

Yerington City Council Meeting
January 9, 2023 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, Shane Martin and Frank Pizzo
City Manager Robert Switzer
City Clerk Sheema D. Shaw
Chief of Police Darren Wagner
Public Works Director Jay Flakus
Building Inspector Joel Brown
Grants Administrator Angela Moore

Absent: City Attorney Chuck Zumpft

Guests: Mr. Dave DeGrendele, Ms. Deb DeGrendele, Mr. Dave Snelgrove, Ms. Kathleen Knight, and Mr. Mike Tibbals

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 Councilman Bryant.

Public Participation

Mayor Garry asked for comments. Mr. Dave DeGrendele stated with the efforts around town, he compliments the work being performed. Mayor Garry asked for comments and no further comments were made at this time.

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

Mayor Garry stated three members will be sworn in today who have been selected to serve our city, Councilman Galvin, Councilman Pizzo and Councilman Martin. Councilman Galvin, Councilman Pizzo and Councilman Martin recited the oath and were sworn in by City Clerk Shaw. City Clerk Shaw congratulated each City Council member. Mayor Garry provided City Council name plates to Councilman Galvin, Councilman Pizzo and Councilman Martin.

Agenda Approval

Mayor Garry stated the agenda would be approved as presented unless there were any objections or corrections. City Manager Switzer stated on agenda item number seven, items E., F., G., and H. need to be removed from the revocation of business licenses due to payments being made. Mayor Garry stated the agenda was approved with the modifications and the motion was approved unanimously.

Minutes

Mayor Garry stated the minutes from prior meeting dated December 12, 2022 would be approved unless there were any objections or corrections. Mayor Garry stated the minutes from prior meeting dated December 12, 2022 were approved as presented and the motion was approved unanimously.

New, Renewal and Name Change Business License Applications

- A. Allen W. Fink, Vice President/Chief Medical Officer dba Carson Tahoe Physician Clinics, Medical Office, 306 Surprise Street, Yerington, NV 89447 - Renewal

Mayor Garry stated the business license applications 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 were approved unanimously.

Revoke Business Licenses Due to Non-Payment for 3rd QTR July-September 2022.

- A. Jennifer Cheri Rose and Artemio Rios Cruz dba Rios Ranch Organic, 2588 State Route 208, Smith Valley, NV 89430
- B. Emily Burns dba Homeslice, LLC. dba Round Table Pizza, 174 W. Goldfield Avenue, Yerington, NV 89447
- C. Michael R. Brown dba Priority 1 Services, 115 Belmont Street, Yerington, NV 89447
- D. Frank Cruz Torres dba Premium Lawn and Landscapes, 9920 Highball Court, Sparks, NV 98441
- ~~E. Erik and Brett Haslem dba Brad Haslem, Inc., 1175 East 2000 South, Vernal, UT 84078~~
- ~~F. Kenneth Williams dba Titan Solar Power, Inc., 3570 W. Post Road, Mesa, AZ 85210~~
- ~~G. Sergio Rodriguez-Perez dba Alpha & Omega Energy Services, LLC. dba SunVolt, 4350 Arville St., Suite 400, Las Vegas, NV 89104~~
- ~~H. Heriberto A. Jurado dba Top Knotch Installs, 605 Clemens Ave., Dayton, NV 89403~~

Mayor Garry stated the revocation of business licenses due to non-payment for third quarter, July through September 2022, was modified and items removed from revocation were E., F., G., and H. due to payments being made. Mayor Garry stated no objections were made at this time and the revocation of business licenses due to non-payment for third quarter, July through September 2022, with items A. through D. were approved unanimously.

Review Bills Previously Submitted for Payment

Bills, Salaries and Vouchers:

Accounts Payable Checks	12/12/2022	36218 through 36244
	12/19/2022	36245 through 36274
	12/21/2022	36275 through 36280

	12/22/2022	36281 through 36283
	12/27/2022	36288 through 36317
Payroll Checks	12/12/2022	36211 through 36215
	12/27/2022	36284 through 36286
Payroll Vouchers	12/12/2022	12152201 through 12152226
	12/27/2022	12292201 through 12292223
Transmittal Checks	12/12/2022	36216 through 36217
	12/27/2022	36287
Transmittal Vouchers	12/12/2022	12122201
	12/27/2022	12272201

Mayor Garry stated the bills previously submitted for payment, checks 36211 through 36317 totaling \$3,292,691.84, 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.

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).

