

**MINUTES OF THE
FERNLEY CITY COUNCIL MEETING
SEPTEMBER 20, 2023**

Mayor Neal E. McIntyre called the meeting of the Fernley City Council to order at 5:00 PM.

1. INTRODUCTORY ITEMS

1.1. Pledge of Allegiance

1.2. Roll Call

Present: Mayor Neal E. McIntyre, Councilman Ryan Hanan, Councilman Stan Lau, Councilman Albert Torres, City Manager Ben Marchant, City Attorney Aaron Mouritsen, City Clerk Kim Swanson, Administrative Specialist I Sandy Harris, Deputy Finance Director Jennie Carrick, Building Official Charity Birkel, Senior Planner, Shay League, Planning Director Michele Rambo, Public Works Director Barry Williams. **Absent:** Councilwoman Felicity Zoberski, Councilwoman Fran McKay.

1.3. Public Forum

Oscar Aguilar, Boys & Girls Club, thanked the public works department for their work on the field. BGCTM hosted their first Junior Giants League in the City of Fernley. 260 youth signups for this league which, is covered by a grant through the San Francisco Giants. Mr. Aguilar also thanked the City for its support of the teen center. BGCTM had the opportunity over the summer and spring break to take the kids to California for a special workshop through the Boys and Girls Club of America. They also did a tour of UNLV. Mr. Aguilar invited the Council to the awards banquet on Thursday, October 5, 2023.

1.4. (For Possible Action) Approval of Agenda

Mayor Neal E. McIntyre asked to have items 2.4 and 6.2 pulled from the agenda.

Motion: I MOVE TO APPROVE THE AGENDA WITH ITEM 2.4 REMOVED FROM THE CONSENT AGENDA AND ITEM 6.2 REMOVED FROM THE AGENDA. **Action:** Approved. **Moved by:** Councilman Stan Lau, **Seconded by:** Councilman Ryan Hanan. **Vote:** Passed, **Summary:** Yes 3. **Yes:** Councilman Lau, Councilman Hanan, Councilman Torres.

2. CONSENT AGENDA

2.1. (Possible Action) Approval of Voucher Report

2.2. (Possible Action) Approval of Minutes

2.3. (Possible Approval) Approval of Business Licenses

City Clerk Kim Swanson read new business licenses.

2.4. (Possible Action) Approval of the job description and salary range for the Senior Maintenance Worker Parks position approved by the City Council on May 17, 2023 during the FY23-24 budget discussions. The wage range is \$22.75 - \$32.50 or \$47,320.00 - \$67,600 annually.

2.5. Possible Action to Approve the Will-Serve Request from The Meadows at Inglewood, 1030 Inglewood Dr. for 0.66 ERC's for Water and 1.30 ERC's for Sewer for Lyon County Parcel 020-34-11 located at the at 1030 Inglewood Drive Unit, Fernley, NV 89408 (Building G)

2.6. Possible Action to Approve the Will-Serve Request from Maple Creek Construction for 0.72 ERC's for Water and 2.03 ERC's for Sewer for Fernley Self Storage, Lyon County Parcel 020-285-01

located at 175 Mull Lane Fernley, NV 89408.

2.7. Possible action to approve a contract with DOWL Reno, NV (formerly Farr West Engineering) for the continued implementation and hosting of the Strategic Asset Management programs (ArcGIS Online and Vue Works) in an amount not to exceed \$50,000.

Motion: I MOVE TO APPROVE THE CONSENT AGENDA. **Action:** Approved. **Moved by:** Councilman Stan Lau, **Seconded by:** Councilman Ryan Hanan. **Vote:** Passed, **Summary:** Yes 3. **Yes:** Councilman Lau, Councilman Hanan, Councilman Torres.

