

**MINUTES OF THE
FERNLEY CITY COUNCIL MEETING**

JANUARY 2, 2019

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 Ray Lacy, Councilman Dan McCassie, Councilman Stan Lau, Councilwoman Sue Seidl, Councilwoman Fran McKay. City Manager Daphne Hooper, City Attorney Brandi Jensen, Deputy Public Works Director Barry Williams, City Treasurer Denise Lewis, City Clerk Kim Swanson, Planning Director Tim Thompson, Deputy City Attorney Brent Kolvet, Building Official Roger Colson.

1.2. Public Comment

LeRoy Goodman spoke against agenda Item 5.2 regarding the Multi-family dwelling units and increasing the density. He asked the City Council to consider what these developers are doing to our roads, water system & schools.

Ron McKay announced that January 2nd was his 51st Wedding Anniversary to Councilwoman McKay.

1.3. Approval of the Agenda

Councilwoman Seidl requested to remove Consent Agenda Items 2.3 & 2.4 to be addressed immediately after the Consent Agenda.

Motion: MOVE TO APPROVE THE AGENDA PULLING CONSENT AGENDA ITEMS 2.3 & 2.4 TO BE HEARD IMMEDIATELY AFTER THE CONSENT AGENDA. **Action:** Approve, **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,

2. CONSENT AGENDA:

2.1. (Possible Action) Approval of Voucher Report

2.2. (Possible Action) Approval of Business Licenses

2.3. (Possible Action) Possible Action to approve Resolution 18-016 appointing Councilman McCassie as Mayor pro tem for a one-year term expiring December 31, 2018.

2.4 Possible Action to appoint representatives to various Boards and Commission

2.5. Possible Action to approve the ratification of expenditures for the Replacement of Fernley Municipal Well #4 well pump and column for an amount not to exceed \$47,520 awarded to Carson Pump.

Motion: MOVE TO APPROVE THE CONSENT AGENDA REMOVING ITEMS 2.3 AND 2.4 TO BE HEARD IMMEDIATELY AFTER THE CONSENT AGENDA. **Action:** Approve, **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.

Consent Agenda Item 2.3

Councilwoman Seidl inquired about the Resolution number asking if it should be 19-001. City Clerk Swanson stated Resolution # 19-001 was correct.

Motion: MOVE TO APPROVE RESOLUTION 19-001 REMOVING DAN MCCASSIE AND ADDING STAN LAU. **Moved by** Councilwoman Sue Seidl, **Seconded by** Councilman Ray Lacy. **Vote:** Motion carried (summary: Yes = 3, No = 2). **Yes:** Councilman Ray Lacy, Councilman Stan Lau, Councilwoman Sue Seidl. **No:** Councilman Dan McCassie, Councilwoman Fran McKay. **Action:** Approve.

Consent Agenda Item 2.4

This agenda item was discussed, appointments were made as follows;

Arts & Culture Committee: Councilwoman McKay, Alternate Councilman Lacy.

Audit Committee: Councilman Lau and Councilwoman McKay.

Capital Improvement Committee: Councilman Lacy and Councilman Lau

Chamber of Commerce Representative: Kim Swanson and Councilwoman McKay

Code Enforcement Committee: Councilman McCassie, Councilwoman Seidl
Alternates Councilman Lacy and Councilwoman McKay.

Lyon County Debt Management: Mayor, Alternate Councilwoman Seidl.

Lyon County Room Tax Board: Councilwoman McKay. Alternate Councilman Lacy.

City Legislative Team: Councilwoman Seidl, Councilwoman McKay, Alternate
Councilman Lacy

NV League of Cities Committee: Councilwoman McKay and Councilman Lau

NV League of Cities Legislative: Councilman Lacy and Councilwoman McKay,
Alternate Councilwoman Seidl

Neighborhood Watch: Councilman Lacy, Alternate Councilman Lau

Pool/Pact: City Manager Hooper, Mayor

Regional Transportation Commission: Councilman Lau,

STEM Committee: Barry Williams, Councilman Lacy,

Union Negotiation Team: Councilwoman McKay, Councilman McCassie

Water Team: Councilwoman Seidl and Councilman Lacy

Western Nevada Development District: Councilman Lau, Alternate Councilwoman
Seidl.

