

**Yerington City Council Meeting**  
**September 11, 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 Pro Tem Jerry Bryant  
Council Members Shane Martin, Matthew Galvin and Frank Pizzo  
City Manager Robert Switzer  
City Attorney Chuck Zumpft  
City Clerk Sheema D. Shaw  
Building Official Joel Brown  
Grants Administrator Angela Moore

Absent: Mayor John J. Garry, Public Works Director Jay Flakus and Chief of Police Darren Wagner

Guests: Mr. BJ Butcher, Ms. Laura Hardesty-Butcher, Deputy Mitch Brantingham, Ms. Sylvia Banta, Mr. Justin Aguilar, Mr. Chris Garry, Ms. Debbie Gilmore, Ms. Rhiannon Baker, Ms. Amy Barnes, Mr. Nick Beaton, Mr. Travis Crowder, Ms. Shannon Roe, Mr. Josh Foli, Mr. Jim Sanford and Ms. Donna McDonald

The meeting was called to order within the James Sanford Community Center and roll call was reported by Mayor Pro Tem Jerry Bryant. The Pledge of Allegiance was led by Mayor Pro Tem Bryant.

**Public Participation**

Mayor Pro Tem Bryant asked for comments.

Mr. Travis Crowder with the Boys and Girls Club stated he does not agree with the Room Tax items for approval specifically items two and three. Two major events are held by the Boys and Girls Club each year, Night in the Country (NITC) and the Lyon County Fair and Rodeo. An amount of \$21,000.00 was returned back to the City for the event which provides revenue to the City. Room Tax funding is received for both events in the amount of about \$10,000.00. The Boys and Girls Club could provide the additional \$20,000.00 that is received from Room Tax but in turn would lower the amount that could be funded for the children of the community. The Boys and Girls Club requests to remain on the original process regarding the Room Tax monies.

Ms. Rhiannon Baker with the Yerington Senior Center stated a Craft Fair will be held in September that Lyon County is fundraising with vendors and a bounce house. Ms. Baker requested for the City to help spread the word about the event.

Mayor Pro Tem Bryant asked for comments and no further comments were provided at this time.

### Agenda Approval

Mayor Pro Tem Bryant 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 and recommends approval. Mayor Pro Tem Bryant 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	08/28/2023	37494 through 37532
	08/29/2023	37533 through 37534
Payroll Checks	08/21/2023	37482 through 37491
Payroll Vouchers	08/21/2023	8242301 through 8242324
Transmittal Checks	08/21/2023	37492 through 37493
Transmittal Vouchers	08/21/2023	8212301

Mayor Pro Tem Bryant stated the bills previously submitted for payment, checks 37482 through 37534 totaling \$124,631.08, would be approved unless there were any objections or corrections. Mayor Pro Tem Bryant stated no comments or objections were made at this time and the bills previously submitted for payment were approved unanimously.

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

- A. Roberto Fuentes Rodriguez dba El Superior Restaurant, LLC., Full Service Restaurant, Catering & Delivery, 121 W. Bridge St. Yerington, NV 89447 – New Services
- B. Abraham & Linda Naranjo-Estrada dba Artesanias Naranjo, LLC., Leather Goods, Religious Gifts & Jewelry, 36 N. Main St. Yerington, NV 89447 – Renewal
- C. Steven, Craig & Linda Wear dba Alpine Signs, Inc., Sign Fabrication & Install, 1902 Idaho St. Carson City, NV 89701 – Renewal Single Project

Mayor Pro Tem Bryant stated the business license applications A. through C. would be approved unless there were any objections or corrections. Mayor Pro Tem Bryant stated no objections were made at this time and the business license applications A. through C. were approved unanimously.

Approve a License/Rental Agreement for use of “Y” Hill by third-party vendors for events. The Agreement would be used whenever an organization or individuals desired to hold an event at the Hill, and is between the City, Farmy Inc., and the event organizer. As the Council may recall, Farmy Inc., was authorized to act on behalf of the City to secure grant funding and manage the Hill for off-road events and related activities. It was successful

in obtaining a \$100,000.00 grant for infrastructure development. A representative from Farmy Inc. is scheduled to provide additional information and answer questions.