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

Chief Deputy Mitch Branningham, Lyon County Sheriff's Department, reported that there has been a rash of drug overdoses in the Fernley area. There is cocaine being disbursed in the Fernley area and Narcan does not work for cocaine overdoses. Unfortunately, we cannot press charges against somebody who calls for medical help for a drug overdose. On September 19, 2023, there was a report of shots being fired on Mallard Way. The suspect is in custody. The Sheriff's department has 15 applicants in the background process currently, and 12 have prior law enforcement experience. Fernley will have an uptick in staffing levels. Four more deputies are to start at the first of the year. Deputy Whitten has maintained his position as the School Resource Officer here in Fernley. If parents have any concern about things going on with students at school, they can give Deputy Whitten a call or contact the dispatch center. On September 8, 2023, the department ran a mini saturation patrol for 10 hours. During that time, there were 65 traffic stops with citations. The department will increase the frequency of saturation. The department is participating in a series of 2nd amendment instructional classes through VetMech Arms located in Fernley. The Junior Deputy Program will be taking applications beginning October 1 through mid November. On Monday, September 25, 2023, the sheriff's department will meet with the City of Fernley code enforcement to discuss ways to work together to enforce some of the new codes as well as the impact they have on the community.

Councilman Hanan thanked the department and for letting him go on a ride-a-long.

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

Councilman Torres reminded everyone of the two events this coming weekend. Saturday, September 23 is open Mike Night at the Fernley Art Center, presented by the Fernley Aces Art and Cultural Events Squad. September 23rd and 24th is the 2023 BBMX Championship presented by Old Timers Motorcross Nevada at the Fernley 95A track.

Councilman Stan Lau reminded everyone that this Friday, September 22 is homecoming and encouraged everyone to go and enjoy the game.

Councilman Ryan Hanan congratulated Charity Birkel and thanked her for her continuing education and growing with the City.

Mayor Neal McIntyre reported that there is an open position for the Planning Commission and applications will close on September 29th. He stated that he would be in the dunktank at the High School homecoming. The City of Fernley Spooktacular event will be at city hall on Tuesday, October 31, from 4 pm to 7 pm.

4. PROCLAMATIONS BY THE MAYOR

Mayor Neal McIntyre read the proclamation and proclaimed September 15, 2023, through October 15, 2023, as

National Hispanic American Heritage Month. Oscar Aguilur accepted the Certificate of Proclamation.

5. STAFF REPORTS

5.1. (For Possible Action) Approval of a contract with Kimley-Horn not to exceed \$160,400 for the preparation of the North Fernley Area Plan.

Planning Director Michele Rambo stated that the City is currently experiencing a surge of development with an increasing interest in the future development areas. With over 6,000 acres of potential land holdings, the North Fernley Future Development Area is gaining attention from developers due to its potential to become a large master planned employment center with supporting commercial services and high-density housing. The Planning Department solicited proposals from qualified planning consultants to create a new portion of the Comprehensive Master Plan known as the North Fernley Area Plan. The work performed by Kimley-Horn would include data collection and analysis, community engagement, visioning and goal setting, development of the Area Plan, developing an implementation strategy, and ultimate plan adoption.

Motion: MOVE TO APPROVE A CONTRACT WITH KIMLEY-HORN NOT TO EXCEED \$160,400 FOR THE PREPARATION OF THE NORTH FERNLEY AREA PLAN. **Action:** Approved. **Moved by:** Councilman Stan Lau, **Seconded by:** Councilman Albert Torres. **Vote:** Passed, **Summary:** Yes 3. **Yes:** Councilman Lau, Councilman Hanan, Councilman Torres.

6. PRESENTATIONS

6.1. Presentation by Marty Elquist from the Children's Cabinet.

Marty Elquist and Karissa Loper Machado gave a presentation from The Children's Cabinet. Their purpose is to promote and provide support, education, and resources to Nevada's child care community, thereby increasing the development of high-quality child care environments for providers, families and children. Their mission is to keep children safe and families together. They provide programs and services at no charge to youth and their families. They explained what early childhood is, the brain development and what high-quality early childhood programs look like. They explained the benefits to children who have quality early learning experiences along with the economic impact of investing in early childhood learning programs. They stated Nevada is a Child Care Desert, meaning that either there are no child care providers or so few options that there are more than three times as many children as licensed child care slots. They went over what local governments can do. City of Fernley has a particular code, Section 3207150, that limits the hours of operations for child care centers as well as licensed family child care, not to operate beyond the hours of 8 pm and 6 am, unless approved by a conditional use permit. The conditional use permit process can be timely and costly. The city could look at ways to streamline that process for those who want to operate child care in nontraditional hours. To incentivize more providers to operate in non-traditional hours, they are creating a Slot program and they are afraid that there might be providers in Fernley that would not be eligible for that program because of the code.

