

April 23, 2018

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 (Arrived at 10:25 am), John Garry, Larry Reynolds
and James Sanford
City Manager Dan Newell
City Attorney Chuck Zumpft (Arrived at 10:15 am)
Chief of Police Darren Wagner (Arrived at 10:05 am)
Interim City Clerk Sheema Shaw
Public Works Director Jay Flakus
Bookkeeper Pamela Argo

Guests: Eric Milavsky of Pool/Pact, David Ray, Dave & Deb DeGrendele and Amy
Alonzo of the Mason Valley News,

Agenda Approval

Councilman Garry made a motion to approve the agenda as presented, seconded by Councilman Reynolds and passed unanimously.

Minutes

Councilman Reynolds made a motion to approve the minutes of March 30, 2018 Budget Workshop Meeting and April 9, 2018 Regular Meeting, seconded by Councilman Sanford and passed unanimously.

Business Licenses

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

- A. Christopher Dianda dba Q & D Construction, LLC, General Construction, 1050 S. 21st St. Sparks, NV 89510 - Name change
- B. Jason S. Reiser dba Dollar General, Retail Store, 181 N. Main St., Yerington, NV 89447 – Name Change of Officers

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

Revisions to the City of Yerington Personnel Policy Manual

Mr. Eric Milavsky of Pool/Pact stated that Pool/Pact is the liability insurer for the City of Yerington and about 130 other rural entities throughout Nevada. In addition to providing defense and coverage when there is a claim, they also have a non-profit human resource consulting arm. Mr. Milavsky stated that they provide H/R support and services, everything from training to day-to-day counseling to personnel policy development.

Mr. Milavsky stated that Pool/Pact has a comprehensive set of sample policies, which is about 200 pages. Every year the policies are updated to reflect new changes in the law and are always looking to see if there are better ways to word things within the policies. The last update to the city's policies was in 2010.

Mr. Milavsky stated that personnel policies serve a couple of core purposes: they provide a set of guidelines for management to make sure employees are treated fairly and in compliance with the law. In addition, they set expectations for employees. They are very detailed procedures, as an example FMLA; there are dates and deadlines for submitting forms and there is a requirement for submitting a medical certification. The policies set forth detailed procedures for employees and set expectations for workplace conduct for employees to follow.

Mr. Milavsky stated that in the process of this revision it was noted that some protected classes were missing from some of the anti-discrimination and fair employment practice policies, so they have been added in. As an example, the law prohibits discrimination based on pregnancy, domestic partnership, and genetic information identity. They were not in the current policies and have now been added in.

Mr. Milavsky stated that another example: In 2017 the legislature passed a Pregnant Workers Fairness Act that requires reasonable accommodation for pregnant workers and that has been added. There was also recent legislation as to whether criminal information can be used in connection with hiring practices and the policies have that information now.

Mr. Milavsky stated that he wanted to assure the council that the changes that are being presented are necessary in order to make these policies in line with the laws.

Councilman Garry asked if everything in here is mandated by the state. Mr. Milavsky stated that there is flexibility for the city to change some of the items in the policies. Councilman Garry stated that there is one law in relation to post-accident testing, 2.10.05, subsection B states: "Property damage in excess of \$500.00". Councilman Garry stated that he could easily cause over \$500.00 worth of damage to a car just by giving it a good kick. Mr. Milavsky stated that the city does have the prerogative to increase that threshold.

Councilman Sanford asked what Pool/Pact and other insurance companies are focused on right now. Mr. Milavsky stated that they are not seeing one claim happen more often than another at this time. The "Me Too" harassment and discrimination claims continue to be prevalent.

Councilman Sanford asked if we have not updated our policy since 2010 why now? Interim City Clerk Shaw stated that she had volunteered to be part of an H/R Assessment program to find out areas where we need improvement, and one of the items that came forward was the personnel policy manual. Interim City Clerk Shaw stated that work on the personnel policy manual has been ongoing for quite some time. We have kept all of the policies we had and added any additions recommended by Pool/Pact.

Interim City Clerk Shaw stated that Christine Vido with Pool/Pact has been a tremendous help in this process along with Pamela Argo, Bookkeeper for the City of Yerington.

Mr. Milavsky stated that in an ideal world you would update the manual every year; however, two years is what most organizations do.

Councilman Reynolds stated that he had a question on 2.10.10 and how the new marijuana laws would affect the random testing. Mr. Milavsky stated that even though marijuana is now legal in the State of Nevada, the policy has a no tolerance for it at work. That is our policy, that is our approach and that is what is reflected in this policy. Just as alcohol is legal on your own time so long as it is not still in your system and affecting you when you are at work. It is a performance and safety factor. Mr. Milavsky stated that the city also receives federal funding and therefore must comply with drug-free workplace act.

Councilman Garry noted that under workplace violence there is reference to full-time, seasonal, temporary and elected officials; however, there is no reference to "appointed to an elected office".

Councilman Sanford made a motion to approve the revisions to the City of Yerington personnel policy manual with a change to 2.10.05 from an amount of \$500.00 to \$1000.00 and to add "appointed to an elected office" to that portion of the workplace violence policy as needed, seconded by Councilman Garry. Mayor Dini asked for public comments, there were no comments and the motion carried unanimously.

