

**MINUTES OF THE
FERNLEY CITY COUNCIL MEETING
JUNE 15, 2022**

1. INTRODUCTORY ITEMS

1.1. Roll Call

Present: Mayor Edgington, Councilman Ray Lacy, Councilman Albert Torres, Councilman Stan Lau, Councilwoman Felicity Zoberiski, Councilwoman Fran McKay, Acting City Manager Patrick Marsh, Director of Finance Denise Lewis, Planning Director Tim Thompson, Public Works Director Dave Whalen, City Engineer Derek Starkey, Building Official Billy Staten, City Clerk Kim Swanson, Deputy Public Works Director Barry Williams, Deputy City Attorney Aaron Mouritsen, Legal Secretary Mary Wilson, City Clerk Kim Swanson, Administrative Specialist Bailie Scott.

1.2. Public Forum

Mayor Edgington opened a public forum.

Kelly Brye, Fernley resident. Provided the Council with a handout regarding registered voters. He stated his concerns regarding voter affiliation being changed when renewing your drivers license.

With no further public comments being brought forward, the public forum was closed.

1.3. (For Possible Action) Approval of Agenda

Acting City Manager Patrick Marsh and Deputy City Attorney Aaron Mouritsen asked to remove item 2.8 from the agenda due to the settlement agreement not being finalized. Item 2.8 will be placed on a future agenda.

Motion: MOVE TO APPROVE THE JUNE 15, 2022 FERNLEY CITY COUNCIL AGENDA WITH ITEM 2.8. REMOVED. **Action:** Approve **Moved by:** Councilman Lau, **Seconded by:** Councilman Lacy. **Vote:** Passed, **Summary:** Yes 5. **Yes:** Councilman Lacy, Councilwoman Zoberiski, Councilman Lau, Councilman Torres, Councilwoman McKay.

2. CONSENT AGENDA

2.1. (Possible Action) Approval of Voucher Report

2.2. (Possible Action) Approval of Business Licenses

2.3. (Possible Action) Approval of Minutes

2.4. Possible Action to Approve a contract between the City of Fernley and SoSu.TV for video production services in the amount of \$13,000.00 from July 1, 2022 to June 30, 2023.

2.5. Possible Action to Approve a contract between the City of Fernley and Kalbacher Associates LLC for comprehensive grant services in the amount not to exceed \$2,250 a month for FY2022/2023; in addition to using contingency funds for fiscal year 2023.

2.6. Possible Action to Approve the renewal of the City's accounting and ERP software package with Caselle, Inc. for FY2022-2023 in the amount not to exceed \$35,815.00.

2.7. Possible Action to Approve renewal contract with OpenGov Inc. for OpenGov Operating & Capital Budget, Enterprise Integration & Citizen Services. Permitting. Licensing & Code Enforcement Level 1 Reporting and Analysis software subscription, in an amount not to exceed \$26,205.55.

2.8. Possible Action to approve a settlement agreement in Lansing v. City of Fernley; Case No. 21-CV-00255 Third Judicial District Court.

Item 2.8. was removed from the agenda.

Motion: MOVE TO APPROVE JUNE 15, 2022 FERNLEY CITY COUNCIL CONSENT AGENDA.

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

Vote: Passed, **Summary:** Yes 5. **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.

Lt. Mitch Brantingham Lyon County Sheriff's Office presented the statistics for the month of May. There was an increase in calls for the month of May, which is not a surprise for this time of year.

Mayor Edgington requested the monthly stats from the jail and what area the people in jail are from.

Councilwoman Zoberski asked for a PSA from the Sheriff's office to make people aware of accidental 911 calls.

Sheriff Hunewill stated that they are working on generating an updated crystal report.

Mayor Edgington stated that the National Night Out will be coming up in August and will be held at the Out of Town Park. Mayor Edgington stated that the city would like to collaborate with the Sheriff's department on a video and Trisha Conner will be in contact.

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

Deputy City Manager Marsh stated that City hall will be closed June 20, 2022 in observance of Juneteenth Day. He provided the council with an update on the new employees that were hired and the positions that are open.

Councilman Torres stated the FSCAC meeting will not be held in July. He has received his public management certificate and certified public official certificate through UNR extended studies.

Mayor Edgington reported the poker walk was last Friday downtown. We had almost the attendance was similar to last year's event.

City Clerk Swanson stated a joint meeting with Fernley City Council and Lyon County Commissioners will be held on Thursday, June 23, 2022 at 2 PM, via Zoom to canvass the vote from the Primary Election.

4. PROCLAMATIONS BY THE MAYOR

There were none.

5. PRESENTATIONS

5.1. Possible Action and Presentation and adoption of Resolution 22-016, providing for the transfer of the City's 2022 Private Activity Bond Volume Cap to the Nevada Rural Housing Authority.