The Mayor and Council thanked them for coming.

6.2. Presentation by City Engineer to update the City Council on the completion of recent capital improvement projects.

Pulled from Agenda

7. PUBLIC HEARINGS

7.1. (For possible action) Discussion and possible action on two applications submitted by Christy

Corporation, LTD on behalf of Nev Dev, LLC on a parcel ±26.55-acres in size and generally located south of Farm District Road, west of Desert Lakes Drive, and east of Donna Way (APN: 021-301-35).

1. MPA23001 (Resolution # 23-011) - A master plan amendment application to redesignate the comprehensive master plan land use of the parcel from Single-Family Residential (SFR) to Commercial (C).
2. ZMA23001 (Bill # 330) – A zoning map amendment application to rezone the parcel from Single-Family Residential, 20,000 square-foot minimum lot size (SF20) to General Commercial (C2).

Senior Planner League reported that Christy Corporation submitted a master plan amendment, zoning map amendment, and conditional use permit on behalf of Nev Dev to allow construction of a self-storage facility at the rear of the parcel. The developer intends to reserve the front of the parcel for future neighborhood-style commercial development to serve the nearby Desert Lakes housing subdivision.

Mayor McIntyre called for a break 6:09 PM - 6:17 PM.

Mayor McIntyre called for public input on this matter and there was none.

Motion: I MOVE TO ADOPT RESOLUTION #23-011 REGARDING THE COMPREHENSIVE MASTER PLAN AMENDMENT ASSOCIATED WITH MPA23001 AND BILL #330 REGARDING THE ZONING MAP AMENDMENT ASSOCIATED WITH ZMA23001. THIS MOTION IS BASED ON FINDINGS M1 THROUGH M3, FINDINGS Z1 THROUGH Z3, AND THE FACTS SUPPORTING THOSE FINDINGS AS SET FORTH IN THE STAFF REPORT. **Action:** Approved. **Moved by:** Councilman Albert Torres, **Seconded by:** Councilman Ryan Hanan. **Vote:** Passed, **Summary:** Yes 3. **Yes:** Councilman Lau, Councilman Hanan, Councilman Torres.

8. ITEMS REQUESTED BY MAYOR OR CITY COUNCIL MEMBERS

8.1. Possible Action regarding a future agenda item to look into a hazard alarm system for the city in case of an emergency. (Councilman Lau's request)

Councilman Stan Lau stated that he thought it would be appropriate to have an alarm system to go along with the new Response center. He suggested getting together with Chief Nichols at the fire department.

Chief Deputy Branningham stated that the Code Red System is outdated and is being phased out. The new Sheriff app is having technical issues at the moment, but when it is up and running it will replace the Code Red System.

Motion: MOVE TO HAVE STAFF AND THE MAYOR LOOK INTO AN ALARM SYSTEM TO ALERT THE COMMUNITY. **Action:** Approved. **Moved by:** Councilman Stan Lau, **Seconded by:** Councilman Albert Torres. **Vote:** Passed, **Summary:** Yes 3. **Yes:** Councilman Lau, Councilman Hanan, Councilman Torres.

8.2. Possible Action requesting a future agenda item to look into the possibility of annexing county islands within the city into the city. (Councilman Torres's request)

Councilman Torres stated that there are several county islands throughout the city that are using county infrastructure, we are losing a significant amount of money on taxable receipts for business licenses and we need to annex them into the city.

Motion: MOVE TO ADD FUTURE AGENDA ITEM TO LOOK INTO THE POSSIBILITY OF ANNEXING COUNTY ISLANDS WITHIN THE CITY INTO THE CITY. **Action:** Approved. **Moved by:** Councilman Albert Torres, **Seconded by:** Councilman Ryan Hanan. **Vote:** Passed, **Summary:** Yes 3. **Yes:** Councilman Lau, Councilman Hanan, Councilman Torres.

8.3. Possible Action requesting a future agenda item looking into the possibility of creating a Citizens Advisory Board for Well and Water Rights Owners. (Councilman Hanan's request)

Councilman Ryan Hanan stated that the council cannot represent the well owners or water rights owners through the city. It is important that we give them an outlet to be able to meet and discuss their concerns, formulate solutions, and look into the issues that they are constantly involved in, especially with the lining of the canal. This was brought to the council's attention by several water rights and well owners.

