

**MINUTES OF THE
FERNLEY CITY COUNCIL MEETING
JANUARY 4, 2017**

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, Councilman Dan McCassie, Councilwoman Sue Seidl, Councilwoman Shari Whalen, Councilman Stan Lau, Councilwoman Fran McKay, City Manager City Manager Daphne Hooper, City Attorney Brandi Jensen, Public Works Director Dave Whalen, City Treasurer Denise Lewis, City Clerk Kim Swanson, Deputy Public Works Director Ozzie Henke, Senior Planner Tim Thompson, City Engineer Derek Starkey, Building Official Rick Kabele.

1.2. Public Comment

Tammy Dittman, Fernley resident gave the Real Estate Report for the month of December.

Josh Anderson, Biggest Little Radio, invited City Council to extend the information to airtime.

Clyde Bennett, Fernley resident, expressed concern over the increase in Water/Sewer rates.

Terry Woods, Fernley resident, expressed concern over the increase in the Water/Sewer rates

Sheriff McNeil, reviewed the monthly stats report for the month of December.

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1.3. Approval Of The Agenda

City Manager Hooper asked to remove items 9, 10 & 11 from the agenda.

Councilwoman Whalen disclosed that she is married to Dave Whalen, Public Works Director.

Motion: MOVE TO APPROVE THE AGENDA REMOVING ITEMS 9, 10 & 11 AND MOVING ITEM 4.1 TO BE HEARD AFTER ITEM 1.3, **Action:** Approve, **Moved by** Councilwoman Sue Seidl, **Seconded by** Councilman Dan McCassie. **Motion passed unanimously.**

2. CONSENT AGENDA:

2.1. (Possible Action) Approval Of Voucher Report.

2.2. (Possible Action) Approve FCC Minutes from December 7, 2016.

2.3. (Possible Action) Approve New Business Licenses

2.4. Possible Action To Approve A Contract With Capitol Partners, LLC For Legislative Services At A Cost Of \$2,000/Month When The Legislature Is Not In Session And \$4,000/Month When The Legislature Is In Session.

2.5. Possible Action To Award A Contract For The Construction Of The East Waste Water Treatment Plant-Pond 2 Improvements-Phase 1 Sludge Removal And Dewatering Project (PWP-LY-2017-37) To Q&D Construction, Inc., In An Amount Not To Exceed \$1,418,910.

Councilwoman Seidl requested to move Item 2.5 for discussion later in the meeting.

Councilwoman Whalen requested to move Item 2.4 for discussion later in the meeting.

Motion: MOVE TO APPROVE THE CONSENT AGENDA REMOVING ITEMS 2.4 & 2.5 FOR DISCUSSION LATER IN THE MEETING. **Action:** Approve, **Moved by** Councilwoman Sue Seidl, **Seconded by** Councilman Stan Lau. **Vote:** Motion carried by unanimous roll call vote (**summary:** Yes = 5). **Motion passed unanimously.**

Item 2.4 was addressed after reports.

Councilwoman Whalen stated that the scope of work offered no deliverables. She stated the City needs some assurance that they are working for the City of Fernley.

City Manager Hooper stated Capitol Partners will do a bi-weekly update for the first month of the session and a weekly update thereafter. She stated there is a lot that happens behind the scenes. City Manager Hooper added the contract is a proposed 2-year contract.

Motion: MOVE TO CONDITIONALLY APPROVE THE CONTRACT WITH 3 ADDITIONAL REQUIREMENTS OF A BI-WEEKLY SUMMARY OF MEETINGS AND TOPICS THAT OCCUR DURING THE SESSION, A MONTHLY SUMMARY OUTSIDE OF THE SESSION ON FERNLEY ISSUES ADDRESSED, A WORKSHOP AND A SUMMARY REPORT AT THE CLOSE OF THE SESSION ON HOW THE CITY OF FERNLEY IS IMPACTED BY NEW LEGISLATION, **Moved by** Councilwoman Shari Whalen, **Seconded by** Councilwoman Sue Seidl.

