

**MINUTES OF THE
FERNLEY CITY COUNCIL MEETING
JANUARY 17, 2018**

Mayor Edgington called the meeting to order at 5:04 pm at Fernley City Hall, 595 Silver Lace Blvd, Fernley, NV.

Posting of the Colors and the Pledge of Allegiance was led by Cub Scout Pack 494, Den 1 Webelos.

1. INTRODUCTORY ITEMS

1.1. Roll Call.

Present: Mayor Roy Edgington Councilman Dan McCassie, Councilwoman Sue Seidl, Councilwoman Shari Whalen via phone, Councilman Stan Lau. City Manager Daphne Hooper, City Attorney Brandi Jensen, Public Works Director Dave Whalen, City Engineer Derek Starkey, Deputy City Attorney Brent Kolvet, City Clerk Kim Swanson, Planning Director Tim Thompson, Building Official Rick Kabele, Deputy Public Works Director Barry Williams, Assistant to the City Manager Colleen Unterbrink. **Absent:** Councilwoman Fran McKay.

1.2. Public Comment

Erik Undrum, Fernley resident, express concern over the flooding in Sage Valley. He stated the builder is adding another 46 homes that will contribute an extra amount of run-off. He stated the ditch was inadequate and was concerned about future flooding with no improvements. Mayor Edgington asked Mr. Undrum to get in touch with the City Manager Hooper and the City Engineer Starkey.

Jim McNeil, Fernley resident, stated there are many questions that need to be answered. He stated the questions and answers should be addressed in a public meeting and not through email communications.

Mayor Edgington presented the family of Mr. Chester Ferrel with a proclamation honoring him.

1.3. Approval of the Agenda

City Manager Hooper requested items 6.1, 6.2, 6.3, 6.4 & 6.7 be moved to the February 7th Meeting.

Motion: MOVE TO APPROVE THE AGENDA MOVING ITEMS 6.1, 6.2, 6.3, 6.4 & 6.7 TO THE NEXT AGENDA, **Action:** Approve, **Moved by** Councilwoman Sue Seidl, **Seconded by** Councilman Stan Lau.

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 December 20, 2017

2.4. Possible Action to approve to award a contract to Reliant Electric in an amount not-to-exceed \$37,500, to install a VFD (Variable Frequency Drive) in Well 4 Pump house for compliance with BOR requirements.

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

Councilwoman Whalen disclosed that she is married to Public Works Director Whalen. She stated Item 5.3 the Personnel Policy impacts the Public Works Director and her as an employee of the City of Fernley. She stated she was advised that the items being changed are housekeeping items so she would vote on that matter.

Vote: Motion carried by unanimous roll call vote (summary: Yes = 4). **Yes:** Councilman Dan McCassie, Councilman Stan Lau, Councilwoman Shari Whalen, 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 26 people attended the 1st Week of the Citizen's Academy. She stated this will continue for 6 more weeks. She also reported the State of the City will be delivered by the Mayor in February. She reported the Redevelopment Meeting Workshop is scheduled for January 27th at 10 am.

Building Official Kabele reported MSC is preparing to construct a flammable liquid and aerosol storage.

Public Works Director Whalen reported the seasonal employment positions are open in water distribution and parks.

Councilman Lau reported a conversation he had with Attorney General Adam Laxalt.

Councilman McCassie reported there was a pending Future Agenda Item regarding Sage Valley Drainage. He asked for an update on when that item would be heard.

Mayor Edgington reported on the Saturday Workshop and encouraged residents to attend. He stated the City Budget season will begin soon.

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, SUP 2016-001

Consideration and Possible Action on a Special Use Permit request from Daniel J. Williams, for a Daycare (not to exceed 12 children) in the RR1/T (Rural Residential, 1 Acre Minimum Parcel Size with a Trailer Overlay) zoning district, located at 1055 Mesa Drive, Fernley, NV. (APN: 020-142-06).

