

**Yerington City Council Meeting**  
**August 22, 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 (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 Inspector Joel Brown  
Grants Administrator Angela Moore

Absent: Councilman Shane Martin

Guests: Mr. David Ray, Mr. Brian Butcher, Mr. Matthew Giltner, and Ms. Laura Hardesty-Butcher

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 on the agenda. 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 August 8, 2022 would be approved unless there were any objections or corrections. Mayor Garry stated the minutes from prior meeting dated August 8, 2022 were approved as presented and the motion was approved unanimously.

**New, Renewal and Name Change Business License Applications**

- A. Lino Ortega Solis dba El Mundo Latino II, LLC., Clothing Store, 20 Main Street, Yerington, NV 89447 – Renewal
- B. Ignacio Vazquez Lawn Care, Landscape Maintenance, 509 Mason Avenue, 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.

#### Review Bills Previously Submitted for Payment

##### Bills, Salaries and Vouchers:

Accounts Payable Checks	08/09/2022	35722 through 35749
	08/15/2022	35750 through 35766
	08/16/2022	35767 through 35770
Payroll Checks	08/08/2022	35719 through 35720
Payroll Vouchers	08/08/2022	08112201 through 08112226
Transmittal Checks	08/08/2022	35721
Transmittal Vouchers	08/08/2022	8082201

Mayor Garry stated the bills previously submitted for payment, checks 35719 through 35770 totaling \$177,172.10, 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.

#### Revision #29 of the City of Yerington Fee Schedule.

City Manager Switzer stated the suggested revision to the current fee schedule was provided to City Council. The changes have to do with the Building and Planning Department and the City is making sure the fees are in line with Lyon County's fees. Page two are the permit fee charges for Right of Way in the amount of \$200.00. Page five are the Planning Commission actions for tentative maps and the suggested revisions are shown in red text. Under the final map extension of time, the City was charging an amount of \$3,500.00, the amount should be reduced to \$650.00. City Manager Switzer recommends approval of the revisions to the current fee schedule.

Mayor Garry asked if the City is trying to make sure the fees and expenses are recovered back to the City. City Manager Switzer stated yes, the current fees that are listed were put into place over fifteen years ago. Councilman Bryant asked Building Inspector Brown if the fees are in line. Building Inspector Brown stated yes, everything is in line with Lyon County.

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

Property located at 508 West Bridge Street (APN 001-171-21) as a nuisance under Yerington City Code 4-2-1 through 4-2-2. The property is owned by Gary Silva SR TRS ET AL, 11540 Clay Station Road, Herald, CA.

City Manager Switzer stated the property is Cramer Towing and Auto Repair and a public hearing was held several months ago. The nuisance deals with wrecked vehicles on the property. City Council provided a motion to mitigate the property within sixty days and that was not completed. City Council then provided Mr. Cramer with another sixty days to mitigate the property and that also was not completed. City Council now needs to decide what direction to go with or if going to court would be the best option. City Attorney Zumpft stated one option is to refer the matter to the City Attorney and charges will then be a misdemeanor to the owner and the property, which he is prepared to pursue. Another option would be to charge the owner in District Court but this option will cost the City with abatement as an expense and the City would need to front that cost. City Manager Switzer suggests to put up a fence and seek reimbursement for the fence. City Attorney Zumpft stated perhaps a screened fence on the main side of the public street, Bridge Street. City Manager Switzer stated the west and south sides will need to be hidden from view and will help alleviate the eye sore to the public, which would be the best long-term solution. Councilman Galvin suggested the City should stop using that company immediately and should stock the vehicles within the City's yard, which would not be adding to the problem. Councilman Pizzo added Mr. Cramer would like to fence the property, but owner in California does not want the property fenced. City Attorney Zumpft stated the City could enforce installing improvements to the owner, but he would like to look into that before the City pursues that avenue.

Mayor Garry stated in prior City Council discussion, it was determined this property is a nuisance and a hazard. The City should take the direction of the nuisance being a criminal complaint and a community problem. Councilman Bryant stated there is a possibility to shut down the business for three to four days to mitigate the issue. Councilman Bryant agrees with Mayor Garry to approach the property as a nuisance and to get their attention through legal action. Mayor Garry suggested to proceed as a complaint and have City Attorney Zumpft research the issue and the options for the City.

