

**MINUTES OF THE
FERNLEY CITY COUNCIL MEETING
APRIL 20, 2022**

1. INTRODUCTORY ITEMS

Mayor Edgington called the meeting to order at 05:02 PM at Fernley City Hall, 595 Silver Lave Blvd., Fernley, NV 89408.

1.1. Roll Call

Present: Mayor Roy Edgington, Councilman Albert Torres, Councilman Ray Lacy, Councilman Stan Lau, Councilwoman Fran McKay, City Manager Daphne Hooper, Deputy City Manager Patrick Marsh, Planning Director Tim Thompson, Assistant Planner Nikil Manayathara, Director of Finance Denise Lewis, Public Works Director Dave Whalen, City Clerk Kim Swanson, Administrative Specialist Tiffany Wood, City Attorney Brandi Jensen. **Absent:** Councilwoman Felicity Zoberski

1.2. Public Forum

Cody Wagner spoke about Item 2.6 and asked to have it pulled from the consent agenda as the project could increase the value of the land, and said it should have a public hearing.

Rob Jacobsen, Lyon county commissioner, wanted to thank Mrs. Hooper, Cody Wagner, and Chief Nichols for the ARPA funds.

Drew Hall mentioned the previous council meeting where the dog park was discussed. He thanked the mayor for coming out the next day. He wanted to add that the lawn turns into a mud pit and becomes a safety issue in areas where there is not grass at the dog park. He would be interested in putting grass in that area somehow. Members of the dog park have submitted signatures and would like to discuss this further.

John Reichlein spoke about the canal being at capacity. He said he is optimistic about the water levels this season. He said the vouchers indicate that the city paid \$4,917 for vouchers and asked about financial oversight for Southwest gas. John asked that the city look into what they have been paying southwest gas for and thinks the consumers should be compensated.

1.3. (Possible action) Approval of Agenda

City Manager Daphne Hooper requested to remove Item 2.6 from the agenda to be heard at the next available City Council Meeting.

Motion: MOVE TO APPROVE THE AGENDA WITH 2.6 PULLED AND WILL BE HEARD AT A LATER COUNCIL MEETING. **Action:** Approve, **Moved by** Councilman Lau, **Seconded by** Councilman Lacy. **Vote:** Passed, **summary:** Yes 4. **Yes:** Councilman Lacy, Councilman Lau, Councilman Torres, Councilwoman McKay. **Absent:** Councilwoman Zoberski.

2. CONSENT AGENDA

2.1. (Possible action) Approval of Voucher Report

2.2. (Possible action) Approval of Minutes from March 16th and April 6th.

2.3. (Possible action) Approval of Business Licenses

2.4. (Possible action) Approve a Water Leasing Agreement with NV Energy, Inc. which authorizes NV Energy to use up to 360 acre-feet of Fernley's Newlands Project surface water rights during the period between July 1, 2022 and October 31, 2022 to provide water to the Tracy power generation facility.

2.5. (Possible action) Discussion to approve a contract with Gerhart & Berry Construction for the Rehabilitation work at the West Lift Station Project in an amount not to exceed \$1,499,873.00

2.6. Possible Action to approve the liquor license for Antojitos Mexico en mi corazon.

Motion: MOVE TO APPROVE THE CONSENT AGENDA. **Action:** Approve, **Moved by** Councilman Ward 3 Stan Lau, **Seconded by** Councilman Ward 1 Ray Lacy. **Vote:** Passed, **summary:** Yes 4, No 0, Abstained 0. **Yes:** Councilman Ward 1 Lacy, Councilman Ward 3 Lau, Councilman Ward 4 Torres, Councilwoman Ward 5 McKay, **No:** None, **Abstain:** None, **Absent:** Councilwoman Ward 2 Zoberski.

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

There were none.

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

City Manager Daphne Hooper announced that tomorrow, April 21st, is the quarterly public safety meeting with Sheriff Honewill at 6pm in the chambers. The Arts and culture taskforce meeting is scheduled for Monday, April 25th at 3:30 PM. The Nevada League of Cities Board Meeting is on Friday, April 29th at 10 am via zoom. She said the Lyon County Board of Commissioners have approved ARPA funds and that the City received 2 awards from the CDBG grant for the restrooms at the Depot and the Main Street Beautification project.

The mayor said that the City Manager had turned in her resignation, which is effective May 6th. He asked the staff to post the job starting next Monday. From May 16th - 20th the applications will be reviewed. June 2nd or 3rd will be the first round of interviews with June 10th or 11th being the second round and he expressed he would like to see the public involved in some fashion. A special meeting next week could be made to discuss the process and he asked to appoint Deputy City Manager Patrick Marsh to be the Acting City Manager.

