

Yerington City Council Meeting
May 22, 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 (Via Telephone) and Frank Pizzo
City Manager Robert Switzer
City Attorney Chuck Zumpft
City Clerk Sheema D. Shaw
Chief of Police Darren Wagner
Public Works Director Jay Flakus
Building Official Joel Brown
Grants Administrator Angela Moore

Absent: Councilman Shane Martin

Guests: Mr. David Ray, Lyon County Sherriff Brad Pope, Lyon County Deputy Mitch Brantingham, Mr. Dave DeGrendele, Ms. Deb DeGrendele, Ms. Julia Pounds, Ms. Jessica Halterman and Ms. Chantelle Lessard

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.

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 at this time. 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 May 8, 2023 regular meeting would be approved unless there were any objections or corrections. Mayor Garry stated no objections were made at this time, the minutes from prior meeting dated May 8, 2023 regular meeting were approved as presented and the motion was approved unanimously.

Review Bills Previously Submitted for Payment

Bills, Salaries and Vouchers:

Accounts Payable Checks	05/02/2023	36913 through 36942
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	05/08/2023	36943 through 36970
Payroll Checks	05/01/2023	36909 through 36911
	05/15/2023	36971 through 36976
Payroll Vouchers	05/01/2023	5042301 through 5042327
	05/15/2023	5182301 through 5182329
Transmittal Checks	05/01/2023	36912
	05/15/2023	36977 through 36978
Transmittal Vouchers	05/01/2023	5012301
	05/15/2023	5152301

Mayor Garry stated the bills previously submitted for payment, checks 36909 through 36978 totaling \$1,168,997.77, would be approved unless there were any objections or corrections. Mayor Garry stated no comments or objections were made at this time and the bills previously submitted for payment were approved unanimously.

Approve/modify/deny a lease and addendum between Yerington Aviation, LLC and Antonio Madera to operate a mobile food truck utilizing commercial food preparation facilities located within Hangar 8 at the Yerington Airport. Last year, Yerington Aviation was served a Notice of Default on its hangar lease due to allowing a food truck, rather than a full sit-down restaurant, to operate from the commercial food kitchen. Also, the Council has not approved the subletting of hangar space as required by lease agreement. Subsequent conversations with Yerington Aviation revealed the food truck operator was making plans to open a full-service restaurant by the end of last year so enforcement was delayed pending the outcome of that action. To date, a full-service restaurant is not operating from the former "Hangar Café."

City Manager Switzer stated last year the City Council was presented this same agenda item with an action from the Council to notify the owners that they were in default. The two partners who own the hangar were unable to make it today. Yerington Aviation has a lease agreement with the kitchen within the hangar currently with the City. A food truck operator came in and signed an agreement with the hangar owner. The notice of default was served because the area should be a full-service restaurant instead of a food truck.

Councilman Pizzo stated the City has given these owners a lot of slack to comply and we could possibly extend the notice by thirty to sixty days to request that the owners comply. Councilman Bryant asked if the main issue is the food truck. City Manager Switzer stated the main issue is that the kitchen needs to serve a full-service restaurant. Councilman Bryant stated they need to comply or they need to hit the road.

Mayor Garry stated the reason why an agreement was created and signed is because the terms and conditions were laid out and also need to be followed. Yerington Aviation gave the City assurances to open a restaurant within that hangar. The food truck

was also illegally dumping oil into the City's sewage system and causing a lot of issues. Councilman Galvin stated a restaurant should be open and operating. The food truck should not be open and does not serve the City of Yerington. Yerington Aviation should follow the lease agreement set out by the City. City Manager Switzer stated Yerington Aviation is in default for operating a food truck and subletting the hangar.

City Attorney Zumpft stated the lease agreement between the City and Yerington Aviation allows for a restaurant but does not mandate a restaurant. City Council does not have the rights to mandate a restaurant. They are in default because there is not a restaurant and only that there is a food truck in operation. City Manager Switzer asked if the City approves of the subleasing with the other party and Yerington Aviation. An addendum to allow a food truck with the current lease agreement with the City and a sit-down restaurant would be needed if approved. City Attorney Zumpft stated operating a food truck is not an approved airport activity.

Councilman Bryant stated the City has one of two options that could be approved:

1. Deny the agenda item
2. Serve a Notice of Default

Councilman Bryant asked when the lease agreement with the City expires. City Manager Switzer stated about eight or nine years. Councilman Bryant added that Yerington Aviation cannot sublet. City Manager Switzer does not suggest to boot out Yerington Aviation.

Councilman Bryant made a motion to deny a lease and addendum request between Yerington Aviation, LLC and Antonio Madera to sublet and operate a mobile food truck, seconded by Councilman Pizzo. Mayor Garry asked for comments, no comments were made at this time and the motion was approved unanimously.

Approve an assignment of lease between the City of Yerington and Jon P. Helland for Hangar Number 204 located at the Yerington Municipal Airport.

Mayor Garry stated the assignment of lease between the City of Yerington and Jon P. Helland for Hangar Number 204 would be approved unless there were any objections or corrections. Mayor Garry asked for comments, no comments were made at this time and the motion to approve assignment of lease for Hangar Number 204 was approved unanimously.

