

**MINUTES OF THE
FERNLEY CITY COUNCIL MEETING
MARCH 16, 2022**

Mayor Roy Edgington called the meeting to order at 05:02 PM on March 16th, 2022, at Fernley City Hall, 595 Silver Lave Blvd., Fernley, NV 89408.

1. INTRODUCTORY ITEMS

1.1. Roll Call

Present: Mayor Roy Edgington, Councilman Albert Torres, Councilwoman Felicity Zoberski, Councilman Stan Lau, Councilwoman Fran McKay, Councilman Ray Lacy, City Manager Daphne Hooper, Deputy City Manager Patrick Marsh, Director of Finance Denise Lewis, Building Official Billy Staten, City Engineer Derek Starkey, Planning Director Tim Thompson, Deputy City Attorney Aaron Mouritsen, City Clerk Kim Swanson, Administrative Specialist I Tiffany Wood.

1.2. Public Forum

There were none.

1.3. (For Possible Action) Approval of Agenda

Mayor Edgington asked for item 4 to be heard next and item 6 to be heard following item 4. City Manager Daphne Hooper asked for Item 2.4 to be pulled and heard at the next meeting.

Motion: MOVE TO APPROVE THE AGENDA MOVING ITEMS 4 AND 6 UP ON THE AGENDA.

Action: Approve, **Moved by** Councilman Lau, **Seconded by** Councilman Lacy. **Vote:** Passed,

Summary: Yes 5, No 0, Abstained 0. **Yes:** Councilman Lacy, Councilwoman Zoberski, Councilman Lau, Councilman Torres, Councilwoman McKay.

Councilman Lau amended the motion to include item 2.4 to be pulled and heard at the next meeting. Councilman Lacy agreed to the change in the motion.

Item 6 was heard next.

2. CONSENT AGENDA

Item 2.4 was removed from the consent agenda under Item 1.3.

2.1. (Possible Action) Approval Of Voucher Report

2.2. Approval of the Minutes

2.3. (Possible Action) Approval of Business Licenses

2.4. For Possible Approval of a contract between the City of Fernley and Kalbacher Associates LLC for comprehensive grant services for the amount not to exceed \$2,250 a month beginning March 1, 2022 through June 30, 2022.

2.5. Possible action to approve the job description and wage scale for the Development

Services Coordinator.

2.6. Possible Action to Approve Amendment No. 1 to the existing AECOM Technical Services, Inc. (AECOM) Contract for Engineering Services, for the Gustafson Bridge Structural Assessment Project, in an amount not to exceed \$37,283.50.

2.7. Possible Action to Approve the Will-Serve Request from Penelope Flats for 3 ERC's for Water and 5 ERC's for Sewer for 5 Single Family Residential lots (2 lots already have water services) for Lyon County Parcel 021-121-04, -05 located off of Hardie Ln south of Nader Way Fernley, NV 89408

2.8. Possible action to authorize the execution of the Water Right Banking and Dedication Agreement with Robert Nance, as Trustee of the Abe Nance Testamentary Trust and Phylliss Elaine Nance, as Beneficiary of the Abe Nance Testamentary Trust, APN 009-271-53, TCID serial number 379 in the amount of 125.235 acre feet.

2.9. Possible Action to Approve a will-serve commitment for Aimee Marie Rogers Steele of 1 ERC's for Water and 0 ERC's for Sewer for Lyon County Parcel 021-303-39 located at 1015 Jessica Ln., Fernley, NV.

Motion: MOVE TO APPROVE THE CONSENT AGENDA. **Action:** Approve, **Moved by** Councilman Stan Lau, **Seconded by** Councilman Ray Lacy. **Vote:** Passed, **Summary:** Yes 5, No 0, Abstained 0. **Yes:** Councilman Lacy, Councilwoman Zoberski, Councilman Lau, Councilman Torres, Councilwoman McKay.

3. REPORTS This item is for various public entity representatives to provide general information to the Council and public. No action will be taken.

3.1. Reports by City Staff, City Council, and the Mayor, including but not limited to monthly statistical reports by city departments.