Motion: MOVE TO APPROVE THE APPOINTMENT FOR COMMITTEES AS
OUTLINED DURING THE DISCUSSION, **Moved by** Councilwoman Sue Seidl,
Seconded by Councilwoman Fran McKay

Break 5:37 – 5:42

Mayor Edgington stated he was Vice President of WNDD and he would like to stay in that position. He requested to stay on that committee. He also stated for the Water team he needed someone that owns water rights and is familiar with water matters and Federal issues. He asked Councilman Lacy if he would serve as an alternate for the Water Team. Councilman McCassie stated he would serve on the Water Team.

Councilman McCassie stated he had a conflict with the Code Enforcement Task Force. After discussion, it was decided to move Councilwoman McKay as primary and Councilwoman Seidl as alternate.

Arts & Culture Committee: Councilwoman McKay, Alternate Councilman Lacy.

Audit Committee: Councilman Lau and Councilwoman McKay.

Capital Improvement Committee: Councilman Lacy and Councilman Lau

Chamber of Commerce Representative: Kim Swanson and Councilwoman McKay

Code Enforcement Committee: Councilman McCassie, Councilwoman McKay
Alternates Councilman Lacy and Councilwoman Seidl.

Lyon County Debt Management: Mayor, Alternate Councilwoman Seidl.

Lyon County Room Tax Board: Councilwoman McKay. Alternate Councilman Lacy.

City Legislative Team: Councilwoman Seidl, Councilwoman McKay, Alternate Councilman Lacy

NV League of Cities Committee: Councilwoman McKay and Councilman Lau

NV League of Cities Legislative: Councilman Lacy and Councilwoman McKay,
Alternate Councilwoman Seidl

Neighborhood Watch: Councilman Lacy, Alternate Councilman Lau

Pool/Pact: City Manager Hooper, Mayor

Regional Transportation Commission: Councilman Lau,

STEM Committee: Barry Williams, Councilman Lacy,

Union Negotiation Team: Councilwoman McKay, Councilman McCassie, Mayor

Water Team: Councilwoman Seidl and Councilman McCassie, Alternate Councilman Lacy

Western Nevada Development District: Councilman Lau and Mayor, Alternate Councilwoman 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.

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.

Mayor Edgington reported sheriff office reports for the month of December.

Interim Fire Chief Carr reported the monthly stats for the North Lyon County Fire Protection District. Speed up the hiring process for a new fire chief. He requested a meeting with the Mayor and the City Manager to work on a few issues.

City Manager Hooper reported that NDOT announced that Farm District Road will have lane closures through the month of January from 10pm to 5am.

Mayor reported there will be annual training on Ethics and Open Meeting Law on January 8th. He stated this meeting is open to the public. He reported on January 9th from 10am – 11am there is a Pool/Pact training for elected officials. He asked the Fernley residents to bear with the construction on Hardie Lane.

4. PROCLAMATIONS BY THE MAYOR

Mayor Edgington read a proclamation into record proclaiming January as national Radon Awareness Month.

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. Discussion and possible action to introduce Bill 271, as an ordinance

modifying Fernley Municipal Code Title 10 Business License Regulations, Chapter 5: Licensing of Marijuana Establishments based upon current regulations established by the State of Nevada.

City Clerk Swanson presented the report stating the main purpose of the update is to add regulations for retail marijuana and keep up with current regulations as established by the State of Nevada.

Mayor Edgington opened public input. There was none.

Motion: MOVE TO INTRODUCE BILL 271, AS AN ORDINANCE MODIFYING FERNLEY MUNICIPAL CODE TITLE 10 BUSINESS LICENSE REGULATIONS, CHAPTER 5: LICENSING OF MARIJUANA ESTABLISHMENTS BASED UPON CURRENT REGULATIONS ESTABLISHED BY THE STATE OF NEVADA, **Moved by** Councilman Stan Lau.

5.2. First Reading, Introduction Bill #272

Discussion and possible action on Bill #272, an ordinance amending Title 32, Chapter 28 of the Fernley Municipal Code to modify the standards associated with multi-family dwellings to allow for a maximum density of thirty (30) dwelling units per acre in conformance with the adopted master plan; modification to lot size, setbacks, parking, and landscape requirements; inclusion of design standards for multi-family residential developments; and other matters properly related thereto.

