

October 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 John Garry
Council Members Jerry Bryant, Selena Catalano, Shane Martin 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
Office Brandon Coombs
Officer Nick Wisner,

Guests: Chief Scott Draper and Assistant Chief Lacey Parrott of the Mason Valley Fire District, David Ray, Sherie Werner, Brad Higgins, Frank Pizzo, Arnie Carlgren, Deb & Dave DeGrendele

Public comments

Mayor Garry asked for public comments, there were no comments.

Agenda Approval

Councilwoman Schunke made a motion to approve the agenda as presented, seconded by Councilman Martin. Mayor Garry asked for public comments, there were no comments and the motion carried unanimously.

Minutes

Councilman Bryant made a motion to approve the minutes of September 23, 2019, seconded by Councilwoman Catalano. Mayor Garry asked for public comments, there were no comments and carried unanimously.

Business Licenses

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

- A. Donald J. Hunter dba Mason Valley Heating & Cooling, Heating & Cooling Services, 213 W. Goldfield Ave. Yerington, NV 89447-Moved to new location
- B. Donald & Chaz Hunter dba Hunter's Guns Ammo & Sporting Goods, LLC, Sporting Goods Retail, 213 W. Goldfield Ave. Yerington, NV 89447-Moved to new location
- C. Darrell R. Norman dba Norman Ventures NV, Inc., General Construction, 13930 Cochise Dr. Reno, NV 89521-New

- D. Recon Technologies, Inc. dba Recon Health Care Services, Medical Services, 911 Harvey Lane Yerington, NV 89447-New
- E. T. F. Roof Services, Inc. dba A. Affordable Roofing, Roofing, 1250 Ridgeway Ct. Reno, NV 89503, Mobile-New

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

Recommendation From the Yerington Chamber of Commerce to Have the City of Yerington Sponsor and Coordinate the 4th of July Events in the City of Yerington

Mayor Garry stated that Amy Miller of the Yerington Chamber of Commerce could not be here this morning.

City Manager Switzer stated that the council can still have discussion on this item and table for another meeting for possible action.

Councilwoman Catalano stated that the matter should be tabled until Ms. Miller could be in attendance.

Councilman Bryant made a motion to approve tabling this item until Ms. Miller could be in attendance, seconded by Councilwoman Schunke. Mayor Garry asked for public comments, there were no comments and the item was tabled.

Invest up to Two-Million Dollars in the Local Government Pooled Investment Fund (LGIP)

City Manager Switzer stated that three months ago the council approved investing \$3-million into the Local Government Investment Pool (LGIP) and in that time the city has earned over \$16,000 in interest. If the interest rate were to stay the same for a year the city would gain a total of \$60,000 to \$70,000 in interest.

City Manager Switzer stated that he would like to invest an additional \$2-million into LGIP. If the city was to do that we could make as much as \$100,000 a year.

Councilman Bryant asked what the risk was to the city. City Manager Switzer stated that the risk is low. If we need to access the money, we could have it back within 24 hours of the request with no charge to the city.

Councilwoman Catalano made a motion to approve investing up to two-million dollars in the Local Government Pooled Investment Fund (LGIP), seconded by Councilwoman Schunke. Mayor Garry asked for public comments, there were no comments and the motion carried unanimously.

Recommendation From the Police Committee to Increase the Police Force to Eight (8) Positions

Chief Wagner stated that his department is seeing an increase in call volume and they are struggling to keep up, overtime is off the charts.

Councilman Bryant stated that he had reviewed transparent Nevada and the city spent over \$82,000 on overtime last year. That is almost enough to fund another officer.

Councilwoman Schunke asked if having another officer will require additional equipment and a vehicle. Chief Wagner stated that it would and some of that would be addressed in the next agenda item. If we lift the residency requirement we might consider going back to a fleet of vehicles rather than a “take home” vehicle.

Councilwoman Catalano made a motion to approve the recommendation from the Police Committee to increase the police force to eight (8) positions, seconded by Councilwoman Schunke.