City Manager Hooper said the annual pavement management program will start March 28th on various streets. On March 21st the vicinity maps and additional information will be available on the City's website. She also spoke about the Covid shots on Tuesday, March 22nd from 2 to 3pm. The arts and culture taskforce is scheduled for March 28th at 3:30 pm via zoom. Bingo at the Fernley Senior Center is scheduled for Saturday, March 19th at 5:30.

City Clerk Swanson said the Clerk's Office is still collecting Candidate filings until Friday at 5 pm. Ward 1, Ward 3 and Mayor's seats are open.

Planning Director Thompson said the Planning Commission was canceled for lack of quorum and rescheduled for March 23rd at 5 pm.

Councilwoman McKay reminded everyone about the Chamber of Commerce Gala on Saturday. There will be a poker walk on April 12th that you can sign up for at City Hall.

Councilman Torres said the Fernley Senior Citizen Advisory meeting went great. The Alzheimer's Dementia support meeting will be held via zoom on March 30th from 9am to 10:30 am. He mentioned he was selected by Western Nevada to sit on their NAMI board for mental health.

Lau said it is great to see the crane in the city of Fernley, which shows progress for the city.

Lacy thanked the citizens for coming today.

The mayor said on March 18th from 5pm to 8pm and March 19th from 10am to 1pm, in the council chambers, there will be a meeting for property owners in Fernley to plan the downtown project.

Item 5.1 was heard next.

4. ADMINISTER OATH OF OFFICE FOR NEWLY APPOINTED FERNLEY MUNICIPAL COURT MARSHAL DAN LYNCH

This item was heard after item 6.

Oath of Office was administered by the judge Lori Matheus for Court Marshal Dan Lynch.

Item 2 was heard next.

5. PRESENTATIONS

5.1. BBBS (Big Brothers, Big Sisters of Northern Nevada) Fernley expansion and recruitment program. Presentation by Aleesah Campbell

Aleesah Campbell joined via Zoom to present the BBBS Fernley expansion and recruitment program. There is a 1 year minimum commitment for volunteers. The average match length is 3 years with 4 hours a month for the children. The program is a new expansion into Fernley and plans to expand further into the county. BBSS is seeking mentoring advocates. Volunteer recruitment was encouraged.

You can contact Aleesah Campbell at (775) 870-2798 or acamobell@bbbsnn.org for more information.

Item 7.1 was heard next.

6. PROCLAMATIONS BY THE MAYOR

This item was heard after item 1.3.

Mayor Roy Edgington announced a proclamation for Albert Griffin. The mayor offered his congratulations and admiration for his service in the Marine Corps during WWII and his deeds throughout his 100 years. Albert Griffin was presented the Key to the City.

Item 4 was heard next.

7. STAFF REPORTS

7.1. Discussion and possible action to approve a contract for construction of the Green Valley Park Improvements with; A & K Earth Movers, Inc in the amount not to exceed \$731,000 and a contract for inspection and materials testing services with Construction Material Engineers in an amount not to exceed \$19,995.00.

City Engineer Derek Starkey presented the plans for the Green Valley Park improvements. The projected budget amount does not cover the full costs at this time and has been requested to be re-adjusted to encompass all of the fees for the top bid.

Motion: MOVE TO APPROVE A CONTRACT FOR CONSTRUCTION OF THE GREEN VALLEY

PARK IMPROVEMENTS WITH A & K EARTH MOVERS, INC IN THE AMOUNT OF \$731,000 AND A CONTRACT FOR INSPECTION AND MATERIALS TESTING SERVICES WITH CONSTRUCTION MATERIAL ENGINEERS THE AMOUNT NOT TO EXCEED \$19,995.00. **Action:** Approve, **Moved by** Councilman Stan Lau, **Seconded by** Councilman Ray Lacy. **Vote:** Passed, **Summary:** Yes 5, No 0, Abstained 0. **Yes:** Councilman Lacy, Councilwoman Zoberski, Councilman Lau, Councilman Torres, Councilwoman McKay.

