

April 27, 2020

The regular meeting of the Yerington City Council was held in the Council Chambers and via Zoom.com due to COVID-19 and Social Distancing Measures enacted by Governor Sandoval at 10:00 a.m. with the following present:

Mayor John Garry (Council room)  
Council Members Jerry Bryant, Selena Catalano, Shane Martin and Terceira Schunke (via Zoom)  
City Manager Robert Switzer (Via Zoom)  
City Attorney Chuck Zumpft (Via Zoom)  
Chief of Police Darren Wagner (Via telephone)  
Public Works Director Jay Flakus (Council Chambers)  
Administrative Director/Interim City Clerk Sheema D. Shaw (Via Zoom)  
Angela Moore Grants Director/Deputy Clerk (Via Zoom)

Mayor Garry opened the meeting and stated due to the Covid 19 virus our council chambers have been closed to public gatherings; thus, to comply with Nevada Open Meeting Law we are utilizing a Teleconferencing/Video conferencing to allow the public to attend remotely which has been posted in a timely manner. We will also be live streaming on Facebook.

Mayor Garry stated that City Manager Switzer would act as the “Host” for Zoom.com for acceptance to the meeting. Mayor Garry stated that if the public is viewing the meeting on Facebook live, they can engage in public participation by calling the front desk or emailing the City Clerk at [sheema@yerington.net](mailto:sheema@yerington.net).

Mayor Garry stated that Councilmembers may be participating from remote locations. Mayor Garry stated that he would call on each member of council to determine his or her vote on each agenda item.

Mayor Garry stated that we would not be asking for public comments after each item, however, public comments would be taken at the beginning and end of the meeting.

City Attorney Zumpft stated that the first public comments on the agenda can be used for questions regarding any item on the agenda as well as any other comments.

Guests: Via Zoom; Amy Alonzo of the Mason Valley News and Amy Miller of the Yerington Chamber of Commerce.

#### Public Participation

Mayor Garry called for public comments; there were no comments at this time.

#### Agenda Approval

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

#### Minutes

Mayor Garry requested that the number of meals served (436) by Sheri’s Stage stop be added to the minutes of April 13<sup>th</sup>.

Councilwoman Schunke made a motion to approve the minutes of April 13, 2020 with corrections, seconded by Councilman Martin and the motion carried unanimously.

#### Business Licenses

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

- A. Shaun S. Egan dba Iron Woman Construction & Environmental Services, LLC dba Iron Woman Nevada Mining Services, Mining Support and Construction Services, 559 W. Silver St. #304 Elko, NV 89801-New Single Project
- B. Robert Jamsa dba Best Buy Stores, LP, Installation of Home Appliances, 7601 Penn Ave S Richfield, MN 55423-New Single Project

Councilman Bryant made a motion to approve the business license applications as presented, seconded by Councilwoman Catalano. and the motion carried unanimously.

Extend Resolution 2020-01, Declaration of Emergency; item 4, Paid Administrative Leave for Employees Until April 6, 2020 and Item 1, Suspend all Advisory Board Meetings until April 30, 2020 to “Until Governor Steve Sisolak or his Designate has lifted or Modified the State of Emergency for the State of Nevada Due to the Coronavirus”.

City Manager Switzer stated that when Resolution 2020-01 was considered at a previous council meeting we had a timeline put in by the governor’s declaration. This item is a modification of the City’s resolution that will extend the deadline until the governor has lifted the state of emergency.

Mayor Garry asked if this would also cover us with FEMA if we should need to make a claim. City Manager Switzer stated that it would.

Councilman Bryant made a motion to approve extending Resolution 2020-01, Declaration of Emergency; item 4, paid administrative leave for employees until April 6, 2020 and item 1, suspend all advisory board meetings until April 30, 2020 to “Until Governor Steve Sisolak or his designate has lifted or modified the State of Emergency for the State of Nevada due to the Coronavirus”, seconded by Councilwoman Schunke and the motion carried unanimously.

Read by Title Ordinance No. 20-01, Bill 420; An Ordinance Amending Title 1 of the Yerington City Code by Adding Thereto Provisions Expressly Allowing Yerington Municipal Court to Conduct Jury Trials in Appropriate Circumstances; Describing Persons Qualified to Act as Jurors; Granting Yerington Municipal Court Authority to Establish Polices and Procedures for Jury Trials; and Providing Other Matters Properly Related Thereto.

City Manager Switzer stated that last September the Nevada Supreme Court sided with a defendant that wanted a jury trial for an accusation of misdemeanor domestic violence. City Manager Switzer stated that the Supreme Court found that there is a constitutional right to a jury trial. This ordinance provides for that right in case a defendant asked for it in those situations.

City Attorney Zumpft stated that a person that is convicted of domestic violence loses the right to bear arms, which is a constitutional matter.