Ms. Laura Hardesty-Butcher, Executive Director of Farmy Inc., provided a presentation to City Council. Farmy Inc. applied for two grants, one from the Nevada Outdoor Infrastructure Grant which was not awarded and the other from the Nevada OHV Commission which awarded a grant of \$100,000.00 towards the process of the new infrastructure project. The civil engineering will be performed by DOWL, LLC for this project. The vault toilets and the drainage issues still need to be addressed. The final agreement for the grant was approved but the grant did not include the civil engineering costs. Well drilling, vault toilets and dirt work will be addressed with the grant that was approved.

Mayor Pro Tem Bryant thanked Ms. Hardesty-Butcher and asked about the prevailing wage requirements for the project. City Manager Switzer stated any draft documents or agreements will go through a review with City Attorney Zumpft. Mayor Pro Tem Bryant stated there were no issues with the first event and he is very thankful for the outcome and what is coming out of these events. Ms. Hardesty-Butcher stated the community has been very supportive with this whole process.

Mayor Pro Tem Bryant stated the agenda item will be tabled at this time and will move forward once the language is finalized within the agreement. Mayor Pro Tem Bryant asked for comments and no comments were made at this time.

Approve the City's sponsorship of the National League of Cities Service Line Program. The program warrants the repair/replacement of water and sewer lateral lines from the home to the City connections. Most homeowners are unaware that they are responsible for laterals on their property. The program costs nothing for the City and a small portion of premiums are returned to the City which can be utilized per Council direction. Staff Report to follow.

City Manager Switzer stated this program is provided by a lot of the Cities across the country and includes a warranty or insurance program for the repair or the replacement of water and sewer lines. The lines from the house to the road are at the expense and responsibility of the property owner. This program will provide assistance with that funding. The agenda item is to adopt the no royalty agreement which the City does not receive any money from this program. The company that provides this service has been approved by the National League of Cities. A campaign is included and the company would reach out to the residents, providing no obligation to the user.

Mayor Pro Tem Bryant asked if the City would be represented as a liaison. City Manager Switzer stated this program is an effort to reach out to the users and to provide an insurance program for the property owners. The costs are \$5.25 a month for water service and \$7.25 a month for sewer service. City Attorney Zumpft stated he has approved of the royalty agreement and asked if this agreement has an opt-out option as well. City Manager Switzer stated the opt-in option would be voluntary. City Attorney

Zumpft asked if the user will need to opt-in to start being charged the fees. City Manager Switzer yes, the user will need to opt-in before they will be charged.

Councilman Pizzo made a motion to approve the agenda item, seconded by Councilman Martin. Mayor Pro Tem Bryant asked for comments, no comments were made at this time and the motion was approved unanimously.

Approval of a recommendation from the Room Tax Board to accept the following changes to the Room Tax:

- \$500.00 limit for in-house printing (verified with documentation of quantities)
- Entities that pay into Room Tax will be exempt from requesting funds
- Government funded entities will be exempt from requesting funds
- Dates of City Council meeting for final approval of amounts awarded to applicants to be added to application

Councilman Galvin stated the \$500.00 limit for in-housing printing is a great idea and a much cheaper option. Final approval should be given by City Council which would be a great change. Mayor Pro Tem Bryant stated he would be in favor of increasing the \$500.00 limit for in-house printing and entertains increasing the limit to \$1,000.00 with the printing of banners to be included within the approval. Governmental entities help increase the activity within town and should not be excluded from funding. All funding that was previously provided and funded was to six government entities. Mayor Pro Tem Bryant suggests to just move forward with item four.

Mayor Pro Tem Bryant state the tax rate does not keep up with the supply and demand ratio which is currently at six percent and the lowest within the State of Nevada. Increasing the Room Tax rate would increase the amount that the visitors pay while visiting Yerington and recommends increasing the Room Tax rate to about ten percent.