Revisions to All of the City of Yerington Job Descriptions

Interim City Clerk Shaw stated that most of the job descriptions are the same. All job descriptions have a signature line for the employee to acknowledge his/her understanding of the position. The main changes are in the Public Works Assistant job descriptions. Two years ago,

the City Council approved the change to the position to Public Works Assistant 1, Public Works Assistant II and Public Works Assistant III. The job descriptions give a clear description of the qualifications for those positions and what the employee can expect. As an example: Assistant I requires a valid class B driver's license, water and sewer distribution I certifications within 18 months of appointment to the position.

Councilman Sanford asked if the department heads had input into the changes in the job descriptions. Interim City Clerk Shaw stated that they did.

Public Works Director Flakus stated that the idea behind the three different levels is that it would give the employees a direction to move forward and advance. It also prevents employees from staying in a position where they cannot pass the requirements for the position.

Councilman Sanford asked why are we doing this now. Interim City Clerk Shaw stated she wanted to have everything updated at the same time.

Councilman Sanford stated that he had one recommendation and that was to add in wording that requires department heads to annually evaluate their employees. Councilman Sanford stated that he believes the City Manager should be evaluating the Department heads and the Council should be evaluating the City Manager on an annual basis. Public Works Director Flakus stated that employee evaluations are done annually in July. Interim City Clerk Shaw asked if he wanted to see that within the job description or in the personnel policy manual. City Manager Newell stated that it is in the personnel policy manual. Interim City Clerk Shaw agreed.

Councilman Reynolds made a motion to approve revisions to all of the City of Yerington job descriptions as presented, seconded by Councilman Garry. Mayor Dini asked for public comments, there were no comments and the motion passed unanimously.

Read by Title Bill #416, Ordinance No. 18-02 An Ordinance Amending the Yerington City Code Title 13 Zoning Regulations, Chapter 10 A Interim Agricultural District, Amending Article 4, Special Uses Adding, "On land designated Agricultural, landowners may provide buildings for use as farm labor housing for seasonal or temporary employees of the landowner. Such housing units may include cooking facilities and must comply with United States Department of Labor standards per title 20, chapter V of the code of federal regulations" and Other Matters Properly Relating Thereto.

City Manager Newell stated that this is something we never needed in the past; however, we now have Peri's south in the city limits and this will allow us to do a special use permit for that. City Manager Newell stated that this is what the county does word-for-word.

City Manager Newell stated that we have a Planning Commission meeting on the 30th of April and the special use for that facility is on that agenda. If we can propose this today and finalize at the next council meeting it will be before the planning commission items come up.

Councilman Sanford made the proposal for Bill #416, Ordinance No. 18-02 An Ordinance Amending the Yerington City Code Title 13 Zoning Regulations, Chapter 10 A Interim Agricultural District, Amending Article 4, Special Uses Adding, "On land designated Agricultural, landowners may provide buildings for use as farm labor housing for seasonal or temporary employees of the landowner. Such housing units may include cooking facilities and must comply with United States Department of Labor standards per title 20, chapter V of the code of federal regulations" and Other Matters Properly Relating Thereto

Review Bills Previously Submitted for Payment

Bills, Salaries and Vouchers:

Accounts Payable Checks	4-11-2018	29205 through 29239
	4-16-2018	29240 through 29276
	4-16-2018	29277 through 29278
Payroll Vouchers	4-12-2018	04121801 through 04121820

Payroll Checks	4-12-2018	29199 through 29203
Transmittal Vouchers	4-9-2018	04091801
Transmittal Checks	4-9-2018	29204

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

Department Reports

City Attorney Zumpft reported that he is busy with several tasks for the city.

Chief Wagner reported that it has been a busy couple of weeks. Chief Wagner reported that he had the annual audit from the Federal Government for the military equipment and that went well. Chief Wagner stated that he has one police officer applicant in background and that is also going well.

Public Works Director Flakus stated that there will be a planning commission meeting on April 30th and it has a full agenda. Patching on the streets will begin tomorrow. The runway is being reconstructed and they are giving us mix to use on the streets.

Public Works Director Flakus stated that he and the City Manager are trying to get a contractor to build dugouts at Reviglio Field. Lyon County has a little money that needs to be expended.

City Manager Newell reported that the airport project is moving along. Paving will begin tomorrow. They will be paving through Tuesday and then there will some wait-time while the pavement cures before painting can be done.

Councilman Garry asked if we would be doing a ribbon cutting for the airport once it reopens. This will be an historical event for our town. Perhaps we could have the children come down on bicycles. City Manager Newell stated that we could not have them on the runway; however, we could do something on the tarmac.

Councilman Sanford asked Chief Wagner for an update on the Arellano property. Chief Wagner stated that he has assigned Officer Flores to that issue and the City Attorney should be receiving a complaint from him.

There being no further business the meeting was adjourned.

Mayor of the City of Yerington

ATTEST:

City Clerk & Clerk to Council