

**MINUTES OF THE
FERNLEY CITY COUNCIL MEETING
DECEMBER 5, 2018**

Mayor Edgington called the meeting to order at 5:00 pm at Fernley City Hall, 595 Silver Lace Blvd, Fernley, NV.

1. INTRODUCTORY ITEMS

1.1. Roll Call

Present: Mayor Roy Edgington, Councilwoman Shari Whalen, Councilman Dan McCassie, Councilman Stan Lau, Councilwoman Sue Seidl, Councilwoman Fran McKay. City Manager Daphne Hooper, City Attorney Brandi Jensen, Public Works Director Dave Whalen, City Engineer Derek Starkey, City Treasurer Denise Lewis, City Clerk Kim Swanson, Planning Director Tim Thompson, Deputy City Attorney Brent Kolvet, Building Official Roger Colson, Building Official Tim Thompson, Assistant to the City Manager Colleen Unterbrink,

1.2. Public Comment

Tammy Dittman, gave the November Real Estate report for the City of Fernley.

1.3. Approval of the Agenda

City Manager Hooper requested to move item 6.1 to be heard after the Consent Agenda. Councilwoman Seidl requested to remove items 7.1, 7.2 & 7.3 and place them on the January 2nd Meeting agenda. She also requested to pull item 2.4 to be heard at the end of the Consent Agenda.

MOTION: MOVE TO APPROVE THE CONSENT AGENDA MOVING ITEM 6.1 TO BE HEARD AFTER ITEM 2; ITEMS 7.1, 7.2 AND 7.3 TO BE REMOVED AND BROUGHT

BACK IN JANUARY; WITH ITEM 2.4 BEING REMOVED FROM THE CONSENT AGENDA TO BE HEARD DIRECTLY AFTER ITEM 6.1. **Moved by** Councilwomen Sue Seidl, **Seconded by** Councilman Stan Lau. **Vote:** Motion carried by unanimous roll call vote (summary: Yes = 5). Yes: Councilman Dan McCassie, Councilwoman Shari Whalen, Councilman Stan Lau, Councilwoman Fran McKay, Councilwoman Sue Seidl. **Action:** Approve

1.4. SPECIAL PRESENTATIONS: Recognition of outgoing City Council.

Mayor Edgington presented Councilwoman Whalen with a plaque.

1.5. OATH OF OFFICE TO NEWLY ELECTED AND SEATING OF NEWLY ELECTED OFFICIALS.

Judge Matheus administered the Oath of Office to the elected officials.

1.6. RECESS & RECEPTION

1.7. NEW COUNCIL ROLL CALL

Present: Councilman Ray Lacy, Councilman Dan McCassie, Councilman Stan Lau, Councilwoman Sue Seidl, Councilwoman Fran McKay,

2. CONSENT AGENDA:

2.1. (Possible Action) Approval of Voucher Report.

2.2. (Possible Action) Approval of Minutes from November 7, 2018

2.3. (Possible Action) Approval of Business Licenses

2.4. Possible Action to approve Amendment A to the contract for employment services between the City of Fernley and Brandi Jensen.

2.5. Possible Action to approve the cancellation of a Will-Serve commitment for 5 lots in Silverland Estates Phase 2 Subdivision, approve the banking of the water credits with Silverland 2015, LLC and to apply 3 ERC's of water credits for the re-subdividing of the original 5 lots into 3 lots.

2.6. Possible Action to award a contract to Resource Development Company for the Peach Tank Demolition in an amount not to exceed \$30,500.00 plus a 5% contingency of \$1,525.00 for a total amount of \$32,025.00.

Motion: MOVED TO APPROVE THE CONSENT AGENDA REMOVING ITEM 2.4 TO BE DISCUSSED IMMEDIATELY AFTER, **Moved by** Councilman Stan Lau, Seconded by Councilwoman Sue Seidl. **Vote:** Motion carried by unanimous roll call vote (**summary:** Yes = 5). **Yes:** Councilman Dan McCassie, Councilman Ray Lacy, Councilman Stan Lau, Councilwoman Fran McKay, Councilwoman Sue Seidl. **Action:** Approve.

