

**MINUTES OF THE
FERNLEY CITY COUNCIL MEETING
SEPTEMBER 21, 2022**

Mayor Roy Edgington called the meeting to order at 05:03 PM at Fernley City Hall, 595 Silver Lave Blvd., Fernley, NV 89408.

1. INTRODUCTORY ITEMS

1.1. Roll Call

Present: Mayor Roy Edgington, Councilman Lau, Councilwoman McKay, Councilman Lacy, Councilman Torres, Councilwoman Zoberski, City Manager Patrick Marsh, Public Works Director Dave Whalen, City Engineer Derek Starkey, Associate Planner Shay League, City Attorney Brandi Jensen, Assistant to the City Manager Trisha Connor, City Clerk Kim Swanson, Administrative Specialist Tiffany Wood.

1.2. Public Forum

There were none.

1.3. (For Possible Action) Approval of Agenda

Motion: MOVE TO APPROVE THE AGENDA. **Action:** Approve, **Moved by** Councilman Stan Lau, **Seconded by** Councilman Ray Lacy. **Vote:** Passed, **Summary:** Yes 5. **Yes:** Councilman Lacy, Councilwoman Zoberski, Councilman Lau, Councilman Torres, Councilwoman McKay.

2. CONSENT AGENDA

2.1. (Possible Action) Approval of the Voucher Report

2.2. (Possible Action) Approval of minutes from September 7th and September 13, 2022.

2.3. (Possible Action) Business Licenses

2.4. Possible action to authorize the Interlocal Agreement between the City of Fernley and Lyon County for personnel support and means of transport of subjects in custody.

2.5. Possible action to authorize the Interlocal Agreement with Lyon County Juvenile Probation To review Use of Force Reports

2.6. Possible action to authorize the execution of the Water Right Banking and Dedication Agreement with Shawna J. Tibbals, APN 021-331-15 TCID serial number 1059-12 in the amount of 24.39-acre feet

Motion: MOVE TO APPROVE THE CONSENT AGENDA. **Action:** Approve, **Moved by** Councilman Stan Lau, **Seconded by** Councilman Ray 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 from Lyon County Sheriff's Office spoke about a hit and run accident at the roundabout and provided an update as requested by Councilwoman McKay. He reported that last week the Sheriff's Office conducted active shooting training for the schools in the area. He continued that there are two new sergeants in Fernley.

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

Mayor Edgington announced that Spooktacular would be held in City Hall with the Fire Department and the Sheriff's Office.

Councilwoman Zoberski thanked Trisha and April for the Travel Nevada program meeting that was very informative.

City Manager Patrick Marsh thanked the council for entrusting him with the position of City Manager. He announced there will be a planned power outage by NV Energy on Sunday Oct. 2nd starting at 10pm with an estimated restoration on Oct. 3rd at 8am. The outage is expected to affect the industrial area in general. Financial auditors will be in City Hall. He provided an update that there are 2 full-time staff in Planning as well as a consultant contracted to help with the department. He also said the City is in the process of interviewing for the Planning Director.

4. PROCLAMATIONS BY THE MAYOR

There were none.

5. RESOLUTIONS

5.1. Possible Action and discussion to approve Resolution #22-019, a resolution of the City of Fernley to modify the Planning Land Division/Mapping fee schedule to reflect increased survey consultant fees

Associate Planner Shay League presented the resolution to modify the Planning Department fee schedule.

Motion: MOVE TO ADOPT RESOLUTION 22-019 TO AMEND FEE SCHEDULE RELATED TO PLANNING LAND DIVISION MAPPING FEES WITHIN THE CITY OF FERNLEY. **Action:** Approve, **Moved by** Councilman Stan Lau, **Seconded by** Councilman Ray Lacy. **Vote:** Passed, **Summary:** Yes 5. **Yes:** Councilman Lacy, Councilwoman Zoberski, Councilman Lau, Councilman Torres, Councilwoman McKay.

6. STAFF REPORTS

6.1. Discussion and Possible Action to: Award a Contract for Construction to Sierra Nevada Construction, Inc. (SNC), in an amount not to exceed \$5,099,007, plus a 5% contingency of \$250,000; and to Approve Amendment No. 2 to the existing Lumos and Associates, Inc. (Lumos) Contract for Engineering Services, in an amount not to exceed \$401,910, for Construction and Engineering Services related to the Cottonwood LN Reconstruction Project (Project).