Ms. Sylvia Banta with the Yerington Main Street Car Show appreciate all the money that is received for the event she holds. The money is used for posters, paper advertisements and banners.

Mayor Pro Tem Bryant suggested to increase the limit for item number one to \$1,000.00, item numbers two and three to be stricken and approval of item number four.

Councilman Pizzo made a motion to approve the agenda item with item number one to be increased up to \$1,000.00, items numbers two and three to be stricken and item number four to be approved as presented, seconded by Councilman Martin. Mayor Pro Tem Bryant asked for comments.

Ms. Banta stated anyone who meets the criteria should be approved for funding and notified City Council that they are doing the right thing.

Mr. Nick Beaton with the Boys and Girls Club and the Yerington Theater of the Arts (YTA) thanked City Council for the increased amount of the in-house printing which was a beneficial move.

Mr. Jim Sanford stated he used to be on the Room Tax Board for the City and Lyon County. Mr. Sanford stated with the approval of item number four, it was not a good decision to change the direction to final approval from City Council which would now make the decision a political debate.

Mr. Josh Foli, Comptroller with Lyon County supports the motion as presented. Room Tax is a State law to put heads in beds and to increase the hotel usage. If the Room Tax money is not provided to the current entities, it will affect the businesses within the City of Yerington and will then need to increase the costs for the children in the community. Mr. Foli supports the motion as is but an amendment should be made to have the Room Tax Board make the final decision instead of City Council.

Ms. Debbie Gilmore, President of the National State Beekeepers supports the decision and the idea for item number three was brought up by the beekeepers. The purpose was to advertise and to promote the City of Yerington. It was never intended to be malicious in any way and was only intended for fairness.

Ms. Donna McDonald with the Lyon County Fair Board apologized to Ms. Gilmore and appreciated that City Council decided to remove government entities receiving the money. Lyon County Fair Board appreciates the money that has been received with fifty percent of funding from the City and fifty percent of funding from Lyon County.

Mayor Pro Tem Bryant asked for comments, no further comments were made at this time and the motion was approved unanimously. Mayor Pro Tem Bryant thanked everyone involved in the Room Tax monies and suggests to find new ways with planning in the future regarding advertising.

#### Public Participation

Mayor Pro Tem Bryant asked for comments.

Mr. Beaton thanked everyone for the help with the Boys and Girls Club Car Show. Special thank you to the Public Works Department, Public Works Director Flakus, Councilman Pizzo and Officer Richard Jennerjohn. Thank you from the City's perspective to making this car show such a success.

#### Department Reports

Building Official Brown reported that the City received an amount of \$12,420.15 for building permits in September.

City Clerk Shaw stated the flyers for the Fall Festival Craft Fair will be by the door for anyone interested.

City Manager Switzer stated an amount of \$47,499.00 has been received within the Local Government Investment Pool (LGIP) just in interest. Since the start of the investment, an amount of \$512,099.96 has been received.

Councilman Pizzo stated an Airport Committee meeting was held to discuss the fly-in in October. A ribbon cutting will be held on September 27<sup>th</sup> for the Not Just Candles business opening on Main Street. City Manager Switzer stated the Airport Committee meeting decided that the sign needs to be repainted. October is a prime month for flying and the aviation fuel will be set at \$2.99 a gallon for the day with a pancake breakfast during the event.

Mayor Pro Tem Bryant provided comments from Mayor Garry.

