

**Yerington City Council Meeting**  
**Tuesday, May 26, 2020 at 10am**

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 Guidelines enacted by Governor Sisolak at 10:00 a.m. with the following present:

Mayor John Garry (Council Chambers)  
Council Members Jerry Bryant (Council Chambers), 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)

Absent: Deputy Clerk/Grants Angela Moore

Guests: Guests present via Zoom and Facebook.

Meeting called to order and roll call reported.

Mayor Garry opened the meeting stating that the council chambers have been closed due to the COVID-19 and are not open for public gatherings/meetings. We are also livestreaming on Facebook.

Mayor Garry stated that City Manager Switzer will be acting as the host and will accept the public into the meeting. If the public has any questions, they can call the front desk at 775-463-3511 or email the City Clerk at [sheema@yerington.net](mailto:sheema@yerington.net).

Mayor Garry stated that he will call each member of the council, in order for him or her to vote on each agenda item. Public comments will be taken after each agenda item.

**Public Participation**

Mayor Garry asked for public comments with a wait time of two minutes.

Ms. Amy Miller of the Yerington Chamber of Commerce stated that the Chamber is about halfway to their goal for the fireworks. There are concerns and public comments about the city allowing the event to continue. Ms. Amy Miller informed everyone that the city and the Fire Department are on board with this event. They are scheduled and ready to go.

Mayor Garry stated there were no further comments at this time.

**Agenda Approval**

City Manager Switzer removed agenda Item #11 from the agenda. We will place this item back on the agenda in the future, once we have more information.

Councilman Bryant made a motion to approve the agenda as amended, seconded by Councilwoman Catalano. Mayor Garry asked for public comments, waited two minutes, and the motion carried unanimously.

**Minutes**

Councilwoman Catalano made a motion to approve the minutes of May 11, 2020 regular meeting, seconded by Councilwoman Schunke. Mayor Garry asked for public comments, waited two minutes, and the motion carried unanimously.

**Tentative Budget for Fiscal Year Ending June 30, 2021**

Mayor Garry stated that we are leaving the City Council meeting and going to a public hearing meeting for comments on the tentative budget. City Manager Switzer stated that Lyon County Comptroller Josh Foli posted this meeting for the city and other municipalities.

Mayor Garry waited two minutes for public comments, there were no comments and ended the public hearing, reopening City Council meeting.

No action was taken.

## Discussion and Approval of the Final Budget for Fiscal Year Ending June 30, 2021

City Manager Switzer stated that within page one of the final budget message, General Fund Resources were estimated at \$3,101,577.00 and were changed to \$2,986,390.00. The ending fund balance of \$759,786.00 should be changed to \$732,653.00. Page two of the budget message does outline the capital asset acquisitions or activities to be proposed and conducted this next year. Incorporation of estimated room tax revenue, donations for the animal shelter, the Federal Aviation Administration for the Master Plan, Proposed Street Overlay for the Water and Sewer Project, the new City Hall building Phase one, Police Equipment, parks, upgrade street lights to LEDs, a trailer for the mini excavator, and the Water and Sewer Project. Within this budget message, all costs and totals are provided.

City Manager Switzer stated on page ten of the final budget, the figures at the bottom are subtotals of revenue to all sources. In our tentative budget, we have passed an amount of \$2,305,347.00 for the General Fund Revenues. City Manager Switzer has decided to incorporate a five percent reduction in anticipated General Fund Revenues for now; reduced by \$115,187.00, with a new budget of \$2,190,160.00.

Councilman Bryant asked if the room tax fund of \$110,000 could be impacted. City Manager Switzer stated yes, it could. We will go through the application process for grants and we will not spend more than we receive.

Councilwoman Schunke asked if the amount allotted for the Police Department equipment is enough. City Manager Switzer stated he has discussed this with Chief of Police Wagner and they believe that it will be enough for six shotguns and two AR-15s.

City Manager Switzer stated on page twenty-nine of the Sewer Utility Fund, the net income is \$1,016,987.00 but in a line item called connection fees for ARCO Weed Heights; they will present a proposal to the city to connect to our sewer system. The amount of connections in Weed Heights are \$834,000.00; extra revenue to the city. If this proposal does not follow through, then the net income will be \$182,987.00. If we have something such as lift stations, as an example, we could take the funds from that net income and use that source.

City Manager Switzer stated on page twenty of the Fixed Asset Acquisition Fund in column two states the City Hall purchase and upgrade. The city will sign the deed on June 30, 2020 in Reno, Nevada. We will purchase the building for \$215,000.00 instead of \$232,000.00; that amount has gone down month by month. The final amount for the building is \$214,983.81 and we will present that check at the time of closing. In column four, the City Hall upgrade is a proposal for phase one to modify the internal walls in order to service the public. The Police Department vehicle is set in anticipation that we will add an eighth officer by this fiscal year. For Public Works, the total is \$34,000.00. For Capital Outlay of \$32,000.00, this is money from Lyon County to the city to subsidize park and recreation programs.