Councilman Bryant made a motion to request legal services to file a complaint against the above property, seconded by Councilman Pizzo. Mayor Garry asked for comments, no comments were made at this time and the motion was approved unanimously.

Allow VORRA Racers to utilize the City of Yerington property at Y-Hill.

Ms. Laura Hardesty-Butcher, Mr. Brian Butcher, and Mr. Matthew Giltner, representatives for the VORRA Racers and the Nevada Off Road Association provided a PowerPoint presentation to City Council.

Ms. Hardesty-Butcher stated a motor sports complex would be great for the Y-Hill area and for the community of Yerington. The park would be owned by the City and would provide a safe area for off roading.

Mr. Butcher presented a proposed park map with a forty-mile course to include three vault toilets installed, a vendor area, a short course area, an 8.8-mile course, rock crawling areas, dirt squirts area for younger children, and gates to be installed. The park will not be closed to the public and will be available for everyone to use.

Mr. Giltner stated two grants are currently open in Lyon County and the tracks are located in Wilson Canyon and the Pine Grove area. Ms. Hardesty-Butcher stated Tread Lightly could also provide more funding and she could come up with a Mason Valley Motorsports Complex logo for the City. Mr. Butcher stated many possibilities are available in Yerington and includes organized events, scheduled free recreational times, charity events, film and photography opportunities, Utility Terrain Vehicle (UTV) safety classes, and Nevada Outdoor School for trainings.

Mr. Hardesty-Butcher stated the project would be completed in three phases. The first phase would be the agreements, the name of facility, insurance policies, and the administration fees. The second phase would be applying for grant funding, an engineering evaluation, fencing, gates, signs and advertising. The third phase would be applying for additional grant funding, bathroom facilities, stadium bleachers, and further track development. Mr. Giltner stated the Nevada Commission of Off Highway Vehicles offers \$1,500,000.00 annually with no matching costs. The Recreational Trails Program offers \$1,200,000.00 annually, which is underutilized in Nevada. The Federal Lands Access Program (FLAP) offers \$11,000,000.00 annually in the year of 2022. Ms. Hardesty-Butcher added the park would offers youth programs, a steady source of economic development, and educational programs to everyone in the community.

Councilman Pizzo asked when the first event would be. Mr. Butcher stated April of 2023 will be the next race utilizing that area but would like to look at breaking ground early next year for the new park. Councilman Bryant asked Public Works Director Flakus if other projects are occurring within that area. Public Works Director Flakus stated the area covers about nine hundred acres and is privately owned by the City. Within the map, some of the park course might go out of the City's land. Night in the Country wanted to use the area and Nevada Copper would like to add a water line with a water tank but those are not happening as of now. The land is used for illegal shooting, dumping, vehicles driving around, and rock art currently.

Councilman Galvin asked if the park would be temporary or permanent. Ms. Hardesty-Butcher stated we are giving the option for either. Mr. Giltner stated the City would be bound for twenty-five years if grant funding was provided towards the park. Public Works Director Flakus stated VORRA is the only company that could utilize this area without power, water or sewer. Councilman Bryant asked about emergency services and the areas that would host some sort of response. Chief of Police Wagner stated an ordinance should be in place by the City or a Special Use Permit could be used. Ms.

Hardesty-Butcher stated VORRA holds policies for one and five-million-dollar insurance policies, which are permanently in place for these events. A standby ambulance would permanently be in place just in case, fire vehicles, extra first aid and equipment, Emergency Medic Technician (EMT) vehicles as well.

Councilman Galvin would like to see the park on a temporary basis then more events after that. VORRA can never contain the events and destroys stuff, then the City could think about moving forward with permanent events once those are contained. Mr. Giltner stated if the City decides to wait, it would push back the grant funding more and more, possibly up the eighteen months before the City could receive funding.