"9/11 Anniversary; It is hard to imagine for those of us that lived through that horrible day but the passage of time has seen the birth of a child after that day who has now grown up to be a young adult. We found it incredible that anyone could attack the continental United States. But they did! We witnessed largely from television sets the massive destruction done to the Twin Towers and New York, the attack on our Pentagon and later learned of a Flight 93 that crashed landed in a Pennsylvania field. Information slowly came out that plans were afoot to destroy our White House too. We watched in horror viewing images of people covered in powdery substance that covered their entire bodies attempting to walk away from the scene of a disaster. They appeared as shell-shock ghostly people needing guidance to see their way. There also appeared the good Samaritans who used bottles of water to clean their faces and provide emotional support. Imagines of that day were so horrible that network news stations made an editorial decision not to broadcast those people who made the choice between being burned alive in the Twin Towers or leaping from the highest floors to their certain deaths. In the midst of this chaos the first responders went into the crumbling, burning infernos to save as many lives as they could. They, the firefighters and police officers stared into the face of death despite warnings the buildings could fall down at any time. They only knew duty and sacrifice were called and they would not be left wanting a response. Many lost their lives that day but heroes were not wanting anywhere in America that day. Ordinary people from every walk of life came forward to serve. We later learned that passengers of Flight 93 had averted another potential tragedy to targets of these cowardly assassins. Then it is always the ordinary citizens that come forward and sacrifice the comfort of their lives to serve the needs of many. We learned of a young man named Pat Tillman who left behind a promising professional football career to join the Arm Forces in wake of this national tragedy. For a time, we were one country. There were no political parties, no animosity and no division between us. The swell of patriotism was strong and that America would face down the cowards who dared to attack our people. Many speeches were made heralding the heroes, statues were built, documentaries were made and a museum dedicated to this day. But yet, the passage of time in just short 22 years has seemingly caused much of the goodwill in the aftermath of this national tragedy to

disappear. On many memorials the words are inscribed, "Lest We Forget." Let us not forget that we are a great people, living in the greatest nation on Earth that we are the most generous and kind people who have dispatched throughout the countries of this world help wherever needed. We are one people who remember the blessings of Our Lord that are united and will oppose any foe but can and will extend the hand of friendship to those who will accept it."

**Yerington City Council Emergency Meeting**  
**September 11, 2023 at 10:00 a.m. – City Hall**

Mayor Pro Tem Bryant called the meeting to order at 11:10am.

Approval of the agenda.

Mayor Pro Tem Bryant stated the agenda would be approved as presented unless there were any objections or corrections. No objections or corrections were made at this time and the agenda was approved unanimously.

Approve Ordinance number 2023-02, Bill 427; An Ordinance authorizing and directing the issuance of the City of Yerington, Nevada, Wastewater Revenue Bond, Series 2023A in the Principal amount of \$8,577,000.00 and the City of Yerington, Nevada, Wastewater Revenue Bond, Series 2023B in the Principal amount of \$7,000,000.00 to refinance a sewage project, as defined in NRS 268.714; Providing the forms, terms, conditions and security for the bonds and the sale to the United States of America; Providing for adoption as if an emergency exists; and providing other matters relating thereto.

City Manager Switzer stated per the Nevada Revised Statutes (NRS) 350.579 for an emergency ordinances: Adoption; effective date the closeout for the Water and Sewer Project will be by September 15<sup>th</sup>. An ordinance needs to be in place to issue the revenue bonds. The revenue bonds were purchased about three years ago for the Water and Sewer Project. Many blank spaces are present on the ordinance documents and the details will be decided once the closeout occurs. Mayor Pro Tem Bryant asked if the ordinance will convert the bonds to the financing with the United States Department of Agriculture (USDA).

Councilman Martin made a motion to approve the agenda item with the amounts to be determined, seconded by Councilman Galvin. Mayor Pro Temp Bryant asked for comments, no comments were made at this time and the motion was approved unanimously.

Approve Ordinance number 2023-03, Bill 428; An Ordinance authorizing and directing the issuance of the City of Yerington, Nevada, Water Revenue Bond, Series 2023A in the Principal amount of \$9,901,000.00 and the City of Yerington, Nevada, Water Revenue Bond, Series 2023B in the Principal amount of \$7,352,000.00 to refinance a water project, as defined in NRS 268.728; Providing the forms, terms, conditions and security for the

bonds and the sale to the United States of American; Providing for adoption as if an emergency exists and providing other matters relating thereto.

Councilman Galvin made a motion to accept item number four as presented with the dollar amount to be determined, seconded by Councilman Martin. Mayor Pro Tem Bryant asked for comments, no comments were made at this time and the motion was approved unanimously.

#### Public Participation

Mayor Pro Tem Bryant asked for comments and no comments were made at this time.

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