

**MINUTES OF THE
FERNLEY CITY COUNCIL MEETING
JULY 19, 2023**

1. INTRODUCTORY ITEMS

1.1. Roll Call

Present: Mayor Neal McIntyre, Councilman Ryan Hanan, Councilwoman Felicity Zoberski, Councilman Stan Lau, Councilman Albert Torres, Councilwoman Fran McKay, City Attorney Aaron Mouritsen, City Clerk Kim Swanson, Administrative Specialist I Sandy Harris, Planning Director Michele Rambo, Senior Planner Shay League, Building Official Charity Birkel, Public Works Director Barry Williams, Deputy City Manager Lydia Altick, City Engineer Derek Starkey, City Treasurer Denise Lewis.

1.2. Public Forum

Fernley resident Tammy Ditman would like to remind everyone to be polite during public forum and ask that the City Council be respectful to those that are presenting tonight.

Lyon County Commissioner Rob Jacobson stated that he has had calls about wells being dried up. He has reached out to the County Commission to get BOR to come to Lyon County Commission meeting and they have refused. He offered his assistance for anything he can do to help, including working together to get some information from BOR like timelines, cost over-runs, updates, etc. He stated that as of now, they are refusing to talk to the Lyon County Commission so any ideas would help.

1.3. (For Possible Action) Approval of Agenda

Motion: MOVE TO APPROVE AGENDA. **Action:** Approved **Moved by:** Councilman Stan Lau, **Seconded by:** Councilman Ryan Hanan. **Vote:** Passed, **Summary:** Yes 5, **Yes:** Councilman Hanan, Councilwoman Zoberski, Councilman Lau, Councilman Torres, Councilwoman McKay.

2. CONSENT AGENDA

2.1. (Possible Action) Approval of Voucher Report

2.2. (Possible Approval) Approval of Business Licenses

2.3. (For Possible Action) Final subdivision map (FSM21003) for Donner Trails 12B.

Motion: MOVE TO APPROVE CONSENT AGENDA. **Action:** Approved. **Moved by:** Councilman Stan Lau, **Seconded by:** Councilman Ryan Hanan. **Vote:** Passed, **Summary:** Yes 5. **Yes:** Councilwoman Zoberski, Councilman Lau, Councilman Torres, Councilwoman McKay, Councilman Hanan.

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

Lyon County Sheriff's Department Chief Deputy Mitch Branningham gave a monthly update. He stated that they have seen an increase of 40% in calls for services in Fernley and that they currently have 12 deputies

working the streets in Fernley. He noted that there was a structure fire on Saturday, July 15, 2023, in which they found a deceased person. He stated that there is an ongoing investigation, but investigators who responded to the incident have determined that it was a homicide, and a suspect is in custody. Chief Deputy Branningham announced that on August 1, the National Night Out will be held at the Out of Town Park from 4:00 PM to 8:00 PM and that the substation in Fernley will be doing a backpack drive on August 26.

Councilwoman Zoberiski thanked the Sheriff's Department for the send-off of kids to the State Tournament.

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 Lydia Altick reported that the last interview had been conducted for the management analysis position.

Mayor McIntyre reported that the City manager position has been narrowed to 3 candidates who will appear before City Council on August 2nd for a final interview. He stated that the junk vehicle workshops went very well and the City is in the process of writing an ordinance that will be coming back to council for approval in a future meeting.

Councilwoman McKay stated she would like to see the list of candidates for city manager before the next interview.

4. PROCLAMATIONS BY THE MAYOR

Mayor McIntyre read the Proclamation for Ray Lacy and presented it to his wife and family.

5. PUBLIC HEARINGS

5.1. (For Possible Action) Tentative Subdivision Map application (TSM23001) from Wood Rodgers on behalf of Clements Ranching LLC to create 241 single-family detached lots on a site ±72.54 acres in size and generally located north of Farm District Road at the intersection of Clearwater Parkway (APN: 021-341-18).

Senior Planner Shay League reviewed the recommendations for TSM23001. She went over the original draft and staff recommended changes, which were handed out to the council.