Planning Director Thompson explained the City updated the Master Plan since then staff has been working on updating the Development Code. He stated the City has been contacted by several developers for different residential product types. He explained these changes are only for the NR-2 Zoning District. He stated landscape requirements will also be changed. The density will also be changed from 14-30 dwelling units per acre to 10 – 30 dwelling units per acre.

Mayor opened public input

William Shattuck, Fernley resident, had concerns regarding increasing the density. He felt this would have a negative impact on the residents of Fernley.

Dave Snowgrave, Manager with CFA, stated the reduced density will help create products that could be rented or address entry level work force housing. He stated Fernley needs a good mix of housing. He spoke in favor of this ordinance.

Buffer zones were discussed.

Motion: MOVE TO INTRODUCE BILL 272 “I MOVE TO INTRODUCE BILL #272, AN ORDINANCE AMENDING TITLE 32, CHAPTER 28 OF THE FERNLEY MUNICIPAL CODE TO MODIFY THE STANDARDS ASSOCIATED WITH MULTI-FAMILY DWELLINGS TO ALLOW FOR A MAXIMUM DENSITY OF THIRTY (30) DWELLING UNITS PER ACRE IN CONFORMANCE WITH THE ADOPTED MASTER PLAN; MODIFICATION TO LOT SIZE, SETBACKS, PARKING, AND LANDSCAPE REQUIREMENTS; INCLUSION OF DESIGN STANDARDS FOR MULTI-FAMILY RESIDENTIAL DEVELOPMENTS; AND OTHER MATTERS PROPERLY RELATED THERETO AND SET THE PUBLIC HEARING FOR THE POSSIBLE ADOPTION OF BILL #272 AT THE REGULARLY SCHEDULED CITY COUNCIL MEETING ON JANUARY 16, 2019, WITH THE MINIMUM DENSITY CHANGED FROM 14 DWELLING UNITS PER ACRE TO 10 DWELLING UNITS PER ACRE. **Moved by** Councilman Stan Lau.

6. RESOLUTIONS

6.1. Discussion and Possible Action to approve Resolution 18-017, Attachment A, modifying the City of Fernley Business License Fee schedule for industrial, warehouse, manufacturing or distribution, wholesale/distributor of liquor and Marijuana Establishments.

City Clerk Swanson presented Resolution 18-017 modifying the City of Fernley Business License Fee Schedule. This schedule will add the square footage amounts for warehouse, manufacturing, industrial and distribution. It will also update the fee for wholesaler/distributor of liquor and medical marijuana.

Motion: MOVE TO APPROVE RESOLUTION 18-017, ATTACHMENT A, MODIFYING THE CITY OF FERNLEY BUSINESS LICENSE FEE SCHEDULE FOR INDUSTRIAL, WAREHOUSE, MANUFACTURING OR DISTRIBUTION, WHOLESALE/DISTRIBUTOR

OF LIQUOR AND MARIJUANA ESTABLISHMENTS. Moved by **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. ADDRESS REQUEST(S) FOR FUTURE AGENDA ITEMS.

7.1. Discussion and Possible Action regarding a future agenda item to discuss a retention/pay program to keep critical employees at the City. (Councilwoman Seidl's request)

Councilwoman Seidl explained the reason for her request. City Manager Hooper stated she would think about options before the discussion. She cautioned the City Council about overstepping the contract requirement when dealing with the Union.

Councilwoman McKay stated she was against it due to singling people out.

Motion: MOVE TO DISCUSS A RETENTION/PAY PROGRAM TO KEEP CRITICAL EMPLOYEES AT THE CITY. **Vote:** Motion passed (**summary:** Yes = 3, No = 2, Abstain = 0). **Yes:** Councilman Ray Lacy, Councilman Stan Lau, Councilwoman Sue Seidl, **No:** Councilman Dan McCassie, Councilwoman Fran McKay.

Councilwoman Seidl requested a future agenda item to extend the Ambulance Franchise Agreement.

Councilman Lau requested a future agenda item one-year road warranty to a five-year warranty.

8. PUBLIC COMMENT

William Shattuck, Fernley resident, expressed disappointment with the City Council decision regarding Item 5.2

ADJOURNMENT

There being no further business to come before it, the Fernley City Council meeting adjourned at 7:13 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