

**MINUTES OF THE
FERNLEY CITY COUNCIL MEETING
NOVEMBER 2, 2022**

Mayor Roy Edgington called the meeting to order at 05:00 PM at Fernley City Hall, 595 Silver Lave Blvd., Fernley, NV 89408.

1. INTRODUCTORY ITEMS

1.1. Roll Call

Present: Mayor Roy Edgington, Councilman Lacy, Councilman Lau, Councilman Torres, Councilwoman Zoberiski, Councilwoman McKay, Building Official Charity Birkel, Director of Finance Denise Lewis, Associate Planner Shay League, City Engineer Derek Starkey, Public Works Director Dave Whalen, City Attorney Brandi Jensen, Assistant to the City Manager Trisha Connor, City Manager Patrick Marsh, Deputy City Manager Lydia Altick, City Clerk Kim Swanson, Administrative Assistant Tiffany Wood.

1.2. Public Forum

John Reichlein said he wanted to congratulate everyone on the purchase of land for the railroad station. He thanked the Mayor, Roy Edgington, for the Nevada Pacific Highway Transportation Project. He also spoke about Bill #318 ZMA 22008 and said he is opposed to it.

Tammy Dittman spoke about the TCID shut down of the canal and helping to feed the wild horses. She said anyone looking for information about diversionary feeding for water for the wild horses.

1.3. (For Possible Action) Approval of Agenda

Motion: MOVE TO APPROVE THE AGENDA WITH 5.1 PULLED. **Action:** Approve, **Moved by** Councilman Stan Lau, **Seconded by** Councilman Ray 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 the Voucher Report

2.2. (Possible Action) Approval of Minutes from October 5, 2022

2.3. (Possible Action) Approval of Business Licenses

2.4. Possible action to authorize the transfer of appropriations totaling \$50,543.25 from the Parks Department to Municipal Court.

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

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 the Lyon County Sheriff's Office provided information about the shop with a cop program the department is fundraising for. They will be taking children in need to shop with a cop for Christmas Presents. He updated the council about the number of 911 hang-ups and provided the stats from the department for the month.

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

City Manager Patrick Marsh announced the deadline for FCTA Grants is November 30, 2022. City Hall is Closed Nov, 11th for Veteran's Day. Newsletters will be available in public locations rather than the water bill. 3000 people attended Spooktakular. He introduced the new Deputy City Manager, Lydia Altick.

Deputy City Manager Lydia Altec addressed the council.

Public Works Director, Dave Whalen, reported that the water treatment plant is no longer under an administrative order on consent that had been 7 years in the making.

City Clerk Kim Swanson provided a reminder that early voting will continue until Friday, November 4th from 8am to 5pm and Election day is November 8th from 7am to 7pm.

Building Official Charity Birkel provided the stats report for October 2022.

Councilman Torres stated the court hearing for the TCID Canal shutoff will be held in Fallon on November 9th and will have a great impact on Fernley residents and encouraged them to attend.

Councilman Lacy reported the haunted house was wonderful. He thanked the City Staff for their time.

4. PROCLAMATIONS BY THE MAYOR

There were no proclamations.

5. PRESENTATIONS

5.1. Presentation by Lyon County Court Appointed Special Advocates for Children (CASA).

This Item was pulled.

6. ORDINANCES

6.1. Discussion and possible action to Introduce Bill # 317, 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, and other provisions in Chapter 2 related thereto including but not limited to evaluation forms and organizational chart.

Motion: MOVE TO APPROVE BILL #317 AN ORDINANCE AMENDING THE CITY OF FENLEY 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 AND OTHER PROVISIONS IN CHAPTER 2 RELATED THERETO, THE EVALUATION THE EVALUATION FORM, AND THE RELATED ORGANIZATIONAL CHART. **Action:** Approve, **Moved by** Councilman Stan Lau, **Seconded by** Councilman Albert Torres. **Summary:** Yes 5. **Yes:** Councilman Lacy, Councilwoman Zoberski, Councilman Lau, Councilman Torres, Councilwoman McKay.

Motion: MOVE TO APPROVE THE EVALUATION FORM. **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.

7. PUBLIC HEARINGS

7.1. Public Hearing – MPA22003 & Adoption of Bill #318 ZMA22008

Consideration and possible action on a Master Plan Amendment and Zoning Map Amendment request for a site ±83.9 acres in size generally located north of Farm District Road at the intersection of Clearwater Parkway. (APN: 021-341-18).