Item 2.4

Human Resource Specialist McKnight stated Mayor Edgington and City Attorney Jensen have been negotiating since March. The contract before Council tonight is the result of those negotiations.

Councilwoman Seidl suggested making changes in a few areas of the contract.

Motion: MOVED TO APPROVE AMENDMENT A TO THE CONTRACT FOR EMPLOYMENT SERVICES BETWEEN THE CITY OF FERNLEY AND BRANDI JENSEN, **Moved by** Councilwoman Fran McKay. **Motion died for lack of a second.**

Motion: MOVED TO PULL THE CONTRACT FOR FURTHER NEGOTIATIONS USING THE CITY OF FERNLEY UNION NEGOTIATION TEAM AND BRING BACK BEFORE CITY COUNCIL., **Action:** Approve, **Moved by** Councilman Dan McCassie, **Seconded by** Councilman Stan Lau. **Vote:** Motion passed (**summary:** Yes = 4, No = 1). **Yes:** Councilman Dan McCassie, Councilman Ray Lacy, Councilman Stan Lau, Councilwoman Sue Seidl. **No:** Councilwoman Fran 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.

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

Reports were heard after Item 6.1

Sheriff McNeil reported the overall stats for City of Fernley are flat. He added there were 500 less calls for service this year over last year. He stated it has been a pleasure working

with the City of Fernley over the last 4 years. Mayor Edgington read the Lyon County Sheriff's Office Statistical report for November 2018 into record.

City Manager Hooper reported the Christmas Parade and Tree Lighting at the Depot will take place on December 8th beginning at 4pm. She also reported that City Hall will be closed on December 24th & 25th.

Mayor Edgington reported on the "Understanding Opportunity Zones in Nevada Conference meeting in Las Vegas that he attended with City Manager Hooper.

4. PUBLIC HEARINGS

- a. Discussion with City Council & Staff
- b. Public Input
- c. Additional Discussion with City Council & Staff
- d. Council Action or Direction to Staff

4.1. Public Hearing - City of Fernley Redevelopment Agency

This item is submitted on behalf of the City of Fernley Redevelopment Agency in compliance with NRS Chapter 279 Section 528 and NRS Chapter 279 Section 578. Discussion and possible action regarding the Rules Governing Participation and Assistance by Property Owners in City of Fernley Redevelopment Project Area No. 1 (UCED Technical Report 2018/19-01) and the City of Fernley Redevelopment Agency, Redevelopment Plan for Redevelopment Project Area No. 1 (UCED Technical Report 2017/18-13).

Dr. Fred Steinman presented the draft owner participation agreement/rules and draft redevelopment plan and answered a question from City Council.

Lyon County Manager Jeff Page shared his opinion regarding the proposed Redevelopment Plan

Mayor read a letter into record from Fernley resident Amy Rosenlund who expressed concerns regarding the proposed Redevelopment Agency.

Wayne Workman, Lyon County School District Superintendent, presented a Resolution from the Lyon County School District Board of Trustees in opposition of the Redevelopment Plan. He urged the City Council to adopt a plan that does not financially harm the school district.

Donald Parsons, Fernley resident, expressed concern regarding forming a Redevelopment District in Fernley.

Sherry Parsons, Fernley resident, was opposed to the City of Fernley Redevelopment Agency.

7:59 – 8:13 Break

Dr. Steinman stated the following questions need to be answered;

Question #1 Would you like to see any of the areas identified in the study area (historical downtown, industrial, west development, residential, east development, added to or taken out or any of the boundaries of the study area changed?

Councilwoman Seidl stated she wanted to see residential areas removed from the Redevelopment Map. She felt the upturn in the economy was fixing the residential blight.

Councilwoman McKay did not feel the boundaries of the Redevelopment District should be changed.

Motion: MOVE TO REMOVE THE WEST AREA AND RESIDENTIAL AREA FROM THE REDEVELOPMENT ZONE, **Moved by** Councilwoman Sue Seidl, **Seconded by** Councilman Stan Lau. **Vote:** Motion passed (**summary:** Yes = 3, No = 2). **Yes:** Councilman Ray Lacy, Councilman Stan Lau, Councilwoman Sue Seidl, **No:** Councilman Dan McCassie, Councilwoman Fran McKay. **Action:** Approve.