Motion: MOVE TO DIRECT STAFF TO LOOK INTO THE POSSIBLE CREATION OF A CITIZENS ADVIORY BOARD FOR WELL AND WATER-RIGHTS OWNERS. **Action:** APPROVED. **Moved by:** Councilman Hanan, **Seconded by:** Councilman Torres. **Vote:** Passed, **Summary:** Yes 3. **Yes:** Councilman Lau, Councilman Hanan, Councilman Torres.

9. ADDRESS REQUEST(S) FOR FUTURE AGENDA ITEMS

None at this time.

10. PUBLIC FORUM

Fernley resident, James W. Roberts stated that water wells and aquifers are pits. Also, stated that the alarm system is a good idea.

Fernley resident, Colleen Unterbrink, expressed her support of the early childhood program that was presented by The Children's Cabinet.

Fernley resident, Jackie LaVoie asked if the county islands within the city are commercial and/or residential. Does the process to annex these islands require that notice be given to residents who are on these islands? City Attorney Aaron Mouritsen stated that notice is required.

Fernley resident, Oscar Aguilar expressed his support for early childhood education.

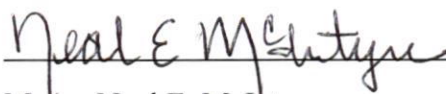
Fernley resident Kim McCreary expressed his concern about the smell from the tanks along Main Street. Mayor Neal McIntyre stated that he will look into it.

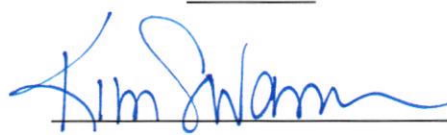
11. ADJOURNMENT

There being no further business to come before it, the Fernley City Council meeting adjourned at 6:46 PM.

Approved by the Fernley City Council on October 4, 2023, by a vote of:

AYES 5 NAYS: 0 ABSTENTIONS: 0 ABSENT: 0


Mayor Neal E. McIntyre


City Clerk Kim Swanson

[illegible]

Sandy Harris

From: noreply@civicplus.com
Sent: Monday, September 18, 2023 7:02 PM
To: City Clerk
Subject: Online Form Submittal: Public Input Form

If you are having problems viewing this HTML email, click to view a [Text version](#).

Public Input Form

The Public may comment on any matter that is not specifically included on an agenda as an action item or comment on a specific agenda item. Items not included on the agenda for which you are submitting a comment, cannot be acted upon other than to place them on a future agenda. Additionally, if you wish you can comment in person at the meeting or use the Raise your Hand feature in Zoom (*9 if you are participating via phone). Public comments are limited to three (3) minutes. Public Comments submitted prior to 4:00 pm the day of the meeting will be provided to City Council and added to the record but WILL NOT BE READ during the live meeting. Any public input received after 4 pm the day of the meeting will be included in the record but may not reach council members before action is taken.

Submitted by:* Mariane VanDurdan
Email Address: Marianevandurden@yahoo.com
Phone Number: 707-799-5433

Address: 220 RED OAK DR
Meeting(s): City Council

where your
concern should
be expressed:*

Meeting Date(s):* Sept 20 2023

Comments: * Investors Trust is renting to Construction Corporations from Las Vegas NV with rotating tenants. Every 2 months there are 2-5 construction worker tenants rotating in/out of the Southwest Meadows Sub-Division. Located on Walnut Drive there are 3 homes and Red Oak 1 home being used by these rotating construction workers - This is a residential neighborhood not a transient neighborhood. I Contacted Investors Trust who is renting these homes out - their response is that they will continue rent these out as transient homes as long as the construction company pays the lease . Commercial rentals should not have this many rotating residents and this often - how can we feel safe with all these strangers coming and going all times of the day and night?

* indicates required fields.

View any uploaded files by [signing in](#) and then proceeding to the link below:

<http://www.cityoffernley.org/Admin/FormHistory.aspx?SID=8433>

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

Submitted by:: Mariane VanDurdan

Email Address: : Marianevandurden@yahoo.com

Phone Number:: 707-799-5433

Address: : 220 RED OAK DR

Meeting(s) where your concern should be expressed:: City Council

Meeting Date(s):: Sept 20 2023

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Additional Information:

Form submitted on: 9/18/2023 7:01:55 PM

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