Councilman Bryant would like to encourage putting in a bid for a sedan as well as a Tahoe for the Police Department. He would then like to pass on the savings to the Public Works Director for a vehicle.

City Manager Switzer reported we are unsure what the final impact will be to the City of Yerington due to the state sales tax and gaming tax. There have been some studies but they are all over the map. White Pine County put in for a 12% reduction in General Fund Revenue. We just don't know what those figures will be yet. The House of Representatives passed the Heroes Act; within that package is direct funding to cities. Most of the CARES Act went to the larger cities or directly to the state. The Nevada League of Cities and National League of Cities hope the bill will pass the Senate and if so, there is enough money to fully fund revenues to the General Fund. This Act would replace lost revenue within cities and we could see that shortfall being fully funded.

Councilwoman Catalano stated we should plan for the worst and hope for the best.

City Manager Switzer stated that the City of Reno presented a budget without any planned reductions in their General Fund revenues and only reductions in spending. As far as the General Fund is concerned, we have a positive ending fund balance. The City of Yerington's ending fund balance is \$761,212.54.

Mayor Garry thanked City Manager Switzer for his work on the budget and the time he has spent making adjustments to meet the council's wishes.

Councilman Bryant stated on page fourteen of the agreement with the Fire Department, an increase was made. Are there any particular changes in the services the city will be receiving? City Manager Switzer stated that there are changes every year to these services. The cities fee that needs to be paid per contract is contingent of property tax revenue and those have changed for the last three fiscal years.

Councilman Bryant asked City Manager Switzer about the salary and wages of the officers and if we did hold wages, does it reflect the eighth officer? City Manager Switzer stated yes, it includes the eighth officer and with eight officers, we anticipate a reduction in overtime costs. There is an increase in salary and wages because of the eighth officer, but also an increase in benefits.

Mayor Garry stated that the Fire Departments increase in fees also includes the land the city has annexed and made part of the city. City Manager Switzer stated that is correct and page five includes a statistics summary. In June of 2019, when we were audited, we had \$70,170,000 for property tax asset value and now we will have \$79,872,000.

Councilwoman Schunke made a motion to approve the final budget for fiscal year ending June 30, 2021 as presented, seconded by Councilman Bryant. Mayor Garry asked for public comments, waited two minutes, and the motion carried unanimously.

Discussion and Approval to 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 Person Qualified to Act as Jurors' Granting Yerington Municipal Court Authority to Establish Policies and Procedures for Jury Trials; and Providing Other Matters Properly Related Thereto.

City Manager Switzer stated that defendants have the right to a Jury Trial. The purpose of this ordinance is to provide rights to defendants and also provide them with the knowledge to ask for a Municipal Jury Trial, if they wish.

City Attorney Zumpft stated that the Nevada Supreme Court unanimously passed a case regarding defendants having the right to a Jury Trial if they are charged with a misdemeanor charge of domestic violence. Jury trials are to be offered if requested because the defendant will lose their right to bear arms. He has never seen a Jury Trial for a misdemeanor in Nevada. This ordinance is required because without it, there is no basis to implement this right to a defendant.

Councilman Bryant made a motion to approve Title Ordinance No. 20-01, Bill 420, seconded by Councilwoman Schunke. Mayor Garry asked for public comments, waited two minutes, and the motion carried unanimously.

Discussion and Approval to 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 we have been working on this for quite a while. This will streamline the process for weed abatement.

City Attorney Zumpft stated that the Nevada Revised Statutes (NRS) provides cities, like us, the ability to address nuisances. The property owner has thirty days to resolve this nuisance. Within this ordinance, graffiti is explained and would give the property owners more time to resolve the nuisance because it was not at their wrong doing. Mayor Garry stated that we do have properties that are owned by people out of the state and he agrees that these property owners should be given extra notice and time to take care of the issue.

Councilman Bryant stated that as we send out weed abatements this year, our staff should be mindful of people because a lot are under hardship at this time. We need to use good judgement.

Councilman Bryant approved the motion to approve Title Ordinance No. 20-02, Bill No. 421, seconded by Councilwoman Catalano. Mayor Garry asked for public comments, waited two minutes, and the motion carried unanimously.

Discussion and Approval to Apply for a Grant from FEMA for COVID-19 Related Supplies and Payroll Costs as Necessary.

City Manager Switzer stated the city would like apply for a grant that would reimburse us for any COVID-19 related costs due to payroll issues. We are asking for the ability to apply for this grant through FEMA. We have a contact at Lyon County for this grant. Councilman Bryant asked if the aviation fuel sales will be able to be added in to help with the loss of sales. City Manager Switzer stated that the fuel sales did not go down, they actually went up.

Councilwoman Schunke stated she is in favor for the city to apply for grants.

Councilwoman Catalano asked City Manager Switzer if this is for all of Lyon County and not just the city alone. City Manager Switzer stated that is correct. We are tracking expenses and invoices that were due to the COVID-19 pandemic through the end of this year, December 31, 2020. Mayor Garry asked if we have incurred any other costs, such as if we need more laptops for zoom meetings. City Manager Switzer stated that could be a possible cost and we are considering everything.