City Manager Switzer stated the Yerington Planning Commission recommends approval of the tentative map application for the Grand Estates subdivision. Mr. Dave Snelgrove, Planning and Right of Way Manager with CFA, Inc., provided a presentation. Mr. Snelgrove stated both agenda items will be discussed at the same time. Phase I for the Grand Estates subdivision was approved in the mid-2000s. Phase II is the approval of the lots in the middle of the subdivision with the same lots sizes as the previous lot size amounts that were approved. The utilities and roads are currently not put in but roadside drainage, pedestrian paths, and a 65-foot Right of Way are included within the design. Twenty-eight lots are on the outer ring with forty-one lots in total within the subdivision. The developer's agreement deals with the lift station and putting every residence owner on the City's sewer system.

Councilman Bryant asked if the water and sewer lines will be under the City's roads and not under the houses. Mr. Snelgrove stated all lines will be in the streets. Councilman Bryant appreciates everyone's efforts on this project and asked if the improvements to the lift station are privately funded. Ms. Kathleen Knight with CFA, Inc. stated the lift station is privately owned and the improvements will be funded privately. City Manager Switzer stated two issues need to be worked on and includes:

1. Reviewing and approval of the tentative map
2. Approval of the developer's agreement

Councilman Bryant asked Chief of Police Wagner if the Yerington Police Department has any concerns with the safety or the access of the subdivision. Chief of Police Wagner stated no.

Councilman Bryant made a motion to approve agenda item number nine as presented, seconded by Councilman Galvin. Mayor Garry asked for comments, no comments were made at this time 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).

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

A request by Yerington High School to waive fees at the James Sanford Community Center for the 2023 Prom Dance to be held the last weekend of April 2023.

City Manager Switzer stated a request was received from Yerington High School to waive fees for the Prom event in April 2023. City Council has considered this issue before and the fees were waived last year for the event. City Manager Switzer recommends to waive fees for the event but to still charge the refundable cleaning deposit for the facility.

Councilman Bryant stated if the fees are waived nothing is coming back into the community and some sort of charge should be attached to it. Councilman Bryant recommends to reduce the fees to a facility charge of \$200.00 plus a refundable cleaning deposit of \$200.00 but the City should not waive the fees entirely due to the City paying out of pocket for the labor costs. Councilman Galvin asked if the Yerington Police Department needs to supply officers for the events. Chief of Police Wagner stated that determination is based on the event, but he would recommend at least one officer present.

Councilman Bryant made a motion to approved agenda item number eleven to reduce the facility use fee to \$200.00 and charge a \$250.00 refundable cleaning deposit if the facility is returned in light condition, seconded by Councilman Galvin. Mayor Garry asked for comments, no comments were made at this time and the motion was approved unanimously.

Discussion on potential interference from a new AT&T cellular tower with the communication systems of Walker River Irrigation District (WRID). Staff has researched this issue brought up at the last Council meeting and at this time do not anticipate any interference issues. WRID cell towers operate at 900 MHz and 5GHz while AT&T transmits on mid-band 5-G at 1.7-4.7 GHz. WRID is checking with its technical personnel for any potential issues as well.

City Manager Switzer stated the City received notification from the Federal Aviation Administration (FAA) that the AT&T tower was approved. Included within the approval letter was a complete listing of frequencies that will be utilized by AT&T and will not cause interference with WRID since different frequencies will be used.

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

A request from Nevada League of Cities to join City of Las Vegas in an amicus support for an appeal of a District Court ruling affecting land use planning for every city in Nevada. If the ruling withstands appeal to the Nevada Supreme Court, virtually all regulatory land development processes available to Nevada cities would be unconstitutional.

City Manager Switzer stated the City was asked by the Nevada League of Cities to sign a letter of support to the Nevada Supreme Court. If the ruling stands, the City will have difficulties relating to zoning issues and what would be allowed on the property. The zoning laws are in place to handle regulatory issues within the City. Mayor Garry added by signing the letter of support, there will be no cost to the City and only supporting the actions of the City of Las Vegas.

City Manager Switzer stated the ruling takes away the power to mitigate the laws on the properties. Cities and counties are usually asked to sign for support measures only and by doing this, the City is not causing more issues for the City. City Council has the legal authority to handle those issues, but to completely take it away is going to be problematic. City Council has to authority to modify its' own code and Mayor Garry is in support of this action.

Councilman Pizzo made a motion to sign the support letter and get on board with the support, seconded by Councilman Martin. Mayor Garry asked for comments and no comments were made at this time. The motion was approved by three ayes and one nay from Councilman Bryant, a three to one vote.