Councilman Lacy thanked all the citizens who stepped up for the food delivery and Easter events.

Councilman Lau did not have anything to report.

Councilman Torres reported that the FSCAC will be at the Senior Center with the goal that one member attends a lunch each week.

Councilwoman McKay reported that next Wednesday she would be attending a meeting in Carson City about APRA funding.

Item 9 was heard next.

4. PROCLAMATIONS BY THE MAYOR

Mayor Edgington spoke about the importance of raising awareness about the consequences of young people breaking the law. He Proclaimed Sunday, May 1st, 2022 as Fernley Youth Law Awareness day dated April 20, 2022.

Mayor Edgington issued a proclamation regarding the urgent need for organ donors in Nevada. There are over 110,00 people in the U.S. who are in need of an organ transplant. Approximately 20 people in the U.S. die

each day waiting for an organ transplant. 1 donor and helps about 75 people. National donation life month.

Dan Lun, Vice president of Tissue operations for Nevada Donor Network spoke about national donate life month. He thanked the mayor for bringing attention to the importance of organ donors.

5. PRESENTATIONS

There were none.

6. ORDINANCES

6.1. (For possible action) Second Reading, Public Hearing – MPA22001 & ZMA22001

Consideration and possible action on a Master Plan Amendment and Zoning Map Amendment requests to change the land use designation and zoning and on a single parcel of vacant land. The project site is approximately ±27.83 acres in size, located at 1000 Pilot Road, Fernley, NV (APN: 021-061-32).

1. **Consideration and possible action on Resolution 22-009, a Master Plan Amendment request associated with MPA22001, to change the land use designation from Commercial to Industrial.**
2. **Consideration and possible action on Bill #306 as a general Ordinance for a Zoning Map Amendment associated with ZMA22001, to change the zoning from C2 (General Commercial) to I (Industrial).**

Tim Thompson, Planning Director, presented the details of the zoning map amendment request for a property of approximately 27.83 acres, located on 1000 Pilot Road, APN # : 021-061-32. He said planning commission approved the change and recommended it to the council.

Justin Farley presented with Vince Griffith from Reno Engineering Corp. They asked to change the zoning from commercial to Industrial. NDOT would have to approve the installation of a stoplight for thier project.

Councilman Lacy asked what he hoped to do with that building.

Justin responded that the building would be for standard warehouse and manufacturing use.

Councilman Torres asked about the improvements to the pilot truck stop.

I move to certify Resolution #22-009 to approve the Comprehensive Master Plan Amendment associated with MPA22001, based on Findings MP1 to MP3 and the facts supporting those findings as set forth in the Staff Report.

Motion: MOVE FOR CONSIDERATION AND POSSIBLE ACTION ON RESOLUTION 22-009, A MASTER PLAN AMENDMENT REQUEST ASSOCIATED WITH MPA22001, TO CHANGE THE LAND USE DESIGNATION FROM COMMERCIAL TO INDUSTRIAL. **Action:** Approve, **Moved by** Councilman Ward 3 Stan Lau, **Seconded by** Councilman Ward 1 Ray Lacy. **Vote:** Passed, **summary:** Yes 4, No 0, Abstained 0. **Yes:** Councilman Ward 1 Lacy, Councilman Ward 3 Lau, Councilman Ward 4 Torres, Councilwoman Ward 5 McKay, **No:** None, **Abstain:** None, **Absent:** Councilwoman Zoberski.

Motion: MOVE TO ADOPT BILL #306 AS A GENERAL ORDINANCE FOR A ZONING MAP AMENDMENT ASSOCIATED WITH ZMA22001, BASED ON STAFF FINDINGS, TO CHANGE THE ZONING FROM C2 (GENERAL COMMERCIAL) TO I (INDUSTRIAL). **Action:** Approve, **Moved by** Councilman Ward 3 Lau, **Seconded by** Councilman Ward 1 Lacy. **Vote:** Passed, **summary:** Yes 4, No 0, Abstained 0. **Yes:** Councilman Ward 1 Lacy, Councilman Ward 3 Lau, Councilman Ward 4 Torres, Councilwoman Ward 5 McKay, **No:** None, **Abstain:** None, **Absent:** Councilwoman Zoberski.

6.2. (For possible action) Second Reading, Public Hearing – ZMA22002 & TSM22001

Consideration and possible action on a Zoning Map Amendment (ZMA22002) and a Tentative Subdivision Map (TSM22001) requests on a site is approximately ±28.42 acres in size, located at 590 & 600 W. Main Street (APN's: 021-071-02, and 021-071-03).