Break 8:20 – 8:22

Question #2 Is there any additional analysis not presented in the draft redevelopment plan that City Council would like to see expanded upon?

Dr. Steinman explained that City Council is not removing or adding anything tonight. Is it a different piece of analysis that is being asked for? He stated he will look at the financial and feasibility section of the redevelopment plan. He will exclude those areas and present at the next round of public meetings.

Motion: MOVE TO DIRECT DR. STIENMAN TO PROFORM ADDITIONAL ANALYSIS ON THE ECONOMIC FEASIBILITY OF THE REDEVELOPMENT AREA WITH THE

REMOVAL OF WEST DEVELOPMENT AREA AND RESIDENTIAL AREA. **Moved by** Councilwoman Fran McKay, **Seconded by** Councilman Stan Lau. **Vote:** Motion carried by unanimous roll call vote (**summary:** Yes = 5). **Yes:** Councilman Dan McCassie, Councilman Ray Lacy, Councilman Stan Lau, Councilwoman Fran McKay, Councilwoman Sue Seidl. **Action:** Approved.

Question #3 Do you have any additional general concern or comments regarding the draft owner participation agreement rules and/or draft redevelopment plan.

Motion: MOVE TO ACCEPT THE DRAFT OWNER PARTICIPATION AGREEMENT RULES AND DRAFT REDEVELOPMENT PLAN. **Moved by** Councilwoman Sue Seidl, **Seconded by** Councilman Stan Lau.

Redevelopment Attorney Thornley cautioned Councilwoman Seidl that this motion is inconsistent with her earlier motion where she wanted the redevelopment area redefined. He suggested instead of moving to accept it, move to forward with no comments or concerns as they relate to the participation agreement and the redevelopment plan.

Amended Motion: MOVE that there are no additional comments on Question #3. **Moved by** Councilwoman Sue Seidl, **Seconded by** Councilman Stan Lau. **Vote:** Motion carried by unanimous roll call vote (**summary:** Yes = 5). **Yes:** Councilman Dan McCassie, Councilman Ray Lacy, Councilman Stan Lau, Councilwoman Fran McKay, Councilwoman Sue Seidl. **Action:** Approve.

4.2. Introduction Bill #268, ZMA 2018-004

First Reading, Discussion and Possible Action to introduce Bill #268 as an ordinance for a zoning map amendment associated with ZMA 2018-004, to change the zoning on real property owned by Granite Ridge Developments LLC to incorporate the planned development overlay zoning district on approximately 269 acres generally located north and south of farm district road, west of the country ranch estates subdivision and Truckee River Ranch (Autumn Winds) subdivision, and east of Jessica lane Fernley, NV. (APN(s): 021-303-09, 47, 49, 52 & 54).

Planning Director Thompson presented the zoning map amendment for Council discussion. He stated the hand book for this development was never recorded therefore,

never made effective. He explained a tentative map has been approved subject to the hand book. He stated this ordinance will clean up an error that was made years ago.

Councilman Dan McCassie disclosed a conflict or potential conflict of interest due to a recent sale of water rights.

Mayor Edgington opened public input.

Tom Willis, resident of Country Ranch Estates, spoke against the ZMA 2018-004, due to the impact to schools, fire and police

Motion: MOVE TO INTRODUCE BILL #268 A GENERAL ORDINANCE FOR A ZONING MAP AMENDMENT ASSOCIATED WITH ZMA 2018-004, TO CHANGE THE ZONING ON REAL PROPERTY OWNED BY GRANITE RIDGE DEVELOPMENTS LLC TO INCORPORATE THE PLANNED DEVELOPMENT OVERLAY ZONING DISTRICT ON APPROXIMATELY 269 ACRES AND SET THE PUBLIC HEARING FOR THE POSSIBLE ADOPTION OF BILL #268 AT THE REGULARLY SCHEDULED CITY COUNCIL MEETING ON DECEMBER 19, 2018, **Moved by** Councilman Stan Lau.

