

Yerington City Council Meeting
January 24, 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, Selena Catalano, Shane Martin, and Matthew Galvin (arrived at 10:30 a.m.)
City Manager Robert Switzer
City Attorney Chuck Zumpft
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: Ms. Amy Miller, Mr. Dave DeGrendele, Ms. Deb DeGrendele, and Mr. Travis Crowder

The meeting was called to order at 10:02 a.m. and roll call was reported by Mayor Garry. The Pledge of Allegiance was led by Councilwoman Catalano.

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. Mayor Garry stated the agenda was approved as presented and the motion was approved unanimously.

Review Bills Previously Submitted for Payment

Bills, Salaries and Vouchers:

Accounts Payable Checks	1/10/2022	34762 through 34784
Payroll Checks	1/13/2022	34785
Payroll Vouchers	1/13/2022	01132201 through 01132223
Transmittal Checks	1/11/2022	34786
Transmittal Vouchers	1/11/2022	01112201

Mayor Garry stated the bills previously submitted for payment, checks 34762 through 34786 totaling \$93,213.73, 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.

Approval of Hangar #412 Assignment of Lease from Rick and Kathleen Ortega to Edby Roel Calderon Merlos.

Mayor Garry stated the approval of Hangar \$412 Assignment of Lease from Rick and Kathleen Ortega to Edby Roel Calderon Merlos would be approved unless there are any objections, no objections were made and the motion was approved unanimously.

Approval to award to New Life Industries, LLC, Yerington, NV, in the amount of \$12,259.00 for construction of a concrete parking pad adjacent to the east end of the main City Hall Building #A. A competitive quote was received from another company in the amount of \$13,000.00. Funds to be expensed from Capital Asset Acquisition, 04-25-00-8082.

City Manager Switzer stated a large concrete pad would like to be placed at the east of the building where staff park vehicles. Issues with the weather and water accumulating in that area, prevents the dirt and mud tracking into the building. Mayor Garry added this is a safety item for all employees.

Councilman Bryant stated additional parking requested when parking can be already accessed from the front area. Restrooms at Mountain View Park needs repaired and should be the first priority over additional parking. Councilman Martin asked the plan at the parks. Public Works Director Flakus stated so much vandalism is present at Mountain View Park and porta-potties needed to be put in to accommodate that issue. Restrooms like at Veteran's Park would be a good idea for Mountain View Park.

Councilwoman Catalano stated she supports the agenda item and the cost is reasonable. City Manager Switzer stated this is an attempt to address some issues for a long-term solution. Councilwoman Catalano asked how many cars will the concrete pad accommodate. City Manager Switzer stated probably about five cars. Councilman Bryant stated the Public Works Department does a lot with very little resources and the City should prioritize some areas that have been mandated to be updated or upgraded, which a lot of the community uses. Councilman Martin agrees he would like for the month to go to the parks as well.

City Manager Switzer stated a longer-term discussion about the parks restrooms which includes industrial strength accessories could be discussed. Councilman Bryant stated the concrete pad should be at the bottom of the priority list and restrooms at the parks and the signage for the Police Department should be completed first.

Councilwoman Catalano made a motion to approve awarding New Life Industries, LLC in the amount of \$12,529.00 for construction of a concrete parking pad adjacent to the east end of the main City Hall building #A, to be expensed from Capital Asset Acquisition, 04-25-00-8082. No second was given from Councilman Bryant or Councilman Martin. Mayor Garry stated the motion was not approved.

Mayor Garry stated the agenda item was reopened for discussion from Councilman Galvin. Public Works Director Flakus stated in the City's ten to fifteen year plan is to build a Justice Complex for Municipal Court and the Police Department.

Councilman Galvin added the concrete pad will not be used for the public and only for City employees. Mayor Garry stated the agenda item is tabled and the motion was not approved with one aye from Councilwoman Catalano and three nays from Councilman Bryant, Councilman Martin, and Councilman Galvin.

Approval to purchase a 2022 Chevrolet Silverado 2500 pickup truck with utility bed for Public Works in the amount of \$65,000.00. Purchase will replace a 2008 pickup with over 145k miles and will be auctioned. If approved, the purchase costs will be divided between three funds: \$15,000.00 from Water Fund 02-54-25; \$15,000.00 from Sewer Fund 03-54-25; and \$35,000.00 from Fixed Asset Acquisition Fund 04-25-00-8082, which was budgeted this fiscal year.

