

**MINUTES OF THE
FERNLEY CITY COUNCIL MEETING
OCTOBER 4, 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, Councilwoman Felicity Zoberski, Councilman Stan Lau, Councilman Albert Torres (Zoom), Councilwoman Fran McKay, City Manager Benjamin Marchant, Deput City Manager Lydia Altick, City Attorney Aaron Mouritsen, City Clerk Kim Swanson, Deputy City Clerk Brenda Gosser, Administrative Specialist 1 Sandy Harris, Deputy Finance Director Jennie Carrick, Building Official Charity Birkel, Planning Director Michele Rambo, Public Works Director Barry Williams

1.3. Public Forum

None at this time

1.4. (For Possible Action) Approval of Agenda

Motion: I MOVE TO APPROVE THE AGENDA. **Action:** Approved. **Moved by:** Councilman Stan Lau, **Seconded by:** Councilman Ryan Hanan. **Vote:** Passed, **Summary:** Yes 5. **Yes:** Councilwoman Zoberski, Councilman Lau, Councilman Hanan, Councilwoman McKay, 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 the approval of new business licenses.

2.4. Possible action to approve a contract with Garden Shop Nursery Landscaping for construction for the All-Abilities playground at Green Valley Park for an amount not to exceed \$76,749.79 with a 5% contingency of \$3,800.00.

2.5. Possible action to award a contract for engineering and inspection services for the FY 23/24 PMP Maintenance Project to Lumos and Associates, Inc. in the amount not to exceed \$207,900

2.6. Possible Action to purchase one (1), Ford F-650SD with a 5-yard dump body from Big Valley Ford Lincoln for the City of Fernley's Streets Department for an amount not to exceed \$107,835.00.

2.7. Possible Action to approve the ratification of the contract for Pall Water Systems for an amount not to exceed \$249,789.44 for WTP Numatics WTP replacement.

2.8. Possible Action to approve the ratification of a contract with ADT Commercial for an amount not to exceed \$40,597.53 for security upgrades at the City of Fernley Water Treatment Facility.

Motion: I MOVE TO APPROVE THE CONSENT AGENDA **Action:** Approved, **Moved by:** Councilman Ryan Hanan, **Seconded by:** Councilman Stan Lau. **Vote:** Passed, **Summary:** Yes 5. **Yes:** Councilwoman Zoberski, Councilman Lau, Councilman Hanan, Councilwoman McKay, 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 Sheriff Mitch Brantingham, Lyon County Sheriff's Department, reported on the uptick trend of breaking into vehicles going around the city and asked the citizens to keep their vehicles in well-lit areas, be diligent in their neighborhoods, and keep an eye out for suspicious activities. An update was given on the recent drug investigations. The deputies do a good job of using personal protective equipment and being very cautious with the white powder. Currently, the department is applying for grant funding to get the laser drug testing systems so the deputies won't have to handle or open packages of drugs. In regards to the drug search dogs, the handlers do a good job of not putting the dogs in a position where they can have that direct contact with drugs. The dogs are looking for the odor of the drugs. The recent escapee has not been apprehended and there are investigators all over the county, as well as federal investigators. There are a few issues with the app and they are working on making it a more efficient process. He also reported that with zero tolerance in schools, the incidents are low and very minor.

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

City Manager Ben Marchant was pleased to report that his first month with the city has been a very full and exciting month. He thanked everyone for working with him and taking the time to meet. Getting to know the staff, the projects and the many issues that the city is working on has fully occupied all of his days. While learning about everything that is going on, he has already begun formulating strategies on how to best prepare the city to achieve its goals. On September 21, 2023, the Lyon County Board of County Commissioners adopted a resolution supporting City of Fernley's litigation related to the Truckee Canal. They also agreed to support the lands bill that Fernley is advocating for to be included in the current legislation. He has also met with NDOT and Mark IV to discuss the extension of the Nevada Pacific Parkway and the Raise Grant. He announced that city hall will be closed on Friday, October 27, 2023, for Nevada Day, and will be closing at 1:00 pm on Tuesday, October 31, to prepare for the Spooktacular event.

Building Official Charity Birkel gave a shout out to Bailee Scott for passing her B1 exam and she is officially a certified building inspector. The department had a new building inspector start on Monday, October 2, and his name is Joseph Motsinger. She reported the monthly stats.

Councilman Albert Torres thanked engineering, parks and the council for approving the contract to move forward on the All-Abilities park at Green Valley Park.

Councilman Hanan congratulated Bailee Schott, and thanked City Manager Ben Marchant for being here.

Mayor McIntyre reported at the TCID meeting, it was announced that water would be in the canal on November 1st. There are no scheduled shut-downs for next year to continue the project. The city has a hearing with BOR on October 17, 2023.

4. PROCLAMATIONS BY THE MAYOR

None at this time.

5. STAFF REPORTS

5.1. Possible action to approve a Business Impact Statement for a proposed increase to Franchise Fees for Public Utility Companies providing services within the City of Fernley.

City Clerk Kim Swanson reported on the BIS in regards to the proposed increase in Franchise Fees. If the Council approves the BIS, staff will return on October 18, with an introduction to the bill and then again on November 1, 2023, for adoption of that bill. The increase will be effective 90 days after it's adoption.

Motion: I MOVE TO APPROVE THE BUSINESS IMPACT STATEMENT FOR A PROPOSED INCREASE TO FRANCHISE FEES FOR PUBLIC UTILITY COMPANIES PROVIDING SERVICES WITH THE CITY OF FERNLEY. **Action:** Approved. **Moved by:** Councilman Ryan Hanan, **Seconded by:** Councilman Stan Lau. **Vote:** Passed, **Summary:** Yes 5. **Yes:** Councilwoman Zoberski, Councilman Lau, Councilman Hanan, Councilwoman McKay, Councilman Torres.

6. ITEMS REQUESTED BY MAYOR OR CITY COUNCIL MEMBERS

6.1. Possible action requesting a future agenda item looking into Lyon County's ordinance regarding tiny homes. (Councilman McKay's request)

Councilwoman Fran McKay suggested that there should be an area in town set up just for tiny homes.

Motion: MOVE TO RE-ADDRESS TINY LOT LOCATIONS. **Action:** Approved. **Moved by:** Councilwoman McKay, **Seconded by:** Councilman Lau. **Vote:** Passed, **Summary:** Yes 3, No 2. **Yes:** Councilman Lau, Councilman Hanan, Councilwoman McKay, **No:** Councilwoman Zoberski, Councilman Torres.

7. ADDRESS REQUEST(S) FOR FUTURE AGENDA ITEMS

None at this time.

8. PUBLIC FORUM

Fernley City resident Mary Bonno (zoom), commented on the tiny house issue. It is not fair to say that these houses should be segregated to specific areas of town.

Sandra M (zoom) stated that she has family that lives in Fernley and she will be moving to Fernley when she retires and likes the tiny homes.

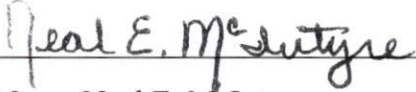
9. ADJOURNMENT

The next City Council Meeting will be October 18, 2023, at 5:00 PM.

There being no further business to come before it, the Fernley City Council meeting adjourned at 5:51 PM.

Approved by the Fernley City Council on October 18, 2023, by a vote of:

AYES 4 NAYS: 0 ABSTENTIONS: 0 ABSENT: 1



Mayor Neal E. McIntyre



City Clerk Kim Swanson