

July 8, 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 John Garry
Council Members Jerry Bryant, Selena Catalano and Terceira Schunke
City Manager Robert Switzer
City Attorney Chuck Zumpft
Chief of Police Darren Wagner
Public Works Director Jay Flakus
Administrative Director/Interim City Clerk Sheema D. Shaw

Guests: Chief Scott Draper of the Mason Valley Fire District, David Ray, Walt Breese, Larry Reynolds, Kyle Frade, Jim Sanford, Shane Martin, Chaz Hunter, Dave and Deb DeGrendele.

Mayor Garry recognized former Councilman Larry Reynolds and presented him with a plaque and thanked him for his service to the City of Yerington. Mayor Garry stated that Mr. Reynolds service to the City of Yerington and the Nevada Highway patrol was tremendous.

Mr. Reynolds thanked Mayor Garry and former Mayor Dini for their wisdom and friendship. Mr. Reynolds also thanked Council members, The City Manager and the Interim City Clerk. Mr. Reynolds stated that we will have many challenges in the upcoming months and it will be an exciting time. Mr. Reynolds asked that council remember that they are not spending their own money, it is the residents of the city.

Agenda Approval

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

Minutes

Councilwoman Catalano made a motion to approve the minutes of June 24, 2019, seconded by Councilwoman Schunke and passed unanimously.

Business Licenses

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

- A. Hammond Furniture, Inc., Retail Home Furnishings, 174 W. Goldfield Ave. Suite A Yerington, NV 89447-Address Change
- B. Liliana Hurtado dba Sacred Space Yoga, Yoga & Movement Studio, 32 S. Main St. Yerington, NV 89447-New

- C. Jessie Blanhir Ramirez dba Blanhir's Bakery, Bakery & Café/Limited Restaurant, 3B S. Main St Yerington, NV 89447-New
- D. Roderick Paupore dba Valley Farms Meat Company, Meat Sales, 1300 Stockton Hill Rd. Kingman, AZ 86401, Mobile-New
- E. Christopher T. Matthews dba Matthews Aviation, Aviation, 600 Airport Way Yerington, NV 89447-Renewal

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

Selection of Applicant to Fill One Vacant City Council Position, Pursuant to Yerington City Charter Sections 1.060 and 2.010, Submitted by the Following Qualified Applicants: Shane R. Martin, Chaz Hunter and Jim Sanford.

Mayor Garry stated that we have the resume's that were submitted by the candidates; however, he would like each candidate to give a presentation to inform the council a little about themselves, why they are interested in becoming a member of the council and what they see as the most urgent issues for the city. Mayor Garry stated that council would hear each candidate in alphabetical order and asked the remaining candidates to wait in the lobby.

Mr. Chaz Hunter stated that it took him a day and a half to think it over and write his resume. Mr. Hunter stated that he grew up in California and then moved to Rhode Island at the age of 13 and stayed there for 10 years. In 2013 he moved to Yerington and has noticed things throughout the county and he would like to help steer Yerington in the right direction with fiscal planning and trying to cut taxes. Mr. Hunter stated that he wanted to help the city save money, thereby saving the citizens money. Mayor Garry thanked Mr. Hunter for his presentation and asked him to send in Mr. Martin.

Mr. Shane Martin addressed the council and stated that he has been in the community for about 10 years and is employed at Peri's in sales. Mr. Martin stated that he wanted to help fix things in the community. Mr. Martin stated that he has coached baseball since he has been here. Mr. Martin stated that as for a five year plan, he is open. He has spoken to a lot of people in the community and the street lights are an issue. Mr. Martin stated that he would like to keep the community clean, organized and moving forward in the right direction. Councilwoman Catalano asked if Mr. Martin had done any research or spoken with anyone on current projects in the city. Mr. Martin stated that he has heard by word of mouth.

Mayor Garry thanked Mr. Martin and asked him to wait in the lobby and ask Mr. Sanford to come it.

