

Yerington City Council Meeting
December 12, 2022 at 10:00 a.m. – City Hall

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

Mayor John J. Garry
Council Members Jerry Bryant, Matthew Galvin, and Shane Martin (Via Telephone)
City Manager Robert Switzer
City Attorney Chuck Zumpft
City Clerk Sheema D. Shaw
Chief of Police Darren Wagner
Public Works Director Jay Flakus
Building Inspector Joel Brown
Grants Administrator Angela Moore

Absent: Councilman Frank Pizzo

Guests: Mr. Matt Van Dyne, Mr. David Ray, Ms. Lisa Sutter, Mr. Jim Sciarani, Fire Chief Scott Draper, and Mr. Burt Bryan

The meeting was called to order within the James Sanford Community Center and roll call was reported by Mayor Garry. The Pledge of Allegiance was led by Mayor Garry.

Public Participation

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

Official Oath/Swearing in of Council Members Matthew Galvin, Shane Martin and Frank Pizzo.

Mayor Garry stated two council members are not present and will be postponed to the first CC meeting in January.

Agenda Approval

Mayor Garry stated the agenda would be approved as presented unless there were any objections or corrections. City Manager Switzer stated agenda item number twelve and thirteen need to be delayed for the applications from Ms. Kathleen Knight and Mr. Dave Snelgrove with the recommendation from the Yerington Planning Commission. Mayor Garry stated the agenda was approved as presented with the modifications of agenda items number twelve and thirteen to be delayed for the first meeting in January and the motion was approved unanimously.

Minutes

Mayor Garry stated the minutes from prior meeting dated November 14, 2022 would be approved unless there were any objections or corrections. Mayor Garry stated the minutes from prior meeting dated November 14, 2022 were approved as presented and the motion was approved unanimously.

New, Renewal and Name Change Business License Applications

- A. Steven Lewis dba Steven Lewis, General Printing (business forms, etc.), 106 Chateau Way, Yerington, NV 89447 – New
- B. Robert & Richard Gardner dba Gardner Mechanical Services, Inc., HVAC/Mechanical Contractor, 270 E. Parr Blvd., Reno, NV 89512 – New
- C. Antonio Garcia Solano dba Tony's Handyman Service, Handyman Services, 301 N. Center St., Yerington, NV 89447 – New
- D. James Smith dba Smith Mechanical, Inc., Plumbing Contractor, 1848 Frazer Ave., Sparks, NV 89431 – New
- E. Jose Garcia dba Elite Roof Systems & Solutions, LLC., Roof Installation/Replacement, 507 Summer St., Fernley, NV 89408 – Renewal
- F. Adrian Pelayo dba Osmar & Doris Jumper, Bounce House Rentals, 622 Mason Dr., Yerington, NV 89447 - New

Mayor Garry stated the business license applications, A. through F. would be approved as presented unless there were any objections or corrections. Mayor Garry stated no objections were made at this time and the business license applications, A. through F. were approved unanimously.

Review Bills Previously Submitted for Payment

Bills, Salaries and Vouchers:

Accounts Payable Checks	11/15/2022	36118 through 36154
	11/29/2022	36157 through 36196
	12/05/2022	36197 through 36210
Payroll Checks	11/14/2022	36112 through 36115
	11/28/2022	36155
Payroll Vouchers	11/14/2022	11172201 through 11172226
	11/28/2022	12012201 through 12012223
Transmittal Checks	11/14/2022	36116 through 36117
	11/28/2022	36156
Transmittal Vouchers	11/14/2022	11142201
	11/28/2022	11282201

Mayor Garry stated the bills previously submitted for payment, checks 36112 through 36210 totaling \$176,276.63, and would be approved unless there were any

objections or corrections. Mayor Garry stated no comments were made at this time and the bills previously submitted for payment were approved unanimously.

Approve the application process for additional USDA funding of approximately \$14,000,000.00 to complete another phase of water/sewer infrastructure replacement. Between the estimated original project amount of about \$34,000,000.00 to the present, increased costs of materials and labor caused a portion of the project to be excluded. USDA has indicated there are additional funds available for a low interest rate, or there could be a potential of 75% grant opportunities for this additional project. Any final determination on a loan/grant application would be brought to the Council for further action.

City Manager Switzer stated the City is considering applying for additional funding for the Water and Sewer Project. The costs for the project have increased and the entire city limits were not included with the original project. The City is under no obligation if City Council wishes not to proceed. Mr. Matt Van Dyne with Farr West Engineering is available to answer any questions.