Councilwoman Catalano made a motion to approve applying for a grant from FEMA for COVID-19 related supplies and payroll costs as necessary, seconded by Councilwoman Schunke. Mayor Garry asked for public comments, waited two minutes, and the motion carried unanimously.

Discussion and Approval to Apply for a Grant from the USDA for up to \$50,000.00 for an ADA Approved Prefabricated Restroom for Veteran's Park.

City Manager Switzer stated that Deputy Clerk/Grants, Angela Moore, provided a staff report stating we are qualified for a grant from USDA for up to \$50,000.00. The Public Works Department has been looking to add a restroom at Veteran's Park. The total package proposes a prefabricated restroom for \$131,005.00 with no construction and would allow us to provide facilities at that location. It would be contingent on receiving the grant of \$50,000.00. Lyon County informed us that we have an available park construction tax balance of \$66,900.79 for a capital asset project. The city would contribute the remaining of \$14,104.21. We have appropriated \$32,000 for parks already and the portion paid by the city would come from that. City Manager Switzer stated if we receive all these funds, we would come back to the council with the bids and authorization for the expending of the funds.

Mayor Garry asked Public Works Director Flakus what the cost will be if the city went conventional. Public Works Director Flakus stated we do not have the capability because it would need to be ADA compliant and engineering would be involved, which provides additional costs. Public Works Director Flakus stated the prefabricated building would be built in Minden and we will not be paying transportation costs.

Councilman Bryant asked if a location has been picked out already. Public Works Director Flakus stated that we do not know exactly where to put it yet, but we have already set up water and sewer lines. Perhaps the Public Works Committee should meet in order to find an exact location.

Councilman Bryant made a motion to approve applying for a grant from USDA for up to \$50,000.00, seconded by Councilman Martin. Mayor Garry asked for public comments, waited two minutes, and the motion carried unanimously.

Discussion and Approval to Apply for a Grant with Edward Byrne Memorial Assistance for Police Vehicles and other Equipment.

Mayor Garry stated this agenda item has been approved to be removed.

Discussion and Approval to Apply for a Grant with the FAA CARES Act, O43-WPG-3-32-0022-019-22 for up to \$30,000.00 for the COVID-19 Related Supplies and Payroll Costs.

City Manager Switzer stated we will be receiving a grant for \$30,000 for the Airport. This is new revenue that has not been budgeted for provisions in the CARES Act directly related to supplies and payroll cost. We will identify costs and impacts directly relating to the Airport. We will explore any lost revenue, such as aviation fuel.

Councilman Bryant made a motion to approve applying for a grant with the FAA CARES Act, seconded by Councilman Martin. Mayor Garry asked for public comments, waited two minutes, and the motion carried unanimously.

Discussion and Approval of Bills Previously Submitted for Payment

Bills, Salaries and Vouchers:

Accounts Payable Checks	5-5-2020	32348 through 32369
	5-12-2020	32370 through 32383
Payroll Vouchers	5-18-2020	5212001 through 5212025
Payroll Checks	5-18-2020	32384
Transmittal Vouchers	5-18-2020	5182001

Councilwoman Schunke made a motion to approve the bills as submitted for payment, seconded by Councilwoman Catalano. Mayor Garry asked for public comments, waited two minutes, and the motion carried unanimously.

#### Public Participation

Mayor Garry opened public participation for two minutes with no comments at this time.

#### Department Reports

Chief of Police Wagner stated the Tahoe that was purchased is now in service. He spoke to the Intermediate and High School Principals at the school regarding their drive up graduation plans and temporary road closures near Pearl Street.

City Manager Switzer stated that the city is still on track for signing the deed at the Armory on June 30, 2020 in Reno, Nevada. He sent out a memo regarding that his surgery is scheduled and he will be out one week. He has made contingent plans while he is out of the office. City Manager Switzer will be in a sling for about six weeks and the recovery time will be between four to six months.

Administrative Director/Interim City Clerk Shaw would like to thank Public Works Director Flakus for installing a new window at City Hall, in order for staff to better accommodate the public and provide more services.

Councilman Bryant would like to say to Chief of Police Wagner, great job and complement him on Officer Brown, he is very happy with the interaction with Officer Brown and wanted to follow up with positive feedback.

Councilwoman Catalano would like to suggest to City Manager Switzer, do not rush it and take your time in order for your shoulder to heal properly.

Councilwoman Schunke would like to thank everyone in the community and also the staff. City Manager Switzer needs to take time and heal slowly. She also offers her help, if he needs anything.

Councilman Martin would like to thank Public Works Director Flakus for the banners on Main Street and also painting the Y.

Mayor Garry stated that it is wonderful to see a partial opening of our town. Coming out of Memorial Day, remember to always be grateful to our Veterans.

There being no further business the meeting was adjourned.

---

Mayor of the City of Yerington

ATTEST:

---

Administrative Director/Interim City Clerk