

**MINUTES OF THE  
FERNLEY CITY COUNCIL MEETING  
JUNE 20, 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, Councilman Dan McCassie, Councilwoman Shari Whalen, Councilman Stan Lau, Councilwoman Fran McKay. City Manager Daphne Hooper, City Attorney Brandi Jensen, Deputy City Attorney Brent Kolvet, Public Works Director Dave Whalen, City Engineer Derek Starkey, City Treasurer Denise Lewis, City Clerk Kim Swanson, Planning Director Tim Thompson, Building Official Roger Colson, Assistant to the City Manager Colleen Unterbrink, GIS/Water Right Manager Jennifer Derley. **Absent:** Councilwoman Sue Seidl

**1.2. Public Comment**

There was none.

**1.3. Approval of the Agenda**

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

## **2. CONSENT AGENDA:**

**2.1. (Possible Action) Approval of Voucher Report**

**2.2. (Possible Action) Approval of Business Licenses**

**2.3. Possible action to approve amended contract with Capitol Partners, LLC for Legislative Services at a cost of \$2,500/month when the legislature is not in session and \$3,500/month when the legislature is in session.**

**2.4. Possible Action to approve award of 2018-2019 Material Supplier Contract to Western Nevada Supply in the amount not to exceed the unit pricing listed in the attached inventory pricing list.**

**2.5. Possible Action to approve award of 2018-2020 Chemical Supplier Contract to Thatcher Company of Nevada, Inc., in the amount not to exceed the bulk price per gallon listed in the submitted bid document for each chemical supplied.**

**2.6. Possible Action to approve the Software Assurance renewal for the City's financial Caselle software package. The cost of the contract renewal is \$28,500.00**

**2.7. Possible action to authorize the execution of the Water Right Banking and Dedication Agreement with Trooper Holdings, LLC, a Nevada limited liability company, APN 020-113-01, TCID Serial Number 1008 in the total amount of 17.01 acre feet.**

**2.8. Possible approval of a contract for Legal Services related to Water Resources to Taggart & Taggart, Ltd. in the amount not to exceed \$160,000.**

**2.9. Possible approval of a contract for a Water Resource Plan (WRP) to Farr West Engineering to officially document and provide policy related to the City's ability to provide a sustainable water supply to its customers in periods of above and below average precipitation in an amount not to exceed \$120,500.**

**2.10. Possible approval of a contract for Water Rights Services to Resource Concepts Inc. in an amount not to exceed \$50,000.**

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

Mayor Edgington disclosed he has a personal relationship with Capitol Partners and they helped him with his campaign. He stated he has not paid them anything nor will he vote on the item.

Councilwoman Whalen inquired what Capitol Partners does for the City during the off Legislative Session. She stated she is critical of this contract. She added she would support the contract with the expectation that Capitol Partners will continue to provide tangible deliverables, updates in writing, contact information, and a workshop with elected officials after the session.

**Motion:** MOVE TO APPROVE THE CONSENT AGENDA WITH CAPITOL PARTNERS PROVIDING TANGIBLE INFORMATION THROUGHOUT THE YEAR.

City Manager Hooper stated she would speak with Capitol Partners regarding written reports.

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

City Manager Hooper reported she is working on the transparency component of OpenGov. She stated there will be a training, so everyone will be able to access the budget reports and live data. She also reported the artist who created the tortoise repainted the tiles on it. She will be on vacation Monday – Wednesday. She also reported the City was awarded 2 grants from CDBG. \$80,000 for the planning phase of the community center, and \$218,000 for the downtown revitalization project with includes landscaping, city clock, benches and planters.

Councilwoman Whalen announced school is out for summer. She also stated the Arts and Culture Task Force has been meeting and are working to get artwork placed at the intersection of Fremont and Highway95A.

Councilwoman McKay announced relay for Life will be held on July 7<sup>th</sup> at the Out-of-Town Park. She also reminded everyone of the Fernley 4<sup>th</sup> of July celebration.

Mayor Edgington reminded everyone of the Multi-Cultural Festival taking place this weekend at the Out-of-Town Park.

Reed Cousins, representing Resource Concepts thanked the City Council for approving their contract. He stated the company is excited to work with the City and do the best they can to maximize the water resources.

#### **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: Discussion and possible action to adopt Resolution #18-007 authorizing temporary inter-fund loans from the General Fund to the Grants Fund for Fiscal Year 2018-19.**

City Treasurer Lewis reported this is an annual resolution to pay the grant expenses out of the General Fund which is reimbursed once the grant reimbursements come back to the City. She stated this is an NRS requirement.

