

**MINUTES OF THE
FERNLEY CITY COUNCIL MEETING**

MARCH 14, 2019

Mayor Edgington called the meeting to order at 5:05 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, Public Works Director Dave Whalen, City Clerk Kim Swanson, Planning Director Tim Thompson, Development Attorney Doug Thornley, Assistant to the City Manager Colleen Unterbrink.

1.2. Public Comment

There was none.

1.3. Approval of the Agenda

Motion: MOVE TO APPROVE THE 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. 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

2.1. Public Hearing – Establishment of City of Fernley Redevelopment Project Area No. 1. (Continued from February 20, 2019)

A. Discussion and possible action to approve the Rules Governing Participation and Assistance by Property Owners in City of Fernley Redevelopment Project Area No.

B. Second Reading, Public Hearing - Discussion and possible action to adopt Bill #273, an ordinance of the City Council of the City of Fernley, Nevada, relating to community redevelopment; adopting a redevelopment plan and establishing Fernley Redevelopment Project Area No. 1.

Assistance to the City Manager Unterbrink explained that this is a continuation from the public hearing that was held on February 20, 2019. She recapped the procedures that City Council had taken up to this point. She read into record the letters that were submitted prior to the meeting.

A letter of inquiry was received from Karen Garaventa Bagget.

Letters in support of the Redevelopment District were received from; Kyle Chisholm, Vice President, Sandbank Associates, Inc. and Riaz Rohani, Global Realty, LLC.

Letters of opposition were received from Brett Collins, BCD Investments, Lyon County Board of Commissioners, Travis Peek, Peek Brothers Construction.

Mrs. Unterbrink read these letters into record.

Councilwoman Seidl explained her initial concerns regarding the Redevelopment Agency. She stated after attending the hearings and meetings her mind has been changed and felt the agency is good for improving downtown, installing sidewalks and lighting, etc.

Planning Director Thompson stated action taken tonight will not rezone any property. Actions tonight will create the agency, the boundaries of the district and adopt the rules.

Mayor Edgington explained property taxes. He stated when asked what the plan is for the Redevelopment District he answers that he cannot make a determination for a governmental body that does not yet exist. He explained changing the zoning is not a function of a Redevelopment District.

Dr. Fred Steinman, University of NV Reno, explained taxing entities within a Redevelopment District.

Mayor Edgington opened public input

Rhonda and Reed Call, Fernley residents, expressed concerned stating that the redevelopment area could take their home because it is bigger than others around them. She wanted a promise form City Council that her home would not be taken due to eminent domain. Mayor Edgington assured her that the City Council does not have a desire to enact eminent domain.

Michael Burnett, Fernley resident, was opposed to the Redevelopment Project. He felt the residential areas needed to be removed.

Bret Collins, Fernley resident, submitted a letter of opposition. He was concerned with valuation of property taken by eminent domain. He inquired who would oversee the Redevelopment Agency. Mayor Edgington explained that in the beginning the City Council will oversee the agency.

City Manager Hooper explained the intent of creating the Redevelopment District is to build a community and help property owners increase the value of their property. She stated there are not priorities yet established. She explained property owners could ask the Redevelopment Agency for help in maintaining their property. She stated this is an opportunity to work together to improve our community for the future.

Dr Fred Steinman explained that upon completion of this meeting the blight survey forms will be turned over to the City Clerk's Office and can be requested.

Kimberly Gibbs, Fernley resident, was concerned about her property being in the "Industrial Area." She inquired if everything in the project area is considered blight. Dr. Fred Steinman answered by saying specific parcels were not called out in any reports. He stated a it was determined that a prevalence of blight existed in that area.

Bradley Gibbs, Fernley resident, stated in the Redevelopment Language it clearly stated the City is going to eliminate 896 homes in 30 years. Mayor Edgington asked if he could have a copy of the paper that Mr. Gibbs received.

Mike Niemi, Fernley resident, stated he submitted his concerns via email to Dr. Fred Steinman. He stated he has not been notified of all the meetings that have taken place.

Clarence shields, Fernley resident, inquired why the City needs the Redevelopment Agency. He felt it give the City more power. Mayor Edgington explained the City needs new streets and sidewalks and one way to do that is by creating a Redevelopment District.

Scott Herman, Fernley resident, felt the Development Agency project would be a failure. He was concerned about lower property values. He inquired if the City talked to developers about coming to Fernley.

Coral Kulber, Fernley resident, new to Fernley since July 2018. She was unaware of the Redevelopment Agency and was concerned that her home is considered blight. She also was concerned about the removal of 896 homes. She stated the City Website was very misleading.

Angela Harper, Fernley resident, was concerned about who will make the determinations of blight and how that will impact her property. She inquired if manufactured homes would be considered blight. She inquired if there would be incentives to improve neighborhoods and individual properties. She also inquired if the neighborhoods have a say on what the dollars are spent on.

Cody Wagner, Fernley resident, spoke in favor of the Redevelopment District. He stated he has been involved in the Redevelopment District for approximately six months. He stated he had concerns in the beginning. He stated Redevelopment Law is very confusing. He stated these are tax dollars that residents are already paying that will be reinvested back in the community.

