

Yerington City Council Meeting
November 8, 2021 at 10:00am – City Hall

The regular meeting of the Yerington City Council was held in the Council Chambers at 10:00am with the following present:

Mayor John J. Garry
Council Members Jerry Bryant, Selena Catalano, and Shane Martin
City Manager Robert Switzer
City Attorney Chuck Zumpft (arrived at 10:04am)
City Clerk Sheema D. Shaw
Public Works Director Jay Flakus
Building Official Joel Brown
Grants Administrator Angela Moore

Absent: Chief of Police Darren Wagner

Guests: Mr. David Ray, Mr. Dave DeGrendele, Ms. Deb DeGrendele, Ms. Amy Miller, Mr. Josh Foli, Mr. Brandon Coombs, Ms. Wendy Madson, Mr. Rick Christian, and Mr. Scott Draper

The meeting was called to order at 10:00 am and roll call was reported by Mayor Garry. The Pledge of Allegiance was led by Mayor Garry. Mayor Garry stated a vacancy seat is available in the Yerington City Council, Councilwoman Schunke resigned from her seat as of November 3, 2021. The closing date for this position and the date of the Special Yerington City Council Meeting is set for December 3, 2021 for the selection of a candidate.

Public Participation

Mayor Garry asked for comments and no comments were made at this time.

Agenda Approval

Mayor Garry stated the agenda would be approved as presented unless there were any objections or corrections. City Manager Switzer stated no corrections need to be made. Mayor Garry stated the agenda was approved as presented and the motion was approved unanimously.

Minutes

Mayor Garry stated the minutes of October 25, 2021 regular meeting would be approved as presented unless there were any objections or corrections. Mayor Garry stated no objections were made, the minutes of October 25, 2021 regular meeting were approved as presented and the motion was approved unanimously.

New, Renewal, and Name Change Business License Applications

- A. Joseph Sawyer dba Lincoln Resource Group Corp., Mining Exploration & Development, 21 Bell St. Yerington, NV 89447 – New
- B. James Boswell dba Great West Asphalt, LLC, Asphalt Paving & Sealcoating, 133 E. Warm Springs Las Vegas, NV 89119 – New Single Project
- C. Joseph Mendoza Jr. dba Tech City Electric, LLC, Electrical Contractor, 1632 Burger Rd. Fernley, NV 89408 – New
- D. Shane Schuckman dba Sun City Replacement Windows, LLC dba Renewal By Andersen of Nevada, Sales & Installation of Windows & Doors, 5175 W. Diablo Dr. Las Vegas, NV 89118 – New
- E. Ray Myers dba Rayco Drywall, Drywall Installation, 250 Chism St. Reno, NV 89503 – New
- F. Robb Kelley & Mike O'Conner dba Pony Express Manufactured Homes, LLC, Manufactured Home Sales, 301 Perumean Lane Yerington, NV 89447 – New

Mayor Garry stated the business licenses would be approved as presented unless there are any objections or corrections. Mayor Garry stated no objections were made and the business licenses were approved unanimously.

Lyon County Manager, Jeff Page, will give a report on the current activities in Lyon County.

Mayor Garry stated Mr. Jeff Page was not present at this time.

Approval to make California Street and Broadway Avenue a Four-Way intersection and direct Public Works staff to install and maintain stop signs and crosswalks for pedestrian and vehicular safety. Project funds, estimated at \$2,000.00, are allowed within the guidelines of the American Rescue Plan Act (ARPA):

“Sections 602(c)(1)(C) and 603(c)(1)(C) of the Act provide recipients with broad latitude to use the Fiscal Recovery Funds for the provision of government services. Government services can include, but are not limited to, maintenance or pay-go funded building of infrastructure, including roads; modernization of cybersecurity, including hardware, software, and protection of critical infrastructure; health services; environmental remediation; school or educational services; and the provision of police, fire, and other public safety services.”

