

**MINUTES OF THE
FERNLEY CITY COUNCIL MEETING
JULY 15, 2023**

Mayor Neal McIntyre called the Fernley City Council Workshop meeting to order at 10:05 AM at Fernley City Hall, 595 Silver Lace Blvd., Fernley, NV 89408.

1. INTRODUCTORY ITEMS

1.1. Roll Call

Present: Mayor Neal McIntyre, Councilman Albert Torres (Zoom), Councilwoman Felicity Zoberiski, Councilman Ryan Hanan, Deputy City Manager Lydia Altick, Building Official Charity Birkel, Planning Director Michele Rambo, Building Inspector I Bailie Scott, City Clerk Ki Swanson, Administrative Specialist I Sandy Harris, City Attorney Arron Mouritsen, Permit Technician Jessica Murdock, Building Inspector Michael Moore

Absent: Councilman Lau, Councilwoman McKay.

1.2. Public Forum

None at this time.

1.3. (For Possible Action) Approval of Agenda

Motion: MOVE TO APPROVE THE AGENDA **Action:** Approved. **Moved by:** Councilman Ryan Hanan, **Seconded by:** Councilwoman Felicity Zoberiski. **Vote:** Passed, **Summary:** Yes 3. **Yes:** Councilwoman Zoberiski, Councilman Torres, Councilman Hanan. **Absent:** Councilman Lau, Councilwoman McKay, **Abstain:** None.

2. PUBLIC HEARING

2.1. For Possible Action. Discussion regarding amending Title 16, Chapter 1 of the Fernley Municipal Code, Parking and storage of junk vehicles.

City Attorney Aaron Mouritsen gave an update on the changes AB316 has created, he stated that the legislature has passed a change to the NRS that will drastically affect the way the City's approach to this item. The change goes into effect October 1, 2023 and it amends NRS 487.290. Mr. Mouritsen stated that the City will need to remove this section or replace it with something else, since the this change will make the current section of the code invalid. AB316 takes section 487.290 and makes it so people cannot have more than two unregistered vehicles on a parcel of land. NRS 487.290 is now amended under AB316 to include a section on what local authorities, like cities, are allowed to do. This limits the city's restrictions. First, AB316 limits the amount of unregistered vehicles that are on a property, if more than 2 a civil fine up to \$100.00 a day can be assessed until the issue is repaired. Second, it makes it so it is no longer a criminal penalty as a misdemeanor offense, but a civil penalty. Currently, under the City of Fernley code, this violation is a misdemeanor and it would have to be revised to a civil offense under AB316. Mr. Mouritsen also stated that this bill gives the local municipality the authority to adjust that penalty. Which means that the City can do something different than \$100.00 as the penalty per day. However, the new City code will have to align with what NRS says about having more than 2 unregistered vehicles on a property. Mr. Mouritsen noted that NRS487 does have 6 exceptions to the code and that the City code would have to take

into account these exceptions. He summarized that the city is more restricted in what can be done with unregistered vehicles, and that it could change the penalty, but it would still be a civil matter.

Building Official Charity Birkel presented a slide show explaining definitions and the different code sections. She gave out handouts to attendees could they take notes and write down ideas and suggestions. She asked that the handouts be returned so they can be compiled into suggestions and recommendations received from the audience at this and the one on Monday, July 17, 2023 workshop. These will be used to produce a new proposed ordinance that takes into account the AB316 and NRS changes. The 4th Amendment was reviewed to clarify what the city can and cannot do.

Councilman Stan Lau arrived at 10:33 am.

Public comment:

Fernley resident Kris Nicholl appreciated the workshop and suggested that the ordinance have some clarity, if the vehicle to be registered to the occupant of the home and a time frame to remedy the complaint. He stated that he would like to see an expansion of the "junk" car definition to include car parts like hoods and engines on the front of the property.

Fernley resident Mary Bonno questioned whether or not there is a grandfather clause. She would like to see that who gives authorization be cited; that there be a separate exemption for military members who have been deployed; and that there be a definition of what is agricultural.

Fernley resident Laura Griffin would like to see the exception returned for property of 1 acre or more and zoned rural residential or lower density residential.

Fernley resident Fred Kanarr would like to have the exemption for restoration of vehicles in progress lengthened to more than 12 months.

