

**Yerington City Council Meeting**  
**February 28, 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, Shane Martin (Via Telephone), and Matthew Galvin  
City Manager Robert Switzer  
City Attorney Chuck Zumpft  
City Clerk Sheema D. Shaw  
Public Works Director Jay Flakus  
Chief of Police Darren Wagner  
Grants Administrator Angela Moore  
Public Works Clerk Virginia Montoya

Absent: Building Official Joel Brown

Guests: Mr. David Ray, Mr. Wesley Harper, Mr. Duane Halgrimson, Ms. Amy Miller, Mr. Matt Van Dyne, Mr. Dave DeGrendele, Ms. Deb DeGrendele, Mr. Frank Pizzo, Ms. Karen McAllister, Ms. Darlene Triplett, Mr. Travis Crowder, Ms. Anne Phelan, Ms. Lori Condon, and Ms. Carly Chichester

The meeting was called to order at 10:00 a.m. and roll call was reported by Mayor Garry. The Pledge of Allegiance was led by Mayor Garry.

**Public Participation**

Mayor Garry stated Mr. Wesley Harper with the Nevada League of Cities and Municipalities requested to provide a presentation to City Council and Mayor Garry agreed and stated the presentation is for discussion only.

Mr. Wesley Harper, Executive Director of the Nevada League of Cities and Municipalities (NLC), stated he would like to provide information on the One Nevada Plan. The NLC was created in 1959 with a name change in 1997. The League was organized to provide aid to cities and towns. The main goal is to benefit organization to cities and states to improve priorities for fiscal accountability. The NLC currently has twenty-five members on the Board of Directors' panel. The One Nevada Plan was created by NLC. Direct funding from the CARES Act funding was made available with direct aid from NLC. NLC has real effect on quality of life for the community of Yerington. The NLC is building the capacity of the league to be better partners with cities by increasing communication and resources available to cities. On January 31, 2022, the NLC ratified the One Nevada Plan and changed the dues in the current formula to a dues formula which increased the price monthly from \$196.00 up to \$843.00. At a percentage standpoint, that is a significant increase for cities.

Mr. Harper requests to provide a higher contribution to fully unveil the One Nevada Plan to the City of Yerington. Mayor Garry stated the dues increase is quite shocking, but will contribute a value to the City of Yerington. More discussions need to take place between the City of Yerington and the NLC and in time, a principal will be agreed upon with everything presented by Mr. Harper. City Attorney Zumpft stated City Council should consider approving of the increase for the One Nevada Plan.

#### 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.

#### Minutes

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

#### New, Renewal and Name Change Business License Applications.

- A. Richard A. Pittman dba Thunder Electric, C-2 Electrical Contractor, 4 Camelot Acres Lane Yerington, NV 89447 – New
- B. Michael R. Brown dba Priority 1 Services, Carpet Cleaning, Handyman, 115 Belmont Street Yerington, NV 89447 – New
- C. Rodney J. Pellegrini & Matthew J. Phillips dba R and M Security, LLC, Private Security, 406 Ironwood Court Yerington, NV 89447 – Adding Partner
- D. Scott Gray dba Stewart Title Corporation, Title Service and Escrow, 215 W. Bridge Street #1 Yerington, NV 89447 – New

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

#### Review Bills Previously Submitted for Payment

##### Bills, Salaries and Vouchers:

Accounts Payable Checks	02/14/2022	34896 through 34950
Payroll Checks	02/07/2022	34894
Payroll Vouchers	02/18/2022	2102201 through 2102224
Transmittal Checks	02/07/2022	34895
Transmittal Vouchers	02/07/2022	2072201

Mayor Garry stated the bills previously submitted for payment, checks 34894 through 34950 totaling \$186,570.18, and 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.

First reading by Title: Bill No. 424; Ordinance 22-02; An Ordinance Amending Yerington City Code Title 5, Police Regulations, Chapter 4, Animal Control; Adding Article D, Titled "Cats", and other matters properly related thereto. This proposed Ordinance adds a section to Title 5, Chapter 4, Animal Control, addressing issues with cats in our community particularly of stray and feral cats and adds a licensing requirement. The Ordinance is proposed by Councilman Galvin.

City Manager Switzer stated this ordinance is for first reading and will not take effect until a second reading will take place. The ordinance is modeled after the dog ordinance already in place for the City and states only a domesticated number of cats that an individual can own, which includes three dogs and three cats. A violation to the ordinance would include individuals cannot be willfully feeding stray or feral cats. City Manager Switzer recommends consideration for approval to the Yerington City Code under Animal Control.