Bill Brewer with the NV Rural Housing Authority provided an overview of the program's success in the last 15 years.

Motion: MOVE TO APPROVE RESOLUTION 22-016, PROVIDING FOR THE TRANSFER OF THE CITY'S 2022 PRIVATE ACTIVITY BOND VOLUME CAP TO THE NEVADA RURAL HOUSING AUTHORITY. **Action:** Approve, **Moved by:** Councilman Torres, **Seconded by:** Councilwoman McKay **Vote:** Passed, **Summary:** Yes 5. **Yes:** Councilman Lacy, Councilwoman Zoberski, Councilman Lau, Councilman Torres, Councilwoman McKay.

6. ORDINANCES

6.1. A. Discussion and possible action to Adopt Bill #311, an ordinance amending the City of Fernley municipal code Chapter 2 in various sections, including, but not limited to section 2.02.02 appointment and salary of the city manager (residency and hiring resolution); and Section 2.02.03 removal of the city manager.

B. Discussion and possible action regarding the recruitment of the City Manager position, including, but not limited to, job description, ordinances, job title, organizational chart, etc.

A. Aaron Mouritsen, Deputy City Attorney, recommends making two changes to Bill #311. The first being the City Manager will be placed directly under the Mayor in terms of structure. The second would be to require that the City Manager must reside within the City limits of Fernley, within 12 months of employment. Move to approve as written and add council can review and agree approving termination upon majority vote.

Motion: MOVE TO APPROVE THE ADOPTION OF BILL #311. **Action:** Approve, **Moved by:** Councilman Torres, **Seconded by:** Councilman Lau.

After a brief discussion, Councilman Torres rescinded and changed his motion.

Motion: MOVE TO APPROVE STAFF BRINGING BACK BILL #311 FOR APPROVAL AFTER ADDING THAT THE TERMINATION OF THE CITY MANAGER CAN BE REVIEWED BY CITY COUNCIL AND THE CITY COUNCIL CAN AGREE OR DISAGREE WITH THE TERMINATION OF THE CITY MANAGER. **Action:** Approve, **Moved by** Councilman Albert Torres, **Seconded by** Councilman Stan Lau. **Vote:** Passed, **Summary:** Yes 5. **Yes:** Councilman Lacy, Councilwoman Zoberski, Councilman Lau, Councilman Torres, Councilwoman McKay.

Item B was discussed at this time.

The Mayor would like the council to set up a subcommittee to come up with interview questions for the City Manager position, and review the benefits package.

After discussing the available options for the process of hiring a new City Manager, Councilman Lacy made a motion.

Motion: MOVE TO APPROVE THE FORMATION OF A SUBCOMMITTEE TO REVIEW WHAT THE CITY OF FERNLEY IS WILLING TO OFFER THE NEW CITY MANAGER. **Action:** Approve **Moved by:** Councilman Ray Lacy, **Seconded by:** Councilwoman McKay. **Vote:** Passed, **Summary:** Yes 3, No 2. **Yes:** Councilman Lacy, Councilman Lau, Councilwoman McKay, **No:** Councilwoman Zoberski, Councilman Torres.

The subcommittee members will be Mayor Edgington. Councilman Lacy, and Councilwoman McKay.

7. STAFF REPORTS

7.1. Possible action For City Council to direct staff to move forward with the bidding and construction phase of the Re-Roofing Project at the Fernley-Lassen Train Depot using the roofing materials chosen by council.

Deputy Public Works Director Williams presented 4 different types of shingles available for the Depot roof. Staff recommends the Enviroshingle, as it is little to no maintenance and has a 50 year warranty.

Motion: MOVE TO APPROVE STAFF MOVING FORWARD WITH THE BIDDING AND CONSTRUCTION PHASE OF THE RE-ROOFING PROJECT AT THE FERNLEY-LASSEN TRAIN DEPOT USING THE ENVIROSHINGLE OPTION AS CHOSEN BY CITY COUNCIL. **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.

7.2. Possible action to approve an agreement between the City of Fernley and Lyon County to receive \$300,000.00 in ARPA funds on a reimbursement basis to fund the Community Response and Resource Center within the period from July 7, 2022 through December 31, 2026; with the construction contract being entered into by December 31, 2024.

Acting City Manager Marsh thanked the Fernley Community Foundation for reaching out to the Lyon County Commissioners. The Board of Lyon County Commissioners requested an official request and presentation for ARPA funds regarding the Community Response and Resource Center. The City of Fernley was awarded \$350K. After revisiting the allocations, the Board of Lyon County Commissioners decreased the amount to \$300K on a reimbursement basis from 7/7/22-12/31/26, with the construction contract being entered into by 12/31/24.