City Manager Switzer stated an effort to increase vehicular and pedestrian safety within the Lyon County School District for the Kiss and Drop Project. Instead of the use of ARPA funding, Grants Administrator Moore applied and received a grant from the Nevada Department of Transportation (NDOT) and funds can be added within the NDOT grant funding.

Councilman Bryant asked if Councilwoman Catalano could fill the position on the Public Works Committee in place of Councilwoman Schunke. City Manager Switzer stated Mayor Garry should make the final decision.

Councilman Bryant asked if an awareness campaign will take place. Public Works Director Flakus stated Lyon County School District will have an awareness campaign. Mayor Garry asked if stop signs with flashing lights could be put in. Public Works Director Flakus stated each sign is about \$10,000.00 and power will be needed to connect to the sign. Councilman Bryant asked an estimate of the completion date. Public Works Director Flakus stated as soon as possible, within one week or two.

Councilman Bryant made a motion to approve a four-way intersection on Broadway Avenue and California Street with an amendment to apply funding from a grant from NDOT, seconded by Councilwoman Catalano.

Mr. Dave DeGrendele stated on California Street, the one-hour parking area should be changed to a loading and unloading zone only. The Lyon County School District is also responsible for the children who attend the school and not just the City. Mayor Garry asked for comments, no further comments were made and the motion was approved unanimously.

Approve a recommendation by the Planning Commission: Boundary Line Adjustment – Rick Christian of Denson Surveying, on behalf of owner Lucinda Allen, is proposing to adjust a common property line between her two parcels located at 622 N. Oregon Street (APN# 001-032-13) and 0 N. Oregon Street (APN# 001-032-07). The two subject parcels owned by applicant are located within the City of Yerington.

Mr. Rick Christian with Denson Surveying is present. Mr. Christian stated the lot is vacant with an adjustment line running east to west at the intersection of Reyes Way and Oregon Street with access off of Oregon Street. The request is an adjustment of a common boundary line with the parcels being owned by two entities.

Councilman Bryant made a motion to approve a boundary line adjustment for APN# 001-032-13 and APN# 001-032-07 as presented, seconded by Councilwoman Catalano. Mayor Garry asked for comments, no comments were made and the motion was approved unanimously.

Approval to establish a Backflow Prevention Device grant program not to exceed \$150,000.00 and direct staff to work with commercial property owners to promote and administer the program. The purpose of the program is to assist commercial property owners with installation of backflow prevention devices for the safety and integrity of Yerington's Water System, and funded from ARPA funds. Qualified recipients will receive 50% of proven expenses for the installation of backflow devices. ARPA guidance: "Recipients may use Fiscal Recovery Funds to invest in a broad range of projects that improve drinking water infrastructure, such as building or upgrading facilities and transmission, distribution, and storage systems..."

City Manager Switzer stated a policy for the Cross-Connection Control Program was approved by City Council, this recommendation is for commercial businesses to

request help from the City through a grant application. ARPA funding is approved for water, sewer, and broadband infrastructure. The City would like to offer a grant of up to 50% for proven expenses to commercial businesses of approved certified devices installed. City Manager Switzer recommends approval to establish a grant program to ensure 100% compliance of commercial users. Councilwoman Catalano asked how many businesses are within the City of Yerington. Grants Administrator Moore stated one hundred and sixty-five businesses.

City Attorney Zumpft stated a cap should be included. City Manager Switzer stated a suggestion was just for a 50% grant. Public Works Director Flakus stated Golden Gate needs to be 100% compliant before being built. Per federal law, the devices need to be installed by someone who is certified. Councilman Bryant asked if businesses are only within city limits. Public Works Director Flakus stated anyone on the City Water System, not just within city limits. Councilwoman Catalano suggested for the City to talk to Lyon County about helping with the funding. City Manager Switzer stated Lyon County has not been approached and it is the City's system.