Derek Kirkland gave a presentation that went over the Fernley housing market and how things are lining up and the Clements Ranch Tentative Map. He stated that the applicant held a neighborhood meeting on June 1, 2023. He explained that the development agreement that went before Council with the master plan zone changes is being honored with this tentative map. Mr. Kirkland said that the park is going to be built even if the flat field is not and that another concern that was heard from the neighbors is the cut through traffic. He stated that the developers are working with the city to have a collector road that would basically get people from Farm District Road to US 50. Should Clements Ranch Phase 1 move forward prior to the City completing their slated Red Rock Road improvements, the developer has executed a reimbursement agreement with the approval of the administrator, city attorney, city engineer, finance director, and public works director for the extension of Red Rock Road.

Councilwoman McKay expressed concern with the traffic on Farm District Road. She stated that Farm

District Road is a state highway, so the speed limit is governed by the State and she doubts that they will lower the speed limit.

Loren Chilson of Headway Transportation stated that the traffic counts were conducted in October 2021. They have factored in to account for the current year's of growth. She stated that the State will require that they connect directly across from Clearwater Way, which will be their preference based on their access management standards. She said the future years scenario on which everything is based is the 20-year horizon, which includes all the projects that are known about and background growth based on the city's comprehensive plan.

Councilwoman Zoberski asked for clarification on the options for the park: (1) have no park and use the funds that are received from the construction to go towards another one of our heavily used parks, (2) enter into a maintenance agreement with the developer to construct a park for the city to maintain, or (3) developer shall establish maintenance association for the upkeep and construction of the park. She asked if staff had seen the new wording for Condition 10. Also, how and if the school district was informed of the new project and how it would impact the surrounding schools.

Derek Kirkland stated that the park will be built one way or the other. The two options of design are (1) add a flat field. To add the flat field, there would have to be some sort of agreement with the city about how it is going to be operated and managed and some sort of shared maintenance responsibility, and option (2) if the city and the developer, at a later date, can't reach an agreement or the city decides to build a flat field somewhere else, the developer will design another park and will build it at a 100% of their cost and maintenance responsibility. The RCT language states that per NRS there is \$1,000.00 per unit; so there is \$241,000.00 generated in RCT funds for parks. He stated that, per NRS, the money has to stay in the area to service the development where it was generated. There are two options that the city has at this point, (1) they can spend those dollars at Autum Winds Park to fix-up and serve Clements Ranch which is adjacent to it, or (2) the city could enter into a reimbursement agreement with the developer to let them use that to build a new park. Mr. Kirkland said that in regards to Condition 10, they have been working with the city on this language for a couple of weeks now to clarify how Red Rock Road will be handled. If the developer goes first, they will build it on behalf of the city so that the city doesn't build something and then the developers have to tear it out. He stated that iff Clements goes first, it makes sense to expedite that project. The language is to basically keep it so they don't end up where they have to come back for condition amendment because they can't physically build what the condition says.

Senior Planner Shay League stated that staff received the language that the developer has proposed for Condition 10. From their perspective, the construction expectations if Clements builds it is a 70 foot right-of-way and the construction expectations if the city builds it as originally planned, would be a 60 foot right-of-way. She agreed that if the developer were to go second, it would be a waste of money ripping up the 60 foot right-of-way. Stating that the language is a deviation from the City's standard of saying this is what we expect you to build.

City Engineer, Derek Starkey stated that there was a project that would connect to Red Rock road and the goal was to have minimal impact to the existing neighborhood which is on Red Rock Road. The Clemmens project was started before that project came forward and was scoped to provide a paved surface that would provide the fire department better response time. With this project, the traffic column is increased so that a wider right-of-way is going to be needed so you have space for turning lanes and a place for cars to wait to get onto US 50. Mr. Starkey said that there is a lot of development projects in that area, so it might be better

to have some flexibility.

Mayor McIntyre stated that anytime a new subdivision is proposed, that the school district and board of trustees are always informed. The district office usually responds as far as how it is going to affect the school's population.

Councilman Ryan Hanan asked about the clarification on shared responsibility of the park. If it is a shared responsibility, then the city has access to schedule events and leagues, but if it is not a shared responsibility and the developer takes that on through their own maintenance agreement, then it is open to the public.

