

January 14, 2019

The regular meeting of the Yerington City Council was held in the Council Chambers at 10:00 a.m. with the following present:

Mayor George Dini  
Council Members Selena Catalano, Larry Reynolds and Terceira Schunke  
City Attorney Chuck Zumpft  
Chief of Police Darren Wagner  
Interim City Clerk Sheema Shaw  
Public Works Director Jay Flakus

Absent: Councilman John Garry

Guests: Jerry Del Giudice, Jeff Collins, Charles Thomas, Officer Brandon Coombs, Chief Draper and Assistant Chief Lacy Parrot of the Mason Valley Fire District, Dave & Deb DeGrendele

#### Agenda Approval

Councilwoman Catalano made a motion to approve the agenda as presented, seconded by Councilwoman Schunke and passed unanimously.

Mayor Dini introduced retired Yerington Police Officer Jerry Del Giudice. Mayor Dini thanked Mr. Del Giudice for his service to the community.

Chief Wagner stated that Mr. Del Giudice joined the Police in September of 2003 and retired in 2018. Chief Wagner presented Mr. Del Giudice with his retirement badge and thanked him for his years of service to the community. Chief Wagner stated that sometimes we do not deal with the best of situations and it can be hard on our families. Chief Wagner thanked Mr. Del Giudice for his personal sacrifice and his contribution to our community.

Mayor Dini presented Mr. Del Giudice with a plaque from the city and also thanked him for his service to the city.

Officer Brandon Coombs, President of the Police Association, presented Mr. Del Giudice with a plaque on behalf of the Police Association.

#### Minutes

Councilman Reynolds made a motion to approve the minutes of December 10, 2018, seconded by Councilwoman Schunke and passed unanimously.

#### Business Licenses

The following business license applications were presented for review and approval:

- A. Otoniel Madera-Ramirez dba Briana's Taqueria, Restaurant & Food Truck, 8A Airport Way, Yerington, NV 89447 -New
- B. Daniel Coons dba Coons Construction LLC, Construction/Excavating, 13 Affonso Drive, Suite B, Dayton, NV- New

Councilwoman Catalano made a motion to approve the business license applications as presented, seconded by Councilman Reynolds. Mayor Dini asked for public comment, there were no public comments and the motion passed unanimously.

Read in Full Bill No. 418, Ordinance No. 18-04 an Ordinance Repealing the Current Yerington City Code, Title 9, Chapter 1, Building and Construction Codes in its Entirety and Hereby Replacing It With Yerington City Code, Title 9, Chapter 1, Articles 1 through 6, Building and Construction Codes and Other Matters Properly Relating Thereto.

Mayor Dini stated that this ordinance is before council today as a read in full. Mayor Dini asked if Councilmembers had read the ordinance. Councilmembers stated they had.

Councilman Reynolds made a motion to approve Bill No. 418, Ordinance No. 18-04 an Ordinance repealing the current Yerington City Code, Title 9, Chapter 1, Building and Construction Codes in its entirety and hereby replacing it with Yerington City Code, Title 9, Chapter 1, Articles 1 through 6, Building and Construction Codes and other matters properly relating thereto, seconded by Councilwoman Catalano. Mayor Dini asked for public comments, there were no comments and the motion carried unanimously.

Presentation by Nevada Department of Environmental Protection (NDEP) on Project Progress and Future Planning for the Anaconda Mine Site

Mr. Jeff Collins of the Nevada Department of Environmental Protection addressed the council. Mr. Collins introduced Mr. Jerry Gardner who is the Project Manager and could answer any technical questions that the council may have.

Mr. Collins stated that he was here today to give council an update on the progress and plans at the Anaconda mine site. Mr. Collins stated that the site was deferred to the state on February 5, 2018, prior to that the EPA had the lead regulatory role. Mr. Collins stated that the EPA did a lot of good work to understand the groundwater situation, but they are located in San Francisco, California and this site is close to the heart of Nevada.