Planning Director Thompson explained this is a Special Use Permit request for a Daycare Center in the RR 1/T Zoning District. He stated the applicants are requesting to have up to 12 children. He stated the State of Nevada is responsible for child care licensing in Lyon County and the City of Fernley. He added the applicants must go through a significant amount of training related to child care to hold this type of license.

He stated this parcel is 1-acre in size which will accommodate traffic parking for drop off and pick up of children. He stated traffic will not impact the neighborhood. Staff is recommending approval subject to conditions.

Mayor Edgington opened public input.

Jackie Lavoie, Fernley resident, stated she had no problem with the daycare in her neighborhood. Mayor Edgington read into record a letter submitted by Ashley Auer supporting the daycare center.

Councilwoman Whalen disclosed that Jackie Lavoie was her aunt.

Motion: MOVE TO APPROVE SPECIAL USE PERMIT ASSOCIATED WITH SUP 2016-001, TO ALLOW FOR A DAYCARE (NOT TO EXCEED 12 CHILDREN) ADOPTING FINDINGS A THROUGH G AND THE FACTS SUPPORTING THE FINDINGS AS SET FORTH IN THE STAFF REPORT AND SUBJECT TO THE CONDITIONS OF APPROVAL 1 THROUGH 6 AS LISTED IN THE STAFF REPORT. **Moved by** Councilman Stan Lau, **Seconded by** Councilwoman Sue Seidl. **Vote:** Motion carried by unanimous roll call vote (**summary:** Yes = 4). **Yes:** Councilman Dan McCassie, Councilman Stan Lau, Councilwoman Shari Whalen, Councilwoman Sue Seidl, **Action:** Approve.

5. STAFF REPORTS

5.1. Discussion and Possible Action to Authorize the City Attorney's office to join in the filing of an Amicus Brief filed in the Nevada Supreme Court supporting the State of Nevada in a case arising out of the Little Valley fire in Washoe Valley.

Deputy City Attorney Kolvet explained the City was approached by other governmental entities to see if there was an interest in joining in an Amicus Brief that would be filed in

the Nevada Supreme Court in support of the position taken by the State of Nevada through the Nevada Division of Forestry and the University of Nevada, defendants in the lawsuit brought by property owners as a result of the fire. He explained the issues involved have been reviewed and recommends the City join in the lawsuit as an Amicus to present the position of local governments that may be affected by this lawsuit.

Councilwoman Seidl stated the Nevada League of Cities votes to also support this. Deputy City Attorney stated other public entities that have signed on.

Motion: MOVE TO AUTHORIZE THE CITY ATTORNEY'S OFFICE TO JOIN IN THE FILING OF AN AMICUS BRIEF IN THE NEVADA SUPREME COURT CASE OF 'STATE OF NEVADA, ET AL V. SECOND JUDICIAL COURT **Action:** Approve, **Moved by** Councilwoman Sue Seidl, **Seconded by** Councilman Dan McCassie. **Vote:** Motion carried by unanimous roll call vote (summary: Yes = 4). **Yes:** Councilman Dan McCassie, Councilman Stan Lau, Councilwoman Shari Whalen, Councilwoman Sue Seidl.

5.2. Discussion and Possible Action regarding the City of Fernley's application to the Federal Land and Water Conservation Fund Grant Program, administered by the Nevada Division of State Parks.

Assistant to the City Manager Unterbrink presented a recommendation to apply for funding from the Land and Water Conservation Fund Grant Program. She stated the program has \$600,000 available for funding this year with the grand round opening on January 31st closing March 23st. She stated the funding request minimum is \$25,000; local matches can exceed 50% but the Federal share cannot exceed 50% of the total project amount.. She stated staff is recommending applying for \$100,000 to provide for paved walking trails, lighting and shade improvements at Green Valley and In-Town Parks. She stated the request would require a \$50,000 match from the City.

Councilwoman Seidl felt Green Valley Park shade structures are more important than a walking path. She stated this park is used throughout the year for teams to practice.

Mayor Edgington stated he was excited about the Parks Master Plan being used.