7.2. Possible action to approve a contract with Farr Construction DBA Resource Development Company in an amount not to exceed \$1,081,894.53 for construction services for the Farm District Rd Lift Station Reconstruction Project, bid schedule A.

Derek Starkey, City Engineer, presented the Farr Construction project for Farm District Rd and the lift station. This bid was also in excess of what the City had budgeted. He explained the grit chamber for the waste water. It broke down 3 years ago and they have been looking for parts but decided to get a new one. The bid was twice the amount budgeted.

Motion: MOVE TO APPROVE THE CONTRACT WITH FARR CONSTRUCTION DBA RESOURCE DEVELOPMENT COMPANY IN AN AMOUNT NOT TO EXCEED \$1,081,894.53 FOR CONSTRUCTION SERVICES FOR THE FARM DISTRICT ROAD LIFT STATION RECONSTRUCTION PROJECT, BID SCHEDULE A. **Action:** Approve, **Moved by** Councilman Torres, **Seconded by** Councilman Ray Lacy. **Vote:** Passed, **Summary:** Yes 5, No 0, Abstained 0. **Yes:** Councilman Lacy, Councilwoman Zoberski, Councilman Lau, Councilman Torres, Councilwoman McKay.

7.3. (For Possible Action) Discussion to designate Hinton Burdick CPAs & Advisors as the Independent Audit Firm to perform the City's Annual Financial Audit for the Fiscal Year ending June 30, 2022.

Director of Finance Lewis introduced item 7.3 and explained the designation must be made by the council annually.

Motion: MOVE TO DESIGNATE HINTON BURDICK CPAS & ADVISORS AS THE INDEPENDENT AUDIT FIRM TO PERFORM THE CITY'S ANNUAL FINANCIAL AUDIT FOR THE FISCAL YEAR ENDING JUNE 30, 2022. **Action:** Approve, **Moved by** Councilman Stan Lau, **Seconded by** Councilman Ray Lacy. **Vote:** Passed, **Summary:** Yes 5, No 0, Abstained 0. **Yes:** Councilman Lacy, Councilwoman Zoberski, Councilman Lau, Councilman Torres, Councilwoman McKay.

7.4. (For possible action) Direction from City Council regarding the Fernley Motocross Track

City Manager Daphne Hooper presented the item and spoke about the discussion about possibly swapping land. She said the City does not currently have land to swap for this usage. They may be able to use federal land under specific requirements and procedures. The process could take a couple of years. If it was a successful application, then it would be swapped and predesignated with the proposed land. Property could be purchased from the federal government, then have a land swap in order to use a grant. Otherwise, the city has not budgeted for a purchase that is

required for this proposal.

Councilman Lacy asked what the price would be of the land. Then he requested to bring this back for discussion once the price is determined.

Motion: MOVE TO HAVE THE CITY LOOK INTO PURCHASING THE PROPERTY AT THE END OF VINE STREET FOR MOTORCROSS SO IT BECOMES A PARK. **Action:** Approve, **Moved by** Councilman Lacy. **The Motion died.**

The mayor said the city probably doesn't have enough money for the asking price of the property.

Fernley Resident Dan McGee owns NV racing news and said there would be an economic benefit for the city to keep that property.

Fernley Resident Daniel Martin, President of Over the Hill Game, said he would love to work with the city to help keep the racetrack going. They have helped the Lyon's club and other community events and are a non-profit. They don't outsource anything and use local connections for all events. He requested the city look into other property.

Fernley Resident Steve Merva spoke about the importance of mental health and how motocross gives families an outlet.

Tony Veza, President of Battle Motocross, is the sanctioned body for motocross races in northern Nevada. He thanked the Mayor for his words on the challenges of the track. He requested the council hold off on their decision and allow them to come back with another option for the track. He thinks concerns about equipment and insurance can be handled by outside groups. He has seen a lot of tracks go away and asked the council to look into more avenues to save this one.