1. A Master Plan Amendment request to change the land use on a ±15.5-acre portion of the project site from Single Family Residential (SFR) to Mixed Residential (MR).
2. Adoption of Bill #318, A Zoning Map Amendment request to change the zoning on a ±68.4-acre portion of the project site from RR1 (Residential Rural, 1-acre minimum) to SF6 (Single Family Residential) and to change the zoning on a ±15.5-acre portion of the project site from RR1 (Residential Rural, 1-acre minimum) to MDR14 (Medium Density Residential, 14 dwelling units per acre maximum).

Associate Planner Shay League introduced Derek Kirkland of Wood Rogers.

Derek Kirkland requested a continuance for the map amendment due to changes brought about at a community meeting.

Motion: MOVE TO CONTINUE THIS ITEM. **Action:** Approve, **Moved by** Councilwoman Fran McKay, **Seconded by** Councilman Albert Torres. **Vote:** Passed, **Summary:** Yes 5. **Yes:** Councilman Lacy, Councilwoman Zoberski, Councilman Lau, Councilman Torres, Councilwoman McKay.

8. STAFF REPORTS

8.1. Update and possible action to approve the revised rescoping, floor plan, schematic plan, and cost estimate of the Community Response & Resource Center project.

Trisha Connor, Assistant to the City Manager, introduced Kevin Kemner of TSK Architects. She said the project is partially funded with ARPA Funds for construction, which holds the city to the strict federal grant guidelines. The facility has been designed to be self-sustainable.

Trisha Connor, Assistant to the City Manager, read the letter from the Boys and Girls Club in favor of this project.

There was discussion about the purpose of the building and how it has evolved with funding.

A ten-minute break taken at 6:39PM.

Mayor Edgington opened the item up for Public Input.

Fernley Community foundation board member, Edrie LaVoie, asked the council to vote yes based on the available funds.

Karry Vesik from the Fernley Community foundation board, also wanted to see the item pass and agreed with Ms. LaVoie that the building would be for the community.

John Reichlein agreed that the project should go forward.

Ryan Hanan stated he was against the project.

Tammy Dittman said the Resource Center should be built but wanted to learn about contingencies.

Neal McIntyre was in favor of building the Resource Center.

Bill Meyer spoke about how much the project has evolved in the five years it has been started. He wanted to clarify it is intended as a multipurpose room. Fernley will have a population of 50,000 people in about 10 years and more projects must be developed to support that growth.

Motion: MOVE TO APPROVE THE RESCOPING REVISED FLOOR PLAN AND SCHEMATIC DESIGN OF THE COMMUNITY RESPONSE RESOURCE CENTER AND DIRECT STAFF TO MOVE FORWARD IN DESIGN DEVELOPMENT PHASE OF THE PROJECT.

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.

8.2. Discussion and possible action to approve the abandonment of a 20-foot wide utility easement found in document number 18670 recorded on APN 021-092-26 and APN021-092-27.

City Engineer Derek Starkey presented the item and outlined the details of the abandonment.

Motion: MOVE TO APPROVE THE ABANDONMENT OF THE 20FT WIDE UTILITY EASMENT DOCUMENT NUMBER 18670. **Action:** Approve, **Moved by** Councilwoman Felicity Zoberski, **Seconded by** Councilman Ray 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

Mayor Roy Edgington requested information about the usage of the parks and what times they are allowed to be used.

Councilman Torres asked about NRS emergency action plans for IT and PW. He requested an efficiency study update.

10. PUBLIC FORUM

Ryan Hannon congratulated all of the candidates running for re-election. He wanted to clarify that the money for the Community Response and Resource Center must be allocated by 2024 not spent.

John Reichlein spoke about Cottonwood Lane and the projects being developed down there.

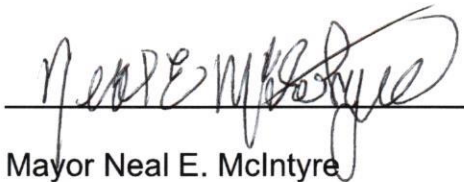
Don McGuinn expressed he would be glad when all of the political stuff is over. He said the left turn signal at the intersection of Newlands and 95 has a very short amount of time to let cars through and he thinks it should be extended.

11. ADJOURNMENT

There being no further business to come before it, the Fernley City Council meeting adjourned at 07:26 PM.

Approved by the Fernley City Council on December 7, 2022, by a vote of:

AYES 5 NAYS: 0 ABSTENTIONS: 0 ABSENT: 0



Mayor Neal E. McIntyre



ATTEST: City Clerk Kim Swanson