1. A Zoning Map Amendment Request to change the zoning on two parcels of land (APN's 021-071-02 and 021-071-03) from C2 (General Commercial) and SF6 (Single Family, 6,000 sq. ft. minimum lot size) to MU (Mixed Use).
2. A Tentative Subdivision Map request to allow for the development of a 9-lot Commercial/Residential subdivision within the MU (Mixed Use) zoning district.

Planning Director Tim Thompson presented the zoning map amendment and the tentative subdivision map of the commonly referred to Jackson Ranch. He mentioned the planning commission forwarded a recommendation to the council for this project.

Motion: MOVE TO APPROVE A ZONING MAP AMENDMENT REQUEST TO CHANGE THE ZONING ON TWO PARCELS OF LAND (APN'S 021-071-02 AND 021-071-03) FROM C2 (GENERAL COMMERCIAL) AND SF6 (SINGLE FAMILY, 6,000 SQ. FT. MINIMUM LOT SIZE) TO MU (MIXED USE). **Action:** Approve, **Moved by** Councilman Ward 3 Stan Lau, **Seconded by** Councilman Ward 1 Ray Lacy. **Vote:** Passed, **summary:** Yes 4, No 0, Abstained 0. **Yes:** Councilman Ward 1 Lacy, Councilman Ward 3 Lau, Councilman Ward 4 Torres, Councilwoman Ward 5 McKay, **No:** None, **Abstain:** None, **Absent:** Councilwoman Ward 2 Zoberski.

Mat Daveson of Phelps Engineering presented an outline of the project proposed. He said they had analyzed 20 years in advance for the traffic study and know the area will be signalized due to the Red Hawk Development.

Councilwoman Fran McKay commented that the whole concept is ideal. Traffic is her major concern. She noted that the study took place during Covid and asked if they would need a new study.

Paul Solaegui from Phelps Engineering spoke about the traffic study during Covid. He said they adjusted the traffic count to anticipate additional growth from ongoing projects and looked at past traffic counts that were higher, then they incorporated the higher counts.

Matt Dickson of Phelps Engineering joined the meeting via Zoom and spoke about their in-house traffic engineer that analyzed at least 20 years in advance with Red Hawk development and signalization plans.

Councilman Lau commented that in the 70's it had the most beautiful alfalfa field.

Motion: MOVE TO APPROVE A TENTATIVE SUBDIVISION MAP REQUEST TO ALLOW FOR THE DEVELOPMENT OF A 9-LOT COMMERCIAL/RESIDENTIAL SUBDIVISION WITHIN THE MU (MIXED USE) ZONING DISTRICT. **Action:** Approve, **Moved by** Councilman Ward 3 Lau, **Seconded by** Councilman Ward 1 Lacy. **Vote:** Passed, **summary:** Yes 4, No 0, Abstain 0. **Yes:** Councilman Ward 1 Lacy, Councilman Ward 3 Lau, Councilman Ward 4 Torres, Councilwoman Ward 5 McKay, **No:** None, **Abstain:** None, **Absent:** Councilwoman Zoberski.

6.3. (For possible action) Second Reading, Public Hearing - ZMA22003

Consideration and possible action on Bill #308, an ordinance for a Zoning Map Amendment to change the zoning of a single parcel of land from SF6 (Single Family, 6,000 sq. ft. minimum lot size) to MF21 (Multi-Family, 10-21 dwelling units per acre). The project site is approximately ±3.94 acres in size and is located at 1170 W. Newlands Drive (APN: 020-320-01).

Nikhil presented the item and the details of the zoning map amendment. He said it was approved by the planning commission.

Motion: I MOVE TO ADOPT BILL #308 AS AN ORDINANCE FOR THE ZONING MAP AMENDMENT ASSOCIATED WITH ZMA22003, BASED ON FINDINGS Z1 THROUGH Z3 AND THE FACTS SUPPORTING THOSE FINDINGS AS SET FORTH IN THE STAFF REPORT. **Action:** Approve, **Moved by** Councilman Ward 1 Ray Lacy, **Seconded by** Councilman Ward 3 Stan Lau. **Vote:** Passed, **summary:** Yes 4, No 0, Abstained 0. **Yes:** Councilman Ward 1 Lacy, Councilman Ward 3 Lau, Councilman Ward 4 Torres, Councilwoman Ward 5 McKay, **No:** None, **Abstain:** None, **Absent:** Councilwoman Ward 2 Zoberski.

7. STAFF REPORTS

7.1. Possible action to approve the agreement for the installation of public art during the Mural, Music & Margaritas Festival.

City Manager Daphne Hooper outlined the agreement from Sierra Arts that must be approved by council with mural ideas throughout the city.