Mr. Jim Sanford stated that he is a lifelong Nevadan. Mr. Sanford stated that he moved to Yerington in 1956. Mr. Sanford stated that his father joined Mr. Walter Cox and purchased the Mason Valley News. Mr. Sanford stated that his first job was with the newspaper as an apprentice. Mr. Sanford stated that he attended UNR and received a Bachelor's Degree in journalism. Mr. Sanford stated that he ran the Mason Valley News for 45 years and has served

two terms as Mayor and two terms on council. Mr. Sanford stated that he is aware of the problems that lie ahead for the city with the water/sewer project. It is a \$34-million project. Mr. Sanford stated that he is also aware of the issues the Police Department faces attracting candidates to the area.

Mr. Sanford stated that the reason he is interest in coming back is the different chemistry and he believes he has a lot to give to the community.

Mayor Garry asked Mr. Sanford to step into the lobby while the council took a moment to discuss the candidates.

Mayor Garry stated that he has a personal prejudice and affection for Mr. Sanford; and he feels that Mr. Sanford is the strongest candidate; however, the council may have a different consideration.

City Manager Switzer asked City Attorney Zumpft if Council could write down the name of the person they select and Mayor Garry announce that name followed by a motion. City Attorney Zumpft stated that as long as there is a motion during which a vote is announced and recorded.

Mayor Garry asked that council members write down their recommendation and pass it to him.

Mayor Garry stated that after reviewing the names, Mr. Shane Martin is who the council has selected and asked for a motion.

Councilwoman Catalano made a motion to nominate Mr. Shane Martin as the new member to City Council, seconded by Councilwoman Schunke. Mayor Garry asked for public comments.

Councilman Bryant stated that he has coached baseball with Mr. Martin for five years or so and it is great to see him involved; however, he does not believe Mr. Sanford's experience can be over looked. Councilwoman Catalano concurred that Mr. Sanford experience is beyond; however, she is aware why Mr. Martin was unable to file as a candidate during the election period and it was a legitimate reason.

Mayor Garry asked for further comments, there were no comments. Councilman Bryant apposed and the motion carried.

Approval of a 36-month Agreement with TRI Utility Cost Reductions, Inc., 225 Glades Road Suite 324A, Boca Raton, FL 33431, for Reduction of Utility Costs Including Gas, Power, and Telecommunications.

City Manager Switzer stated that about two months ago Mr. Breese approached the Council with to seek to reduce our utility costs. As a discussion of that meeting our city attorney

had some question regarding language in that agreement. Council has been given a copy of the agreement with a redline version of the changes as recommended by the City attorney.

Mr. Breese stated that Sustainable Tomorrows is a non-profit organization that does charitable work around the world. Mr. Breese stated that what they will do is a forensic audit on utilities which they normally see a refund on 90% of the time. If a refund is received they will split that with the city. Sustainable Tomorrows would get one-half of that refund, which is how they generate their funds and the other half goes to Esti Network.

Mr. Breese stated that if approved there will be two forms to sign; a letter of authorization and a separate contract. There is no fee if there is no refund and the city will receive the peace of mind that the utilities are being billed correctly.

City Manager Switzer asked how far back they could go with the utility bills. Mr. Breese stated that they could go back eight years.

Councilman Bryant made a motion to approve a 36-month agreement with TRI Utility Cost Reductions, Inc., 225 Glades Road Suite 324A, Boca Raton, FL 33431, for reduction of utility costs including gas, power, and telecommunications, seconded by Councilwoman Catalano. Mayor Garry asked for public comments, there were no comments and the motion passed unanimously.

Approval of a Settlement Agreement and Mutual Release Between Hot Spot Broadband, Inc. dba Sky Fiber Internet, (Sky Fiber”), Garry Gomes, an Individual and the City of Yerington.

City Manager Switzer stated that this is the settlement agreement for Sky Fiber. City Manager Switzer stated that for approximately the last year and a half Sky Fiber has had communication apparatus on our water tank. Without having an agreement in place we have been able to negotiate a settlement amount of \$6,000.

Councilman Bryant asked if the equipment will be removed. City Manager Switzer stated that Sky Fiber would be granted access to remove their equipment.

Councilman Bryant made a motion to approve a settlement agreement and mutual release between Hot Spot Broadband, Inc. dba Sky Fiber Internet, (Sky Fiber”), Garry Gomes, an individual and the City of Yerington, seconded by Councilwoman Schunke. Mayor Garry asked for public comments, there were no comments and the motion carried unanimously.