Mr. Collins stated that this project has been broken out into 3 sections, each of these sections correlate to different phases of the cleanup process. The highest priority is the area that Airmetco set up their most resent heap leaching process. Mr. Collins stated that it is important to NDEP to close those heap leaching pads at this time. The pads continue to collect atmospheric water. That atmospheric water continues to collect in those pads and collects in ponds. Over time those ponds fill up with fluid, the fluid evaporates, all the salts and copper sulfates are still coming out of those leach pads and the ponds are filling up with copper sulfates. Mr. Collins stated that we are having a capacity issue there and we cannot release that water because of the copper sulfates.

Councilman Reynolds asked if there is any economic value in the fluid. Mr. Collins stated that there is copper in that material; however, it is very acidic and hard to work with. Mr. Collins stated it is not cost effective.

Mr. Collins stated that phase I will be completed by 2024, with the whole project being completed by 2029. Mr. Collins stated that they will need to close the leach pads and regrade a lot of what is out there. They will also have to do something with a source of contamination with the evaporation ponds on the North end.

Mr. Collins stated that there are 3 goals in phase I; 1. Establish public outreach, get people involved, 2. Complete the investigation and determine what the cleanup alternatives are, 3. Cap and close the heap leach pads and build some ponds that can manage that water over time.

Mr. Collins stated that there never was a schedule for this project, now there is and NDEP is proud of that. Over the last year they have maintained that schedule. On November 29, 2018 the first public meeting was held. NDEP had several tables set up and based on the questions that you had, you could go to that table and speak to someone about your concerns. The next meeting will be a presentation.

Mr. Collins stated that one of the topics will be bottled water. Bottled water was implemented back in 2004 and paid for by Atlantic Richfield. It took 10 years to study the ground water. People have been on bottled water for about 14 years. This year they will need to decide how much longer Atlantic Richfield will be required to provide bottled water.

Mayor Dini asked why Atlantic Richfield would continue to provide bottled water to people that have abandoned their well. Mr. Collins stated that the lawsuit allowed for residents to hookup to municipal water and that is a way to alleviate the bottled water.

Mr. Collins stated that one of the future subjects to talk with the public about is the plume stability. There is a lot of work to do at this site and there will be new people in town helping with building the ponds. This project will go through 2029. Mr. Collins stated that building the new ponds will begin in the latter part of this year.

Councilwoman Catalano asked at the rate that the water is being absorbed into the ground, do you see other areas with wells that will be at risk. Mr. Collins stated NDEP does not feel that they are right now, the plume is fairly stable; however, they need to make sure the contamination does not leak out to other areas, we need to cut off the source.

Councilman Reynolds asked if the plume is coming from the northern area. Mr. Collins stated that it is. The water in the pit is a good quality, not good enough for aquatic standards.

Councilwoman Catalano asked what the next meeting date will be. Mr. Collins stated later this year. Councilman Reynolds asked if Mr. Collins could let Interim City Clerk Shaw know the date and she could pass the information onto council.

Mayor Dini stated that we do need to have council representation at these meetings. We are in favor of cleaning up this site.

Councilwoman Catalano stated that communication is important. The people of Yerington have heard a lot of people say they will fix it, but nothing has been done. Mr. Collins stated that this is a dedicated group and they are dedicated to seeing this through.

Mr. Collins stated that what they are doing will not be visible from town. They would like to bring people out to the site to see what they are doing.

Mayor Dini stated that the council appreciated Mr. Collins coming out today and giving the council an update. Mayor Dini stated that the council looks forward to having Mr. Collins back with more updates.

#### Recommendation of the Public Works Director to Eliminate the Equal Payment Program (EPP) for Utilities

Mayor Dini stated that the equal payment program is not working out.

Public Works Director Flakus stated that our system does not work well with the EPP program and most customers do not understand how the program works. There are currently only 30 customers on the program. If council elects to end this program we will send notification to the customers at the end of this fiscal year and have them pay any outstanding amounts and return any credits.

Public Works Director Flakus stated that with the EPP program, it uses the previous year's usage and divides it by 12. We recalculate the program once a year. The amount owing at the end of a year by a customer depends on how much water they use this year.

Councilman Reynolds made a motion to approve the recommendation of the Public Works Director to eliminate the Equal Payment Program (EPP) for utilities, seconded by Councilwoman Schunke. Mayor Dini asked for public comments

Mr. Thomas, resident of Yerington, stated that when he signed up for EPP he was paying \$32.00 per month, now his monthly payment is \$82.00 a month. Right now he owes a lot of money and he does not think that is correct. Mr. Thomas stated that his meter was replaced 3 times and that there was a 4 month period where his meter did not read at all.

