

FCC Meeting: WEDNESDAY, July 21, 2010

**ITEMS MAY BE REMOVED OR ADDRESSED OUT OF SEQUENCE.
ACTION MAY BE TAKEN ON ALL ITEMS EXCEPT WHERE NOTED.**

Time Certain: Time certain designates a definite time for the start time of that item. The time certain item may **NOT** begin earlier than the designated time certain. It may begin later than the designated time, but not earlier.

4:00 p.m. OPEN MEETING – PLEDGE OF ALLEGIANCE

Mayor's statement: "To avoid meeting disruptions, please place cell phones and beepers in the silent mode or turn them off during the meeting. All meetings are recorded. When addressing the Council please speak clearly into the microphone. Thank you for your understanding."

1. ROLL CALL.

Present: Mayor LeRoy Goodman, Councilwoman Kelly Malloy, Councilman Don Parsons, Councilman Robert Chase, Councilman Curt Chaffin, Councilman Cal Eilrich. Also present were City Manager Greg Evangelatos, City Clerk Lena Shumway, City Treasurer Mel Drown, Community Development Director Fred Turnier, and City Attorney Brandi Jensen.

2. APPROVAL OF THE AGENDA.

City Manager Greg Evangelatos requested to pull item 3.C. from consent agenda and discuss this item at the end of the agenda. Mayor Goodman noted that items #5 and 6 are pulled from the agenda and will be heard next regular scheduled Council meeting.

Motion: To approve the agenda minus items 5 and 6 Action: Approve, Moved by Councilwoman Malloy. Councilman Parsons seconded.


Vote: Motion carried by unanimous roll call vote (summary: Yes = 5).

Yes: Councilman Cal Eilrich, Councilman Curt Chaffin, Councilman Don Parsons, Councilman Robert Chase, Councilwoman Kelly Malloy.

3. CONSENT AGENDA: (PLEASE NOTE: All matters listed under the consent agenda are considered routine, and may be acted upon by the Council members in one motion, and without an extensive hearing. Any member of the Council or member of the public may request that an item be taken from the consent agenda, discussed, and acted upon separately during this meeting.)

3.A. ACCEPT VOUCHERS REPORT.

3.B. APPROVAL OF MINUTES – 05/19/2010 & 06/02/2010

3.C. ADDRESS AUTHORIZATION FOR PAYMENT TO DIVISION OF WATER RESOURCES IN THE AMOUNT OF \$13,541.00, FOR WATER RIGHT PERMIT APPLICATIONS 74911, 74943, 74980, 75503, 75504, 75581, 75582, 75583, 76061, 76209, 76292, 76976, 76977, 77006, 77050, 77276, 77533, 77534, 77535, 77923, 77924, 78073 AND 78626. 

{End of Consent Agenda}

Motion: to approve consent agenda minus item 3.C. Action: Approve, Moved by Councilman Curt Chaffin, Seconded by Councilman Eilrich.

Vote: Motion carried by unanimous roll call vote (summary: Yes = 5).

Yes: Councilman Cal Eilrich, Councilman Curt Chaffin, Councilman Don Parsons, Councilman Robert Chase, Councilwoman Kelly Malloy.

Item 3.C.

Motion: Authorize the payment of #13,541.00 to the Division of Water Resources for issuance of 23 water rights permits. Action: Approve Moved by Councilwoman Kelly Malloy, Seconded by Councilman Robert Chase

Vote: Motion carried by unanimous roll call vote (**summary:** Yes = 5).

Yes: Councilman Cal Eilrich, Councilman Curt Chaffin, Councilman Don Parsons, Councilman Robert Chase, Councilwoman Kelly Malloy.

4. EMPLOYEE RECOGNITION FOR VOLUNTEERS AT 4TH OF JULY EVENT.

No action was made on this item. It was informational only.

5. CLOSED SESSION: CITY COUNCIL HEARING TO ADDRESS EMPLOYEE GRIEVANCE FILED JANUARY 21, 2010 REGARDING RECLASSIFICATION AND RELATED SALARY ADJUSTMENT FOR THE TECHNICAL SPECIALIST II POSITION CREATED IN THE CITY CLERK'S OFFICE.

This item was pulled from the agenda per Mayor Goodman's request.

6. POSSIBLE DIRECTION TO STAFF REGARDING EMPLOYEE GRIEVANCE FILED JANUARY 21, 2010 CONCERNING RECLASSIFICATION AND RELATED SALARY ADJUSTMENT FOR THE TECHNICAL SPECIALIST II POSITION CREATED IN THE CITY CLERK'S OFFICE.