City Engineer Derek Starkey presented the proposed budget increase for the contract to Lumos and Associates, Inc for the reconstruction project on Cottonwood Lane.

Motion: MOVE TO AWARD A CONTRACT FOR CONSTRUCTION TO SIERRA NEVADA CONSTRUCTION INCORPORATED IN AN AMOUNT NOT TO EXCEED \$5,099,007 PLUS A %5 CONTINGENCY OF \$250,000 AND TO APPROVE AMENDMENT NO. 2 TO THE EXISTING LUMOS AND ASSOCIATES INC. CONTRACT FOR ENGINEERING SERVICES IN AN AMOUNT NOT TO EXCEED \$401,910 FOR CONSTRUCTION AND ENGINEERING SERVICES RELATED TO THE COTTONWOOD LANE RECONSTRUCTION PROJECT. **Action:** Approve, **Moved by** Councilman Albert Torres, **Seconded by** Councilwoman Fran McKay. **Vote:** Passed, **Summary:** Yes 5. **Yes:** Councilman Lacy, Councilwoman Zoberski, Councilman Lau, Councilman Torres, Councilwoman McKay.

There was a five-minute break taken at that time.

Motion: MOVE TO ASK STAFF TO BRING BACK AN ITEM IN PURSUING ARPA FUNDS FOR ADDITIONAL COTTONWOOD RECONSTRUCTION. **Action:** Approve **Moved by:** Councilman Stan Lau, **Seconded by:** Councilman Ray Lacy. **Vote:** Passed, **Summary:** Yes 5. **Yes:** Councilman Lacy, Councilwoman Zoberski, Councilman Lau, Councilman Torres, Councilwoman McKay.

Councilman Torres requested staff come back with a report of what funding would get pulled from the sewer if additional funds are allocated to the Cottonwood project.

6.2. Discussion and Possible Action on whether to modify the ordinances regarding Marijuana/ Cannabis including but not limited to Cultivation, adult-use Cannabis establishments, Retail Cannabis Consumption Lounges, and other matters related to marijuana establishments within the City.

City Attorney Brandi Jensen presented the ordinance to allow Cannabis Lounges in the City of Fernley.

Motion: MOVE THAT WE DO NOT CHANGE ORDINANCE AT THIS TIME. ALSO, I WOULD NOT LIKE TO SEE IT FOR ANOTHER YEAR. PUT NO ON THE LETTER FOR THIS ONE AND NO FOR NEXT YEAR. **Action:** Deny, **Moved by** Councilwoman Fran McKay, **Seconded by** Councilman Stan Lau. **Vote:** Passed, **Summary:** Yes 5. **Yes:** Councilman Lacy, Councilwoman Zoberski, Councilman Lau, Councilman Torres, Councilwoman McKay.

7. ADDRESS REQUEST(S) FOR FUTURE AGENDA ITEMS

Councilman Torres asked to have the contract negotiations for City manager brought back on the next agenda. City Attorney Jensen stated the contract will be discussed at the October 5th City Council meeting.

The mayor said they would have new board members appointed next meeting to review the negotiations.

8. PUBLIC FORUM

Ryan Hannon congratulated Patrick Marsh as the new City Manager. He clarified for Councilman Lacy that school busses are still operating. He mentioned an individual on the Planning Commission had a conflict of interest.

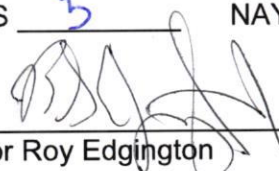
9. ADJOURNMENT

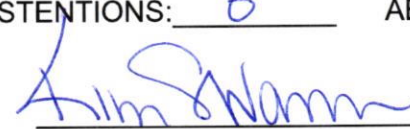
The next city council meeting is set for October 5, 2022.

There being no further business to come before it, the Fernley City council meeting adjourned at 06:59 PM.

Approved by the Fernley City Council on October 5, 2022, by a vote of:

AYES 5 NAYS: 0 ABSTENTIONS: 0 ABSENT: 0


Mayor Roy Edgington


City Clerk Kim Swanson