Fernley resident Kevin Kelley would like to have a provision for lot size and topography. He would also like to see duckponds added to the required asphalt or concrete for the safety of the grounds.

Fernley resident Armando Seprano commented that restoration of vehicles takes much longer than 12 months, stating that it may take much longer than that just to find the right parts. He would like to have clarification on DMV's definition of classic cars.

Fernley resident Teresa Gillit is concerned about putting an antique tractor and other farm equipment on her property as decorations.

Fernley resident Tony Stanfield stated that those complaining should be Fernley residents and live within the visual view of what they are complaining about. Also, those complaining should meet a certain requirement to implement that complaint.

Fernley resident Christina Sevrano stated that when making these rules they do need to be exact with specific guidelines. She stated that people moving their vehicles down the street before their time is up to get another citation is a big problem.

Fernley resident Rick Griffin asked if there is another term for excess vehicles, for example "inventoried". He suggested a process where residents need to register vehicles with the city and be given 12 months to

restore it, then re-applying for an extension if needed.

Fernley resident John Forster stated good fences make good neighbors. He doesn't believe the new law that is coming to cities shouldn't apply to something that has more than 10 acres.

Fernley resident Jon Rincard stated that "junk" is derogatory. There needs to be the word "art" added to the ordinance.

Fernley resident Nina Edgern does not want to see junk cars in her neighborhood, because they start affecting the value and safety of the neighborhoods.

Fernley resident Cohen Clements stated his dad bought the farm in 1949 and is 40 acres, abiding by the no more than 2 vehicles not registered is difficult because he has vehicles that he does not use very often but needs them occasionally for use on the farm.

Fernley resident Delores Orberg (zoom) would like to know what the purpose of registering junk vehicles is. Also, she would like to know who is investigating the complaint.

Fernley resident Belle Bundy wanted to know why we need a city ordinance when we already have a state code. She would like to see that a timeline be required to show the progress been made when restoring a vehicle.

3. ADDRESS REQUEST(S) FOR FUTURE AGENDA ITEMS

There was none.

4. PUBLIC FORUM

None at this time.

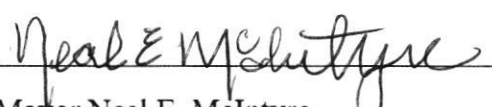
5. ADJOURNMENT

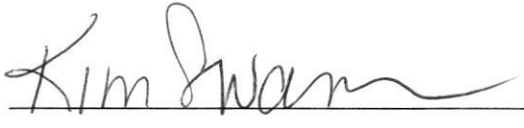
The next Fernley City Council Workshop meeting will be Monday, July 17, 2023, at 5:00 PM.

There being no further business to come before it, the Fernley City Council Workshop meeting adjourned at 11:55 AM.

Approved by the Fernley City Council on August 2, 2023, by a vote of:

AYES 5 NAYS: 0 ABSTENTIONS: 0 ABSENT: 0


Mayor Neal E. McIntyre


ATTEST: City Clerk Kim Swanson

FCC workshop - Sat 7/15/2023

Please sign in

Name	Contact Information
✓ Mary Bono	
✓ Laura Gieffri	775-843-6604
✓ FRED KANARR	FRED KANARR@hotmail.com
✓ KALIN KELLY	
✓ Armand SERRANO	775-722-8737
✓ Teresa Gillit	209-602-7469
✓ TONY STANFIELD	775 720-9826
✓ Christina Serrano	775 722 8733
✓ Rick GRIFFIN	775-746-1860
✓ John Forster	775-221-4055
✓ Jan Riccardi	858-775-7527
✓ Nita Edger	975 980 5544
✓ John Clements	775-575-2347
✓ Belle Bundy	775-223-5322
Kris Nicholl	801-694-9482

Online Form Submittal: Public Input Form

noreply@civicplus.com <noreply@civicplus.com>

Thu 7/13/2023 6:47 AM

To: City Clerk <cityclerk@cityoffernley.org>

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Submitted by:*	Charles Warczak
Email Address:	chuck@warczak.us
Phone Number:	775-980-7777
Address:	1627 Ray Ct
Meeting(s) where your concern should be expressed:*	Junk Car
Meeting Date(s):*	July 15, 2023
Comments: *	It seems the people most against this proposed ordinance represent a minority of the residents of Fernley. There are over 22,000 residents and many, many homeowners who want the value of their investment protected from others who are less

* indicates required fields.