Mayor Garry supports the proposal because the events would enhance the community and bring economic development. The issue with permanent structures within that area would be a desire for the City to use the area as a multi-use facility. Thoughts and comments from the community should also be included within the final decision. Ms. Hardesty-Butcher stated the City would own the park and would also have the discretion for when the events are held. Councilman Bryant supports the park and believes the park would be a better utilization of that land. He would like to visit some of the sites to get an idea of how the landscape would be placed and suggested to table the agenda item for now. Councilman Galvin added the community should decide with a survey. Ms. Hardesty-Butcher stated if the cemetery is the main issue with noise, the entrance could be placed in a different area. Councilman Bryant stated City Council should pass a special event ordinance soon with the inclusion of emergency responses and Councilman Galvin agrees.

Chief of Police Wagner asked if grant opportunities would extend the power line, the water line or to put in a water tank in that area. Mr. Giltner stated yes, it is possible. Mayor Garry summarized the discussion and stated a tour would need to take place, the initial phase one with the agreement, and to include the information within the City's Facebook page to get community input.

Mayor Garry made a motion to table the agenda item for a future meeting.

Approve the rental of an Ice Rink for three (3) days (December 8-10, 2022) from Artificial Ice in an amount not to exceed \$16,000.00 for the Small-Town Christmas Event. This is a collaborative effort with the Yerington Chamber of Commerce.

City Manager Switzer stated the City met with the Chamber of Commerce to discuss this effort to increase economic development in the downtown area. Within the budget session, the City budgeted \$100,000.00 towards downtown development. An artificial ice-skating rink would like to be located in the Dini's Lucky Club parking lot and approval from the owners is already in place. Volunteers from the Chamber of Commerce and any other organization that would like to be involved would work at the event. Vendors would be placed around the ice-skating rink and ice skates will be given out to participants as prizes. The set up and tear down of the ice rink is included within the price of the rental. About thirty to forty people would be able to skate at a time within the ice rink. Mayor

Garry asked if the ice-skating rink will be available during the Christmas events. City Manager Switzer stated yes, that could be coordinated. City Clerk Shaw stated the event would build on the Parade of Lights and something will be going on downtown everyday until Christmas. The event suggests to close down Main Street for two days for the event. Mayor Garry asked who is responsible for the advertisement. City Clerk Shaw stated advertisement would be a group effort. Mayor Garry when will the events start. City Clerk Shaw stated a better idea on the dates will be available after the next meeting with the Chamber of Commerce, this Thursday. City Manager Switzer stated the City is trying to see if this type of activity will be an economic draw to our community.

Mayor Garry suggested to have the ice-skating rink within the City Hall parking lot. City Clerk Shaw stated the rink should be closer to downtown for more attraction opportunities and the make the event as low of cost as possible. The City's contribution would only be to rent the ice-skating rink and any donations made would go to the civic organizations.

Councilman Galvin made a motion to accept the motion, seconded by Councilman Pizzo. Mayor Garry asked for comments, no comments were made at this time and the motion was approved unanimously.

Approve an Agreement between the City of Yerington and McFadden Electric LLC to remove and replace the existing Precision Approach Path Indicator (PAPI) system with new light-emitting diode (LED) PAPI system and of the existing Runway and Identifier Lights (REIL) system with new LED REIL system.

City Manager Switzer stated pursuant to receiving a grant from the Federal Aviation Administration (FAA) to replace the PAPI and REIL lights, contract work is scheduled for about three weeks at the Airport to further enhance safety. City Manager Switzer recommends approval of the agreement with McFadden Electric LLC.

City Attorney Zumpft stated the contract amount should be included within the agreement. Grants Administrator Moore stated the contract price is within the Performance and Payment Bonds and the agreement was reviewed by City Attorney Neal Falk. City Attorney Zumpft stated the contract price is in the amount of \$164,698.00, is that correct? Grants Administrator Moore stated yes, that is correct.

Councilman Bryant made a motion to approve agenda item number eleven, not to exceed \$164,698.00, seconded by Councilman Galvin. Mayor Garry asked for comments, no comments were made at this time and the motion was approved unanimously.