Mayor Garry stated businesses should apply through the Grants Administrator to receive the funding and should be on a first come, first serve basis with a closing date. Councilwoman Catalano asked if a cap should be included. Public Works Director Flakus a cap should maybe between \$8,000.00 to \$10,000.00. Councilman Martin asked if a penalty will be imposed for non-compliance. Public Works Director Flakus yes, the penalty is a disconnection of the City's water service. City Manager Switzer stated the funds need to be obligated by December 31, 2024 with an overall deadline by December 31, 2026.

Councilman Bryant made a motion to approve a grant program for the Cross-Connection Control Program not to exceed \$150,000.00 with consideration of a cap in the amount of \$8,000.00 or up to 50% with a time limit by fiscal year 2023, seconded by Councilman Martin. Mayor Garry asked for comments, no comments were made and the motion was approved unanimously.

Approval to award funding from Fiscal Recovery Funds under ARPA in the amount of \$600,000.00 to the Healthy Communities Coalition of Lyon and Storey Counties for the purchase of commercial property housing the Yerington Food Bank and other service partners. Wendy Madson from Healthy Communities Coalition will be making a presentation on the needs of the organization and the provision of services as it relates to populations within the City impacted by the pandemic. ARPA guidance:

"Specifically, recipients may use payments from the Fiscal Recovery Funds to facilitate access to resources that improve health outcomes, including services that connect residents with health care resources and public assistance programs and build healthier environments..."

City Manager Switzer stated a review of the ARPA guidelines was performed and determined that the requests for funds to purchase real estate is not covered under the ARPA guidelines and falls outside of the proper use of the funds. City Manager Switzer

informed Ms. Wendy Madson and the City agreed to move forward with the presentation by Healthy Communities Coalition.

Ms. Wendy Madson with Healthy Communities Coalition provided a presentation for information purposes with a PowerPoint. Healthy Communities Coalition serves the Yerington Food Pantry in Lyon and Storey counties. The pantry has seen an increase of 80% of clients served since the onset of COVID-19. The demographics includes members aging from zero to eighteen with 24% currently being served and aging from sixty plus with 34% currently being served. The request was to purchase a commercial building with 12,974 square feet in the amount of \$530,000.00 with \$70,000.00 extra for permits and clean up with a total request in the amount of \$600,000.00.

City Manager Switzer recommends for City Council to take no action. Councilman Bryant suggested for the item to be tabled with a more reasonable expenditure and better long-term plans for the Yerington Food Pantry. Ms. Madson stated parking at the current food pantry is the main issue. Councilwoman Catalano recommended for the Yerington Food Pantry to apply for grants and USDA loans.

Mayor Garry stated the agenda item will be tabled and asked for comments with no comments at this time.

Approval for a Dog Park to be located at Mountain View Park; directing staff to seek quotes for fencing material and other necessary accessories, and initiate the construction at the most appropriate location. Estimated costs are \$43,000.00, to be funded from the Special Revenue Fund.

City Manager Switzer stated the City would like to move forward to place a Dog Park within the city limits with the location being at Mountain View Park. The City is hoping to have the Dog Park in place by Spring. Councilman Bryant stated the Public Works Committee has been working on this project for about a year. The City should enforce no dogs allowed within the community parks and have a designated area for dogs, a Dog Park.

Councilman Martin asked about the legalities of the Dog Park. City Manager Switzer stated legal action could occur anywhere on City property and a leash mandate should be in place. Councilwoman Catalano stated signage should say dog owners are liable for any damage caused by their dogs. City Attorney Zumpft stated per the legal standards, all dogs should be vaccinated as well.

Mr. David Ray stated he is concerned with the Dog Park but it will be good for the entire community.

Councilman Bryant made a motion to approve for a Dog Park to be located at Mountain View Park with estimated costs in the amount of \$43,000.00 as presented, seconded by Councilwoman Catalano. Mayor Garry stated the motion was approved unanimously.