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Submitted by:: Charles Warczak

Email Address: : chuck@warczak.us

Phone Number:: 775-980-7777

Address: : 1627 Ray Ct

Meeting(s) where your concern should be expressed:: Junk Car

Meeting Date(s):: July 15, 2023

Comments: : It seems the people most against this proposed ordinance represent a minority of the

residents of Fernley. There are over 22,000 residents and many, many homeowners who want the value of their investment protected from others who are less caring. The loud voices of primarily rural farm people do not represent the vast majority of Fernley citizens. Please move forward and pass the Junk Car ruling

Additional Information:

Form submitted on: 7/13/2023 6:46:55 AM

Submitted from IP Address: 172.221.38.204

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Form Address: <http://www.cityoffernley.org/Forms.aspx?FID=175>

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noreply@civicplus.com <noreply@civicplus.com>

Fri 7/14/2023 11:29 PM

To: City Clerk <cityclerk@cityoffernley.org>

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Submitted by: *	James Moreno
Email Address:	jamesrmoreno@gmail.com
Phone Number:	15105654622
Address:	2040 Rawles Drive
Meeting(s) where your concern should be expressed: *	Parking and Storage of Junk Cars Works
Meeting Date(s): *	07/15/23
Comments: *	I can not attend this workshop however thought it was important that my thoughts on this ordinance are shared. I am fully in favor of this ordinance. The majority of Fernley residents live in residential neighborhoods and are tired of some

* indicates required fields.

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The following form was submitted via your website: Public Input Form

Submitted by:: James Moreno

Email Address: : jamesrmoreno@gmail.com

Phone Number:: 15105654622

Address: : 2040 Rawles Drive

Meeting(s) where your concern should be expressed:: Parking and Storage of Junk Cars Workshops

Meeting Date(s):: 07/15/23

Comments: : I can not attend this workshop however thought it was important that my thoughts on this ordinance are shared. I am fully in favor of this ordinance. The majority of Fernley residents live

in residential neighborhoods and are tired of some people not caring about how their community looks and the ones that don't are living in the past. Fernley is not longer a farming community but a bedroom community. There is no excuse for the junk cars, weeds and blithe all over town that affects some of our largest investments, our residential homes. I urge the city to adopt this ordinance and start doing what is necessary to clean up this city to something we can all be proud of.

Thank you

Additional Information:

Form submitted on: 7/14/2023 11:29:12 PM

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Form Address: <http://www.cityoffernley.org/Forms.aspx?FID=175>

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noreply@civicplus.com <noreply@civicplus.com>

Fri 7/14/2023 11:44 PM

To: City Clerk <cityclerk@cityoffernley.org>

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Public Input Form

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Submitted by: *	James Moreno
Email Address:	jamesrmoreno@gmail.com
Phone Number:	15105654622
Address:	2040 Rawles Drive
Meeting(s) where your concern should be expressed: *	Junk Cars Workshop
Meeting Date(s): *	07/15/23
Comments: *	I cannot attend this workshop; however, I thought it was important to share my thoughts on this ordinance. I am fully in favor of it. The majority of Fernley residents live in residential neighborhoods and are tired of some people not

* indicates required fields.

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The following form was submitted via your website: Public Input Form

Submitted by:: James Moreno

Email Address: : jamesrmoreno@gmail.com

Phone Number:: 15105654622

Address: : 2040 Rawles Drive

Meeting(s) where your concern should be expressed:: Junk Cars Workshop

Meeting Date(s):: 07/15/23

Comments: : I cannot attend this workshop; however, I thought it was important to share my

thoughts on this ordinance. I am fully in favor of it. The majority of Fernley residents live in residential neighborhoods and are tired of some people not caring about how their community looks. Those who disregard these concerns are living in the past. Fernley is no longer a farming community; it has transformed into a bedroom community. There is no excuse for the presence of junk cars, weeds, and litter all over town, as it directly affects the value of our residential homes, which are among our largest investments. I urge the city to adopt this ordinance and take the necessary steps to clean up our city, making it a place we can all be proud of.

Thank you.

Additional Information:

Form submitted on: 7/14/2023 11:44:39 PM

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