Public comment

Fernley resident Tammy Ditman expressed concern about the funding for the upkeep of the park through a LMA. She stated that every couple years you need to do a reserve study to find out how much you need to charge to the residents to have enough money in your funds and you have to keep a certain portion of those funds otherwise the state can take over if you don't have enough funds in your reserve.

Fernley resident Kathern Coates expressed concern about the traffic and is appalled at what the city is getting ready to do to Farm District Road.

Motion: MOVE TO APPROVE THE TENTATIVE SUBDIVISION MAP FOR CLEMENTS RANCH ASSOCIATED WITH TPM23001 BASED ON APPROVAL CRITERIA TM1 THROUGH TM11 AND THE FACTS SUPPORTING THESE CRITERIA AS SET FORTH IN THE STAFF REPORT. I FURTHER RECOMMEND ADOPTION OF CONDITIONS OF APPROVAL 1 THROUGH 32 WITH THE EXCEPTION OF NUMBER 10 WHICH I WOULD LIKE TO HAVE THE OTHER ONE FROM WOOD ROGERS SUBSTITUTED FOR NUMBER 10. **Action:** Approved. **Moved by:** Councilwoman Fran McKay, **Seconded by:** Councilman Stan Lau. **Vote:** Passed, **Summary:** Yes 5. **Yes:** Councilwoman Zoberski, Councilman Lau, Councilman Torres, Councilwoman McKay, Councilman Hanan.

6. ITEMS REQUESTED BY MAYOR OR CITY COUNCIL MEMBERS

6.1. Possible action regarding a future agenda item to discuss ideas for improving the Green Valley Dog Park. (Hanan's request)

Councilman Ryan Hanan discussed replacement of turf or replacement to relieve dirt and dust.

Mayor Neal McIntyre requested that this be brought back at the August 16, 2023, meeting.

Public Works Director Barry Williams would like to know specifically what the council would like him to look into.

Councilman Hanan stated that the previous presentation showed that there was turf before and the concern was the turf and the mud and the overall look of where the turf was before. There were concerns about the overuse in some areas that prevented turf from growing. He stated that he would like just a finishing touch to bring it back to the standard that it was in regards to turf and ground cover.

Mayor Neal McIntyre stated that they were asked to go half turf and some type of material that would not get muddy, like DG or some type of pea gravel.

Councilman Albert Torres suggested sitting down with the gentlemen who suggested a non-profit on making the improvements he was talking about.

Motion: MOTION TO BRING BACK THIS ITEM AT THE AUGUST 16, 2023, MEETING. **Action:** , **Moved by:** Councilman Ryan Hanan, **Seconded by:** Councilman Albert Torres. **Vote:** Passed, **Summary:** Yes 5 **Yes:** Councilman Lau, Councilwoman Zoberski, Councilman Torres, Councilwoman McKay, Councilman Hanan.

7. ADDRESS REQUEST(S) FOR FUTURE AGENDA ITEMS

Discuss ideas for improving the Green Valley Dog Park.

Councilwoman Fran McKay would like (1) to have the sound in the chamber looked at to make it better for everyone in the chamber to hear, (2) looking for sidewalks on Jenny's Lane from Farm District Road to Reese River Road, (3) need information to discuss special assessment districts.

8. PUBLIC FORUM

None at this time.

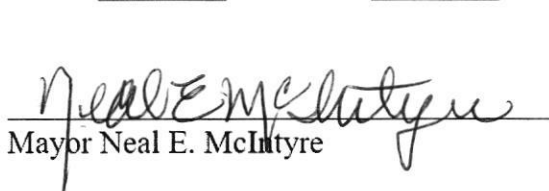
9. ADJOURNMENT

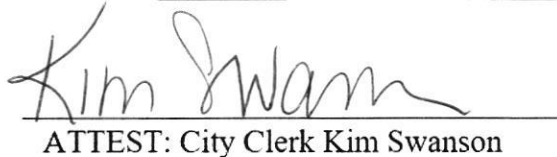
The next meeting will be August 2, 2023, at 5:00 PM.

There being no further business to come before it, the Fernley City Council meeting adjourned at 6:45 PM.

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

AYES 5 NAYS: 0 ABSTENTIONS: 0 ABSENT: 0


Mayor Neal E. McIntyre


ATTEST: City Clerk Kim Swanson

Please sign in

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