

**Minutes of the
Fernley City Council Meeting
November 17, 2021**

Mayor Roy 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 Albert Torres, Councilman Stan Lau, Councilwoman Felicity Zoberski, Councilwoman Fran McKay, City Manager Daphne Hooper, Assistant to City Manager Trisha Conner, City Attorney Brandi Jensen, City Engineer Derek Starkey, Public Works Director Dave Whalen, Deputy City Treasurer Thomas Lukas, Planning Director Tim Thompson, Building Official Billy Staten, City Clerk Kim Swanson, Deputy City Clerk Brenda Gosser.

1.2. PUBLIC FORUM

Tammy Dittman, Fernley resident, inquired if the City Council has read the American Recovery Act 2021 has 351 pages. She inquired if the city is following the spending guidelines and is the money being put aside for additional sewer facilities by 2024?

1.3. (For Possible Action) Approval of the Agenda

City Manager Hooper requested to move Item 7.1 up to be heard with Item 5.1.

Motion: MOVE TO APPROVE THE AGENDA WITH 7.1 AND 5.1 BEING ADDRESSED TOGETHER. **Action:** Approve, **Moved by** Councilman Lau, **Seconded by** Councilman Lacy. **Vote:** Motion carried by unanimous roll call vote (**summary:** Yes = 5). **Yes:** Councilman Albert Torres, Councilman Ray Lacy, Councilwoman Fran McKay, Councilwoman Felicity Zoberski, Councilman Stan Lau.

2. CONSENT AGENDA:

2.1. (Possible Action) Approval of Voucher Report

2.2. (For Possible Action) Approval of the Minutes from November 3, 2021

2.3. (Possible Action) Approval of Business Licenses

2.4. Possible action to approve Mayor's Appointment of a panel of Judges Pro Tem for the Fernley Municipal Court.

2.5. Possible action to approve the Sage Tank Recoat contracts with; Olympus & Associates in the amount not to exceed \$529,200.00 with a 2% contingency of \$10,584.00 a total of \$539,784.00 for construction services; and CME in the amount not to exceed \$43,260.00 for inspection and materials testing services.

2.6 Possible approval of the American Rescue Plan Act subrecipient agreement between the City of Fernley and Boys & Girls Club of Truckee Meadows, for the funding for the Boys and Girls Club operational costs, personnel salaries and benefits, and 15-passenger vehicle, in the amount of \$151,323.00.

2.7 Possible Action to Award two (2) Contracts for Engineering Services for the Red Rock RD Extension Project to: Lumos and Associates, Inc., in an amount not to exceed \$229,600 and to Kimley-Horn and Associates, Inc., in an amount not to exceed \$12,915.

City Manager Hooper stated the original request for Item 2.6 included an estimate for the 15-passenger vehicle. The vehicle purchase is still being reviewed, so the total does not include the vehicle.

Motion: MOVE TO APPROVE THE CONSENT AGENDA ITEMS 2.1 TO 2.7. **Action:** Approve, **Moved by** Councilman Lau, **Seconded by** Councilman Lacy. **Vote:** Motion carried by unanimous roll call vote (**summary:** Yes = 5). **Yes:** Councilman Albert Torres, Councilman Ray Lacy, Councilwoman Fran McKay, Councilwoman Felicity Zoberski, Councilman Stan Lau.

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

Fire Chief Jason Nichol reported significant incidents for the year. There have been close to 1.7 million dollars in property damage, though it was significantly lower than years passed. Medical responses this year shows a total of 27 incidents of responding outside of the district for mutual aid assistance and we have received more in return. Thursday is the busiest day of the week for fire and medical services.

Sheriff Hunewill reported one staff member will finish training this Friday and has been assigned to Fernley. More are in training and more have been hired. He expected all 7 staff vacancies to be filled by the end of February.

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 Fenley Convention and Tourism Authority grant applications are due November 30th. They can be submitted online at cityoffernley.org by 5 pm November 30th. The Fenley Convention and Tourism Authority board will meet on December 13th at 6 pm. The Arts and Culture Taskforce meeting is scheduled to meet Monday, November 22nd at 3:30 pm via zoom. The annual Menorah lighting is tentatively scheduled for Monday, November 29th at 4:30 pm, outside City Hall. The deadline for artists mural submissions is November 30th at 5 pm. City Hall will be closed November 25th and 26th for the Thanksgiving Holiday.

Councilman Lau reported housing projects on social media have estimated that 50 to 60 thousand people could be added to the area, but the concern is whether there is enough water for that many people in the valley. City Manager Hooper stated there will be a report by the end of the week from the resource plan.

Councilwoman McKay reported she attended a meeting with the Northern Nevada Development Authority which mentioned the Public Plans Bill for Fernley.