Discussion and Public Comments on Tentative Budget for FY 2023-24, ending June 30, 2024.

City Manager Switzer stated a letter was received from the Department of Taxation and the City is in full compliance with the tentative budget. Mayor Garry asked for comments and no comments were made at this time.

Approve the Final Budget for FY 2023-24, Beginning July 1, 2023 and ending June 30, 2024.

City Manager Switzer stated the transmittal page on page one shows the property tax revenue in the amount of \$710,389.00 with an amount of \$4,886,064.00 expected for expenditures. Within this budget, the City will begin repaying the Water and Sewer Project loan with principal and interest. Page three shows the revenues and expenditures with a net increase of \$36,277.00. Page four is the net income from the Water and Sewer Funds in the amount of about \$232,000.00. The population for the City of Yerington as of July 1st was 3,423 people. Page seven is a recap of the General Fund reflecting the revenues. Page eight are the estimated expenditures for the General Fund with an increase of the Fixed Asset Acquisition Fund from \$200,000.00 to \$300,000.00. Page nine is a summary of the Utility Funds. The Water Fund is showing a net income of \$115,000.00. The Sewer Fund is showing a net income of \$116,000.00. Page ten are the revenues that are unchanged from the tentative budget. The Municipal Court budget was increased due to the current agreements with a budget of \$155,720.00. Page fourteen is the Police Department with the line item for salaries and wages increased from \$761,815.00 to \$811,815.00. Page fifteen is the Public Works Department. An amount of \$350,000.00 has been budgeted for the Regional Transportation Commission (RTC) Fund and the Airport has been increased from \$128,896.00 to \$169,132.00 due to the increased cost of services and supplies. Animal Control has been increased for wages and benefits to \$25,250.00. The Parks and Recreation budget was increased from \$65,226.00 to \$76,754.00.

City Manager Switzer stated page eighteen is a summary of the expenditures within each department. Page nineteen is the Fixed Asset Acquisition Fund and is unchanged from the tentative budget. A carry over amount of \$325,000.00 is included within the budget from the American Rescue Plant Act (ARPA). Page twenty shows an item was included for a street sweeper in the amount of \$100,000.00. The Capital Outlay expenditures was also changed from \$200,000.00 up to \$300,000.00. The grant revenues are shown on page twenty-five within the Special Revenue Fund. The Federal Aviation Administration (FAA) Runway Lights Project was changed from \$215,000.00 down to \$157,000.00. The grant expenditures are shown on page twenty-six with the Department of Transportation (DOT) Pedestrian School Safety Project receiving an amount of \$598,000.00 from Congressman Horsford. The cost for the City will be in the amount of \$675,000.00. Councilman Bryant stated the City should ask for help from the Lyon County School District with the cost.

City Manager Switzer stated the Water Fund and Sewer Fund are showing no changes from the tentative budget to the final budget. The cash flow for both funds are at a healthy balance at this time. Page thirty-one is the Indebtedness Report with the debentures from United States Department of Agriculture (USDA). The City has four loans with the Water and Sewer Project. The total cost for all the loans is in the amount of \$733,878.00 and for a full year in the amount of about \$1,200,000.00. Councilman Bryant asked how much cash can the City put in the Investment Pool Fund to help the cost of the loan's payments. City Manager Switzer stated the City currently has about

\$12,000,000.00 within the Investment Pool Fund and the City will be in good standing. The total number of contracts the City has is on the back of the tentative budget with four contracts currently in place.

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

Public Participation

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

Department Reports

Chief of Police Wagner stated the officers is working with the Yerington Elementary School for children to spend time with the Police Department. Officer Adams has completed the training and graduated last Thursday. The K-9 Officer's training has started this morning and will be concluded on July 1st.

Public Works Director Flakus stated the City is preparing for upcoming flooding. More information is provided on the City of Yerington Public Works Facebook page. The flooding is being monitored and the Public Works Department will respond as soon as possible.

Building Official Brown stated for the month of April, about \$8,000.00 was received for services.

City Manager Switzer stated the City will be sending out advertisements for the City's Master Plan and the Community Center renovation.

Councilman Pizzo asked for an update for the new signs around the schools. Public Works Director Flakus stated the City is currently working on that project and the additional safety work is needed for school zone upgrades. The work will be completed once the Water and Sewer Project is completed.

Councilman Bryant stated it is awesome to see Chief of Police Wagner's involvement with the children at the school and having a positive interaction. The Water and Sewer Project should be completed by the end of June, is that correct? City Manager Switzer stated yes. Councilman Bryant provided a courtesy reminder to City Council and City staff, if there is a disgruntled customer please direct them to City Manager Switzer.

Mayor Garry stated if any possible flooding issues arise, this community is willing to be involved and willing to contribute. Mayor Garry was honored and pleased to attend Officer Adams' graduation. A patch was designed for the City of Yerington by Chief of Police Wagner. Our Police Department is very important to the City, thank you to all the law enforcement personnel, we appreciate everyone. Mayor Garry quoted Gilbert A.

Franklin, “they who wait also serve.” The meaning of the quote is being involved within a law enforcement family and appreciating each other.

There being no further business, the meeting was adjourned.

Mayor of the City of Yerington

ATTEST:

City Clerk of the City of Yerington