City Attorney Jensen stated that Capitol Partners provides a summary but does not provide any training and that is important to her.

Action: Approve, **Motion passed unanimously.**

Item 2.5 was addressed next.

Councilwoman Seidl stated the public needed a better understanding of what the money will be spent on.

Public Works Director Whalen explained the removal of the sludge from pond 2 which is a costly venture. A consultant was contacted on what the best solution would be. The facility will be able to process sludge out of the beds which the City has never been able

to do before. He stated the City applied for the State Revolving Funds to help pay for the cost.

Councilwoman Whalen disclosed that she is married to Public Works Director Whalen.

Motion: MOVE TO AWARD A CONTRACT FOR THE CONSTRUCTION OF THE EAST WASTE WATER TREATMENT PLANT-POND 2 IMPROVEMENTS-PHASE 1 SLUDGE REMOVAL AND DEWATERING PROJECT (PWP-LY-2017-37) TO Q&D CONSTRUCTION, INC. IN AN AMOUNT NOT TO EXCEED \$1,418,910. **Moved by** Councilman Stan Lau, **Seconded by** Councilwoman Shari Whalen.

Amended Motion: MOVE TO APPROVE THE AWARD OF A CONTRACT FOR THE CONSTRUCTION OF THE EAST WASTE WATER TREATMENT PLANT-POND 2 IMPROVEMENTS-PHASE 1 SLUDGE REMOVAL AND DEWATERING PROJECT (PWP-LY-2017-37) TO Q&D CONSTRUCTION, INC., IN AN AMOUNT NOT TO EXCEED \$1,418,910, CONTINGENT UPON CLOSING AND SUBSEQUENT FUNDING OF THE CLEAN WATER STATE REVOLVING LOAN FUND CONTRACT (CW1704) ON, OR ABOUT JANUARY 11, 2017, **Moved by** Councilman Stan Lau, **Seconded by** Councilwoman Shari Whalen.

Amended Motion: MOVE TO APPROVE THE AWARD OF A CONTRACT FOR THE CONSTRUCTION OF THE EAST WASTE WATER TREATMENT PLANT-POND 2 IMPROVEMENTS-PHASE 1 SLUDGE REMOVAL AND DEWATERING PROJECT (PWP-LY-2017-37) TO Q&D CONSTRUCTION, INC., IN AN AMOUNT NOT TO EXCEED \$1,418,910, CONTINGENT UPON CLOSING AND SUBSEQUENT FUNDING OF THE CLEAN WATER STATE REVOLVING LOAN FUND CONTRACT (CW1704) ON, OR ABOUT JANUARY 11, 2017, WITH A 2% CONTINGENCY OF THE CONTRACT AMOUNT UP TO 28,000 **Moved by** Councilman Stan Lau, **Seconded by** Councilwoman Shari Whalen. **Motion passed unanimously.**

3. PROCLAMATIONS BY THE MAYOR

This item was heard after the break.

Mayor Edgington presented a Proclamation to Joy Newton with University of Nevada Cooperative Extension proclaiming January and February as Radon Action Months.

4. PRESENTATIONS

4.1. Discussion And Possible Action Regarding Training On The Laws Of Ethics In Nevada

This item was heard after Item 1.3 Approval of the Agenda.

Yvonne M. Nevarez-Goodson, Executive Director, Nevada Ethics on Ethics, presented an overview of what Ethics is in Government of Law. She explained recognizing when, what you can and cannot do when you are faced with different conflict of interests under the Ethics Law.

5. REPORTS This Item Is For Various Public Entity Representatives To Provide General Information To The Council And Public. No Action Will Be Taken.

5.1. Reports By City Staff, City Council And The Mayor, Including But Not Limited To Monthly Statistical Reports By City Departments.

Sheriff McNeil delivered his report during Public Input.