Councilman Torres reported the Fernley Senior Citizen Advisory Committee met November 10th to adopt the by-laws. Lyon County Senior Service Division Manager, Rebecca Williams, conducted a presentation about Dementia and will present more information at following meetings. January 14th will be the next Senior Citizen's Advisory Committee at 9am. Domestic Violence Advocates will also be present to speak to the board.

Mayor Edgington reported The Fern 45 event went well adding a lot of money was raised for the Veterans. Thanksgiving Day dinner will be served at the Fire Station from 11am to 3pm, doors will stay open until 4. It will be free, and the City of Fernley is looking for volunteers. Staff is working diligently to remove the wild horses from the Out-of-Town Park.

Councilwoman Zoberski reported the neighborhood meeting for Red Hawk Ranch was very productive. The Christmas parade will be December 4th, with the line-up starting at 3 pm and the parade beginning at 4 pm. The Fernley Aces are doing a Christmas village.

More information available at the Fernley Aces Website to create your own cottage in the village.

4. PROCLAMATIONS BY THE MAYOR

Mayor Edgington proclaimed November the 27th, 2021 as Small Business Saturday in the City of Fernley

5. ORDINANCES – ADOPTION

- 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. (For Possible Action): Adoption of Bill # 303 Off-Highway Vehicles Ordinance

City Manager Hooper presented the adoption of Bill #303 amending Title 20 chapter 1.9 to add E off Highway vehicles establishing the rules for operation for off-highway vehicles within the city boundaries, establishing routes, and establishing penalties for violation.

Brian McLain , Fernley resident was in support of the Bill 303..

Motion: MOVE TO ADOPT BILL #303 AN ORDINANCE AMENDING TITLE 20 CHAPTER 1.9 TO ADD E OFF HIGHWAY VEHICLES AND ESTABLISHING RULES FOR THE OPERATION OF OFF HIGHWAY VEHICLES WITHIN THE MUNICIPAL BOUNDARIES OF THE CITY OF FERNLEY. ESTABLISH ROUTES FOR INGRESS AND EGRESS FROM THE CITY OF FERNELY TO PUBLIC OR PRIVATE LANDS WHERE OFF HIGHWAY VEHICLE USE IS AUTHORIZED AND ESTABLISHING THE PENALTIES FOR VIOLATION. **Action:** Approve, **Moved by** Councilman Torres, **Seconded by** Councilman Lacy. **Vote:** Motion carried by unanimous roll call vote (**summary:** Yes = 5). **Yes:** Councilman Albert Torres, Councilman Ray Lacy, Councilwoman Fran McKay, Councilwoman Felicity Zoberski, Councilman Stan Lau.

6. STAFF REPORTS

6.1. Presentation and possible direction to staff regarding redistricting the City of Fernley election ward boundaries.

Kim Swanson, City Clerk was joined by Lyon County treasurer, Nikki Bryan. She stated the ward are currently with the NRS 5% allowable margins so there is not need to redistrict at this time.

Motion: MOVE TO DIRECT STAFF TO KEEP THE WARD BOUNDARIES AS THEY ARE CURRENTLY ALIGNED WITH THE 5% MARGIN AS ALLOWED PER NRS 266.095. **Action:** Approve, **Moved by** Councilman Torres, **Seconded by** Councilman Lacy. **Vote:** Motion carried by unanimous roll call vote (**summary:** Yes = 5). **Yes:** Councilman Albert Torres, Councilman Ray Lacy, Councilwoman Fran McKay, Councilwoman Felicity Zoberski, Councilman Stan Lau.

6.2 (For possible action) Acceptance of the Fernley Municipal Court Strategic Plan for 2021-2026.

City Manager Hooper stated the municipal court requested assistance putting together a strategic plan. A workshop was set up to go over planning for the next 5 years. The vision statement is, “the Fernley Municipal Court strives to be a prompt, efficient, effective, virtual, and paperless, wholistic court, providing programs, resources, and alternative options in an all-in-one justice center.” The mission statement is, “to be fair, efficient, and impartial access to justice through the due process that promotes and upholds the integrity of the court.” The value statements are, “integrity, communication, encouragement, and teamwork.” The staff report highlights the set goals and objectives from the court staff.

Judge Mathews stated there are a lot of common goals moving forward for the court in the future.

Motion: MOVE TO ACCEPT THE FERNLEY MUNICIPAL COURT STRATEGIC PLAN FOR 2021-2026. **Action:** Approve, **Moved by** Councilman Torres, **Seconded by** Councilwoman McKay. **Vote:** Motion carried by unanimous roll call vote (**summary:** Yes = 5). **Yes:** Councilman Albert Torres, Councilman Ray Lacy, Councilwoman Fran McKay, Councilwoman Felicity Zoberski, Councilman Stan Lau.