This item was pulled from the agenda per Mayor Goodman's request.

7. DISCUSSION AND POSSIBLE APPROVAL FOR THE CITY OF FERNLEY'S PARTICIPATION IN THE NEVADA INTEGRATED SOURCE WATER PROTECTION PROGRAM. 

Motion: Authorize the City of Fernley to participate in conjunction with other county agencies and public water systems to develop a Community Source Water Protection Plan with assistance from NDEP. Action: Approve. Moved by Councilman Chase, Seconded by Councilman Parsons.

Vote: Motion carried by unanimous roll call vote (**summary:** Yes = 5).

Yes: Councilman Cal Eilrich, Councilman Curt Chaffin, Councilman Don Parsons, Councilman Robert Chase, Councilwoman Kelly Malloy.

8. DISCUSSION REGARDING TRASHPROS CONTRACT COMPLIANCE INCLUDING BUT NOT LIMITED TO STATUS OF TRANSFER STATION AND RECYCLING PROGRAM.

No action was made on this item. It was informational only.

9. DISCUSSION AND POSSIBLE APPROVAL OF MAYOR'S RE-APPOINTMENT OF REGINA BRUSH TO ARTS AND CULTURE COMMISSION.

Motion: To approve re-appointment of Regina Brush to Arts and Culture commission, Action: Approve, Moved by Councilman Curt Chaffin, Seconded by Councilwoman Kelly Malloy.

Vote: Motion carried by unanimous roll call vote (summary: Yes = 5).

Yes: Councilman Cal Eilrich, Councilman Curt Chaffin, Councilman Don Parsons, Councilman Robert Chase, Councilwoman Kelly Malloy.

10. PROPOSAL OF BILL #156 AS AN ORDINANCE AMENDING TITLE 1 (ADMINISTRATION) BY THE MODIFICATION OF CHAPTER 11 OF THE FERNLEY MUNICIPAL CODE, BY THE MODIFICATION OF 1.11.05(B)(1) (CITY COUNCIL MEETING START TIME), AND OTHER MATTERS PROPERLY RELATING THERETO.

Motion: To propose Bill #156 as an ordinance Amending Title 1 (Administration) by the modification of Chapter 11 of the Fernley Municipal Code, by the modification of 1.11.05 (B)(1) (City Council meeting start time), and other matters properly relating thereto. Moved/proposed by Councilwoman Kelly Malloy.

11. DISCUSSION REGARDING THE DEADLINE FOR AGENDA PACKETS TO BE COMPLETED BY FRIDAY 3PM PRIOR TO THE CITY COUNCIL MEETING AND IN CASE OF LATE REPORTS, AGENDA ITEM BEING MOVED TO THE NEXT AGENDA (PER COUNCILMAN PARSON'S REQUEST).

No action was made on this item. It was informational only.

12. DISCUSSION REGARDING PUBLIC INPUT SECTION DESCRIPTION (PER NORMAN WHYTE'S REQUEST)

No action was made on this item. It was informational only.

13. PUBLIC HEARING, DISCUSSION AND POSSIBLE APPROVAL OF ZONING MAP AMENDMENT ZMA 10-45, TO CHANGE THE ZONING FROM E-2/PD (SECOND ESTATES RESIDENTIAL, 1/2-ACRE MINIMUM LOT SIZE) TO RR-1/2 (RURAL RESIDENTIAL, 1/2-ACRE MINIMUM LOT SIZE) FOR +/- 20.48 ACRES LOCATED AT CLOVER LANE, A QUARTER OF A MILE NORTH OF FARM DISTRICT ROAD. (APN'S: 21-331-19; 21-331-20; 21-331-22; 21-331-28; 21-331-29; AND 21-331-37).

Motion: To approve Zoning Map Amendment, ZMA 10-45, based on the discussion and findings provided in the June 9, 2010 Planning Board Staff report. Action: Approve. Moved by Councilman Curt Chaffin, Seconded by Councilman Don Parsons.

Vote: Motion passed (summary: Yes = 4, No = 0, Abstain = 1).

Yes: Councilman Curt Chaffin, Councilman Don Parsons, Councilman Robert Chase, Councilwoman Kelly Malloy.

Abstain: Councilman Cal Eilrich.