Motion: MOVE TO APPROVE THE CITY OF FERNLEY'S APPLICATION TO THE FEDERAL LAND AND WATER CONSERVATION FUND GRANT PROGRAM, ADMINISTERED BY THE NEVADA DIVISION OF STATE PARKS. **Action:** Approve, **Moved by** Councilman Stan Lau, **Seconded by** Councilwoman Sue Seidl. **Vote:** Motion carried by unanimous roll call vote (summary: Yes = 4). **Yes:** Councilman Dan McCassie, Councilman Stan Lau, Councilwoman Shari Whalen, Councilwoman Sue Seidl.

5.3. Discussion and possible action to adopt Resolution 18-001 amending the City of Fernley Personnel Policy Manual.

Human Resource Manager Shannon McKnight explained that the changes were recommended by Pool/Pact through Union Negotiations. Pool/Pact recommended changing the testing policy which has also been updated.

Motion: I MOVE TO ADOPT RESOLUTION 18-001 AMENDING THE CITY OF FERNLEY PERSONNEL POLICY MANUAL, **Action:** Approve, **Moved by** Councilwoman Sue Seidl, **Seconded by** Councilman Stan Lau. **Vote:** Motion carried by unanimous roll call vote (summary: Yes = 4). **Yes:** Councilman Dan McCassie, Councilman Stan Lau, Councilwoman Shari Whalen, Councilwoman Sue Seidl.

6. ITEMS REQUESTED BY MAYOR OR CITY COUNCIL MEMBERS:

6.1. Discussion and Possible Action regarding a future agenda item to create a uniform application for fee increases to handle fees consistently across the board. (Councilwoman Whalen's request)

This item was not heard.

6.2. Discussion and Possible Action regarding a future agenda item to discuss lot sizes. (Councilwoman Whalen's request)

This item was not heard.

6.3. Discussion and Possible Action regarding a future agenda item about what the City can do to encourage affordable housing. (Councilwoman Whalen's request)

This item was not heard.

6.4. Discussion and Possible Action regarding a future agenda item to discuss an update to the Public Works Design Standards. (Councilwoman Whalen's request)

This item was not heard.

6.5. Discussion and Possible Action regarding a future agenda item to discuss a possible contribution to TCID toward the repairs of their informational travel trailer. (Councilwoman Seidl's request)

Councilwoman Seidl stated TCID requested funding for the trailer which is in need of repair. She explained their request needs to be answered quickly. She felt the group should be in attendance when this item is discussed.

Motion: MOVE TO BRING THIS ITEM BACK BEFORE CITY COUNCIL AND REQUEST TCID BEING AT THE MEETING, **Action:** Approve, **Moved by** Councilwoman Sue Seidl, **Seconded by** Councilman Dan McCassie. **Vote:** Motion carried by unanimous roll call vote (summary: Yes = 4). **Yes:** Councilman Dan McCassie, Councilman Stan Lau, Councilwoman Shari Whalen, Councilwoman Sue Seidl.

6.6. Discussion and Possible Action regarding a future agenda item to discuss how the City handles future agenda items. (Councilwoman Seidl's request)

Councilwoman Seidl withdrew her request.

6.7. Discussion and Possible Action regarding a future agenda item to discuss a meeting with the Arts and Culture Task Force to encourage residents to maintain their properties. (Councilwoman McKay's request)

This item was not heard.

7. PUBLIC COMMENT

John Reichlein, Fernley resident, stated the sound system should be improved in the Council Chambers.

James McNeil, Fernley resident, requested a future agenda item to discuss issues in the Sage Valley area.

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

Councilman McCassie's requested a future agenda item regarding Sage Valley drainage issues.

Councilman Lau requested a future agenda item addressing the section of the Development Code that talks about abandoned businesses.

ADJOURNMENT

There being no further business to come before it, the Fernley City Council meeting adjourned at 6:10 pm.

Approved by the Fernley City Council on February 21, 2018 by a vote of:

AYES: 4 NAYS: 0 ABSTENTIONS: 0 ABSENT: 1



ATTEST: City Clerk Kim Swanson



Mayor Roy Edgington