Councilman Bryant asked if the City has an ordinance on the books for licensing for dogs. City Manager Switzer stated yes, but the licensing fee is very minimal. Councilman Bryant suggested to remove the licensing fees for domestic cats that live within the house and licensing fees should be for a lifetime, but not annually.

Councilman Galvin stated the goal for the cat ordinance was to stop individuals from feeding the stray and feral cats, not a licensing issue. City Manager Switzer stated the same conditions would be appropriate for the cat ordinance that is already in place for the dog ordinance. Public Works Director Flakus stated the City do not enforce a single dog rule since the 1970's and tracking would need to take place.

Councilman Bryant requests to modify the cat ordinance by keeping section 54D1 and 54D2, striking 54D3 and 54D4, but retaining the collar requirement within section 54D5. A discussion should also take place of section 54D6 within the ordinance. A better partnership should take place with the Yerington Area Cat Control (YACC) to help the City trap, neuter or spay, then release back into the community or offer adoption services.

Mayor Garry stated the cat ordinance should be tabled at this time and he recommends to return the ordinance back to the Public Safety Committee for discussion.

Mayor Garry asked for comments, Ms. Darlene Triplett stated individuals should be ticketed for feeding the feral cats and to let nature takes its course. Mr. Dave DeGrendele stated he agrees with Mayor Garry about bringing the issue back to the Public Safety Committee to discuss and come up with a solution. Ms. Karen McAllister, volunteer at the Yerington Animal Shelter, stated the feral cat problem in Yerington is huge. YACC offers a program called Trap, Neuter, and Return (TNR). The problem around town is a combination of:

A. Feeding the stray and feral cats

B. TNR

C. No collars should be enforced.

Ms. McAllister added the Yerington Animal Shelter is not a place to house stray or feral cats. Mayor Garry thanked Ms. McAllister for her service at the local animal shelter.

Duane Halgrimson, 311 Kathy Avenue, is requesting clarification or a decision on placement of new sewer lateral lines for his rental property at 401 Paul Avenue. Mr. Halgrimson wants a sewer lateral draining to the street side of the property instead of the current drainage to the rear of the property. Field and project engineers have been unable to provide certainty of the new location until construction activity is closer to the property.

City Manager Switzer stated Mr. Duane Halgrimson approached the City regarding the placement of the sewer laterals for this property. Full camera work still needs to be completed before a final determination can be determined. Mr. Matt Van Dyne is present to provide a more technical presentation to City Council.

Mr. Duane Halgrimson provided more insight to City Council about his property at 311 Kathy Avenue and his rental property at 401 Paul Avenue. Mr. Halgrimson stated a sewer line should be built around the house and he has not received any answers yet about his properties.

Public Works Director Flakus stated Paul Avenue was built in the 1980's, but Kathy Avenue and Cartwright were built around 1986. The City envisioned the area as a commercial area with a single sewer system. The system needed to be built bigger but the City did not enforce that.

Mr. Matt Van Dyne with Farr West Engineering stated this community was commercial and preplanned with sewer infrastructure placed in backyard, which means that easements for the City are not established. Farr West Engineering recommends moving the sewer lines into the streets to provides the City with the easements to work on the sewer laterals. Mr. Halgrimson's existing infrastructure is unknown at this time, only water lines have been completed at within the Paul and Kathy area. The sewer laterals will not be started for another few months in that area and sewer videos need to be completed for a better understanding will be known at that time. The external supply for the lines will be four-inch PVC pipes and the internal lines will be three-inch PVC pipes. The best solution will be considered for all properties and the internal remodel plumbing modifications will be present with the City paying the extra costs. At this time, Farr West Engineering and the City must collect all that information before a final answer can be given.

Councilman Bryant asked if all thirty homes will be impacted during the sewer verifications. Mr. Van Dyne stated that is correct and all sewer connections will be rerouted to the streets. All private properties were mapped out and the possibilities were already given to the homeowners. Farr West Engineering and Q&D Construction by law, cannot put the sewer lines too close to the water lines. Water lines will be on one side of

the property while the sewer lines will be on the other side of the property. Councilman Bryant asked if a financial burden will be present for the thirty homeowners. Mr. Van Dyne stated no cost will be made by any private resident, all of the costs will be on the USDA loan and the grants received by the City. Mayor Garry stated a definitive answer cannot be given at this time and the engineer will be able to give a more defined answer at a later time.