Approval of an Easement Agreement and Deed Between the City of Yerington and the Lyon County School District for All that Certain Real Property Lying Within a Portion of the Northwest One-Quarter (NW 1/2) of Section Fourteen (14), Township Thirteen (13) North, Range Twenty-Five (25) East, Mount Diablo Base Meridian, in the City of Yerington, County of Lyon, State of Nevada, Further Described in Quitclaim Deed Document 48262, Recorded on March 13, 1941, Filed in the Official Records of Lyon County

City Manager Switzer stated that this is a proposed agreement for our water/sewer project in consideration for a sum of \$10.00 which would give us access and easement to that area of the Yerington High School.

Public Works Director Flakus stated that a lot of water goes through the football field and currently there is a wooden box that it sits in. It is better for the City of Yerington to make it a water main and the easement would allow us to work on it when we want to.

Councilman Bryant made a motion to approve an easement agreement and Deed between the City of Yerington and the Lyon County School District for all that certain real property lying within a portion of the Northwest One-Quarter (NW 1/2) of section fourteen (14), Township thirteen (13) North, range twenty-five (25) East, Mount Diablo Base Meridian, in the City of Yerington, County of Lyon, State of Nevada, further described in Quitclaim Deed Document 48262, Recorded on March 13, 1941, filed in the official records of Lyon County, seconded by Councilwoman Schunke. Mayor Garry asked for public comments, there were no comments and the motion carried unanimously.

Placement of No Shooting Signage at Y Hill and Other Areas as Determined within the City Limits

City Manager Switzer stated that this item on the agenda comes from a management meeting and we wanted to discuss it for further elaboration.

Chief Wagner stated that we are primarily talking about the mine property that the City purchased from BLM. Residents have been going up to that area for years to shoot. The City annexed and zoned the property for the mine. The only zoning that allows for shooting in the city limits is agricultural. Chief Wagner stated that we need to decide if we are going to allow the shooting in the area to continue or if we are going to enforce the law. Chief Wagner stated that we have also had people shoot in the lower locations and the neighbors are feeling unsafe.

Mayor Garry stated that we owe it to the public to get the word out and put up signage.

Councilman Bryant asked how we would enforce the law. Chief Wagner stated that it would take a lot of signage and a public campaign. There will be fight back. Councilwoman Catalano stated that we do have a shooting range and we need to think of public safety.

Public Works Director Flakus stated that the previous Mayor had us put up signs at the bottom of the hill, not at the top. Councilwoman Schunke pointed out that people must pass those signs to get to the top. Public Works Director Flakus agreed.

Councilwoman Catalano stated that we may need larger signs and add a phone number to report any shooting in the area.

Councilwoman Schunke asked Chief Wagner what his thoughts were. Chief Wagner stated that a portion of the land the city received as part of the purchase of the property for the

mine was designated as a police shooting range and we will need to designate a portion of that land for the shooting range.

Mr. Dave DeGrendele asked if it was a resident of Panavista that complained. Chief Wagner stated that it was.

Councilman Bryant stated that education will be needed in order to avoid conflict

No action taken

Master Plan Amendment. Kyle and Priscilla Frade have Submitted a Master Plan Amendment Application Intended to Change Parcel 001-411-33, 735 S Main Street, from Commercial Density to Transitional Density

Public Works Director Flakus stated that Mr. Frade has applied to change the zoning for parcel at 735 S. Main Street. The the house was at one time was the veterinary hospital and home of the Veterinarian. Mr. Frade's zoning request triggers a Master Plan amendment. The parcel is currently commercial density, zoned C-2. Mr. Frade would like to use the home as a rental property which you cannot do in commercial. Mr. Frade met with the Planning Commission Chairman and they were able to settle on R-3 zoning, which is a transitional which requires a Master Plan amendment.

Public Works Director Flakus stated that a word that gets thrown out a lot is "spot zoning". Spot zoning implies that the Planning Commission and Council are trying to help someone out in a way that is dis-advantageous to other property owners. This is not however the case with Mr. Frade as it is the same zoning as others in the area.

Mr. Frade addressed the council and stated that the property was originally always R-C, but switched to Commercial when it sat empty for six months and the City's Master Plan switched it.