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

City Manager Switzer stated page four shows beginning fund balance in the amount of \$1,108,011.27 with expenditures over revenues. Revenues received from the state government is currently two months late. Page five shows the Ad Valorem Tax with an amount of \$473.97. The budget should be in the amount of \$56,656.00, but the City

has not received the payments yet. The Intergovernmental State Shared Revenue or the motor vehicles tax shows \$16.00 and should be about \$6,000.00. The School Resource Office (SRO), Lyon County School District (LCSD) per a Memorandum of Understanding (MOU) reimburses the City and that also has not been received yet. Page six shows the Yerington Paiute Tribe Marijuana Compact, which the City still has not received. Page fourteen is the Water Fund with expenditures exceeding the revenues of about \$949.56, which the City has not received all of the utility billing receipts for the month of August. Page twenty is the Sewer Fund with positive revenues over expenditures and a balance of \$266,133.00. Once the Water and Sewer Project is completed, the City will then be making the annual payments to the United States Department of Agriculture (USDA) in the amount of about \$500,000.00.

Summary of City Manager Robert Switzer's Performance Review with possible salary increase. Mayor John Garry will be presenting the summary.

Mayor Garry stated an evaluation was requested by the City Council members to review and assess City Manager Switzer on his performance. On a scale of one to five, one being unsatisfactory and five satisfactory, City Manager Switzer received a satisfactory evaluation. The only comment made was to provide more social media involvement with the community. The evaluation would provide a six percent increase to City Manager Switzer's salary. Councilman Bryant stated he agrees with the evaluation and the increase as well as Councilman Pizzo and Councilman Galvin.

Councilman Bryant made a motion to approve agenda item number thirteen to increase City Manager Switzer's salary by an additional six percent increase, seconded by Councilman Galvin. 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 bizarre events have occurred within the last couple weeks. A self-inflicted gunshot wound to the leg occurred and the victim walked to the ambulance. The community lost a young member of the community and the investigation is ongoing. Today at 6:17 a.m., a Raley's employee received a phone call about school violence at an unknown school. The message was then sent to all parents within this community letting the parents know that LCSD is not in danger and the Yerington Police Department is sure the phone call was a prank. Mayor Garry thanked Chief of Police Wagner for those communications. Mayor Garry asked if an officer rescued another person over the weekend. Chief of Police Wagner stated that is correct, the outcome could have been a lot different if other decisions were made, an arrest was made and the investigation is ongoing.

Public Works Director Flakus stated the City owns a large boneyard area and the area could be opened up to Cramer Automotive to give them a place to get out of the public view and still bring in cars. Mayor Garry stated the City should consider that option.

City Manager Switzer provided an update on Local Government Investment Pool (LGIP) which has an amount of \$10,119,525.00 and has gained \$6,787.00 in interest since July of 2022. The figure will increase with the second tranche of the American Rescue Plan Act (ARPA) amount going into the LGIP account of \$2,100,000.00. The amount earned within the last twelve months is in the amount of \$112,737.61. The Airport Committee sent forms to the National Guard and heard a reply back. A helicopter will be at the "Fly In" for the show and the Fallon Naval Air Station was also sent forms for aircrafts.

Councilman Bryant thanked Chief of Police Wagner with the updates with what is going on in the community. The sidewalks over by the school look great. The Public Works Committee meeting took place last week and went well. The safety over by the school needs to be addressed soon. A phone call was made to the Yerington Paiute Tribe this morning and was unsuccessful to reach anyone. Some sort of resolution should be discussed soon that needs to be addressed regarding the Marijuana Compact and the amount owed to the City. The City should move forward with the special event ordinance. City Manager Switzer stated he has a draft copy he could provide.

Councilman Galvin stated long term events for VORRA should really be thought about in depth and the roads are getting destroyed because of the events.

Mayor Garry stated he followed up with the appropriations funding from Congressman Horsford's Office in the amount of \$598,000.00. The money was sent to the Federal Highway Administration but the concern is that Q&D Construction will be leaving soon. City Manager Switzer and Mayor Garry did attend the Nevada League of Cities and Municipalities conference, who provides additional trainings to municipalities and they both believe it was a good experience and very welcoming.

There being no further business, the meeting was adjourned.

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Mayor of the City of Yerington

ATTEST:

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City Clerk of the City of Yerington