Mayor Garry asked for public comments. Officer Wisner of the Yerington Police Department thanked the council and stated that having the extra officer will allow the department to be proactive. Mayor Garry asked for further comments, there were no comments and the motion carried unanimously.

Recommendation From the Police Committee to Remove the Requirement that Police Officers to Live within Five (5) Miles of the City Limits

Chief Wagner stated that nationwide recruitment is not great. The five mile restriction is hurting our department as not all applicants are willing to uproot their families to move to Yerington. Chief Wagner stated that he has an applicant from Reno that is willing to working for our department; however, he does not want to move his family.

Councilman Bryant stated that he is on the Police Committee; however, he is not sure if he is in favor of it. Councilman Bryant stated that there are many officers with the county who live here, there are a number of them that wanted to work for the city, but we passed on them. Councilman Bryant asked why we passed on those officers. Chief Wagner stated that the county will hire and have them work in the jail while they send them to POST.

Officer Wisner stated that he has a 4 year old son and only sees him four days a month. Officer Wisner stated that if he had the option to live in Dayton he would be able to see his son more often. Officer Wisner stated that he loves his job and would stay; however, he will need to consider what is best for his son. If the restriction is lifted, he will stay with the Yerington Police Department.

Councilman Bryant stated that we should make the requirement to live within the county. Councilwoman Catalano stated that there must be a response time, perhaps one hour. Chief Wagner stated that radius would be better than time. Councilman Martin stated perhaps 100 miles.

Mayor Garry stated that he is in favor of abolishing the restriction and see how it works. Councilwoman Catalano agreed that we could give it a trial run and adjust as needed. Chief Wagner stated that a lot of officers do not want to live in the community where they work as they are more likely to meet up with people they have arrested in line at the grocery store.

City Manager Switzer stated that the residency requirement is part of the Police Association Agreement, which if approved, would be good until June 2020 at which time the council could reconsider and change if necessary.

Councilwoman Catalano made a motion to approve the recommendation from the Police Committee to remove the requirement that police officers to live within five (5) miles of the city limits on an eight month trial period, seconded by Councilman Martin. Apposed Councilman Bryant. Mayor Garry asked for public comments, there were no comments, and the motion carried 3/1.

Purchase of a 2020 Chevrolet Tahoe, Fully Equipped, for the Yerington Police Department From the Fixed Asset Fund not to exceed \$55,000

City Manager Switzer stated that we have one police vehicle that has been totaled in the last couple of months. At this time we do not have a quote; however, we would purchase from Champion Chevrolet in Reno.

Chief Wagner stated that this is identical to the two vehicles we just purchased and would not exceed the \$55,000 requested.

Councilwoman Catalano asked if the insurance would consider the vehicle totaled and if the city could expect anything back. City Manager Switzer stated that we have not heard back from our insurance carrier, if we should receive something back it will off-set the cost of this item.

Councilman Bryant stated that we need the vehicle; however, the cost should not be coming from the city due to the circumstances, there should be some kind of personal cost. City Manager Switzer stated that the statutes do not allow that.

Mr. Sherie Warner stated that if the city is hiring more staff, they will need another vehicle. Chief Wagner stated that if we lift the residency requirement we will go to a fleet which will give us a longer life on the vehicles.

Councilwoman Schunke made the motion to approve the purchase of a 2020 Chevrolet Tahoe, fully equipped, for the Yerington Police Department from the Fixed Asset Fund not to exceed \$55,000, seconded by Councilman Martin. Mayor Garry asked for public comments, there were no further comments and the motion carried unanimously.

Memorandum of Understanding (MOU) Between the Lyon County School District and the Yerington Police Department for a School Resource Officer (SRO)

Mayor Garry stated that he would like to strike the second sentence that reads:

“While placing law enforcement officers in schools without adequate SRO training carries risk of contributing to a school to prison pipeline process where students are arrested or cited for minor, nonviolent behavioral violations and then diverted to the juvenile court system, we recognize that this approach waste community resources and can lead to academic failure and greater recidivism rates of student.”

