

Yerington City Council Meeting
June 22, 2020 at 10:00 am – City Hall

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 (Council Chambers)
Public Works Director Jay Flakus (Council Chambers)
Administrative Director/Interim City Clerk Sheema D. Shaw (Via Zoom)
Deputy Clerk/Grants Administrator Angela Moore (Via Zoom)

Guests: Guests present via Zoom and Facebook Live.

Meeting called to order and roll call reported. The Pledge of Allegiance was led by Councilman Bryant.

Mayor Garry opened the meeting stating that the council chambers have been closed due to the COVID-19 and are now open for public gatherings and 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, please call the front desk at 775-463-3511 or email the Administrative Director/City Clerk at 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, and no public comments were made at this time.

Agenda Approval

Mayor Garry stated that the agenda would be approved as presented unless there were any objections, there were no objections and the agenda was approved as presented.

Minutes

Mayor Garry stated that the minutes of June 8, 2020 regular meeting would be approved as presented unless there were any objections.

Councilman Bryant stated on the first page of the June 8, 2020 regular meeting minutes, the phrase needs to state that all meetings are now open to the public. Mayor Garry approved the June 8, 2020 regular meeting minutes as corrected.

Discussion and Approval to Renew a Proposal from Nevada Public Agency Insurance Pool (POOL) and Approval of Payment from Fiscal Year 2020-2021 Funds in the Amount of \$82,259.39.

Mr. Michael Rebaleati provided a presentation on the 2020-2021 plans with brochure information regarding the Nevada Public Agency Insurance Pool. Mr. Rebaleati stated that he could provide more information if needed. This information is designated for 2021 and includes the new renewal season. A premium increase of 3.71% is added to all insurances. Significant changes to Pool could affect up to 18%.

The process includes 78% of premiums to provide coverage to all. The administration costs are at about 8% and 28% is divided up from the 78%. Mr. Rebaleati recommends taking advantage of risk management grants to help with human resource savings. One educational grants is available and more will be available also. There are a lot of opportunities for training and educational grants related to loss controls. Please ask about these opportunities if they are not within the budget. A lot of training is being providing for Police Departments.

Mr. Rebaleati stated that Ms. Tina Petersen with LP Insurance is also here to answer any questions.

Councilman Bryant asked about the 3.71% increase and how does it lineup. Ms. Petersen stated that everyone in the insurance agency should expect to have a hard market and that prices are going up. The City of Yerington will receive a 3.71% increase, which is much lower compared to others. If a major incident or loss were to happen, the City of Yerington would be guaranteed to only have to cover the 3.71% instead of an 11.5% cost. The policy would cover up to \$500,000 and if this policy is in place, the City of Yerington would not be hit with the full percentage price and would be locked into the 3.71%.

Councilman Bryant asked City Manager Switzer if this will line up with the City of Yerington's budget. City Manager Switzer stated yes, it all lines up and will be parceled or portioned out from each department within service and supplies.

Mayor Garry approved the amount of \$82,259.39, but asked if the amount should be adjusted to include the 3.71%. City Manager Switzer stated that the 3.71% is already added to the total cost.

Councilman Bryant made a motion to approve a proposal renewal and payment to POOL in the amount of \$82,259.39, seconded by Councilman Martin. Mayor Garry asked for public comments, waited two minutes, and the motion carried unanimously.

Discussion and Approval of the Labor Agreement Between the City of Yerington and Yerington Police Officer's Association.

City Manager Switzer stated that the staff has come across some issues, but nothing major. He would like to table this agenda item and bring it back to City Council at the next regularly scheduled meeting. Mayor Garry approved tabling this agenda item.

Councilwoman Catalano would like to meet with the City Manager in order to go over this agenda item one on one. City Manager Switzer approved.

Councilwoman Schunke asked if the Police Officer's Association agreement will be reviewed and renewed by our police officers. City Manager Switzer stated that two or three more items need to be reviewed; then the agreement will be agenzed and presented to City Council once that is completed.

Discussion and Approval of a Notice of Intent to File an Application for USDA Rural Facilities Grant in the Amount of \$50,000.00 for a Restroom at Veteran's Park and Giving the Mayor the Authority to Sign All Obligation Documents.