Mr. Halgrimson asked if a clean out will be provided within the driveway and if he can have a RV dump place available at this property accessed through the front clean out. Public Works Director Flakus stated he does not suggest to hook up the RV to the clean out within the driveway.

Mayor Garry asked for comments, Mr. Dave DeGrendele stated he was made clear that there was a small sewer line in place before construction began and the issue is an ongoing problem. All the engineers and contractors have been very well to work with and the City should not be responsible to pay for reengineering of someone else's property. If someone wants to change the design of the sewer laterals, they should bare the whole cost, not the City or the residents within the City to pay for something else that a homeowner wants.

Mayor Garry stated the agenda item was for discussion only and not an action item. The City is currently addressing this issue with Farr West Engineering and Q&D Construction.

Approval of Airport Hangar #311 Re-Assignment of Lease from Scott Shelley to David Goodin.

Mayor Garry stated Airport Hangar #311 Re-Assignment of Lease from Scott Shelley to David Goodin would be approved unless there are any comments or objections. Mayor Garry stated no objections were made and the Airport Hangar #311 Re-Assignment of Lease from Scott Shelley to David Goodin was approved unanimously.

Approval of Airport Hangar #402 Re-Assignment of Lease from Scott Shelley to David Goodin.

Mayor Garry stated Airport Hangar #402 Re-Assignment of Lease from Scott Shelley to David Goodin would be approved unless there are any comments or objections. Mayor Garry stated no objections were made and the Airport Hangar #402 Re-Assignment of Lease from Scott Shelley to David Goodin was approved unanimously.

Selection of an Applicant to fill one vacant City Council Position. Pursuant to the Yerington City Charter Sections 1.060 and 2.010, Submitted by the following qualified applicant: Frank Pizzo.

City Manager Switzer stated per the Nevada Revised Statutes (NRS) and the Yerington City Charter, a vacant City Council position should be filled within thirty days

since the date of February 1, 2022. City Council has the options to make a motion for approval, chose not to make a select at this time or to re-advertise the City Council applicant position. Mr. Frank Pizzo answered the advertisement, is a qualified applicant, and answered within the deadline period.

Mayor Garry asked Mr. Frank Pizzo to provide more information about his experience within Yerington. Mr. Pizzo stated he applied to be the applicant for the Yerington City Council. He has lived in Yerington for thirty plus years and has performed any community service efforts. Councilman Bryant stated he sees no other reason not to move forward with Mr. Pizzo taking the position on the Yerington City Council. Councilman Galvin stated other individuals have approached him and asked City Attorney Zumpft if any legal action will be taken if a selection is not made within thirty days. City Attorney Zumpft stated filling the position is mandatory and needs to be filled within the time frame. A decision does not need to be made today but it would be appropriate to select the position today, if not there could be ramifications to the City.

Mayor Garry asked for comments, Mr. Wesley Harper with the NLC stated the City is in a position to fill the position and he urges the City to take that action. An avenue is available to stay in compliance and he urges the City to stay in compliance. Mayor Garry added that Mr. Pizzo was named Volunteer of the Year.

Councilman Galvin made a motion to approve Mr. Frank Pizzo as the Yerington City Councilman, seconded by Councilman Bryant. Mayor Garry asked for comments. Mr. Dave DeGrendele stated he recommends Mr. Pizzo be selected as a City Councilman. Ms. Darlene Triplett stated Mr. Pizzo is an excellent volunteer and she supports him in anything that he does within City Council. Mayor Garry stated comments were made and the motion was approved unanimously. Mr. Pizzo will be sworn in at a future City Council meeting.

