

**MINUTES OF THE
FERNLEY CITY COUNCIL MEETING
November 1, 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, Councilwoman Sue Seidl, Councilwoman Shari Whalen, Councilman Stan Lau, Councilwoman Fran McKay. City Manager Daphne Hooper, City Attorney Brandi Jensen, Public Works Director Dave Whalen, Deputy Public Works Director Barry Williams, Planning Director Tim Thompson, City Engineer Derek Starkey, Deputy City Treasurer Keri Darden, City Clerk Kim Swanson, Assistant to the City Manager Colleen Unterbrink. **Absent:** Councilman Dan McCassie.

1.2. Public Comment

Tammy Dittman, Fernley resident, provided the real estate report for the month of October.

John Reichlein, Fernley resident, spoke about the possible action to adopt Resolution #17-020. He stated he would like to see a change per the Resolution in the Sage Ranch area.

1.3. Approval of the Agenda

Mayor Edgington asked that Agenda Item 6.2 be heard after Agenda Item 3.

Motion: MOVE TO APPROVE THE AGENDA, MOVING ITEM 6.2 TO BE HEARD AFTER REPORTS, **Moved by** Councilman Stan Lau, **Seconded by** Councilwoman Sue Seidl. **Vote:** Motion carried by unanimous roll call vote (**summary:** Yes = 4). **Yes:** Councilman Stan Lau, Councilwoman Fran McKay, Councilwoman Shari Whalen, Councilwoman Sue Seidl. **Absent:** Councilman Dan McCassie. **Action:** Approve.

2. CONSENT AGENDA:

2.1. (Possible Action) Approval of Voucher Report.

2.2. (Possible Action) Approval of Business Licenses

2.3. (Possible Action) Approval of Minutes from 09/20/2017 & 10/4/2017

2.4. Possible action to authorize the execution of the Water Right Banking and Dedication Agreement with Ten Forward, LLC, a Nevada limited liability company, APN 020-353-32, TCID Serial Number 1052-N-1 in the amount of 2.295 acre feet.

Motion: MOVE TO APPROVE THE CONSENT AGENDA AS SUBMITTED, **Moved by** Councilwoman Sue Seidl, **Seconded by** Councilman Stan Lau.

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

Vote: Motion carried by unanimous roll call vote (**summary:** Yes = 4). **Yes:** Councilman Stan Lau, Councilwoman Fran McKay, Councilwoman Shari Whalen, Councilwoman Sue Seidl. **Absent:** Councilman Dan McCassie. **Action:** Approve

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.

Sheriff McNeil reported his department is seeing a reduction of false alarms of approximately 45%. He also shared the effectiveness of the school resource officer regarding truancy calls, home visits, criminal investigations and traffic stops in school zones. He stated one deputy handled 200 calls in the month of October. He reported there was a total of 18 deaths in Lyon County due to drug overdose.

Jeff Page, Lyon County Manager spoke about the cost of employee benefits, and the impact this will have on our Public Employees Retirement System (PERS) benefits. Mr. Page shared that the County is working on a number of different issues including public nuisance, businesses without business licenses, and growth. He stated he was directed by his board to bring back a proposal for a Code Enforcement Officer for the next budget

year. Mr. Page stated that Lyon County's goal is to make sure that the County is physically fit by looking at healthcare.

City Manager Hooper reported she attended the ICMA Conference, which was one of the largest ICMA conferences. She thanked Phoebe Bender & City staff for their work with the Spooktacular Event. There were more than 2,600 people who attended the Halloween Event. Ms. Hooper also thanked the Fernley Honor Society students who decorated the Council Chambers. She reported that there were a few promotions in the Streets department. And she introduced Kari Darden, the new Deputy Finance Director.

Public Works Director Whalen reported the north-east tank is back on-line.

Councilwoman McKay reported that on November 9th, the Rotary Club would like to honor veterans at the Flame Grill.

Councilwoman Seidl reported the RTC meeting was cancelled; she attended the League of Cities meeting where the taxation department explained the formula for how monies are going to be divided into the different jurisdictions. She met with Nevada Rural Housing and discussed the possibility of senior housing, and low-income housing.

