MINUTES OF THE
FERNLEY CITY COUNCIL MEETING

NOVEMBER 06, 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 Stan Lau, Councilwoman Fran McKay, Councilman Albert Torres. City Manager Daphne Hooper, City Attorney Brandi Jensen, Public Works Director Dave Whalen, Deputy City Treasurer Thomas Lukas, Building Official Shawn Keating, Planning Director Tim Thompson, Assistant to the City Manager Colleen Unterbrink, City Engineer Derek Starkey, Deputy City Attorney Brent Kolvet, Deputy City Clerk Brenda Gosser, City Clerk Kim Swanson.

Absent: Councilman Dan McCassie.

1.2. Public Comment

Tammy Dittman, Fernley resident, stated the Fernley Stem Festival will be held March 20, 2020. She encouraged the City Council to volunteer to judge projects during the event.

1.3. (For Possible Action) Approval of the Agenda

City Manager Hooper requested that Item 6.2 be addressed before Item 6.1.

Motion: MOVE TO APPROVE THE AGENDA WITH ITEM 6.2 TO BE HEARD BEFORE ITEM 6.1, Action: Approve, Moved by Councilman Stan Lau, Seconded by Councilman Ray Lacy. Vote: Motion carried by unanimous roll call vote (summary: Yes = 4). Yes: Councilman Albert Torres, Councilman Ray Lacy, Councilman Stan Lau, Councilwoman Fran McKay.
2. CONSENT AGENDA:

2.1. (Possible Action) Approval of Voucher Report.

2.2. (Possible Action) Approval of Business Licenses

2.3. (For possible action) Approval of Liquor License for the new owner of China King Buffet

2.4. (For possible action) Approval of Liquor License for Fernley Grocery Outlet

2.5. Possible Action to Award the following contracts for Phase 2 of the Depot Community Center Project: One (1) Contract for Construction to A&K Earthmovers, Inc., in an amount not to exceed $202,000, plus a 5% contingency of $10,100 and Two (2) Contracts for Engineering Construction Services to Lumos and Associates, Inc. and Resource Concepts, Inc., in an amount not to exceed $30,380 and $14,695, respectively.

Motion: MOVE TO APPROVE THE CONSENT AGENDA AS SUBMITTED, Action: Approve, Moved by Councilman Stan Lau, Seconded by Councilman Ray Lacy. Vote: Motion carried by unanimous roll call vote (summary: Yes = 4). Yes: Councilman Albert Torres, Councilman Ray Lacy, Councilman Stan Lau, Councilwoman Fran McKay.

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.

North Lyon County Fire Chief Nichol reported the stats for the month of October. He stated there was only 1 significant fire in the month of October for a loss of approximately $180,000. He stated there was a drop in calls per month and response times are within National Standards.

Lt. Baltes reported the Lyon County Sheriff’s Office stats for the month of October. He also reported on November 16th in conjunction with Nevada Highway Patrol and the Fire Department a Red and Blue Food Drive will be held at all 3 of the local grocery stores.

City Manager Hooper thanked Trish Conner for organizing Spooktacular. She stated approximately there were approximately 2400 visitors in the 3 hours the event was held.
City Manager Hooper reported the Christmas Parade will be held on December 7th. Due to construction at the Depot, Santa and Cocoa and with the Cops will be held at City Hall.

City Attorney introduced new employee Karen Vasquez who will be working with City Council and will also be the victim coordinator.

Mayor Edgington thanked everyone who participated in the Spooktacular Event. Mayor Edgington also reported that the Fernley Aces held a haunted house in which over 1,000 attended the 3-day event. He stated Fern45 will hold their fundraising event for the Veterans Association this weekend. He stated there will be a Tailgate Party at Carpet King on Friday to kick-off the playoff games. Western Nev stem

Councilman Lacy thanked City staff for putting together the newsletter included in the quarterly water bill. American Legion and Classic Cars are organizing a Run for Toys event this month.

Councilman Torres thanked everyone for Spooktacular event. He stated he attended the Local Leaders conference in Yerington.

Councilwoman McKay reported there will be a Vaquero Playoff Tailgate Party. She reported the theme for Relay for Life this year will be “Rainbow for Hope”. Donations are now being accepted for the Community event Thanksgiving baskets. She reported the Community Thanksgiving Dinner is in need of people willing to cook turkeys.

4. PRESENTATIONS
4.1. Presentation and Discussion Regarding the City's Quarterly Financials.
Deputy City Treasurer Thomas Lukas presented the Quarterly Financials.

4.2. Presentation and report on Residential Rubbish Event held October 6 and 13, 2019.
City Manager Hooper thanked the building department and the code enforcement task force for their work on October 6th and October 13. City Manager Hooper reviewed the reported explaining the cost of the event in details. She is continuing discussions with
Waste Management for another event and she will also address the event again at budget time.

5. PROCLAMATIONS BY THE MAYOR
There were none.

6. STAFF REPORTS
6.1. (For possible action) Approval of the contract with Wood Rodgers to complete the conveyance process pursuant to the Fernley Lands Bill and the Memorandum of Understanding between the Bureau of Land Management and the City of Fernley.
This item was heard after Item 6.2
City Manager Hooper explained this is the contract to complete the conveyance process that was discussed in Item 6.2.