#### Discussion on the Financial Statement (FS-10) for July 1, 2021 through January 2022.

City Manager Switzer stated on page four, an adjustment was made in revenues over expenditures in the amount of negative \$306,855.92. After the Journal Entries and adjustments were made the revenues over expenditures now shows an amount of negative \$52,681.25. The current ending fund balance is now in the amount of \$1,118,441.83, which is a good, positive position. The City is still waiting for the revenues to come in from the Yerington Paiute Tribe marijuana sells and the City expects payment for some revenues from that entity. The last payment received was over one year ago from the Yerington Paiute Tribe. The agreement with the Lyon County School District for the School Resource Office (SRO) is on page five and shows a zero balance. The Lyon County School District has provided payment in the amount of \$30,000.00 with an amount of \$60,000.00 being shown year to date. Page ten, an adjustment was made in the street function under Capital Outlay. The amount of \$300,000.00 was adjusted down by adding expenditures out of the American Rescue Plan Act (ARPA) funds instead of the Capital Outlay funds. Capital Outlay will be reimbursed from Lyon County and the City currently has about \$1,235,000.00 for RTC reimbursement to repair streets. The revenue will be

shown in the RTC shared revenue when reimbursement is received and the amount is applied. Page sixteen is the Water Fund and looks healthy. The total fund expenditures are below the expected expenditures, which is 67% of the budget and is below the budget. Page nineteen is the Sewer Fund and looks healthy. The total fund revenues are in the amount of \$1,201,000.00 with expenditures in the amount of \$559,000.00, which is also below the budget. A likely change will occur as the City get more into the Water and Sewer Project.

Councilman Bryant asked about the cost of the aerators in the amount of \$60,000.00 and where that is shown on the financial statement (FS-10). City Manager Switzer stated that amount will come out of ARPA funds.

### Public Participation

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

### Department Reports

Chief of Police Wagner stated a new police officer will start on March 14, 2022. Officer Kosak will return to work this week after proper paperwork is filled out returning from leave from the military. The audit of the Yerington Police Department has been commended for their work. Chief of Police Wagner is headed to Reno tomorrow to pick up the graphics for the two Tahoe's. Mayor Garry asked about the signage in front of the Police Department. Chief of Police Wagner stated that will all get worked out soon.

Public Works Director Flakus thanked City Council and City Manager Switzer for purchasing Public Works Chief Becker's new vehicle. A Movies in the Park request will be discussed within the Public Works Committee with final approval from City Council. Bulk chemicals are now going to be purchased by Public Works Clerk Montoya because Ferric Chloride is hard to come by. The City may have to start something in the community to bring awareness about how much water is consumed for irrigation and the amount of chemicals that need to be added.

City Manager Switzer stated he received a budget report from the State of Nevada with growth within the City of Yerington. An increase in the property tax evaluation, which is the Ad Valorem Tax revenues and the City of Yerington was evaluated at \$67,000,000.00. The City of Yerington is the highest increased city in the State of Nevada. The budget is ongoing and will be brought to City Council to review at the retreat, which will be the week of March 14, 2022 at the Jeannie Dini Center or to be held at someone's house, to stay close to home.

City Clerk Shaw stated filing for the next election will be March 7<sup>th</sup> through March 18<sup>th</sup> at the Lyon County Administration offices. When a person is appointed to a position, the position will go up for the election this year. Committee meetings are being scheduled with the Public Works Committee meeting taking place on March 10<sup>th</sup> and the Public Safety Committee Meeting and the Administration Committee Meeting taking place on

March 24<sup>th</sup>. For the week of March 14<sup>th</sup> for the retreat, please reach out to City Clerk Shaw for confirmation on the date.

Councilman Bryant thanked the Public Works Department and stated the parks will have a lot of demand this summer. Councilman Bryant asked about the elections. City Clerk Shaw stated the election will take place in November of 2022 and the seat will go into effect on January 1, 2023. Councilman Bryant stated for the Water and Sewer Project, some impact will affect businesses along Main Street. A meeting was held with the Chamber of Commerce about shopping local campaigns and a rally around the businesses to help the establishments along Main Street. Extra signage should be purchased along US 95A starting in Wabuska and should state last stop for food, lodging and restrooms.

Councilman Martin thanked everyone.

Councilman Galvin stated to Chief of Police Wagner that the training request was approved and thanked everyone as well.

Mayor Garry congratulated Chief of Police Wagner. A plaque was presented from the Boys and Girls Club of Mason Valley to thank the City and the citizens of Yerington. The plaque showed thanks and gratitude towards City Manager Switzer, City Clerk Shaw, and Grants Administrator Moore for their contributions. Grants Administrator Moore will maintain the plaque in her office so the community can walk through and view it. Mayor Garry stated he is gratified and grateful to receive the plaque for the City of Yerington. Everyone present at the meeting wished Councilman Bryant a happy birthday.

There being no further business the meeting was adjourned at 11:48 a.m.

---

Mayor of the City of Yerington

ATTEST:

---

City Clerk of the City of Yerington