Mayor Edgington called for Public Input. There was none.

**Motion:** MOVE TO ADOPT RESOLUTION #18-007 AUTHORIZING TEMPORARY INTER-FUND LOANS FROM THE GENERAL FUND TO THE GRANTS FUND FOR FISCAL YEAR 2018-2019, **Action:** Approve, **Moved by** Councilman Stan Lau, **Seconded by** Councilwoman Fran McKay. **Vote:** Motion carried by unanimous roll call vote (summary: Yes = 4). **Yes:** Councilman Dan McCassie, Councilman Stan Lau, Councilwoman Fran McKay, Councilwoman Shari Whalen. **Absent:** Councilwoman Sue Seidl

#### **5. STAFF REPORTS**

##### **5.1. Discussion and possible action to accept the renewal proposal from Nevada Public Agency Insurance Pool (POOL) and approval for payment from fiscal year 2018 - 2019 funds.**

Tina Peterson with A&H Insurance and Wayne Carlson with Pool/Pact explained the renewal for 2018/2019. Ms. Peterson stated there has not been any significant changes within the POOL. Adding the POOL has increased coverage without charging the

members. She explained the increase is on cyber liability exposure. She stated she has been working with the City to get the cyber assessment.

Wayne Carlson stated the POOL has been doing training regarding eLearning. He explained grant money that is available through the POOL. He also explained the newly launched Workman's Comp Nurse Triage Program.

**Motion:** MOVED TO ACCEPT THE RENEWAL PROPOSAL FROM NEVADA PUBLIC AGENCY INSURANCE POOL AND APPROVE PAYMENT FROM FISCAL YEAR 2018-2019 FUNDS, **Moved by** Councilman Stan Lau, **Seconded by** Councilman Dan McCassie. **Vote:** Motion carried by unanimous roll call vote (**summary:** Yes = 4). **Yes:** Councilman Dan McCassie, Councilman Stan Lau, Councilwoman Fran McKay, Councilwoman Shari Whalen. **Absent:** Councilwoman Sue Seidl. **Action:** Approve.

## **5.2. Discussion and possible action to approve a waiver of park fees for "Free Movies in the Park"**

### **Request from Mayor Edgington**

Mayor Edgington asked the City Council to waive the \$50 park user fee so the community could attend "Free Movies in the Park. He explained he was contacted by Jay Rodriguez who wants to hold the event but later found out he had to pay to show the movies due to copywrite laws. Mayor Edgington stated there are two more free movie events planned, one for August and one for September. He explained he cannot waive fees so he is asking City Council for consideration.

Councilwoman Whalen stated she was not in favor of waiving park user fees stating it is not good practice for the City. She felt the City needed to adopt a policy for waiving fees for any organization for consistency.

Councilman McCassie felt this event was a good idea and supported waiving the fees.

Councilman Lau agreed with Councilwoman Whalen but also felt "Movies in the Park" was a good event. He agreed a policy needed to be adopted.

Councilwoman McKay suggested waiving the fees for the summer and consider a policy for next year.

City Manager Hooper reminded the City Council of the Parks Master Plan which states the City is not charging enough to use the parks.

**Motion:** MOVE TO APPROVE A WAIVER OF PARK USER FEES FOR FREE MOVIES IN THE PARK FOR THIS YEAR, **Moved by** Councilman Dan McCassie, **Seconded by** Councilwoman Fran McKay.

Councilwoman Whalen urged the Council to vote against the motion on the floor. She stated the first \$50.00 has been paid, the other \$100 for the next two events will also be paid. She stated this is a bad choice based on no policy. She felt there was a better way to solve this problem.

**Vote: (summary:** Yes = 2, No = 2, Abstain = 0). **Yes:** Councilman Dan McCassie, Councilman, Councilwoman Fran McKay. **No:** Councilwoman Shari Whalen, Stan Lau. **Mayor voted no. Absent:** Councilwoman Sue Seidl. **Action:** Failed

### **5.3. Discussion and Possible Action to canvass the vote from the June 12th Primary Election per NRS 293C.387.**

City Clerk Swanson reported the results of the Primary election. She stated Mayor Edgington received over 53% of the votes cast therefore he is declared the winner and his name will not appear on the General Election ballot in November.

**Motion:** MOVE TO CERTIFY THE RESULTS OF THE JUNE 12<sup>TH</sup> PRIMARY ELECTION. **Moved by** Councilman Dan McCassie, **Seconded by** Councilwoman Fran McKay. **Vote:** Motion carried by unanimous roll call vote (summary: Yes = 4). **Yes:** Councilman Dan McCassie, Councilman Stan Lau, Councilwoman Fran McKay, Councilwoman Shari Whalen **Absent:** Councilwoman Sue Seidl. **Action:** Approve.