Mr. Van Dyne stated inflationary factors were included within the costs and the most critical elements were included within this phase of the project. The additional funding offers a chance of 75% grant funding and a lower interest rate.

Councilman Galvin time asked about the time frame for completion for phase two and if Q&D Construction would be the contractor again. Mr. Van Dyne stated the City would need to go out to bid and could possibly get a different contractor. If a bid is received in late spring, construction can then start sometime in summer. Councilman Bryant asked if water work will be completed for the entire city and if sewer work still not included in the project. Mr. Van Dyne stated there are some funding restrictions, but the City is focused on the three backbones; Mountain View Street, Main Street and Oregon Street with having the deepest sewer pipes. Councilman Bryant confirmed that the City is asking permission to pursue the additional funding, then City Council will reassess once a price is determined by USDA. City Manager Switzer stated Mayor Garry will sign the document if City Council wishes to move forward but a decision will not be determined until funding options are provided then City Council can make a final decision.

Councilman Galvin made a motion to accept item number eight as presented, seconded by Councilman Bryant. Mayor Garry asked for comments, no comments were made at this time and the motion was approve unanimously.

Acceptance of the FY2021-2022 Audit by Sciarani & Co., 30 Broadway Avenue, Yerington, NV. Mr. Sciarani will make a presentation summarizing the results of the audit.

Mr. Jim Sciarani with Sciarani & Co. provided a presentation to the FY2021-2022 Audit for the City of Yerington.

Mr. Sciarani stated page seventy-six shows the ten-year trends for the City. A good increase is present in the General Fund and an overview of the funds is provided on page seventeen.

Councilman Bryant stated the expenditures have increased by \$780,000.00 because of the ARPA funds and are there any concerning points? Mr. Sciarani stated the City is required to take part in the Single Audit Act due to receiving over \$750,000.00 in federal awards, but there are no violations within the General Fund.

Mr. Sciarani stated page sixty-six is the Water Fund, which was overspent and includes a loss of \$534,696.00. City Manager Switzer stated the City set the utility rates and gradual increases will be performed. One to two more years will show a deficit in spending. Councilman Bryant asked if the City increased the rates this July 1st? City Manager Switzer stated yes. Mr. Sciarani stated page seventy is the Sewer Fund, which was also overspent. Mr. Sciarani stated special testing was performed on all of the grant programs with no findings. The Water and Sewer Project, USDA, and ARPA were all tested and the findings provided a clean single audit opinion. The City is very financially healthy with rate increases forthcoming.

Mayor Garry asked if the City was in legal compliance. Mr. Sciarani stated yes, the City receives a small violation for a fund that is overspent. City Manager Switzer stated he will compose a letter to the Department of Taxation to address the violations.

Councilman Bryant made a motion to accept agenda item number nine, seconded by Councilman Martin. Mayor Garry asked for comments, no comments were made at this time and the motion was approved unanimously.

Discussion on the current FS-10 Financial Statement, July-November 2022.

City Manager Switzer stated the financial statement for discussion is from July 1, 2022 through November 30, 2022. Page four is the General Fund showing a deficit in revenues over expenditures. Page six shows a budget of \$40,000.00 for the Yerington Paiute Tribe Dispensary and the City has received \$46,930.00. With five months into the fiscal year, the total fund is operating at around 42%, Police Department at 43%, City Hall at 40.7%, Municipal Court at 47%, the Airport at 69.5%, Park and Recreation at 33.2%, Building Department at 38.1%, and Animal Control at 27.3%. The City anticipates a positive trend but a deficit in spending at the end of the fiscal year.

City Manager Switzer stated page nineteen is the Sewer Fund in a positive position. The Special Revenue Fund on page twenty-nine shows the ARPA money received for second allocation to the City.

Action items to improve pedestrian safety around school campuses. Pursuant to recommendations from a recent Public Safety meeting, several steps have been discussed including raised crosswalks (speed bumps), additional crosswalks, and additional stop sign(s).

City Manager Switzer stated the City should consider some of the suggested safety measures to help with the traffic speed in the school zones by purchasing additional stop signs to help control the speeds.

Public Works Director Flakus stated the raised crosswalks are about \$16,000.00 each. The signs and posts are very minimal costs. The mid-street gate on California Street and the back of Oregon Street should have raised crosswalks for the safety of the children getting dropped off at the school. Littell Street and California Street will also have the additional stop signs. Councilman Galvin asked if the raised crosswalk will be placed by the office on Pearl Street. Public Works Director Flakus stated the raised crosswalks on Pearl Street will need to be approved by Fire Chief Scott Draper and Chief of Police Darren Wagner. The raised crosswalks provide a unsafe route for fire engines and is not recommended since extra engineering would need to be in place.