6.3 (For possible action) Approval for the reclassification of the part-time Legal Secretary position to a full-time Legal Secretary position, modification of the city’s

organizational chart, and authorize \$21,478.68 to used from contingency for FY 2021-2022.

City Manager Hooper explained the additional funds would be used from contingency.

City Attorney Jensen stated the full-time position would allow the civil department to transition to an online case management system. There are over 900 civil files to upload.

Motion: MOVE TO APPROVE THE RECLASSIFICATION OF THE PART-TIME LEGAL SECRETARY POSITION IN THE CITY ATTORNEY'S OFFICE TO A FULL-TIME LEGAL SECRETARY POSITION, MODIFICATION OF THE CITY'S ORGANIZATIONAL CHART, AND AUTHORIZE \$21,478.68 TO BE USED FROM CONTINGENCY FOR FY 2021-2022. **Action:** Approve, **Moved by** Councilman Lau, **Seconded by** Councilman Lacy. **Vote:** Motion carried by unanimous roll call vote (**summary:** Yes = 5). **Yes:** Councilman Albert Torres, Councilman Ray Lacy, Councilwoman Fran McKay, Councilwoman Felicity Zoberski, Councilman Stan Lau.

6.4 (For possible action) Update on City of Fernley COVID-19 response including City Hall reopening, funding for state and local governments, local businesses re-opening plans, and local events.

City Manager Hooper provided an update.

7. RESOLUTIONS

7.1 (For possible action) Discussion, approval, and adoption of Resolution #21-010 establishing the routes and uses of Off-Highway Vehicles.

This item was heard after Item 5.1

City Manager Hooper stated routes needed to be determined for off road vehicles. They are permitted to drive on roads where the speed limit is 35 MPH or less. Off highway vehicles shall have the registration displayed as required by NRS. Off Highway vehicles shall not be operated on designated Highways or roads other than to travel to or from the private or public recreation area.

Motion: MOVE TO APPROVE AND ADOPT RESOLUTION #21-010 ESTABLISHING ROUTES AND USES OF OFF-HIGHWAY VEHICLES. **Action:** Approve, **Moved by** Councilman Torres, **Seconded by** Councilman Lacy. **Vote:** Motion carried by unanimous

roll call vote (**summary:** Yes = 5). **Yes:** Councilman Albert Torres, Councilman Ray Lacy, Councilwoman Fran McKay, Councilwoman Felicity Zoberski, Councilman Stan Lau.

8. ITEMS REQUESTED BY MAYOR OR CITY COUNCIL MEMBERS

8.1 Discussion and possible action regarding a future agenda requesting the City Clerk and Lyon County Clerk to give a presentation on secure polling stations, secure ballots, same day voter registration and DMV automatic voter registration. (Councilman Torres's request)

City Clerk will schedule a meeting with the Lyon County Clerk.

8.2 Discussion and possible action regarding a future agenda to rename Mission Way in honor of Brett Palmer. (Mayor's request)

Motion: MOVE TO PUT ON FUTURE AGENDA TO DISCUSS RENAMING THE ROAD.

Action: Approve, **Moved by** Councilman McKay, **Seconded by** Councilman Lacy. **Vote:** Motion carried by unanimous roll call vote (**summary:** Yes = 5). **Yes:** Councilman Albert Torres, Councilman Ray Lacy, Councilwoman Fran McKay, Councilwoman Felicity Zoberski, Councilman Stan Lau.

8.3 Discussion and possible action requesting a future agenda item addressing the traffic on Miller Lane (Councilman Lau's request)

Motion: MOVE TO HAVE STAFF LOOK AT SOLUTIONS FOR THE MILLER LANE TRUCK TRAFFIC. **Action:** Approve, **Moved by** Councilman Lau, **Seconded by** Councilman Lacy. **Vote:** Motion carried by unanimous roll call vote (**summary:** Yes = 5). **Yes:** Councilman Albert Torres, Councilman Ray Lacy, Councilwoman Fran McKay, Councilwoman Felicity Zoberski, Councilman Stan Lau

8.4 Discussion and possible action requesting a future agenda item to repost speed limit signs on Fremont Street. (Councilman Lacy's request)

Staff will have 2-3 weeks to post signs on Fremont Street.

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

Councilwoman Zoberski requested a future agenda item to look at grant opportunities for future education on the OHV's for the Sherriff's department and the public.

10. PUBLIC FORUM

There was none.

There being no further business to come before it, the Fernley City Council meeting adjourned at 6:40 PM.

Approved by the Fernley City Council on December 15, 2021, by a vote of:

AYES: ____ NAYS: ____ ABSTENTIONS: ____ ABSENT: ____

Mayor Roy Edgington

ATTEST: City Clerk Kim Swanson