch, Samantha, and Kris Griffith.

## ELY CITY COUNCIL ATTENDANCE LIST

DATE: October 7, 2022

Print name below

George Chachas

Print name below

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### 2. PUBLIC COMMENT:

George Chachas stated ongoing concerns regarding his request for a list of permitted RV's in the City and showed pictures of those he thought were in violation; his concern of not being able to use his property as others do; Streetlights out on Main Street in Ely; ADA regulations not being met by NDOT on 14<sup>th</sup> and 15<sup>th</sup> Streets; the RPC and City Council not addressing City Codes violated by the previous Building Inspector; his request for the name of the person that owns thirty lots in Ely that Councilman Alworth mentioned previously; and selective enforcement.

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

1. Council Members – City Attorney Cahoon – Discussion/For Possible Action - Approval to file an interlocutory appeal for injunctive relief in Ely Disposal Service, Inc. v. The City of Ely, Nevada.

Becky Bruch, Esq. stated as you all know for the last three years we have had ongoing litigation with Ely Disposal Service and the court has made certain rulings that may be right for appeal. We have to file appeals within a certain time period, but the City cannot file an appeal without the approval of the City Council in an open public meeting. We have determined an appeal is in order and are seeking your approval, so we do not have to call for another special meeting.

City Attorney Cahoon stated there have been developments between the parties with negotiations so filing an appeal may not be necessary but if those negotiations fail we would like to be prepared to submit the paperwork.

Councilman Carson moved to approve filing an interlocutory appeal for injunctive relief in Ely Disposal Service, Inc. v. The City of Ely, Nevada. Councilman Spear seconded the motion. The motion carried unanimously.

**3. PUBLIC COMMENT**

George Chachas stated I left off with Jennifer Lee is not in compliance and encroaching on the City right of way. In February of 2000 the City sued me after giving me permission to put in curb, gutter, and sidewalk. I was within the proper right of way, and they wanted me to take it out. You need to stop selectively enforcing the law. Mr. Chachas stated ongoing concerns regarding the drainage on 7<sup>th</sup> Street and the need for curb and gutter on Ely Street and 7<sup>th</sup> Street.

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

Councilman Spear moved to adjourn the special meeting of the Ely City Council at **8:10 a.m.** Councilwoman Williams-Harper seconded the motion. The motion carried unanimously.

  
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MAYOR

  
\_\_\_\_\_  
ATTEST