Councilman Bryant made a motion to approve the Master Plan amendment submitted by Kyle and Priscilla Frade intended to change Parcel 001-411-33, 735 S Main Street, from Commercial Density to Transitional Density, seconded by Councilwoman Schunke. Mayor Garry asked for public comments, there were no comments and the motion carried unanimously.

Zoning Change Request. Kyle and Priscilla Frade have Submitted a Zoning Change Request Application Intended to Change Parcel 001-411-33, 735 S Main Street from C2 to RC Zoning

Councilman Bryant made motion to approve the zoning change request for Kyle and Priscilla Frade intended to change Parcel 001-411-33, 735 S Main Street from C2 to RC Zoning, seconded by Councilwoman Catalano. Mayor Gary 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	6-25-2019 6/26/2019	31109 through 31120 31121 through 31122
Payroll Vouchers	7-1-2019	731901 through 731920
Payroll Checks	7-1-2019	31123 through 31128
Transmittal Vouchers	7-1-2019	7011901
Transmittal Checks	7-1-2019	31129

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

Public Participation

There were no public comments.

Department Reports

City Attorney Zumpft reported we should have proposed changes to the water ordinance at the July 22nd or August 12th meeting.

Chief Wagner reported that he currently has an applicant in background and it is going well and a 2nd Applicant has POST and it can transfer from Utah to Nevada. Chief Wagner stated that it is a time consuming process.

Chief Wagner stated that it has been a busy couple of weeks with a few calls for service. Councilwoman Catalano asked about the break-ins that she is hearing about, there was one regarding swords, another with County Sunflower and another four residents. Chief Wagner stated that he would rather not comment on cases that belong to Lyon County. There is an open and active investigation on a Main Street case.

Public Works Director Flakus Reported:

- There are multiple water connections, all of these connections are outside the city limits. Willow Creek, Crystal Clear and Sunset Hills.
- The Mason Booster Station is having communication issues.
- The Luzier station is having complex pump issues.
- The 2018 Community Confidence report has been distributed
- The pump is down at the Airport Lift Station.

- We have found high chlorine residual in the sewer ponds. That issue is under investigation.
- Streets; crack sealing, crosswalk paint, no parking zones are all being worked on.
- Street sweeper is currently under repair
- Street lights and Post Office Clock: we have hired Yerington Electric to help us. There are two connections (one on the east and one on the west side). Our idea was to install mechanical timers so that they would all come on in-sync; however, the clock would not run when it was on.
- Currently spraying weeds in public rights of way.
- We will be having a meeting with members of the Lyon County School District regarding the “Kiss & Drop” project that was killed a year ago.
- Parks: Mountain View Park needs a new bridge for the playground equipment.
- Veterans Park got a new tube for the playground equipment. Councilwoman Catalano stated that the clamp post that was used is a good way to cut our kids and perhaps we need to look at new equipment. Public Works Director Flakus stated that we need a Parks Committee meeting to discuss park needs.
- Airport: Our fuel terminal no longer has support and they will no longer supply replacement parts.
- We have limited involvement with Night in the Country this year.

City Manager Switzer reported that our new website is up and is maintained in-house. The audit for FY 18-19 is ongoing.

City Manager Switzer reported that we had a tour of the Armory, which went very well. He will keep contact and hopes to hear good news.

Interim City Clerk Shaw reported that we are into a new Fiscal year and currently our new budget is being uploaded into our database Caselle. The City Manager has reduced the number of General Ledger numbers that we use to code our billing which will simplify and cut the amount of time it takes to code those bills. Interim City Clerk Shaw stated that it is an exciting time for the city as we move forward.

Councilman Bryant stated that he would like to invite everyone to the Chamber of Commerce breakfast meeting this Wednesday at Pioneer Crossing.

Mayor Garry stated that at one time his father said to him “what is the strength of any chain, the answer was the strength of any chain is always its weakest link.” Mayor Garry stated that he will need strong voices of his council members, the public at large and the department heads. Mayor Garry stated that it is indeed an exciting time for the city with many changes.

There being no further business the meeting was adjourned.

Mayor of the City of Yerington

ATTEST:

Administrative Director/Interim City Clerk