Councilwoman Schunke proposed Ordinance No. 20-01, Bill 420; an ordinance amending Title 1 of the Yerington City Code by adding thereto provisions expressly allowing Yerington Municipal Court to conduct jury trials in appropriate circumstances; describing persons qualified to act as jurors; granting Yerington Municipal Court authority to establish polices and procedures for jury trials; and providing other matters properly related thereto.

Read by Title Ordinance No. 20-02, Bill 421; An Ordinance Amending Title 4, Chapter 4 of the Yerington City Code by Amending and Adding Thereto Provisions Relating to Notice; The Opportunity for a Hearing; Abatement; and Other Matters Properly Related Thereto.

City Manager Switzer stated that the focus of this ordinance is to streamline our process so that we can respond to code violations in a timely manner.

City Attorney Zumpft stated that the legislature has provided by statute to give increased authority to attend to certain nuisances in the city. The ordinance has some language that may seem a bit strange; however, that language is in there because it is required by law. That

language is in regards to whether that nuisance was caused by others, in which case the owner would have more time to remedy the issue.

Councilman Bryant proposed Ordinance No. 20-02, Bill 421; An ordinance amending Title 4, Chapter 4 of the Yerington City Code by amending and adding Thereto provisions relating to notice; The opportunity for a hearing; abatement; and other matters properly related thereto.

#### Discussion on Tentative Budget for Fiscal Year 2020-21

City Manager Switzer stated that this budget would continue to evolve and change. City Manager Switzer stated that he has reinstated the councils request for an 8<sup>th</sup> officer for the Yerington Police Department.

City Manager Switzer stated that the other changes he has made include a 5% reduction in the general fund from \$2,305,347 to \$2,190,160. The management and administrative budget has been reduced from \$204,073 to 175,453. Street functions have been reduced from \$462,367 to \$175,453 and parks and recreation from \$75,121 to \$62,470.

City Manager Switzer stated that he also increased spending by \$55,000 from the Fixed Asset Acquisition Fund for another police vehicle due to the increase in patrol officers. Special Grant Revenue Fund was increased by \$30,000 for additional airport grant funds anticipated from the federal government. Finally; we will be furloughing a full-time position in Public Works.

City Manager Switzer stated that this proposed budget will result in deficit spending against our ending fund balance. General Fund expenditures budgeted total is \$2,267,857 against revenues of \$2,190,160 for a deficit of -\$77,697.

#### Review Bills Previously Submitted for Payment

Bills, Salaries and Vouchers:

Accounts Payable Checks	03-23-2020	32218 through 32225
	03-30-2020	32226 through 32234
	04-07-2020	32236 through 32266
	04-10-2020	32267
	04-14-2020	32268 through 32298
Payroll Checks	04-17-2020	32213
	04-23-2020	32214 through 32215
	04-20-2020	32299 through 32300
Payroll Vouchers	03-23-2020	3262001 through 3262024
	04-09-2020	4092001 through 4092021
	04-20-2020	4232001 through 4232024
Transmittal Vouchers	03-17-2020	3232001
	03-23-2020	3232001
	04-09-2020	4062001
	04-20-2020	4202001
Transmittal Checks	03-23-2020	32216, 32217
	04-09-2020	32235
	04-20-2020	32301, 32302

Councilwoman Schunke made a motion to approve the bills as submitted, seconded by Councilman Bryant and the motion carried unanimously.

Public Participation

City Manager Switzer stated that Amy Miller had tried to join in on today's meeting but had technical difficulties. She will participate in the next meeting.

Mayor Garry called for further public comments, there were no comments.

Department Reports

Public Works Director Flakus stated that his crew is working on street painting and maintenance.

City Manager Switzer reported that we have nine remaining easement requests out to property owners for the water and sewer project.

Councilman Bryant stated that regarding the letter received from the Nevada League of Cities; they mentioned two criteria before we can open; no increase in cases for 14 days. City Manager Switzer stated that we are following the governor's guidelines; however, if the council has a date in mind that is a discussion we can have in a special meeting. Councilman Bryant stated that he would like have council consider opening on May 1<sup>st</sup>. Councilman Bryant stated that if there is not a clear vision from our state to open by the first we owe it to our community to discuss our plan for opening.

Councilwoman Catalano stated that we may not all be on the same page; however, she is open for discussion.

Councilwoman Catalano thanked everyone for their patience, we know it is not easy on any of us and that we do receive criticism and a lot of us have taken a loss in wages; however, she does believe it should be health before wealth.

Councilwoman Schunke thanked everyone for their continued support. She has noted more people wearing masks and following the rules.

Mayor Garry stated that we are all feeling a pent up and a bit of cabin fever.

There being no further business the meeting was adjourned.

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Mayor of the City of Yerington

ATTEST:

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Administrative Director/Interim City Clerk