City Manager Switzer stated that staff has been made aware of a need for a restroom facility at Veteran's Park to enhance the community. An allocation has been made of approximately \$30,000.00 from the Public Works Department and parks for park improvements. If this grant is awarded on that basis, the City of Yerington will contribute the remaining balance. This will authorize the Mayor to apply for a grant of up to \$50,000.00 from the USDA. A quote has been provided near us in the amount of about \$132,000.00. City Manager Switzer will bring this subject before the City Council again with a potential reduced price with less to be used towards the \$30,000.00 already budgeted for Public Works and parks.

Deputy Clerk/Grants Administrator Angela Moore stated that we will receive about \$50,000.00 from the USDA, \$66,900.79 from Lyon County and the City of Yerington will pay the remaining balance of \$14,104.21. If we do not receive the funding requested, we will bring this item before City Council to determine other funding possibilities. If all funding is received, we will move forward with this project. The Mayor needs to sign the application documents and those need to be submitted to the USDA. We are waiting for the Obligating Documents and the Letter of Conditions. We have received two other vendor quotes to compare with the original quote and are reviewing those at this time.

Mayor Garry stated that this restroom facility could facilitate 90 people per hour. If one or two of the funding amounts do not come together, the project will not move forward. City Manager confirmed that is correct.

Councilwoman Catalano made a motion to approve to file an application for USDA Rural Facilities grant in the amount of up to \$50,000.00 for a restroom at Veteran's Park, seconded by Councilwoman Schunke. Mayor Garry asked for public comments, waited two minutes, and the motion carried unanimously.

Discussion and Approval to Transfer Fiscal Year 2020 Budget Appropriation Within the General Fund **FROM:** Street Fund in the Amount of \$20,000.00, Municipal Court in the Amount of \$5,000.00 and the Building Fund in the Amount of \$5,000.00 **TO:** The Police Fund in the Amount of \$25,000.00 and Airport Fund in the Amount of \$5,000.00 for a **Total Amount of \$30,000.00** pursuant to NRS 354.598005(5).

City Manager Switzer stated we are still in the current fiscal year until June 30, 2020. We are revisiting this item in order to balance our funds. Based on the NRS, it is a misdemeanor if funds exceeds the general fund budgeted amounts. In early June, the city reviewed general funds and determined the need to move funds. This action is not an effort to acquire more money, just move to appropriated accounts and or funds to other line items.

Councilman Bryant asked if this will change any numbers moving forward into the next year. City Manager Switzer stated no, this action will have no effect on the ending fund balance for June 30, 2020.

Councilman Bryant made a motion to approve the transfer of funds as agenzied within the General Fund, seconded by Councilman Martin. Mayor Garry asked for public comments, waited two minutes, and the motion carried unanimously.

Discussion and Approval of Resolution 2020-02, a Resolution of the City Council of the City of Yerington Authorizing an Interim Loan Fund from the Water Fund to the Sewer Fund Not to Exceed \$130,000.00.

City Manager Switzer stated this resolution is a direct result for surveying and staking included in the construction phase for the Water and Sewer Project. As part of the pre-construction phase to cover costs for surveying and staking to be completed by Farr West Engineering. The City of Yerington should get reimbursed within the 40 year loan price.

Administrative Director/Interim Clerk Sheema Shaw stated another resolution might be needed for this project for attorney fees and would need to be discussed with the USDA.

Councilwoman Catalano asked if the City of Yerington will receive the full amount back or just a percentage. City Manager Switzer stated we need to make sure we follow up with this in the final documents. A significant amount has already been paid for this project.

Councilwoman Catalano made a motion to approval Resolution 2020-02 authorizing an Interim Loan Fund from the Water Fund to the Sewer Fund not to exceed

\$130,000.00, seconded by Councilwoman Schunke. Mayor Garry asked for public comments, waited two minutes and the motion carried unanimously.

Discussion and Approval of an Amendment to the Legal Services Agreement for the Yerington Sewer Project; Dated on or About May 25, 2017, Between the City of Yerington and Minden Lawyers, LLC.

City Attorney Zumpft stated this item might be convenient for City Council if items 10, 11, 12, and 13 are combined and approved with one motion.

Mayor Garry stated he would like to incorporate these four items into one motion and read each agenda item into the record.

City Manager Switzer stated these items include amending the current agreement for legal services for the Water and Sewer Project and Minden Lawyers, LLC.

Councilman Bryant asked if each agenda item is to amend the agreements for the amount and to cap the amount to be paid to Minden Lawyers. This will amend the compensation to \$250 per hour.