Motion: MOVE TO APPROVE AN AGREEMENT BETWEEN THE CITY OF FERNLEY AND LYON COUNTY TO RECEIVE \$300K IN ARPA FUNDS ON A REIMBURSEMENT BASIS TO FUND THE COMMUNITY RESPONSE AND RESOURCE CENTER WITHIN THE PERIOD FROM 7/7/22-12/31/26, WITH THE CONSTRUCTION CONTRACT BEING ENTERED INTO BY 12/31/24. **Action:** Approve, **Moved by** Councilman Torres, **Seconded by** Councilman Lacy. **Vote:** Passed, **Summary:** Yes 5. **Yes:** Councilman Lacy, Councilwoman Zoberski, Councilman Lau, Councilman Torres, Councilwoman McKay.

7.3. Possible Action to approve a Letter of Intent to enter into a lease agreement with the Boys & Girls Club of Truckee Meadows to operate and maintain sections of the Community Response and Resource Center once constructed.

Acting City Manager Marsh reported the City of Fernley Staff would like to enter into a lease agreement with the Boys and Girls Club of Truckee Meadows to maintain sections of the Community Response and Resource Center once it has been constructed. These areas include the daycare, after-school programming, kitchen, cafeteria, gym, and meeting rooms. The letter of intent is critical for the funding source, NV ARPA Child Care Extension grant. The grant is available for new construction of child care facilities by current licensed providers. The Boys and Girls Club of Truckee Meadows will be applying for the grant.

Motion: MOVE TO APPROVE A LETTER OF INTENT TO ENTER INTO A LEASE AGREEMENT WITH THE BOYS AND GIRLS CLUB OF TRUCKEE MEADOWS TO OPERATE AND MAINTAIN SECTIONS OF THE COMMUNITY RESPONSE AND RESOURCE CENTER ONCE CONSTRUCTED. **Action:** Approve, **Moved by** Councilman Lau, **Seconded by** Councilwoman McKay. **Vote:** Passed, **Summary:** Yes 5. **Yes:** Councilman Lacy, Councilwoman Zoberski, Councilman Lau, Councilman Torres, Councilwoman McKay.

8. RESOLUTIONS

8.1. Possible Action to adopt Resolution 22-002, which will increase the fees for using a credit card to \$3.00 per transaction for utility customers, and 4% for all other general service transactions, increase notary service fees; and remove outdated media types, extraordinary use of employee's time, municipal court fees and photocopying fees for Fernley Municipal Code books.

City Clerk Swanson presented resolution 22-002 to City Council. If approved the fee increases will take effect July 1, 2022.

Finance Director Lewis stated the City is currently being charged over 4% in credit card fees per transaction. By law, a flat fee must be charged for water and sewer if the customer is paying with a credit card. The customer will not be assessed a fee if they pay by check or cash.

City Council requested that staff look into having an ATM located at City Hall.

Motion: Approve Resolution 22-002, which will increase the fees for using a credit card to \$4.00 per transaction for utility customers, and 4% for all other general service transactions, increase notary service fees; and remove outdated media types, extraordinary use of employee's time, municipal court fees and photocopying fees for Fernley Municipal Code books. **Action:** Approve, **Moved by** Councilwoman McKay, **Seconded by** Councilman Lacy. **Vote:** Passed, **Summary:** Yes 5. **Yes:** Councilman Lacy, Councilwoman Zoberski, Councilman Lau, Councilman Torres, Councilwoman McKay.

9. ADDRESS REQUEST(S) FOR FUTURE AGENDA ITEMS

Councilman Lacy requested cushions for the council chairs.

10. PUBLIC FORUM

Fred Brinkman voiced his concerns regarding the open City Manager position and the process for hiring a City Manager.

Ryan Hannan voiced his concerns regarding the flat fees that are assessed for utilities.

Anne Paine commented that the sound has been improved and she appreciates the efforts of whoever is responsible for that improvement.

11. ADJOURNMENT

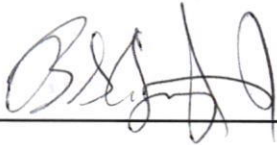
There being no further business to come before it, the Fernley City Council meeting adjourned at 08:05 PM.

Next special meeting, joint with Lyon County Commissioners June 26, 2022 at 2:00 PM, via Zoom.

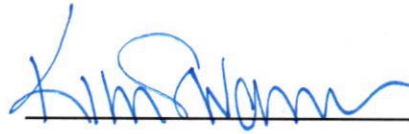
Next regular City Council meeting July 6, 2022 at 2:00 PM, located at Council Chambers.

Approved by the Fernley City Council on July 6, 2022, by a vote of:

AYES 5 NAYS: 0 ABSTENTIONS: 0 ABSENT: 0



Mayor Roy Edgington



ATTEST: City Clerk Kim Swanson