Motion: MOVE TO APPROVE THE CONTRACT WITH WOOD RODGERS (OPTION B) TO COMPLETE THE CONVEYANCE PROCESS AS OUTLINED IN THE MEMORANDUM OF UNDERSTANDING BETWEEN THE BUREAU OF LAND MANAGEMENT AND THE CITY OF FERNLEY. Action: Approve, Moved by Councilman Albert Torres, Seconded by Councilman Stan Lau.
Stan Lau disclosed that he is a former employee of wood Rodgers.

Vote: Motion carried by unanimous roll call vote (summary: Yes = 4). Yes: Councilman Albert Torres, Councilman Ray Lacy, Councilman Stan Lau, Councilwoman Fran McKay.

6.2. (For possible action) Approval of parcels identified in the Federal Lands Bill for Recreation and Public Purpose.
This item was heard after item 4.2
City Manager Hooper gave a brief explanation regarding the Federal Lands Bill. She stated City Council needs to identify pieces of land to be used for the City for recreational and public purpose. City Manager Hooper identified parcels on an attached map that
could be useful for the City to purchase. She stated the total land identified is approximately 7,000 acres.

Councilwoman McKay inquired on the Time frame on acquiring the parcels. City Manager Hooper stated the Priority will be BOR 1. She stated there is a cost savings if they are purchased together.

City Manager Hooper recommended City Council move forward with the recommendation from staff. She stated there will be other opportunities to look at other options in the future.


7. RESOLUTIONS

7.1. (For possible action) Adopt Resolution 19-017 requesting Lyon County Board of Commissioners to amend Ordinance 495 to increase the tax rate for other new development to conform with NRS 278.710.

City Manager Hooper explained in detail the 2005 Ballot question regarding Construction Tax for the purposes of road improvements. She stated in 2006 Lyon County Commissioners adopted Ordinance 495 decreasing the amount of tax on other new development. She stated currently the City is collecting .25 square foot when next year by NRS 278.710 the rate will be $1 per square foot. City Manager Hooper explained the City is missing out on .75 per square foot revenue opportunities for road improvements. She explained if adopted, Resolution 19-017 would request the County Commissioners to consider an amendment to conform with NRS 278.710.

Motion: I MOVE TO ADOPT RESOLUTION 19-017 REQUESTING LYON COUNTY BOARD OF COMMISSIONERS TO AMEND ORDINANCE 495 TO INCREASE THE TAX
RATe FOR OTHER NEW DEVELOPMENT TO CONFORM WITH NRS 278.710, Action: Approve, Moved by Councilwoman Fran McKay, Seconded by Councilman Ray Lacy. Vote: Motion carried by unanimous roll call vote (summary: Yes = 4). Yes: Councilman Albert Torres, Councilman Ray Lacy, Councilman Stan Lau, Councilwoman Fran McKay.

8. ORDINANCES - FINAL ACTION
a. Discussion with City Council & Staff
b. Public Input
c. Additional Discussion with City Council & Staff
d. Council Action or Direction to Staff

8.1. (For possible action) Adoption of Bill #278, an Ordinance modifying the Fernley Municipal Code, Section 10, Business License Regulations.
City Clerk Kim Swanson presented this item and stated updating Title 10 of the Fernley Municipal Code would eliminate the 30-day grace period and add language to add penalties to businesses working in the City without a valid license.
Councilman Ray Lacy disclosed that he is a business owner in the City of Fernley.
Mayor Edgington call for public input. There was none.

MOTION: I MOVE TO ADOPT BILL #278, AN ORDINANCE MODIFYING THE FERNLEY MUNICIPAL CODE, SECTION 10, BUSINESS LICENSE REGULATIONS BY ADDING DEFINITIONS FOR DISTRIBUTION FACILITY, MANUFACTURING PLANT, AND SQUARE FOOTAGE; ADDING PROVISIONS PERTAINING TO ENFORCEMENT OF UNLICENSED BUSINESSES; ADDING SQUARE FOOTAGE AS ANOTHER WAY TO CALCULATE LICENSE FEES FOR BUSINESS IDENTIFIED AS INDUSTRIAL, WAREHOUSE, DISTRIBUTION AND MANUFACTURING; BY REMOVING THE GRACE PERIOD FROM THE BUSINESS LICENSE FEE SCHEDULE; AND UPDATING PROVISIONS PERTAINING TO MULTIPLE ENTERPRISES LICENSED AS ONE, Action: Approve, Moved by Councilman Albert Torres, Seconded by Councilman Stan Lau. Vote: Motion carried by unanimous roll call vote (summary: Yes = 4). Yes: Councilman Albert Torres, Councilman Ray Lacy, Councilman Stan Lau, Councilwoman Fran McKay.
9. ADDRESS REQUEST(S) FOR FUTURE AGENDA ITEMS.

There were none.

10. PUBLIC COMMENT

Louise Inman, Fernley resident, inquired if any of the parcels identified in the Federal Lands Bill could be used for senior apartments. She stated the City is in need of place for senior citizens to live.

ADJOURNMENT

There being no further business to come before it, the Fernley City Council meeting adjourned at 6:23

Approved by the Fernley City Council on November 20, 2019 by a vote of:

AYES: 5  NAYS: 0  ABSTENTIONS: 0  ABSENT: 0

ATTEST: City Clerk Kim Swanson

Mayor Roy Edgington