### **5.4. Discussion and Possible Action to reschedule or cancel the July 5th City Council Meeting.**

City Manager Hooper explained according to Fernley Municipal Code due to July 4<sup>th</sup> being the first Wednesday of the month, the City Council Meeting automatically moves to the next business day. She explained it was requested at the June 20<sup>th</sup> City Council Meeting to discuss rescheduling or cancelling the meeting.

**Motion:** MOVE TO CANCEL THE JULY 5TH CITY COUNCIL MEETING, **Action:** Approve, **Moved by** Councilwoman Fran McKay, **Seconded by** Councilman Dan McCassie. **Vote:** Motion carried by unanimous roll call vote (summary: Yes = 4). **Yes:** Councilman Dan McCassie, Councilman Stan Lau, Councilwoman Fran McKay, Councilwoman Shari Whalen. **Absent:** Councilwoman Sue Seidl

## 6. RESOLUTIONS

### 6.1. Discussion and Possible Action to adopt Resolution 2018-008, a Resolution to approve and support the City of Fernley's federal grant application for the 2018 BUILD program, to complete the Nevada Pacific Parkway project.

Assistant to the City Manager Colleen Unterbrink, explained the 2018 Federal BUILD grant to complete the Nevada Pacific Parkway project. She stated the grant application will be a collaborative effort between Northern Nevada Development Authority, Western Nevada Development District and City staff. The grant application deadline is July 18, 2018.

Councilwoman Whalen acknowledged this project was important for the community. She expressed concern about the fiscal impact for city staff.

City Manager Hooper stated there will be time that is required of staff. She stated the actual writing of the grant was being completed by WNDD and NNDA. She stated if awarded, administering the grant would fall on City staff.

**Motion:** MOVE TO ADOPT RESOLUTION 2018-008, A RESOLUTION TO APPROVE AND SUPPORT THE CITY OF FERNLEY'S FEDERAL GRANT APPLICATION FOR THE 2018 BUILD PROGRAM, TO COMPLETE THE NEVADA PACIFIC PARKWAY PROJECT., **Moved by** Councilwoman Fran McKay, **Seconded by** Councilman Stan Lau. **Vote:** Motion carried by unanimous roll call vote (**summary:** Yes = 4). **Yes:** Councilman Dan McCassie, Councilman Stan Lau, Councilwoman Fran McKay, Councilwoman Shari Whalen. **Absent:** Councilwoman Sue Seidl. **Action:** Approve.

## 7. ITEMS REQUESTED BY MAYOR OR CITY COUNCIL MEMBERS:

**7.1. Discussion and Possible Action regarding a future agenda item to approve a resolution in appreciation of Nevada Department of Transportation's partnership with Fernley. (Councilwoman Whalen's request)**

Councilwoman Whalen explained NDOT has done several improvements in Fernley to make our community better. She felt a resolution would be an act of good faith and show appreciation.

**Motion:** MOVE TO BRING BACK A RESOLUTION IN APPRECIATION OF NDOT FOR THEIR WORK IN FERNLEY, **Action:** Approve, **Moved by** Councilwoman Shari Whalen, **Seconded by** Councilman Dan McCassie. **Vote:** Motion carried by unanimous roll call vote (summary: Yes = 4). **Yes:** Councilman Dan McCassie, Councilman Stan Lau, Councilwoman Fran McKay, Councilwoman Shari Whalen. **Absent:** Councilwoman Sue Seidl

**7.2. Discussion and Possible Action regarding a future agenda item to hear an update on the plan to repair the pavement on Cedar Street. (Councilwoman Whalen's request)**

After discussion, Councilwoman Whalen rescinded her request.

**8. Public Comment**

There was none.

**9. ADDRESS REQUEST(S) FOR FUTURE AGENDA ITEMS.**

Mayor Edgington requested that staff look into creating a policy to waive park fees.

**ADJOURNMENT**

There being no further business to come before it, the Fernley City Council meeting adjourned at 6:15 pm.

Approved by the Fernley City Council on July 18, 2018 by a vote of:



AYES: \_\_\_\_\_ NAYS: \_\_\_\_\_ ABSTENTIONS: \_\_\_\_\_ ABSENT: \_\_\_\_\_

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**ATTEST: City Clerk Kim Swanson**

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**Mayor Roy Edgington**