City Manager Switzer stated a request from the Public Works Department was received to purchase a new utility truck for Public Works Chief Becker. The 1998 vehicle would be auctioned instead of the 2008 pickup and the 2008 pickup will be assigned to another employee.

Public Works Director Flakus stated Public Works Chief Becker has been working for the City for ten years and works seven days a week. He should have the best equipment and resources for how well he works. Public Works Chief Becker is the only installer of utility services for the Public Works Department and no department within the City earns money like water and sewer.

Councilman Bryant stated he one hundred percent agrees with Public Works Director Flakus. He has a lot of respect for Public Works Chief Becker and he is a great employee. He supports this agenda item and Councilwoman Catalano agrees it is at a good price.

Councilman Bryant made a motion to approve as presented, seconded by Councilman Martin. Mr. Dave DeGrendele stated the motion should be modified for the portion of the 2008 pickup truck that will be auctioned.

Councilman Bryant made a motion to modify the motion as presented and add in the no requirement to auction the previous vehicle and leave it at the City Manager's discretion, seconded by Councilman Martin. Mayor Garry asked for comments, no comments were made and the motion was approved unanimously.

The Boys & Girls Club of Mason Valley is requesting a reduction in utility hookup fees which total \$30,709.50 for its Early Learning Center located at 230 N. Main St. (APN 001-095-11). Staff has no specific recommendation beyond how the Council has addressed similar requests in the past. The Council can decide to grant a reduction in either percentage or dollar amount of the fees, reject the request, or take no action.

Public Works Director Flakus stated the amount within the agenda item is not the money the City would be out, just the fee to connection to the City's system. City Manager Switzer stated the last time was with the RV Park and City Council reduced the fees to twenty-five percent. New development puts demand on the water and sewer system and

future impacts, which creates an additional burden on the system. The City only collects the privilege to connect fees.

Councilman Bryant made the motion on the RV Park knowing the City will have a return on it in the future and he is unsure if a daycare will have a return on the investment to the City like the RV Park will. Councilman Galvin asked when does the agenda item need to be approved. Public Works Director Flakus stated they are putting up the retaining wall right now.

Councilwoman Catalano stated the Boys and Girls Club is part of a big history for the City. The City needs to support them whether it's a reduction in percentage or not.

Mr. Travis Crowder with the Boys and Girls Club provided a presentation to City Council. Mr. Crowder stated the Daycare program is for infants to pre-k and the Boys and Girls Club has a partnership with the Lyon County School District. The school cannot take that many pre-school students anymore and they have donated part of the property to the Daycare. Yerington High School will also have an apprenticeship program at the Daycare. The Early Learning Center will be licensed for fifty-one children. The Boys and Girls Club is experiencing an influx of costs currently and the cost for construction went from about \$900,000.00 and is moving up to close to \$1,800,000.00.

Councilman Bryant stated he does value the Boys and Girls Club and what they offer. He suggests a percentage reduction and possible for Non-profit organizations to maybe offer the same twenty-five percent reduction. Councilwoman Catalano stated the Non-profit organizations serves the community as well and recommends giving about thirty to thirty-five percent reduction. Public Works Director Flakus stated a thirty-five percent reduction would be pushing about \$15,000.00.

Mr. Crowder stated the other two licensed daycares have been full for forever and this facility will cost as much as the Teen Center did to build.

Councilman Bryant made a motion to approve the Boys and Girls Club receive a thirty percent reduction in utility hookup fees for its Early Learning Center located at 230 N. Main St. (APN 001-095-11), seconded by Councilwoman Catalano. Ms. Deb DeGrendele stated she commends City Council for moving forward with the reduction. Mayor Garry asked for comments, no comments were made and the motion was approved by Councilman Bryant, Councilwoman Catalano, and Councilman Martin with a nay vote given by Councilman Galvin.

Discussion and review of FS-10 Financial Statement.