Councilwoman Whalen reported that the Fernley High School Band will hold their annual craft fair on November 10th & 11.

Mayor Edgington reported that he will travel to Washington DC to discuss issues regarding the City.

4. PROCLAMATIONS AND/OR EMPLOYEE RECOGNITION

Mayor Edgington presented a Proclamation proclaiming November 25, 2017 as Small Business Saturday in the City of Fernley.

5. 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

5.1. Public Hearing - Resolution #17-020

Discussion and Possible Action to adopt Resolution #17-020 establishing policies related to new development and the timely, orderly, and efficient arrangement of adequate public facilities and infrastructure that support existing and planned land use patterns and densities and which preserve the quality of available water resources.

Jeff Page, Lyon County Manager, stated the county is in support of working together with the City of Fernley to combine the Senior Center and the Community Center. He stated this will have a better utilization amongst the City's senior population and community.

Planning Director Thompson explained the purpose of the resolution. Councilwoman Seidl stated she was in support of the resolution.

Councilwoman Whalen felt that language needed to be added to include where the city wants development. Planner Thompson explained he started working on the Master Plan and staff is working on the next steps that need to take place after this one.

City Manager Hooper explained she had discussions with Mr. Thompson about the strategy, and the City is focusing on making changes within the Development Code with the direction from City Council.

Mayor Edgington call for public input.

Cal Eilrich, President of Fernley Builders Association, explained if it wasn't for the Golf Course and the infrastructure along Farm District Road being built there would be no City of Fernley. Mr. Eilrich explained how much money it takes to build a subdivision, and for properties to get developed. He felt it would be a mistake for the City to adopt Resolution #17-020.

Dana Ulhorn, Fernley resident, stated the unintended consequences of adopting this resolution will be huge.

Bill Meyer, Fernley resident, asked why the City is poor. He stated the tax structure is one reason the City is poor.

Councilwoman Whalen asked for clarification from Mr. Thompson about all the past final map lots and if they would apply to the new resolution.

Councilwoman McKay and Councilman Lau expressed their reasons for not supporting this resolution at this time.

Planning Director Thompson explained the City needs to provide more housing product types, and that is what the City is trying to accomplish. Mr. Thompson stated this is the first step. He stated the City cannot afford to grow out, given our current tax structure.

Tammy Dittman, Fernley resident, felt the community needed more townhouses and apartments that young families can afford to purchase.

Dana Ulhorn, Fernley resident, stated the new resolution does nothing to help reduce the cost of building. He said the City needs to be proactive. It's expensive to build here and it's not the builders raising the cost. Planning Director Thompson shared the purpose of the resolution is to make smarter decisions and have the necessary infrastructures in place when the City needs them.

Mayor Edgington shared his concerns on the City's available water resources.

Cal Eilrich, Fernley resident, stated developers pay for the infrastructures, hook-up fees, and water rights. Mr. Eilrich stated developers take the risk and put in the needed infrastructure and build communities. Mr. Eilrich asked the City Council not to limit themselves and stated that the resolution is premature.

Motion: I MOVE TO ADOPT RESOLUTION #17-020 ESTABLISHING POLICIES RELATED TO NEW DEVELOPMENT AND THE TIMELY, ORDERLY, AND EFFICIENT ARRANGEMENT OF ADEQUATE PUBLIC FACILITIES AND INFRASTRUCTURE THAT SUPPORT EXISTING AND PLANNED LAND USE PATTERNS AND DENSITIES AND WHICH PRESERVE THE QUALITY OF AVAILABLE WATER RESOURCES. **Moved by** Councilwoman Shari Whalen, **Seconded by** Councilwoman Sue Seidl. **Vote:** Motion passed (**summary:** Yes = 2, No = 2, Abstain = 0). **Yes:** Councilwoman Shari Whalen, Councilwoman Sue Seidl. **No:** Councilman Stan Lau, Councilwoman Fran McKay. Due

to a tie vote, Mayor Edgington voted yes. **Absent:** Councilman Dan McCassie. **Action:** Approve.

Councilwoman Whalen stated after the first of the year she would like to have more discussion on lot sizes and cost reduction for affordable housing.