Mr. Dave DeGrendele, resident of Yerington, stated that there are also problems with the billings on Paul where the meters are not getting read.

Mayor Dini asked for further comments, there were no comments and the motion carried unanimously.

Proposed Valley View Cemetery Water Line Extension.

Public Works Director Flakus stated that this project started with a concept. Currently Lyon County owns the cemetery and the city has an employee that helps to maintain it. There is well water at the cemetery; however it is very hard. The faucets are galvanized and are covered with the hard water deposits.

Public Works Director Flakus stated that there are two wells; a five inch irrigation well and a two inch domestic well for a house that used to be there. The five inch well died last fall. Public Works Director Flakus stated that Mr. Ogdin give us a quote on replacing the well. Mr. Ogdin's quote was for \$15,000, which would be the responsibility of Lyon County.

Public works Director Flakus stated that Peri's has put a ten-inch water line down Cremetti for their seasonal operations at the corner of McKinnsy and Pursel Lane, we now have the opportunity to connect to that line and take the water to Valley View Cemetery.

Public Works Director Flakus stated that the original idea was to go along the irrigation cannels; however, that property owner was not in agreement to have us cross their property.

Public Works Director Flakus stated that the second idea is to tie into the corner of McKinnsy and Cremetti and go north and then through Peri's property. The Peri's are in favor of this plan. Public Works Director Flakus stated that no negotiations have taken place at this time.

Public Works Director Flakus stated that he also has a quote from Western Nevada Supply for \$46,000.00 for all the parts required for cemetery water line installation. Public Works Director Flakus stated that the number one expense in this project is the 3-inch pipe, which in the quote comes out to \$26,400.00. Public Works Director Flakus stated that Jim Chico was able to find that same pipe for \$3.00 a foot, which is a major savings.

Public Works Director Flakus stated that if he can get approval of the council and additional funds from Lyon County he will then need to go to Walker River Irrigation District with a plan for their board to approve.

Mayor Dini stated that Lyon County is waiting to hear from Public Works Director Flakus as to what the expenditure will be for the project. We will do the labor in-house as our contribution.

Public Works Director Flakus stated we do not have the equipment to do the project. Mayor Dini stated that we will need to rent.

City Attorney Zumpft stated that he began working with former City Manager Newell on an agreement with Lyon County about eight months ago. There has been no work on that for some time and that should be in place.

City Attorney Zumpft stated that Public Works Director Flakus had made a comment earlier about easements and it is his recommendation to have a legal easement recorded and in place. Finally, there is mention in the material provided regarding moving north through the prescriptive easement. A prescriptive easement can only be used for what it was established for. City Attorney Zumpft stated that what is needed is a right-of-way.

Mayor Dini stated that more discussion was needed to pin down what money would be needed and what it would be needed for before any action was taken.

Councilman Reynolds stated that if it is \$15,000 versus \$46,000, put in the well for \$15,000 and save some money.

John Mattice of Peri's addressed the council and stated that Peri's is willing to help the city; however, they would require an easement.

This item was tabled for a future date

Funds to Up-fit Two Police Vehicles Not to Exceed \$13,800.

Chief Wagner stated that we have two new vehicles for the Police Department; however, more funding is needed in order to up-fit the vehicles.

Mayor Dini stated that it was his understanding that the \$90,000 that was budgeted for the vehicles was all that was needed to get the vehicles on the road. Chief Wagner stated that at the time he was asked how much it would cost for two vehicles and he did not have time to get quotes.

Chief Wagner stated that the two vehicles cost \$76,000. All of the aftermarket equipment; the bumper, console, computer, light-bar, siren, all the things that go into it, those bids come in at \$12,062 per vehicle. Basically we have enough budgeted to do one vehicle, but not the other.

Chief Wagner stated that in the past you could order a vehicle in black and white. You can no longer do that and now need to pay additional money.

Councilwoman Catalano asked rather than painting them, can't we just add the decals. Chief Wagner stated that the black and white is not a must, it has been our identity for several years. Mayor Dini stated that perhaps it is time to present ourselves in a different manner.