City Manager Hooper reported that Newsletters have been sent out with the monthly water utility bills. Citizen's Academy starts next week. She will be presenting current news of the City at the Rotary meeting tomorrow.

City Clerk Swanson reminded City Council that Financial Disclosures are due January 15th.

Councilwoman Whalen Congratulated Taylor Brown the winner of the radon contest. Arts and Culture task force had their first meeting. She acknowledged Scolari's for their super hero parking.

Mayor Edgington played a video regarding the Deceuninck building.

6. STAFF REPORTS

6.1. Presentations By Banking Institutions And Discussion Regarding Banking And Cash Management Services Provided By Wells Fargo, Washington Federal And Nevada State Bank.

This item was heard after the Consent Agenda.

Councilwoman Seidl, Councilwoman Whalen, Councilman McCassie, Councilwoman McKay, Councilman Lau and Mayor Edgington disclosed they have an account with one of the banks presenting on this agenda item, and they will not be receiving any benefit by voting on this item therefore, they will be voting on this item.

City Treasurer Lewis introduced Patrick Foley with Wells Fargo Bank. He presented his proposal to the City Council.

City Treasurer Lewis introduced Lori Beaudry with Washington Federal. She reviewed highlights of the proposal made to City Council.

City Treasurer Lewis introduced Dan Dykes with Nevada State Bank. He presented his proposal to the City Council.

Break 6:53 – 7:00

6.2. TSM 2016-002 – Consideration And Possible Action On A Tentative Subdivision Map (Clover Ranch) Request From James A. Cutler, To Allow For A 28-Lot Single Family Residential Subdivision, On A Site Consisting Of 5 Parcels Totaling 19.3 ± Acres In Size In The RR-1/2 Zoning District, Generally Located North Of Farm District Rd, South Of The Donner Trails Subdivision, East Of Winnie Lane And West Of Browne Lane, Fernley, NV. (APN(S) 021-331-19, 20, 22, 29 & 38).

This item was heard after Proclamations.

Senior Planner Thompson presented TSM 2016-002 recommending approval to the City Council. He added the planning commission also recommended approval. Senior Planner Thompson reported that the development has a public easement/access. Prior to the subdivision map being approved, the applicant would need to provide the access, and it needs to be paved or offered for dedication and accepted by the City.

Councilwoman Whalen disclosed that she is married to the public works director. She also disclosed that her children attended the school in the past and her discussion on this item will not impact her decision and she will be voting on the item.

Councilwoman Whalen is concerned of the access at the subdivision and the connection through the Donner Trails subdivision.

Developer Jim Cutler reported when the council approved the lots of Donner 12 subdivision, the neighbors were extremely concerned about the approval on Clover Lane. He spoke with the residents about installing traffic calming devices as part of the conditions. All 3 residents have agreed to dedicate their easements. Mr. Cutler answered questions from the council. He stated he spoke with the fire chief regarding the secondary access.

Mr. Thompson explained that until the Donner property is developed, the road will not be a public access. He further explained that as development occurs roads and easements will connect to allow fire department access.

Mayor Edgington opened Public Comment. There was none.

Motion: MOVE TO APPROVE A TENTATIVE SUBDIVISION MAP TSM 2016-002 APN (S) 021-331-19, 20, 22, 29 & 38. TO ALLOW FOR A 28-LOT SINGLE FAMILY RESIDENTIAL SUBDIVISION (CLOVER RANCH), FERNLEY, NV. ADOPTING FINDINGS 1-8, THE FACTS SET FORTH IN THE STAFF REPORT SUBJECT TO FCC 01/04/2017

CONDITIONS OF APPROVAL 1-23, WITH THE MODIFICATION TO CONDITION 20 AS RECOMMENDED BY THE SENIOR PLANNER. **Action: Approve, Moved by Councilwoman Shari Whalen, Seconded by Councilman Dan McCassie. Motion passed unanimously.**

7. ITEMS REQUESTED BY MAYOR OR CITY COUNCIL MEMBERS:

7.1. Discussion And Possible Action Requesting A Future Agenda Item To Discuss Blight In The City Of Fernley. (Councilman McCassie's Request)

Councilman McCassie stated there are a few buildings in the City that need to be dealt with legally.