Councilwoman Whalen asked to reopen Item 6.2

City Manager Hooper thanked the City Council for the difficult but important discussion on this item.

6. STAFF REPORTS

6.1. Discussion and Possible Action to reappointment Sue Gill and Jan Hodges to the Fernley Planning Commission

Mayor Edgington submitted both Sue Gill and Jan Hodges for reappointment to the Fernley Planning Commission.

Motion: MOVE TO REAPPOINTMENT SUE GILL AND JAN HODGES TO THE FERNLEY PLANNING COMMISSION, **Action:** Approve, **Moved by** Councilwoman Fran McKay, **Seconded by** Councilwoman Sue Seidl, vote (**summary:** Yes = 4). **Yes:** Councilman Stan Lau, Councilwoman Fran McKay, Councilwoman Shari Whalen, Councilwoman Sue Seidl. **Absent:** Councilman Dan McCassie. **Action:** Approve

6.2. Discussion and Possible Action to approve the Memorandum of Understanding between Lyon County and the City of Fernley for the joint planned development of a Community Center and multi-use facility to be constructed by the City and incorporating the planned Senior Center and other County facilities which are to be constructed on the City's property.

This item was heard after reports.

County Commissioner Jeff Page expressed his support of the Memorandum of Understanding (MOU) between the City and the County. He stated he was excited to be a part of this process.

Councilwoman Whalen thanked Commissioner Mortenson for making this move forward.

City Manager Hooper explained this is a coordinated effort between the City of Fernley and Lyon County.

Colleen Unterbrink, Assistant to the City Manager explained the design and construction of the Fernley Senior Center and the Human Services facility will represent phase 1. The City is still looking for funding; the City and Lyon County will work closely together in the planning phase to make sure the best possible usage of the space and location will allow for future phases. Ms. Unterbrink read a letter into record from Cody Wagner, Fernley Community Foundation.

Mayor Edgington called for public comment:

Cal Elrich, Fernley resident, congratulated the City Council for a job well done with combined efforts with Lyon County.

Edrie Lavoie, Fernley resident, stated this is a very exciting time and she thanked everyone.

Mayor Edgington stated he is happy to see this come together. He appreciated the council's support.

Councilwoman Whalen thanked Councilwoman Seidl for her efforts in the purchase of the property.

Motion: MOVE TO APPROVE THE MEMORANDUM OF UNDERSTANDING BETWEEN LYON COUNTY AND THE CITY OF FERNLEY FOR THE JOINT PLANNED DEVELOPMENT OF A COMMUNITY CENTER AND MULTI-USE FACILITY TO BE CONSTRUCTED BY THE CITY AND INCORPORATING THE PLANNED SENIOR CENTER AND OTHER COUNTY FACILITIES WHICH ARE TO BE CONSTRUCTED ON THE CITY'S PROPERTY. **Moved by** Councilwoman Sue Seidl, **Seconded by** Councilwoman Whalen, Mayor Edgington voted Yes, **Action:** Approve (**summary:** Yes = 3, No= 2, Absent- 1). **Yes:** Councilwoman Shari Whalen, Councilwoman Sue Seidl. **Absent:** Councilman Dan McCassie.

At the request of Councilwoman Whalen, this item was re-opened after Item 5.1. Councilwoman Whalen disclosed Edrie Lavoie, with Lyon County Human Services is her mother. She stated this will not affect her decision regarding the Memorandum of Understanding between the City of Fernley, and Lyon County for the joint planned development.

REVOTE: Action: Approve (**summary:** Yes = 3, No= 2, Absent- 1). **Yes:** Councilwoman Shari Whalen, Councilwoman Sue Seidl, Mayor Edgington voted yes, **Absent:** Councilman Dan McCassie.

7. PUBLIC COMMENT

There was none.

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

There was none.

ADJOURNMENT

There being no further business to come before it, the Fernley City Council meeting adjourned at 8:29 pm.

Approved by the Fernley City Council on December 6, 2017 by a vote of:

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

Mayor Roy Edgington

ATTEST: City Clerk Kim Swanson