Mayor Garry would like to replace it with:

“The placement of an SRO on a school campus does not preclude such officer from exercising their discretion from enforcing the letter of the Law and The Spirit of the Law. The SRO can and will work in conjunction with school officials to resolve student conflicts whenever possible that might utilize internal school practices such as suspensions, referral programs, and other alternate disciplinarian programs acceptable to school officials. “

City Manager Switzer stated that the proposed agreement, as shown to council today, shows the city recommended changes in blue and the school district changes in red. The original agreement was presented to council a year ago and was not accepted at that time.

City Manager Switzer stated that on page 4, section 5 the school suggested the SRO will report to the principal. Both Chief Wagner and City Manager Switzer believe that the SRO should report to the Chief of Police and consult with the principal.

Councilman Bryant asked if additional training would be required. Chief Wagner stated that there would be.

City Attorney Zumpft stated that the policy statement is fine. We need clarification on when the city will receive the \$30,000.

City Manager Switzer suggested that he and Chief Wagner go back to the school to renegotiate some of the council concerns and questions. Mayor Garry asked Councilman Bryant to be part of that committee.

Councilwoman Catalano made a motion to table this item for further review, seconded by Councilman Martin. Mayor Garry asked for public comments, there were no comments and the motion carried unanimously.

Recommendation to Approve the Collective Bargaining Agreement Between the City of Yerington and the Yerington Police Association

City Manager Switzer stated that he has had an opportunity to brief everyone on this agreement. City Manager Switzer stated that there is one additional change to the agreement. Page 10, item 5, the last sentence was changed as follows:

“Emergency leave shall be taken as sick leave, limited to a total of not more than seven (7) days per annum, or more depending on staffing at the discretion of the Police Chief. “

City Manager Switzer stated that this agreement is good through June 2020 at which time it can be renegotiated.

Councilman Bryant made a motion to approve the Collective Bargaining Agreement between the City of Yerington and the Yerington Police Association, seconded by Councilwoman Catalano. Mayor Garry asked for public comments, there were no comments and the motion carried unanimously.

Quote From Sierra Computer Group to Replace the Server at City Hall with Up-to-Date Hardware Running the Latest Windows Server Operating System, Not to Exceed \$13,000

City Manager Switzer stated that our current server is a 2014 and is out of warranty. Sierra Computer Group has given us a quote to replace the server.

Councilman Bryant asked if our current server has lived a normal lifespan. City Manager Switzer stated it has.

Councilman Bryant made a motion to approve a quote from Sierra Computer Group to replace the server at City Hall with up-to-date hardware running the latest windows server operating system, not to exceed \$13,000, seconded by Councilwoman Schunke. Mayor Garry asked for public comments, there were no comments and the motion carried unanimously.

Read by Title Ordinance #19-01, Bill #419, Amending the Yerington City Code Title 8 Water and Sewer; Chapter 2 Water Service Regulations: Adding Deposit For Service; Amending Discontinuation And Restoration of Service; And Other Matters Properly Relating Thereto

City Manager Switzer stated that he has been working with City Attorney Zumpft for some time on this ordinance. Currently we do not charge a deposit to our customers. The city just wrote off \$14,000 in utility bills, a deposit would be a step to mitigate that issue in the future. We would be able to apply that deposit to the final billing.

City Manager Switzer stated that deposits would be required of all new customers and customers that have been shutoff for non-payment. This deposit will not apply to current customers in good standing as we will be able to review their account and review their payment history. City Manager Switzer stated that after 12 months of timely payments the deposit would be returned or applied to the next billing.

City Manager Switzer stated that the second item within the ordinance is regarding delinquent customers and 24 hour notices. At this time we send an employee to physically hang the notice at the property giving those 24 hours to comply or disconnection will occur. This ordinance changes that entirely so that we do not have to use field personnel to hang those notices. We will mail the notice to the customer that they have 10 days to pay the billing. If the

customer does not pay that billing within the 10 days we will, at that time physically hang a notice at the service address.