Councilwoman Catalano stated that we should go with the white vehicle with decals and follow up with that on vehicles in the future.

Councilman Reynolds made a motion to approve funds to Up-fit two police vehicles not to exceed \$12,400, keeping the vehicles white for a total project cost of \$102,000, seconded by Councilwoman Catalano. Mayor Dini asked for public comments, there were no comments and the motion carried unanimously.

Funds to Remodel the Information Center for the Future Offices of the Yerington Police Department in an Amount Not to Exceed \$16,000.

Mayor Dini stated that the time frame to take down the jail complex where the Yerington Police Department is located is in March. We need to move the Police Department now.

Chief Wagner stated that this is a number that will get us into the building. We will do the labor in-house.

Mayor Dini asked Chief Wagner to communicate with the Museum and let them know what is going on and work with them. Chief Wagner stated that he would.

Public Works Director stated that these funds will address the internal building issues; however, it does not address, telephones, computers, internet and so forth. There will be additional costs in the future.

Councilman Reynolds made a motion to approve funds to remodel the Information Center for the future offices of the Yerington Police Department in an amount not to exceed \$16,000, seconded by Councilwoman Schunke. Mayor Dini asked for public comments, there were no comments and the motion carried unanimously.

Review Bills Previously Submitted for Payment

Bills, Salaries and Vouchers:

Accounts Payable Checks	12-11-2018	30291 through 30318
	12-13-2018	30319 through 30320
	12-17-2018	30328 through 30365
	12-31-2018	30366 through 30390
Payroll Vouchers	12-3-2019	12061801 though 12061820
	12-17-2018	12201801 through 12201823

	12-31-2018	01031901 through 02031918
Payroll Checks	12-3-2018	30258 through 30260
	12-17-2018	300321 through 30324
	12-31-2018	30391 through 30393
Transmittal Vouchers	12-3-2018	12031801
	12-17-2018	12171801
	12-31-2018	12311801
Transmittal Checks	12-3-2018	30261
	12-17-2018	30325 through 30327
	12-31-2018	30394

Councilwoman Schunke made a motion to approve the bills as submitted, seconded by Councilman Reynolds. Mayor Dini asked for public comments, there were no comments and the motion passed unanimously.

#### Public Participation

Mr. Dave DeGrendele, resident of Yerington, stated that public safety is the most important thing you have to fund.

#### Department Reports

Public Works Director Flakus Reported the following:

- The office building in front of the Police Department will need to be moved and the cost will be approximately \$15,000.
- Nevada Copper has hired Farr West Engineering to do construction inspections.
- The Northwest sewer pond is being cleaned and we should see less complaints regarding smell.
- Several employees will be testing at the water conference.
- Public Works Director Flakus and Public Works Chief Becker will be attending waste water conference.
- Public Works will be presenting items to be auctioned off to council sometime in the near future.
- Plans to take down the old Lyon County Jail have been received at the Public Works office.

Councilman Reynolds reminded Department heads of the previous meeting with Jim Sciarani of Sciarani & Company. Mr. Sciarani had stated that we are \$100,000 in the hole and we cannot continue this way. If it continues the only option that we have is bankruptcy. Councilman Reynolds stated that we need to be cognizant of what we spend and try to save some money.

Mayor Dini reported that interviews for the City Manager position have been scheduled. Mayor Dini stated that Jim Sciarani's report to the Council stating what our financing is like and we do need to be aware of it and follow his advice.

Mayor Dini stated that he did not want us to give in to the temptation of dipping into the ARCO funds. The goal of those funds was to make whole those employees who had not received a raise in a number of years. We had an opportunity to get a \$3-million grant for the airport runway and we used \$186,000 of the ARCO funds as our cash match for that project. Mayor

Dini stated that we have \$700,000 remaining which we should save for the streets once we start the water & sewer project and a rainy day fund.

Mayor Dini stated that if we want to see employee's receive a 2% increase in the next year's budget, don't ask for much. We are anticipating new building permits to come through, but we shouldn't gamble on it.

There being no further business the meeting was adjourned.

---

Mayor of the City of Yerington

ATTEST:

---

City Clerk & Clerk to Council