4.3. Discussion and Possible Action to adopt Bill #269

Discussion and Possible Action to adopt Bill #269 as an ordinance adopting the 2018 International Code Council (ICC) International Building Code, and the most recent specialized codes available and modifying the City of Fernley Municipal Code Title 8 Chapter 2 replacing the current Building Code series list as attached.

At 9:50 pm Mayor Edgington asked City Council if they wanted to continue the meeting past 10:00pm

Motion: MOVE TO GO UNTIL 10 AND FINISH THE AGENDA. **Moved by** Councilwoman Sue Seidl, **none seconded.**

Motion: MOVE TO HEAR ITEM 4.3 AND END THE MEETING. **Moved by** Councilman Stan Lau, **Seconded by** Councilman Dan McCassie. **Vote:** Motion carried by unanimous roll call vote (**summary:** Yes = 5). **Yes:** Councilman Dan McCassie, Councilman Ray Lacy, Councilman Stan Lau, Councilwoman Fran McKay, Councilwoman Sue Seidl. **Action:** Approve.

Building official Colson reported this item is the adoption of the 2018 International Building Codes.

Mayor Edgington call for public comment. There was none.

Motion: TO ADOPT BILL #269 AS AN ORDINANCE ADOPTING THE 2018 INTERNATIONAL CODE COUNCIL SERIES AND THE MOST RECENT SPECIALIZED CODES AVAILABLE LIST AS ATTACHED., **Action:** Approve, **Moved by** Councilman Stan Lau, **Seconded by** Fran McKay. **Vote:** Motion carried by unanimous roll call vote (**summary:** Yes = 5). **Yes:** Councilman Dan McCassie, Councilman Ray Lacy, Councilman Stan Lau, Councilwoman Fran McKay, Councilwoman Sue Seidl. **Vote:** Motion carried by unanimous roll call vote (**summary:** Yes = 5). **Yes:** Councilman Dan McCassie, Councilman Ray Lacy, Councilman Stan Lau, Councilwoman Fran McKay, Councilwoman Sue Seidl.

5. STAFF REPORTS

5.1. Discussion and possible action to approve the preparation calendar for the FY 2019-2020 budget

This item was moved to the January 2nd City Council Agenda.

5.2. Discussion and possible action to establish City Council priorities for FY 2019-2020

This item was moved to the January 2nd City Council Agenda.

6. RESOLUTIONS

6.1. Discussion and possible action to adopt Resolution 18-014 amending the City of Fernley Personnel Policy Manual.

This item was heard after the consent agenda.

Human Resource Director Shannon McKnight stated the changes were recommended by Pool/Pact.

Motion: MOVE TO ADOPT RESOLUTION 18-014 AMENDING THE CITY OF FERNLEY PERSONNEL POLICY MANUAL, **Moved by** Councilman Stan Lau, **Seconded by** Councilwoman Sue Seidl. **Vote:** Motion carried by unanimous roll call vote (summary:

Yes = 5). **Yes:** Councilman Dan McCassie, Councilman Ray Lacy, Councilman Stan Lau, Councilwoman Fran McKay, Councilwoman Sue Seidl. **Action:** Approve.

7. ITEMS REQUESTED BY MAYOR OR CITY COUNCIL MEMBERS:

7.1. Discussion and possible action to request a future agenda item regarding staff reports to City Council. (Councilwoman Seidl's request).

This item was moved to the January 2, 2019.

7.2. Discussion and possible action to request a future agenda item to discuss the current list of approved future agenda items. (Councilwoman Seidl's request)

This item was moved to the January 2, 2019.

7.3. Discussion and possible action to request a future agenda item regarding tenant water deposits. (Councilwoman McKay's request)

This item was moved to the January 2, 2019.

8. ADDRESS REQUEST(S) FOR FUTURE AGENDA ITEMS.

There was none.

9. PUBLIC COMMENT

There was none.

ADJOURNMENT

There being no further business to come before it, the Fernley City Council meeting adjourned at 8:57 pm.

Approved by the Fernley City Council on January 16, 2019 by a vote of:

AYES: _____ NAYS: _____ ABSTENTIONS: _____ ABSENT: _____

ATTEST: City Clerk Kim Swanson

Mayor Roy Edgington