Juan Rodriguez Lyon's Club president. He had seen the races this track brings in and spoke about the BMX track given by the city. The Lyon's club would be available to serve food but the cook shack was stolen off of the property. He spoke to the property owners who said they would be interested in a lease with the city.

Councilman Torres said he doesn't believe anyone is against keeping a track in the city. He said the group is welcome to come back with more ideas for a racetrack in Fernley. However, this item tonight is to discuss the specific property mentioned and whether or not the council will approve that purchase. The land bill is been taking too long and would not be viable for this particular track.

Fernley Resident Anthony Fugundas was part of getting the BMX track and asked if they could lease the property.

Tyler Pezzarno said he has been in the motocross community his entire life and would like to see the City look into leasing the property. Other members of the community that aren't part of motocross would support this track as well. This is about more than just motocross but an important part of Northern Nevada. The sandbox is unique to motocross across the country as there are very few sand tracks in the country. He is heartbroken to lose it.

Chad Johnson on Zoom is the Vice President of OTX Nevada club, said he has had a wonderful experience at the sandbox and said it draws in riders from 11 different chapters across the country. Local races with 4 to 5 hundred riders are great events as well. He suggested the riders

present come back with more plans.

Motion: MOVE TO DENY THE PURCHASE OF THE PROPERTY FOR THE MOTOCROSS TRACK . **Action:** Approve, **Moved by** Councilman Torres, **Seconded by** Councilwoman McKay. **Vote:** Passed, **Summary:** Yes 4, No 1, Abstained 0. **Yes:** Councilwoman Zoberski, Councilman Lau, Councilman Torres, Councilwoman McKay, **No:** Councilman Lacy.

Torres added that the staff report is only to deny the purchase of that track.

The Mayor asked about more options for motocross people.

Break 6:40 – 6:50PM

8. ITEMS REQUESTED BY MAYOR OR CITY COUNCIL MEMBERS:

8.1. Discussion and possible action requesting a future agenda item to discuss evaluations for appointed employees at 6 month intervals including a 360 peer review (Councilman Torres' request).

Torres asked to give the employees more on time and up-to-date reviews by doing confidential peer reviews every month, including a 360 peer review to help keep an employee on track.

The Mayor said they have been doing a 12-month review for as long as he can remember and said more impersonal reviews can be scheduled should additional reviews be needed.

Torres said a 6-month review would be new, but doesn't mean it would be bad.

Aaron Mouritsen reminded council this discussion is to decide to put the idea of a 6-month review on another agenda for further discussion.

Motion: MOVE PLACE THIS ITEM ON A FUTURE AGENDA. **Vote:** Failed, **Summary:** Yes 2, No 3. **Yes:** Councilman Torres, Councilwoman Zoberski, **No:** Councilman Lau, Councilwoman McKay, **No:** Councilman Lacy.

9. ADDRESS REQUEST(S) FOR FUTURE AGENDA ITEMS

There were none.

10. PUBLIC FORUM

There were none.

11. ADJOURNMENT

Mayor Edgington announced there would be a Special Planning Commission meeting on March 23rd at 5pm in the council chambers. The next City Council Meeting will be April 6th at 5 pm. Another meeting on March 18th from 5 to 8 and 18th 10 to 1 PM will discuss downtown plans from the University. He said tomorrow, March 17th, is the County Commissioners' Meeting in the chambers at 9am. There is a water users TCID meeting tomorrow at 6pm in the chambers of Churchill county.

City Manager Hooper announced there would be Budget workshops on April 7th and 8th at 5 pm.

There being no further business to come before it, the Fernley City Council meeting adjourned at 06:56 PM.

Approved by the Fernley City Council on April 20, 2022, by a vote of:

AYES: 4

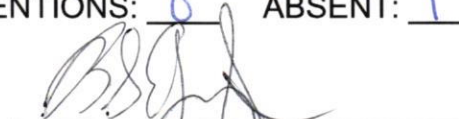
NAYS: 0

ABSTENTIONS: 0

ABSENT: 1



City Clerk Kim Swanson


Mayor Roy Edgington