14. PUBLIC HEARING, DISCUSSION AND POSSIBLE PROPOSAL OF BILL #155, AN ORDINANCE FOR A ZONING MAP AMENDMENT, ZMA 10-45, TO CHANGE THE ZONING FROM E-2/PD (SECOND ESTATES RESIDENTIAL, 1/2-ACRE MINIMUM LOT SIZE) TO RR 1/2 (RURAL RESIDENTIAL, 1/2-ACRE MINIMUM LOT SIZE) FOR +/- 20.48 ACRES LOCATED AT CLOVER LANE, A QUARTER OF A MILE NORTH OF FARM DISTRICT ROAD. (APN'S: 21-331-19; 21-331-20; 21-331-22; 21-331-28; 21-331-29; AND 21-331-37); AND OTHER MATTERS PROPERLY RELATED THERETO.

Motion: To introduce Bill #155 as an Ordinance which would enact Zoning Map Amendment ZMA 10-45. Action: Approve. Moved/proposed by Councilman Curt Chaffin.

15. DISCUSSION OF CONSOLIDATING COMMUNITY DEVELOPMENT DEPARTMENT AND CITY MANAGER OFFICE (PER COUNCILMAN PARSON'S REQUEST).

No action was made on this item. It was informational only.

16. DISCUSSION AND POSSIBLE ACTION REGARDING THE CONSIDERATION OF CHARACTER, ALLEGED MISCONDUCT, PROFESSIONAL COMPETENCE, OR PHYSICAL OR MENTAL HEALTH RELATIVE TO THE PERFORMANCE OF CITY TREASURER MEL DROWN.

Motion: To have a written reprimand placed in the City Treasurer's file concerning personnel issue with another employee and interaction with another individual in which City Treasurer displayed inappropriate behavior. Action: Approve. Moved by Councilwoman Malloy, Seconded by Councilman Parsons.

Vote: Motion passed (**summary:** Yes = 3, No = 2, Abstain = 0).

Yes: Councilman Don Parsons, Councilman Robert Chase, Councilwoman Kelly Malloy.

No: Councilman Cal Eilrich, Councilman Curt Chaffin.

17. DISCUSSION AND POSSIBLE ACTION ON APPOINTMENT OF ACTING/INTERIM CITY TREASURER, COMPENSATION FOR ACTING/INTERIM CITY TREASURER POSITION AND RECRUITMENT PLANS FOR NEW CITY TREASURER IN THE EVENT OF TERMINATION OF MEL DROWN, CITY TREASURER, BY CITY COUNCIL ACTION AND OTHER MATTERS PROPERLY RELATED THERETO.

No action was made on this item.

18. DISCUSSION AND POSSIBLE ACTION REGARDING THE CONSIDERATION OF CHARACTER, ALLEGED MISCONDUCT, PROFESSIONAL COMPETENCE, OR PHYSICAL OR MENTAL HEALTH RELATIVE TO THE PERFORMANCE OF CITY MANAGER GREG EVANGELATOS.

No action was made on this item.

19. DISCUSSION AND POSSIBLE ACTION ON APPOINTMENT OF ACTING/INTERIM CITY MANAGER, COMPENSATION FOR ACTING/INTERIM CITY MANAGER POSITION AND

RECRUITMENT PLANS FOR NEW CITY MANAGER IN THE EVENT OF TERMINATION OF GREG EVANGELATOS, CITY MANAGER, BY CITY COUNCIL ACTION AND OTHER MATTERS PROPERLY RELATED THERETO.

No action was made on this item. It was informational only.

20. PUBLIC INPUT. Public comment is limited to five (5) minutes per person. Items not agendized for this meeting cannot be acted upon other than to place them on future agendas. Public input is prohibited regarding comments, which are not relevant to, or within the authority of, the public body, or if the content of the comments is willfully disruptive of the meeting by being irrelevant, repetitious, slanderous, offensive, inflammatory, irrational or amounting to personal attacks or interfering, with the rights of other speakers.

No action was made on this item. It was informational only.

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

21.A. REPORTS BY LYON COUNTY SHERIFF'S DEPARTMENT, NORTH LYON COUNTY FIRE PROTECTION DISTRICT AND ADDITIONAL REPORTS AS RECOGNIZED BY THE MAYOR.

21.B. REPORTS BY CITY STAFF, CITY COUNCIL AND MAYOR.

No action was made on this item A & B. It was informational only.

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

Review of street funding.

23. ADJOURNMENT.

Meeting adjourned at 5:47pm.