City Attorney Zumpft stated he included a cover letter and the USDA requires that the City of Yerington and Minden Lawyers enter into an agreement. Four agreements need to be signed; one for each project, as they stand-alone for funding requirements. The City of Yerington has two agreements and the Colony also has two agreements. The work on the Colony is fairly minimal and the owner of all easements within the Colony is owned by the Bureau of Indian Affairs (BIA). A title officer can help to assist City Council with easements. The City of Yerington was unable to find a title company in Nevada that could help. We did find a Landman to help research the records of Lyon County. The records are not well kept and inquiries were made to the recorder, who could not answer some of our questions. These agreements for legal services need to be approved before the projects can go out to bid. Legal work for this project is minimal and the proposed agreements will cover the final costs.

City Manager Switzer asked City Attorney Zumpft about the process with the title company and if the process has been delayed. City Attorney Zumpft stated yes, the process is delayed for four or five months. Most title officers said they cannot help until after they review it for a couple of weeks.

Councilman Bryant made a motion to approve item numbers 10 through 13 as presented, seconded by Councilwoman Catalano. Mayor Garry asked for public comments, waited two minutes and the motion carried unanimously.

Discussion and Approval of an Amendment to the Legal Services Agreement for the Yerington Water Project; Dated on or About May 25, 2017, Between the City of Yerington and Minden Lawyers, LLC.

Councilman Bryant made a motion to approve item numbers 10 through 13 as presented, seconded by Councilwoman Catalano. Mayor Garry asked for public comments, waited two minutes and the motion carried unanimously.

Discussion and Approval of an Agreement to the Legal Services Agreement for the Yerington Paiute Colony Sewer Project; Dated on or About May 25, 2017, Between the City of Yerington and Minden Lawyers, LLC.

Councilman Bryant made a motion to approve item numbers 10 through 13 as presented, seconded by Councilwoman Catalano. Mayor Garry asked for public comments, waited two minutes and the motion carried unanimously.

Discussion and Approval of an Agreement to the Legal Services Agreement for the Yerington Paiute Colony Water Project; Dated on or About May 25, 2017, Between the City of Yerington and Minden Lawyers, LLC.

Councilman Bryant made a motion to approve item numbers 10 through 13 as presented, seconded by Councilwoman Catalano. Mayor Garry asked for public comments, waited two minutes and the motion carried unanimously.

Discussion and Approval of an Agreement Between Farr West Engineering and the City of Yerington for a Utility Rate and Building Department Fee Study in the Amount of \$57,837.00.

City Manager Switzer stated that last year expressed some concern for the water and sewer fees for the City of Yerington and our ability to repay the 40 year loan, ongoing maintenance and operational costs. After reviewing the Water Fund, a negative net income balance was shown. The City of Yerington is unable to sustain costs. Other items such as impact and user fees need to be reviewed also.

Mr. Matt Van Dyne, with Farr West Engineering stated this agreement will assist the water, sewer and building department utility fees. Farr West Engineering has collected a lot of information during this project and some ideas have been thought about to address the current rate schedule. This could improve the financials of the city right now and in the future.

Mayor Garry asked if the rate schedule would be done in concurrence with the project. Mr. Van Dyne stated the proposed schedule would be complete by the end of 2020. We will have some unknowns throughout the project with the size of meters to each property. The meter sizes are important to the fees and how the system operates. The City of Yerington charges everyone the same base rate. A business or commercial building pays the same base rate which is outside the commodity rate.

Mayor Garry asked Mr. Van Dyne about the fixed fees and possible variables involved. If more costs are incurred, will the city need to provide more revenue? Mr. Van Dyne stated Farr West Engineering has revised the budget to help meet the budget provided by the City of Yerington. Additional hearings and presentations will make the cost go up, but they do not anticipate any additional fees or costs.

Councilman Bryant asked if there is a long term effect to help the City balance money. Mr. Van Dyne stated they will dive into every component related to the water, sewer, and building rates. Farr West Engineering looks into the fund and to review current rates to evaluate and set fees. It will be a simplified schedule, based on meter size. Once this is complete, the city should never have to do a study of this level again.

City Manager Switzer stated that we as a city should consider putting together a program to measure the increase in rates, impact fees, and connection fees. To account for debt management, money should be set aside from the water and sewer funds to help repay the loan. There is a need to maintain our water and sewer system costs. The city has a small amount of revenue, which means the cost of maintenance is increasing each year. Budget cuts have been made to the Public Works Department. We have a large fiscal area we need to maintain, fix, and or replace.