Stop Utility billing for Lisa Suttor at 308 Paul Street as she does not use the service and therefore should not receive a billing.

City Manager Switzer stated City Council may:

1. Table the issue or
2. Take action to accept the request

Councilman Galvin asked if the City is charging for water and sewer services to the house. City Clerk Shaw stated yes, the City is charging for both. The customer states that she does not have a usable bathroom in her home but she does use water to do dishes and uses an average of 3,000 gallons per month. Councilman Galvin stated everyone else is paying their bills and she needs to pay hers as well. City Manager Switzer stated water is also going into the wastewater system, which enters into the City's system. Overhead costs are imposed on the City if they are connected to the system.

Councilman Galvin stated Mr. Suttor purchased the house and any issues with the house is on her not on the City. City Clerk Shaw stated the City has also offered to shut off the water, but she refused.

Councilman Galvin made a motion to continue the utility billing for Lisa Suttor at 308 Paul Street, seconded by Councilman Martin. Mayor Garry asked for comments, no comments were made at this time and the motion was approved unanimously.

Public Participation

Mr. Mike Tibbals stated Q&D Construction is not following the Orange Book, standard specifications for public works construction for the Water and Sewer Project. The City is getting burned by Q&D Construction and it is the City's decision to make these hard decisions. Q&D Construction is putting perfume on a pig for the project. Mayor Garry stated Mr. Tibbals can meet with City Manager Switzer to address the issues and to have the item put on a future agenda item during a City Council meeting. Mr. Tibbals stated the streets are a mess and Q&D Construction should be shutdown with the work that they are performing. Mr. Tibbals asked if the City has a snow removal policy. Public Works Director Flakus stated yes. Mr. Tibbals asked to please not place the snow and ice on the sidewalks.

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

Department Reports

Chief of Police Wagner stated a couple laws will be in place soon that will affect the Yerington Police Department. A new application has been submitted and final testing is ongoing. If the test is passed, then the individual would be hired at the Yerington Police Department. The gutters took a beating by the Yerington Police Department office and some maintenance will be performed soon.

Public Works Director Flakus presented Ms. Michele Larsen as the new Public Works Clerk. Public Works Clerk Larsen will take the lead on the baseball season, which is now delayed due to the weather.

City Manager Switzer stated the Local Government Investment Pool (LGIP) fund has accrued an amount of \$24,393.00 in interest in the last month. To date the City received \$207,891.00 of additional revenue within the fund. City Manager Switzer commends Chief of Police Wager, Public Works Director Flakus and City Clerk Shaw for stepping up to the plate this week for addressing all concerns that were thrown their way. Chief of Police Wagner led the emergency response during the storm at the Community Center. Public Works Director Flakus and the Public Works crew worked on the holidays and overtime addressing the issues and the weather.

City Clerk Shaw stated City Council training will be held on January 23rd after the City Council meeting with POOL Pact and could be up to three hours. City Clerk Shaw is

looking into retirement in about a year and a half to two years and training will be taking place. Ms. Lori Phillips, bookkeeper with the City of Yerington, has completed the Human Resources (HR) training by passing the test with an eighty-eight percent and is now certified. Before City Clerk Shaw's retirement, Ms. Phillips' title will be changed and HR will be added.

Councilman Bryant thanked Chief of Police Wagner, Public Works Director Flakus and City Clerk Shaw for their hard work.

Councilman Martin also thanked the City.

Councilman Galvin asked Chief of Police Wagner if some upgrades to equipment will occur soon. Chief of Police Wagner stated a new advocate will come on board soon and the Yerington Police Department is moving in a better direction than before. Councilman Galvin stated Lyon County sent out an emergency announcement about the weather. Public Works Director Flakus stated the City is willing to help out Lyon County. Sand bag station are at the Public Works Yard, available anytime and is self-service.

Mayor Garry stated he is grateful that the City has a multi-purpose facility and for all the help that the City has. The City of Yerington would like to take a moment to show respect and honor one of our Public Works employees, Mr. John Campi. Mr. Campi was a very respectful man; a great worker and the City has many fond memories with him. Mr. Campi mounted the plaque for the City and his contributions to the City are very high. A memorial bench should be placed in his honor. Public Works Director Flakus stated Mr. Campi's service was cancelled and a new date is yet to be set.

There being no further business, the meeting was adjourned.

Mayor of the City of Yerington

ATTEST:

City Clerk of the City of Yerington