Councilwoman Catalano asked how far delinquent customers are allowed to become before a notice is hung. Interim City Clerk Shaw stated that customers have 45 days to pay their billing. As an example: if you did not pay the billing last month (September) you will receive a 24 hour notice on the 21st of this month (October). Once the notice is hung at the service address the customer is required to pay the billing in full.

City Manager Switzer stated that we have hung as many as 90 notices in one month. We are paying employees \$23.00 an hour plus benefits to hang notices. Councilwoman Catalano stated that if we mail a notice stating that you have 10 days to pay the bill and the bill is not paid, we should shut them off at that time, no notice. City Attorney Zumpft stated that the issue is if the notice went to the property owner, the renter may not be aware the billing was not paid.

Councilman Bryant proposed Ordinance #19-01, Bill #419, amending the Yerington City Code Title 8 Water and Sewer; Chapter 2 Water Service Regulations: Adding Deposit For Service; Amending Discontinuation And Restoration of Service; And Other Matters Properly Relating Thereto.

Mayor Garry asked for public comments there were no comments.

Acceptance of Two Hangar Buildings (#315, 414) From the Civil Air Patrol to the City of Yerington

City Manager Switzer stated that the Civil Air Patrol no longer has use for these hangars and has released the hangars to the city and he recommends the council accept them. Normally, the city owns the land and the tenant owns the hangar. In this case we will now own both the land and the hangars.

Councilman Bryant asked how much work is needed on the hangars. Public Works Director Flakus stated that they need some work. City Manager Switzer stated that the city could lease these hangars on a monthly basis or we can sell them. Currently we have two parties interested in them.

Mr. Brad Higgins stated that he has an airplane at the airport and would be interested in leasing one of the hangars or purchasing one or both.

Councilwoman Catalano made a motion to approve the acceptance of two hangar buildings (#315, 414) from the Civil Air Patrol to the City of Yerington, seconded by Councilwoman Schunke. Mayor Garry asked for public comments, there were no further comments and the motion carried unanimously.

Review Bills Previously Submitted for Payment

Bills, Salaries and Vouchers:

Accounts Payable Checks	9-24-2019 10-1-2019	31495 through 31524 31525 through 31540
Payroll Vouchers	9-23-2019 10-10-2019	09261901 through 09261922 10101901 through 10101919
Payroll Checks	9-24-2019 10-10-2019	31486 through 31492 31541 through 31516
Transmittal Vouchers	9-23-2019 10-7-2019	9231901 10071901
Transmittal Checks	9-23-2019 10-7-2019	31493 & 31494 31547

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

Public Participation

Mr. Russ Kirkpatrick addressed the council and stated that he has been shadowing the City Manager for the last few weeks. He has attended meetings with Interim City Clerk Shaw, Chief Wagner and Public Works Director Flakus. Mr. Kirkpatrick thanked City Manager Switzer and Mayor Garry of the opportunity and he has enjoyed his time in Yerington.

Department Reports

Chief Wagner reported that he has several open investigations. Recruitment efforts are moving forward and thanked council for their consideration on today's agenda items.

Public Works Director Flakus reported that there is an issue in Mason over an illegal connection, Bids are out for the mini excavator, lead & copper sampling is complete and he is working to create a new application process to try to accommodate everyone wanting to use the baseball fields.

City Manager Switzer reported that there are copies of letters that he has sent out on code enforcement at the back of the council packets.

Mayor Garry took a moment to acknowledge two friends from the Long Beach Police Department who have recently retired, James & William Foster. They represent a 77 year continuous family legacy, with their grandfather coming on the department in 1942 and their father joined in 1965.

There being no further business the meeting was adjourned.

Mayor of the City of Yerington

ATTEST:

Administrative Director/Interim City Clerk