City Manager Switzer stated if City Council decides to move forward, the cost for signage and two raised crosswalks with engineering will cost around \$40,000.00. Public Works Director Flakus stated the stop signs can go in right now, but the crosswalks need to be repaved first which will be completed during the Water and Sewer Project.

City Manager Switzer stated an unobligated amount of about \$200,000.00 from ARPA funding could be used for some additional safety measures at the school. The Regional Transportation Commission (RTC) could be used and the City will see if they can contribute in some way.

Councilman Bryant made a motion to approve agenda item number eleven for the raised crosswalks at the Yerington Elementary School at Littell Street and California Street and at Oregon Street with funding to be provided by ARPA, seconded by Councilman Martin. Mayor Garry stated Mr. Dave DeGrendele, a community member, provided a comment which Mayor Garry will read, the roads are torn up along Kathy Avenue and Cartwright and should be the contractor's responsibility and expense to use the heavy equipment and water to correct. City Manager Switzer reached out to the Lyon County School District's superintendent and they are 100% behind the safety project. Mayor Garry asked for further comments, no comments were made and the motion was approved unanimously.

Recommendation from the Yerington Planning Commission: Kathleen Knight and Dave Snelgrove of CFA, Inc., on behalf of Brodie Priestly, are proposing a developer's agreement application with APN 001-643-01 (Grand Estates Phase II).

Mayor Garry stated agenda item number twelve was delayed for the first meeting in January.

Recommendation from the Yerington Planning Commission: Kathleen Knight and Dave Snelgrove of CFA, Inc., on behalf of Brodie Priestly, are proposing a tentative subdivision map application with APN 001-643-01 (Grand Estates Phase II).

Mayor Garry stated agenda item number thirteen was delayed for the first meeting in January.

Recommendation from the Yerington Planning Commission Board: AT&T Mobility, C/O Carl Jones (AT&T Agent), on behalf of Stephen E. Aiazzi is proposing a special use permit application with APN 001-059-02, for construction of a communications tower. The tower addition will provide better service for AT&T customers along with utilization of the new FastNet communication services for local law enforcement agencies. The issuance of the permit should be conditional on FAA approval and sign off.

City Manager Switzer stated the City requests to approve the installation of a single tower with AT&T and by recommendation by the Yerington Planning Commission. The tower will increase the AT&T service and ability to help out the local law enforcement agencies. AT&T will need to apply for a Special Use Permit and should be conditional with the Federal Aviation Administration (FAA) approval. Councilman Galvin asked if the service will be FirstNet or FastNet. City Manager Switzer stated it should have read as FirstNet. Councilman Bryant asked if an additional tower will be located at the Yerington Municipal Airport. City Manager Switzer stated no, the new tower would be located at 400 North Main Street.

Councilman Bryant made a motion to approve agenda item number fourteen as presented, conditional on FAA approval and include cooperation that there is no interference with the surrounding towers and local communication, seconded by Councilman Galvin. Mayor Garry asked for comments. Mr. Burt Bryan with Walker River Irrigation District stated the tower could cause interference with their system and could lead to an issue with operating all the control valves. Mayor Garry asked for further comments, no comments were made and the motion was approved unanimously.

Discussion on the Administrative Office of the Courts requirement that all courts obtain a case management system (CMS) that is compliant with the State reporting requirement.

City Clerk Shaw stated the City was informed last week by Judge Cheri Emm-Smith that a new system needs to be in place by January of 2023. Not a lot of details are available at this time but the new system is required by the Administration Office of the Courts (AOC). A cost is not available at this time and the first two years are free of charge. The system may or may not require licensing but the users will need to have their own logins. More discussion needs to take place soon and approval will be needed by City Council when more information is available. The AOC has not made any final determinations as of yet.

City Attorney Zumpft added that the legislature has changed a lot with changes to both criminal and civil cases. Councilman Bryant asked if the new system is also the same system that most other municipalities use. City Clerk Shaw stated all other municipalities use Court View. Some changes need to occur with the financial end and everything will need to be on the global platform.

Approve funding by Change Order to pave additional streets including Oregon, Pearl, Broadway, and Kathy in the projected amount of \$307,209.60. Funding would be from available RTC and ARPA funds.

