

**MINUTES OF THE  
FERNLEY CITY COUNCIL MEETING**

**MAY 1, 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**

**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, Planning Director Tim Thompson, Public Director Dave Whalen, City Clerk Kim Swanson, City Treasurer Denise Lewis, Deputy City Attorney Brent Kolvet, Assistant to the City Manager Colleen Unterbrink.

**1.2. Public Comment**

There was none.

**1.3. Approval of the Agenda**

City Manager requested moving Item 6.1 to be heard after Item 7.1 and Item 4 to be heard after Item 1.3.

**Motion:** MOVE TO APPROVE THE AGENDA WITH ITEM 4 BEING HEARD AFTER ITEM 1.3 AND ITEM 6.1 BEING HEARD AFTER ITEM 7.1, **Action:** Approve, **Moved by** Councilwoman Sue Seidl, **Seconded by** Councilman Ray Lacy. **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 Minutes from April 3, 2019**

**2.3. (Possible Action) Approval of Business Licenses**

**2.4. Possible Action to Approve the Will-Serve for MJ2K, LLC. for 2 ERC's for Water and 2 ERC's for Sewer for Lyon County Parcel 020-421-01 located at 260 Parkland Way, Fernley, NV.**

**2.5. Possible Action to award a Contract for Construction for the FY 18/19 PMP Maintenance Project, to Sierra Nevada Construction, Inc. (SNC), in an amount not to exceed \$424,007, plus a 5% contingency of \$21,200.**

**This item was heard after item 4.**

**Motion:** MOVE TO APPROVE 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.

**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 Attorney Jensen reported May 1<sup>st</sup> is National Law Day. She stated the theme for this year is Freedom of Speech. She provided a power point presentation explaining this day is set aside to celebrate the rule of law.

Sargent Miller, Lyon County Sheriff's Office, reported the monthly stats for the month of April 2019.

Mayor Edgington thanked City Attorney Jensen, LCSO and NHP for providing/attending training regarding off road vehicles in the City of Fernley.

City Manager Hooper reported the building official has been hired and will start on Monday (May 6<sup>th</sup>).

Councilman Lacy reported the Mayors Clean up day went very well.

Mayor Edgington reported 50 people participated in the Mayor's Clean-Up Day. He stated they cleaned up the Cemetery, 2 parks and the round-about. He thanked everyone for helping. He also thanked Sherwin Williams, Pioneer Crossing, 76 Station, Terrible's Casino, Big R for their donations to the Mayor's Clean-up.

City Manager Hooper thanked Charity Birkel and Trish Conner for their help putting together the Mayor's Clean-up.

### **3.2. 2019 State of Nevada Legislative Update**

City Manager Hooper gave the Legislative Report, stating the scheduled adjournment is June 3<sup>rd</sup>. She stated there are still 354 Assembly Bills and 36 Senate Bills still alive.

## **4. COMMUNITY RECOGNITION AWARDS**

### **This item was heard after item 1.3**

Mayor Edgington presented North Lyon County Fire Protection District with an Award of Appreciation for their dedicated efforts.

Mayor Edgington read a proclamation into record recognizing April as Autism Month in the City of Fernley.

## **5. PRESENTATIONS**

### **5.1. Discussion and possible action for Council to waive the requirement for Pamela Lockhart established in Fernley Municipal Code Section 28.02.01 and request to drill a domestic well.**

City Manager Hooper explained the resident submitted a request for City Council to hear this item. She explained the applicant submitted a request to drill a domestic well. City Manager Hooper stated by Fernley Municipal Code and State statute, staff recommended against it. The applicants are here to ask for a waiver.

Applicants, Pamela Lockhart and Gus Herrera addressed the City Council presenting contractors quotes to hook up to City Water. Mr. Herrera stated they were not able to spend thousands of dollars to hook up to City Water at this time. He asked City Council

to please consider approving the waiver. Pamela Lockhart explained that they would be able to hook up to City Water in the next 5 years.

**Motion:** MOVE TO GRANT A WAIVER FOR THE REQUIREMENT OF CONNECTING TO CITY WATER TO PAMELA LOCKHART, **Action:** Approve, **Moved by** Councilwoman Sue Seidl, **Seconded by** Councilman Ray Lacy. **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.

## 6. STAFF REPORTS

**6.1. Discussion and possible action regarding a request for waiver of conflict by McDonald Carrano pertaining to representation of third-party in review of implementation of redevelopment plan.**

**This item was heard after item 7.1**

Legal Brief 6:12 – 6:29

City Attorney Jensen explained that the City Council needs to decide if they want to give a waiver to a firm that represents the City. She stated McDonald Carrano represents the City in easement acquisitions at the Depot. City Attorney Jensen stated the firm would like to represent someone regarding redevelopment.

**Motion:** MOVE TO REQUEST A LIMITED SCOPE TO ONLY REDEVELOPMENT AND TO AVOID LEGATION FOR MCDONALD CORRANO, **Moved by** Councilman Stan Lau, **Seconded by** Councilman Ray Lacy.

Councilwoman Seidl inquired about the scope of the waiver. City Attorney Jensen explained that the waiver can be restricted to keep McDonald Carrano from being their attorney in the legation process against the City. **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. 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

### **7.1. Public Hearing, RTA 2018-002**

**Consideration and Possible Action to approve a Reversion to Acreage map to combine three parcels, creating one parcel approximately 0.64 acres in size in the C-2 zoning district located at 30 Main Street, Fernley, NV. (APN(s): 020-021-07, 06 and 05).**

**This item was heard after Item 5.**

Assistant Planner Melinda Bauer presented the Item. She explained the approval of this map would satisfy the conditions for the Design Review. Staff recommends approval of this reversion to acreage subject to the Conditions of Approval.

Break 5:59 – 6:04

Mayor Edgington called for Public Input. There was none.

**Motion:** MOVE TO APPROVE REVERSION TO ACREAGE MAP ASSOCIATED WITH RTA 2018-002, COMBINING THREE PARCELS INTO A SINGLE ± 0.64-ACRE PARCEL SUBJECT TO THE ATTACHED CONDITION(S) OF APPROVAL. **Action:** Approve, **Moved by** Councilman Stan Lau, **Seconded by** Councilwoman Sue Seidl. **Yes:** Councilman Dan McCassie, Councilman Ray Lacy, Councilman Stan Lau, Councilwoman Fran McKay, Councilwoman Sue Seidl. **Vote:** Motion carried by unanimous roll call vote (summary: Yes = 5).

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

Mayor Edgington requested a future agenda item creating an ordinance regarding off road vehicles on city streets.

Councilman Lacy requested a future agenda item regarding big rigs parked on public streets. Mayor Edgington stated City Manager Hooper would have a discussion with Councilman Lacy regarding this item.

Councilwoman McKay requested a future agenda item regarding an update on Highway 50 due to the recent fatalities.

Councilman Lau requested a future agenda item addressing road warranties being for 2 years.

### 9. PUBLIC COMMENT

There was none.

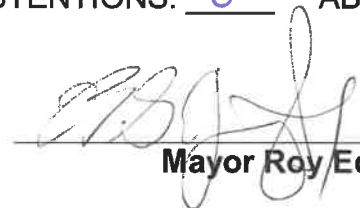
### ADJOURNMENT

There being no further business to come before it, the Fernley City Council meeting adjourned at 6:35 pm.

Approved by the Fernley City Council on June 5, 2019 by a vote of:

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

  
\_\_\_\_\_  
**ATTEST: City Clerk Kim Swanson**

  
\_\_\_\_\_  
**Mayor Roy Edgington**