Mayor Garry stated a resident of Yerington, Ms. Bonnie Garry, requests a small Dog Park only with doggie bags stations, trash cans, and a double gate entry. Suggestions were given for rules for a small Dog Park:

1. City of Yerington bares no responsibility for the safety of dogs, the owner does.
2. Dogs must be on a leash before entering or leaving the park.
3. Pick up dog refuse with doggie bags and deposit into trash cans.
4. Do not leave the dog alone, must be monitored by the dog owner.

Approve Resolution 2021-06; A Resolution Accepting Payments from the Coronavirus Local Fiscal Recovery Fund Established Under the American Rescue Plan Act. This agenda item formalizes the acceptance of ARPA funds already received July 21, 2021, and informs the Department of Treasury the City of Yerington's intention to administer the funds per appropriate guidelines and regulations.

City Manager Switzer stated for the City to receive federal funds, a Resolution needs to be approved by City Council recognizing ARPA funding in the amount of \$2,177,110.32. The Resolution will inform the Department of Treasury that the City is using the funding in an appropriate manner.

Councilman Bryant made a motion to approve Resolution 2021-06 accepting payments from the Coronavirus Local Fiscal Recovery Fund under ARPA as presented, seconded by Councilman Martin. Mayor Garry asked for comments, no comments were made and the motion was approved unanimously.

Review Bills Previously Submitted for Payment

Bills, Salaries and Vouchers:

Accounts Payable Checks	10/25/2021	34435 through 34452
	11/02/2021	34457 through 34484
Payroll Checks	11/04/2021	34453 through 34455
Payroll Vouchers	11/04/2021	11042101 through 11042121
Transmittal Checks	11/02/2021	34456
Transmittal Vouchers	11/02/2021	11022101

Mayor Garry stated the bills previously submitted for payment would be approved unless there are any objections or corrections. Mayor Garry stated no comments were made at this time and the bills previously submitted for payment were approved unanimously.

Department Reports

City Attorney Zumpft stated he received a request from City Manager Switzer for vacant ordinances. Based on the Nevada Revised Statutes (NRS), Cities may adopt criminal ordinances and limitations, but more research is being done. Expenditures are being evaluated in the nuisance abatement. Criminal prosecution laws are changing affecting the City with bail hearings. Bail hearings now have to be performed within forty-eight hours instead of seventy-two hours.

City Manager Switzer that he received information from the insurance company for the damaged vehicle, Chevrolet Malibu and the City will be receiving an amount of \$18,538.00. The Congressional Appropriation's Committee for the \$598,000.00 is part of the bill just passed by Congress. If the City does receive the funds, a federal agency will administer the funds for the Kiss and Drop Project.

City Clerk Shaw stated on December 3rd will be a Special Meeting and requests a 1:00 pm meeting with a Room Tax meeting in the morning. Financial statements are due to the State by the 15th of January. Veteran's Day is this Thursday and the City Hall office will be closed.

Councilman Bryant stated that the James Sanford Community Center will be hosting the First Responders Benefit event. Thank you to City Manager Switzer, the Public Works crew, and Public Works Director Flakus. The Yerington Parade of Lights is on December 11th. City Clerk Shaw stated City Hall staff has decided to enter the event with a float.

Councilwoman Catalano congratulated the City for the first Halloween event, it was amazing. City Clerk Shaw recognizes Bookkeeper Lori Phillips for the Halloween event and Court Clerk Lupe Montes for the Yerington Parade of Lights float.

Councilman Martin stated Girls' Varsity Volleyball was the number two seat. Boys' Varsity is number one in the 2A division.

Mayor Garry stated Veteran's Day is coming up and everyone should show patriotism to our children. Happy Thanksgiving to everyone.

Public Participation

Mr. David Ray stated agenda items number fourteen and fifteen should be switched and based on the NRS and Open Meeting Laws, there are no restrictions on the order. Mr. Ray suggested to change the agenda items and the second discussion participation should be before the Department Reports.

Mayor Garry asked for comments and no comments were made at this time.

There being no further business the meeting was adjourned at 11:50 am.

Mayor of the City of Yerington

ATTEST:

City Clerk of the City of Yerington