Kevin Stanlee, Fernley resident, thanked the Council and staff for their work. He reminded everyone that the City cannot override the State Constitution.

David Thomas, Fernley resident, stated according to NRS there has to be a need. He inquired what the qualified need was. Redevelopment Attorney Thornley responded by stating the need was to combat the conditions of blight. Mr. Thomas inquired which of the 11 conditions does the City meet. Dr. Steinman explained the Redevelopment Plan was able to find evidence of each one of the blight conditions throughout the entire study area. Mr. Thomas felt the findings could be subjective to an individual view.

Ron Carey, Fernley resident, inquired if due diligence has been done on future impact of the Redevelopment Agency. Dr. Steinman stated the due diligence is the Redevelopment Plan and the owner participation agreement.

Dave Flesh, Fernley resident, was concerned about the City taking his house. Mayor Edgington reiterated the City does want to take his house. He asked about the document that stated the City wants to take 896 homes.

Marty Hanna, Fernley resident, spoke in favor of the Redevelopment Agency. She felt there was a lot of misunderstanding in the room. She admired the City Council and the hard work that has been done getting the Redevelopment Agency this far.

Debbie Reeder, Fernley resident, expressed concerns over the City not being able to accommodate the residents. She stated there was a lack of trust between the residents of Fernley and their government.

Kimberly Gibbs, Fernley resident, brought forth the document that talks about removing 896 homes. Mayor Edgington explained that City Council inquired about removing a few of the areas within the Redevelopment Area. Dr. Steinman explained it is a technical memorandum that he provided to the City Council. He stated he was asked to examine the fiscal impact of removing two sub areas from the Redevelopment Study Area. He said there is no reference in the letter of the City taking residential property.

Councilman McCassie stated the Redevelopment Agency will use tax money to clean up neighborhoods and beautify the City. He stated there is a lot of misinformation circulating regarding redevelopment.

Dave Thomas, Fernley resident, felt the City was not creating the Redevelopment District according to NRS. He inquired about the preliminary plans. Dr. Steinman stated the Planning Commission reviewed the Redevelopment Plan and the owner participation rules. They made the finding that the City of Fernley meets all requirements to create a Redevelopment District.

Mike Niemi, Fernley resident, felt the City needed to fix the road he lives on. The Mayor explained it belongs to Lyon County.

Break 7:47 – 8:00

Mayor Edgington asked Redevelopment Attorney Thornley if the City Council has followed the correct procedure throughout the evening. Redevelopment Attorney Thornley responded by saying yes.

Councilman Lacy voiced his concerns regarding the language in the Redevelopment documents. He felt some of the language in the documents intimidated some of the people.

Councilwoman Seidl felt the residents that showed up tonight are genuinely fearful that they are going to lose their homes. She stated she takes this very seriously. She stated she works for the people and there are too many people who still have questions regarding the Redevelopment Agency.

Councilwoman McKay stated there are lots of erroneous information circulating regarding redevelopment. She stated there are approximately 20,000 people in this City. She stated these meetings brought out 200 people all together. She stated she is 100% behind the Redevelopment District.

Councilman Lau stated all questions have been answered. He stated there is no eminent domain, taxes will not increase, there will be no zoning changes. He added home values will not drop due to redevelopment.

Motion: MOVE TO APPROVE THE RULES GOVERNING PARTICIPATION AND ASSISTANCE BY PROPERTY OWNERS IN CITY OF FERNLEY REDEVELOPMENT PROJECT AREA NO. 1, **Moved by** Councilman Stan Lau, **Seconded by** Councilwoman Fran McKay **Vote:** Motion carried (**summary:** Yes = 3, No = 2). **Yes:** Councilman Dan McCassie, Councilman Stan Lau, Councilwoman Fran McKay, **No:** Councilwoman Sue Seidl. Councilman Ray Lacy. **Action:** Approve

Motion: MOVE TO ADOPT BILL #273, AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF FERNLEY, NEVADA, RELATING TO COMMUNITY REDEVELOPMENT; ADOPTING A REDEVELOPMENT PLAN AND ESTABLISHING FERNLEY REDEVELOPMENT PROJECT AREA NO. 1. **Moved by** Councilman Stan Lau, **Seconded by** Councilman Dan McCassie, **Vote:** Motion carried (**summary:** Yes = 3, No

= 2). **Yes:** Councilman Dan McCassie, Councilman Stan Lau, Councilwoman Fran McKay, **No:** Councilwoman Sue Seidl, Councilman Ray Lacy. **Action:** Approve

Mayor Edgington stated there was a 90-day appeal period. He added he appreciated everyone's comments.

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

Councilman McCassie inquired about the land swap with Lyon County for the senior center. He wanted to know what improvements and repairs it needs before it is torn down.

4. PUBLIC COMMENT

Greg Evangelatos, Professional City Planner, stated the City Council has planted the seeds for the future. He stated everyone got to voice their opinions and the Council made a decision on what they felt was the best for the community.

ADJOURNMENT

There being no further business to come before it, the Fernley City Council meeting adjourned at 8:29 pm.

Approved by the Fernley City Council on April 3, 2019 by a vote of:

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



ATTEST: City Clerk Kim Swanson



Mayor Roy Edgington