City Manager Switzer stated rising costs have increased the estimate amount to about \$332,178.00 with cost per square feet. The cost includes full street repaving east of Oregon Street, Broadway Avenue, Pearl Street, and Kathy Avenue. Councilman Bryant asked if the repaving will be additional or will the streets be dug up again and repaved. Public Works Director Flakus stated Broadway Avenue is a full pave and a trench will not need to be dug up. Kathy Avenue is a road where the damage was so great, the full road needs to be replaced. The City could add Cartwright to the paving but would need to find out a cost first. Councilman Galvin suggested to put the decision off until an estimate is received for Cartwright. Public Works Director Flakus stated the price is currently reserved. City Manager Switzer stated City Council could act on the item and maybe add another \$25,000.00 to pave Cartwright as well.

Councilman Bryant made a motion to approve agenda item number sixteen to repave all streets for the amount of \$332,178.00 and to include authority to repave Cartwright with a total amount of \$358,000.00 or less or \$332,178.00 if Cartwright is not included, seconded by Councilman Galvin. Mayor Garry asked for comments, no comments were made and the motion was approved unanimously.

Approve funding by Change Order for installation of new pump assemblies for wastewater discharge from the Waste Water Treatment Plant. The current pumps need replacement due to age and deterioration. The estimated amount would be \$184,000.00 by Q&D Construction of Sparks, NV. Funding would be from Sewer contingency funds.

Public Works Director Flakus stated the line from the Waste Water Treatment Plant to the Cinnamon Pond is a natural gravity flow. Dual effluent pumps will move more water downstream once installed. The previous pumps were installed in 1994 and have now corroded slowly over the years with the gases, which is causing the support structure to fail and is in really bad shape. Councilman Bryant asked if the shelf life is about fifteen years. Public Works Director Flakus stated yes, about that time or possibly sooner.

Councilman Galvin made a motion to accept item number seventeen as presented, seconded by Councilman Bryant. Mayor Garry asked for comments, no comments were made at this time and the motion was approved unanimously.

Approve funding by Change Order for installation of a signal pedestrian crosswalk at the corner of Pearl and Main Streets in the amount of \$71,200.00. The project would be paid from ARPA funds and donations by private individuals.

City Manager Switzer stated a lighted pedestrian crosswalk took a while for the Nevada Department of Transportation (NDOT) to approve of the permit and the cost has now increased. The starting cost was about \$50,000.00 and is now up to \$71,000.00.

Councilman Galvin asked what amount the City put aside for this project. City Manager Switzer stated about \$27,000.00 to about \$28,000.00 is set aside. The City will reach back out to the individuals who planned on donating and see if those amounts are still available.

Councilman Bryant made a motion to accept agenda item number eighteen conditional on the private donations to bring the amount back down to \$62,000.00, seconded by Councilman Galvin. Mayor Garry asked if the project is stopped if the donations are not received? City Manager Switzer stated the City could bring the item back in January to approve of the private individuals amounts first then come back with a final figure. Councilman Bryant asked if the project is halted, could there possibly be another increase of more than \$71,200.00. City Manager Switzer stated it is definitely a possibility, yes and the project would be good to have the community buy in.

Mayor Garry stated the agenda item is tabled until the first meeting in January and asked for comments with no comments made at this time.

Public Participation

Ms. Lisa Sutter stated she purchased a house at 308 Paul Street without knowing about the Water and Sewer Project and has some issues with the billing. City Manager Switzer asked for Ms. Sutter to meet with him after the City Council meeting and to provide her name, address and telephone number to provide more help. Mayor Garry agreed that Ms. Sutter should make arrangements to see City Manager Switzer.

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

Department Reports

City Attorney Zumpft stated happy holidays to you and yours.

Chief of Police Wagner stated the 2023 Tahoe's are here and needs to be upfitted. The Police Department is waiting on one background check then if hired, the Police Department will be at full staff. The Police Department needs to new AT&T tower for their local communication. The three way stop on Pearl Street and California Street should not be changed prior to it being paved, which would cause an issue with safety.

Public Works Director Flakus stated he does not believe the AT&T tower will cause interference at all with the other communications. The Public Works Department is hiring a new Public Works Assistant and a Public Works Clerk.

Building Official Brown stated Merry Christmas.

City Manager Switzer stated the PAPI's and REIL's Project will start in early January.

City Clerk Shaw stated after January 1st, the financial disclosures are due before January 15th. City Council training will also be held on January 23rd.

Councilman Bryant would like to extend gratitude to all City staff and their efforts for the Small-Town Christmas event.

Mayor Garry stated he is joyous and impressed with the City staff and was so pleased with the festivities. Happy holidays, Merry Christmas and Happy New Year's to everyone.

There being no further business, the meeting was adjourned.

Mayor of the City of Yerington

ATTEST:

City Clerk of the City of Yerington