City Manager Switzer stated page four is the revenues over expenditures reflecting a negative number. The City has not received all of the General Fund revenues as of today. The ending fund balance was in the amount of \$795,853.90. Page six shows the Yerington Paiute Tribe Marijuana Compact, the City has not received any payments this year. The decision lies with City Attorney Zumpft and City staff to decide if something beyond a review is needed. The Yerington Paiute Tribe has not paid since March of 2021,

which quarterly payments are supposed to be made to the City. The City sent a certified letter detailing the quarterly payments that need to be made and no response was given. City Manager Switzer budgeted about to receive about \$40,000.00 this fiscal year, but no payments have been received and the payments affected the overall percentage. Councilwoman Catalano stated the Yerington Paiute Tribe is not keeping up with the contract. City Attorney Zumpft stated the Yerington Paiute Tribe can pay in lieu of taxes to the City and the City can pursue them. The City could rescind the contract and would ultimately be City Council choice. City Manager Switzer stated City Council could also pursue other parties relating to marijuana use. Councilman Bryant suggested to have something put on this week's Tribal Council meeting. Councilman Galvin stated the City can take legal action. Councilman Bryant stated he would volunteer a few phone calls about adding to the Tribal Council agenda.

City Manager Switzer stated page eight is the General Fund expenditures and are at fifty-nine percent. Mayor and Council are at forty-one percent, which is under budget. Management and Administration is at 58.8 percent, which is at budget. Page ten is the Street Department, with Capital Outlay of about \$345,262.87, the figure has to be adjusted and would affect the ending fund balance. Every dollar of expenditures will be an offset from revenues devoted to streets, transportation and Right of Ways (ROWs), which will be RTC funds from Lyon County. The City has not received any RTC funds as of yet. Our community qualified for additional uses of ARPA funding and those uses will be used for roadways with a combination of RTC funds and American Rescue Plan Act (ARPA) funds. In July of 2022, the City will be receiving about \$2,140,000.00. Page fifteen shows a slight error with sale of water in the amount of \$24,000,000.00, instead of an amount of about 750,000 gallons. Revenues over expenditures of about \$64,000.00 in the Water Fund. Page twenty is the Sewer Fund with revenues over expenditures of about \$122,000.00. Work needs to be done on the collection of revenues in the General Fund.

Mr. Dave DeGrendele stated regarding the Yerington Paiute Tribe, the building is on private land and the business license could go away. Shut off the water and sewer and contact the administration from the Bureau of Indian Affairs (BIA). The Yerington Paiute Tribe is not following the contract and the legal responsibilities, people above them should be called to rain down on them to shut them down.

Department Reports

City Attorney Zumpft stated the City developed fee schedules and costs have been paid to the City. If the City offers reductions then the City is acknowledging the fee schedules are set too high. He encourages City Council to throw out their fee schedules and the cost that the City incurs. There is definitely a cost to the City for others to tie into the water and sewer system. City Attorney Zumpft encourages City Council to review the current fee schedule. It is not proper for the City to impose those costs onto the other people of the community.

Public Works Director Flakus stated he suggest to have restrooms at Mountain View Park that are vandalism resistant and more like the Veteran's Park restrooms and recommends getting these restrooms as well for the other parks. Public Works Director

Flakus gives thanks to Grants Administrator Moore for the restrooms at Veteran's Park. The new Public Works Assistant, Ms. Virginia Montoya has started the process for the auctions. He will bring the packet of auction items to City Manager Switzer and the auction will be held online.

City Manager Switzer stated he is starting the process for the weed and nuisance violations. In December of 2021, City Council approved of about \$1,400,000.00 in additional water infrastructure for the Water and Sewer Project and grant funding will be used as much as possible. The loan amount for the Water and Sewer Project will be added to the rate payers after the construction is completed.

Councilman Bryant stated more resources should be given for the Public Works Department.

Councilwoman Catalano stated this meeting will be her last meeting and thank you to City Attorney Zumpft. Public Works Director Flakus is fun and very good at what he does. The City was blessed with City Manager Switzer. Yerington is really a great town and she enjoyed serving the community. Thank you, Mayor Garry, for everything.

Councilman Martin stated thank you Councilwoman Catalano and we will miss you.

Councilman Galvin stated the fee schedule does need to be revised and up for discussion with City Council to review fees should be taken out completely. The Yerington Paiute Tribe is getting breaks, but the Boys and Girls Club is up to date and is not getting a bunch of breaks.

Mayor Garry stated thank you Councilwoman Catalano for your service. Strong voices mean that you don't always agree and will be part of the history of this town.

Public Participation

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

There being no further business the meeting was adjourned at 11:42 a.m.

Mayor of the City of Yerington

ATTEST:

City Clerk of the City of Yerington