Motion: MOVE TO APPROVE A FUTURE AGENDA ITEM TO DISCUSS BLIGHT IN THE CITY OF FERNLEY, Action: Approve, Moved by Councilman Dan McCassie, Seconded by Councilwoman Sue Seidl. Motion passed unanimously.

7.2. Discussion And Possible Action Requesting A Future Agenda To Discuss A Mechanism To Inform The City Council Of Water Team Issues. (Councilwoman Seidl's Request)

Councilwoman Seidl asked for this item because there were so many things discussed in those meetings. She thinks it's important to keep City Council updated in a general way on issues that are taking place on the Water Team.

Councilwoman Whalen stated Water Rights Manager gives the quarterly water report to City Council. She stated this was the appropriate conduit for this discussion.

Councilwoman Seidl stated she would wait another few months to have this discussion again. She stated there were general things that council needs to be aware of.

7.3. Discussion And Possible Action Requesting A Future Agenda Item To Discuss A Memorandum Of Understanding Between North Lyon County Fire Protection District And The City For Mutual Aid. (Mayor Edgington's Request)

Mayor Edgington would like to establish a Mutual Aid Agreement with the Fire District. Councilman McCassie disclosed that he is a Fire Board Member. Councilwoman Seidl disclosed that she is a volunteer for the Fire Department.

Motion: MOVE TO APPROVE A FUTURE AGENDA ITEM TO DISCUSS A MEMORANDUM OF UNDERSTANDING BETWEEN NORTH LYON COUNTY FIRE PROTECTION DISTRICT AND THE CITY REGARDING MUTUAL AID, Action: Approve, Moved by Councilwoman Sue Seidl, Seconded by Councilman Stan Lau. Motion passed unanimously.

7.4. Discussion And Possible Action Requesting A Future Agenda Item Regarding The Recent Rate Increases And Possible Payment Options To Help Senior Citizens And Low Income Families. (Councilwoman Whalen's Request)

Councilwoman Whalen stated she wanted a conversation to help seniors or low income families.

MOTION: MOVE TO APPROVE A FUTURE AGENDA ITEM REGARDING THE RECENT RATE INCREASES AND POSSIBLE PAYMENT OPTIONS TO HELP SENIOR CITIZENS AND LOW INCOME FAMILIES, OR EXISTING RESOURCES INCLUDING A PARTNERSHIP WITH LYON COUNTY HUMAN RESOURCES. Action: Approve, Moved by Councilwoman Shari Whalen, Seconded by Councilman Stan Lau. Motion passed unanimously.

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

Councilman McCassie requested a future agenda item to look at the By-laws for the Planning Commission.

9. ADJOURN AS FERNLEY CITY COUNCIL

This item was removed from the agenda.

10. RECONVENE AS FERNLEY CONVENTION AND TOURISM AUTHORITY.

This item was removed from the agenda.

11. DISCUSSION AND POSSIBLE ACTION TO APPOINT FCTA CHAIRPERSON.

This item was removed from the agenda.

12. PUBLIC COMMENT

Tammy Dittman, Fernley resident, would like to remind the council about cadet, Troop 1783 Eagle Scout Court of Honor for Josiah A. Thompson, Sunday, January 8th at 1:00 pm at Fernley Intermediate School.

ADJOURNMENT

There being no further business to come before it, the Fernley City Council meeting adjourned at 9:05 pm.

Approved by the Fernley City Council on February 01, 2017 by a vote of:

AYES: 5 NAYS: 0 ABSTENTIONS: 0 ABSENT: 0



ATTEST: City Clerk Kim Swanson



Mayor Roy Edgington