Councilwoman Catalano is in favor of the rate increase and asked if it will hit everyone in town all at once or if a date will be provided? City Manager Switzer stated the last increase was in December of 2018. If the rate study is approved, it wouldn't be completed until later on in the calendar year. Mr. Van Dyne verified that is correct. City Manager Switzer stated the rate increase will not happen until sometime next year.

Councilman Bryant asked Mr. Van Dyne that once the project is complete, will the Public Works Department have an added burden to maintain the system and if so, how should that be prevented. Mr. Van Dyne stated that field inspectors will process reports on every property and put the information into the city's program. If good information is not coming in, good information will not be produced out of this project.

Councilman Bryant made a motion to approve the agreement between Farr West Engineering and the City of Yerington for a utility rate and building department fee

study, seconded by Councilman Martin. Mayor Garry asked for public comments, waited two minutes, and the motion carried unanimously.

Discussion on the Financial Statement (FS-10) for the City of Yerington.

City Manager Switzer stated a copy of the financial statement balance sheet has been provided. The general fund ending fund balance is in the positives at \$198,338.60. This amount will be added into the ending fund balance from the previous year of \$681,908.45. We are in the position we want to be in, but with a drastic reduction in revenue. The Water Fund summary is showing that currently we have \$16,694.42 which is low but not surprising at this time. The budget was submitted and approved by the state. He would like to thank City Council for approving the rate study. The Sewer Fund summary has a balance of \$364,951.00, which is a healthy ending fund balance. The fund balance for fixed asset acquisition is being used to purchase capital assets such as the restroom with a total of \$665,058.96. Of that balance, \$215,000.00 approximately will come out of this fund to purchase the Armory. Beginning into the new fiscal year, the price will be lower after the purchase of the Armory.

Mayor Garry asked for public comments, waited two minutes, and no further comments were made at this time regarding the discussion.

Review Bills Previously Submitted for Payment

Bills, Salaries and Vouchers:

Accounts Payable Checks	6-9-2020	32430 through 32473
Payroll Vouchers	None	
Payroll Checks	None	
Transmittal Vouchers	None	
Transmittal Checks	None	

Mayor Garry stated that the bills previously submitted for payment would be approved as presented unless there were any objections, there were no objections and the bills previously submitted for payment were approved as presented.

Public Participation

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

Amy Miller of the Yerington Chamber of Commerce provided an update on the 4th of July fireworks. The new area for the fireworks will be next to Mountain View Park in the Snyder field. No park activities will be provided.

No further public comments at this time.

Department Reports

City Manager Switzer stated within the Local Government Investment Pool (LGIP) account through the end of May 2020; \$4,153.00 of interest was accrued. The total amount received since July of 2019 is \$71,981.80.

Deputy Clerk/Grants Administrator Angela Moore asked Councilman Bryant, Councilwoman Schunke, and Public Works Director Flakus if they are able to attend a Public Works, Parks Committee meeting on June 29, 2020 at 9:00am or 10:00am. The details of the meeting are determining the location of the restroom at Veteran's Park, re-opening of public parks, and a revised ball field's schedule. The agenda needs to be posted by June 24th before 9:00am and to please let her know who is available to attend the meeting.

Council Bryant would like to thank the Public Works Department and our local law enforcement.

Councilwoman Catalano stated that it is nice to see everyone out and for Yerington to be alive again.

Councilwoman Schunke would like to thank the community for masking, social distancing, stay healthy and safe. Also thank you to all the staff and employees at the City of Yerington.

Mayor Garry gave welcoming remarks at the Yerington Main Street car show as a host for the city. A level of excitement was evident and everyone was so anxious to be at an event. Mayor Garry stated that he is thankful to Yerington for providing a good crowd and representing our town.

City Manager Switzer and Mayor Garry will sign final paperwork for the Armory hopefully by June 30, 2020. Mayor Garry would like to express gratitude to the National Guard. He has decided to name the new City Hall building after a soldier of the National Guard, Major General Robert F. Herbert. He would also like to thank Public Works Director Flakus and John Campi for keeping our city clean.

There being no further business the meeting was adjourned.

Mayor of the City of Yerington

ATTEST:

Administrative Director/Interim City Clerk