Eric Brooks of the Sierra Arts foundation, presented the Music Murals and Margarita Festival. He said they would be painting May 19th, 20th and 21st. There are up to 26 murals for the City of Fernley.

Councilwoman McKay said she doesn't like any of the murals from Izaac. She would like to see a sports theme for the park.

Motion: MOVE TO APPROVE THE INSTALLATION OF THE PROPOSED PUBLIC ART WORK AND AGREEMENT WITH SIERRA ARTS FOUNDATION FOR THE MURALS, MUSIC, & MARGARITA FESTIVAL WITH THE EXCEPTION OF THE BASEBALL SUGGESTIONS, AND LET THE SPORTS FIELDS BE SPORTS MINDED. **Action:** Approve, **Moved by** Councilwoman Ward 5 Fran McKay, **Seconded by** Councilman Ward 1 Ray Lacy. **Vote:** Passed, **summary:** Yes 4, No 0, Abstained 0. **Yes:** Councilman Ward 1 Lacy, Councilman Ward 3 Lau, Councilman Ward 4 Torres, Councilwoman Ward 5 McKay, **No:** None, **Abstain:** None, **Absent:** Councilwoman Ward 2 Zoberski.

8. ITEMS REQUESTED BY MAYOR OR CITY COUNCIL MEMBERS:

8.1. (Possible action) Discussion regarding a future agenda item requesting to rename Veterans Way after Brett Palmer. (Mayor Edgington's request)

The mayor would like to see the city honor Brett Palmer and rename the road to the cemetery.

Motion: MOVE REQUESTING VETERANS WAY AFTER BRETT PALMER. **Action:** Approve, **Moved by** Councilman Ward 3 Stan Lau, **Seconded by** Councilman Ward 1 Ray Lacy. **Vote:** , **summary:** Yes 0, No 0, Abstained 0. **Yes:** None, **No:** None, **Abstain:** None,

The motion was then amended. Councilman Lau amended and Councilman Lacy agreed to the amendment.

Motion: MOVE TO APPROVE . **Action:** Approve, **Moved by** Councilman Ward 3 Lau, **Seconded by** Councilman Ward 1 Lacy. **Vote:** Passed, **summary:** . **Yes:** Councilman Ward 1 Lacy, Councilman Ward 3 Lau, Councilwoman Ward 5 McKay, **No:** None, **Abstain:** Albert Torres, **Absent:** Councilwoman Ward 2 Zoberski.

Councilman Torres explained that he knew Brett Palmer personally and felt he needed to abstain to avoid injuring the item.

9. ADDRESS REQUEST(S) FOR FUTURE AGENDA ITEMS

This item was heard after 3.

Councilman Torres agreed to a special meeting next week to discuss the resignation and reassess how to proceed. He expressed that he did not want to rush the process as the city is growing so fast and would like to see an applicant from outside the city so the next city manager would not be picked by the HR director.

The mayor said they have advertised outside in the past and pointed out that the HR director presents applicants but doesn't pick them. He requested to agenda the special meeting next Wednesday.

Motion: MOVE TO HAVE A SPECIAL COUNCIL MEETING NEXT WEDNESDAY AT 5PM IN THE COUNCIL CHAMBERS. **Action:** Approve, **Moved by** Councilman Ward 4 Albert Torres, **Seconded by** Councilwoman Ward 5 Fran McKay. **Vote:** Passed, **summary:** Yes 4, No 0, Abstained 0. **Yes:** Councilman Ward 1 Lacy, Councilman Ward 3 Lau, Councilman Ward 4 Torres, Councilwoman Ward 5 McKay, **No:** None, **Abstain:** None, **Absent:** Councilwoman Zoberski.

City Attorney Brandi Jensen recommended section 202.02 of ordinances for review of the City Manager selection process.

Item 4 was heard.

This item was brought back after 8

Councilman Lau said he would like to see weight limits put on some of the access roads.

10. PUBLIC FORUM

There was none.

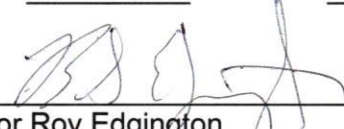
11. ADJOURNMENT

The upcoming special meeting will be on the 27th of April at 5pm in the chambers. The next regular council meeting will be May 4th at 5pm in the chambers.

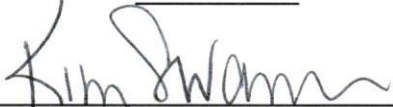
There being no further business to come before it, the Fernley City Council meeting adjourned at 6:53PM.

Approved by the Fernley City Council on June 1, 2022 by a vote of:

AYES 4 NAYS: 0 ABSTENTIONS: 0 ABSENT: 1



Mayor Roy Edgington



ATTEST: City Clerk Kim Swanson