

**Yerington City Council Meeting**  
**July 17, 2020 at 2:00pm – 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 J. Garry (Council Chambers)  
Council Members Jerry Bryant (Council Chambers), Selena Catalano, 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)

Absent: Council Member Shane Martin

Guests: Guests present via Zoom and Facebook Live

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

Mayor Garry opened the meeting stating that the Council Chambers 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/Interim 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, and no 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 22, 2020 regular meeting would be approved as presented unless there were any objections, there were no objections and the minutes of June 22, 2020 regular meeting were approved as presented.

## Business Licenses

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

- A. Kim Fairbanks dba Kim's Kool Treats, Mobile Soft Serve Ice Cream, 2725 E. 9<sup>th</sup> St. Silver Springs, NV 89429, Mobile - New
- B. Daniel G. Slentz dba Oasis Online, Inc., IT & Network Consulting, 375 W. Williams Ave. Fallon, NV 89406 - New
- C. Jose L. Cortez dba L & C Plastering, Stucco/Plaster Construction, 2225 Last Chance Rd. Elko, NV 89801 – New Single Project
- D. Laura Kelly dba Kelly Builders, LLC, General/Insulation Contractor, 209 Raptor Ct. Elko, NV 89801 – New Single Project
- E. Mark Dickson & William Kelly dba Simple Power, Inc., Solar Installation, 2187 Market St. Suite B Reno, NV 89502 - New

Mayor Garry stated that the business license applications would be approved as presented unless there were any objections, there were no objections and the business licenses were approved as presented.

Discussion and Approval of a Reversion to Acreage Application. Peri & Peri LLC have Submitted a Reversion to Acreage Application to Revert Three Parcels, APN 001-541-16, 001-541-17 and 001-541-25 Located on McLeod Street into One Parcel.

A Planning Commission meeting was held on June 22, 2020. A motion was made to approve this item by Commissioner Blake and seconded by Commissioner Crowder. Please review the draft Planning Commission minutes provided in the agenda packet.

City Manager Switzer stated Eric Anderson of Bighorn Consulting would like to give a presentation but is having difficulty joining the meeting. City Manager Switzer would like to make a recommendation to approve this item. The property is located on McLeod Street. The size of the facility is sitting on two parcels, intruding on the third parcel and would like to request reverting back to one parcel.

Councilman Bryant made a motion to approve a reversion to acreage application submitted by Peri & Peri LLC to revert three parcels, APN 001-541-16, 001-541-17, 001-541-25 located at McLeod St. into one parcel, seconded by Councilwoman Schunke. Mayor Garry asked for public comments, waited two minutes, and the motion carried unanimously.

Discussion and Approval of a Parcel Map Application. Snyder Livestock Co., Inc. has Submitted a Parcel Map Application for APN 001-441-05 Located at 820 W. Bridge St. to Create Four Separate Parcels.

A Planning Commission meeting was held on June 22, 2020. A motion was made to approve this item by Commissioner Blake and seconded by President Douglas. Please review the draft Planning Commission minutes provided in the agenda packet.

City Manager Switzer stated Eric Anderson of Bighorn Consulting would like to give a presentation but is having difficulty joining the meeting. City Manager Switzer stated this item is opposite of the previous action to include taking a single parcel and dividing into four separate parcels to accommodate sales of extra acreage. The item in question are multi-zones which includes the C1 code for commercial buildings. City Manager Switzer would like to make a recommendation for the parcels to be maintained to keep those zonings. An additional Planning Commission meeting will need to take place and review by City Council is required for approval.

Councilman Bryant would offer support to this item for a potential commercial property and the benefits. Mayor Garry stated he would also offer support.

Councilman Bryant made a motion to approve a parcel map application submitted by Snyder Livestock Co., Inc. for APN 001-441-05 located at 820 W. Bridge St. to create four separate parcels, seconded by Councilwoman Catalano. Mayor Garry asked for public comments, waited two minutes, and the motion carried unanimously.

Discussion Only: Update and Discussion on the Status of Grants.

Deputy Clerk/Grants Administrator Angela Moore provided a presentation to include seven active grants, one possible grant, and one current project.

The Coronavirus Relief Fund is a direct allocation in the amount of \$591,873.00 from the Treasury and the Governor's Office. Fifty percent of the total allocation will be available with a budget plan to the City up front and the remaining fifty percent to be reimbursed by submitting a detailed budget plan.

The Obligating Documents, Grant Agreement, and Letter of Conditions were submitted on July 10, 2020 for the Restroom Project to the USDA. The Obligation of Funds was signed by the USDA and Mayor Garry; approving of up to \$50,000.00. The next step is vendor approval from City Council at the next meeting on July 27, 2020.

The City of Yerington has not currently submitted any documents to FEMA for COVID-19 expenses. The City will be submitting invoices to the FAA CARES Act and the Coronavirus Relief Fund for expenses relating to payroll, utilities and COVID-19 expenses.

The City of Yerington has received a grant from the FAA for the CARES Act through the Airport in the amount of \$30,000.00. The City is awaiting information to be uploaded in Delphi before invoices can be submitted. Expenses covered under this grant are for payroll and utilities bills directly relating to the Airport. The City is also receiving a grant from the FAA for the Master Plan through the Airport in the amount of \$300,000.00. The City is also waiting for information to be uploaded to Delphi. This grant includes the Master Plan update and an Instrument Approach. The project should be starting around 2021.

Deputy Clerk/Grants Administrator Angela Moore stated that the City is hoping to place two electric charging stations at the new City Hall and two more at the Airport through NV Energy Charge-Point. More information will be available at the next City Council meeting on July 27, 2020.

Recommended by the USDA, Rural Community Assistance Corporation (RCAC) is providing recommendations and options for the City's water and sewer system rates; at no cost to the City. RCAC is collecting data and should be providing an update by July 17, 2020.

The one possible grant is through the Administrative Office of the Courts (AOC). Deputy Clerk/Grants Administrator Angela Moore is currently collecting more information and this grant agency offers funding for two different programs. This agency is currently low in funding due to the COVID-19 pandemic for this fiscal year and one program will not be offered, unsure currently which program will be available.

The current project for the City of Yerington is the Water and Sewer Rehabilitation Project. The bid opening is July 28, 2020 with approval for bid award from City Council on August 10, 2020 and construction to begin on September 7, 2020. Farr West Engineering will be providing a complete breakdown of rates for water, sewer, and building fees later in the calendar year.

Mayor Garry asked regarding the Restroom Project and if Lyon County made a commitment to the funds for that project. Deputy Clerk/Grants Administrator Angela Moore stated yes, once the restroom is placed at the location, a request to Mr. Josh Foli at Lyon County needs to be submitted to be reimbursed for the total amount of \$66,900.79.

Councilman Bryant asked City Manager Switzer if a special meeting will take place regarding the CARES Act. City Manager Switzer stated in the next City Council meeting on July 27, 2020, a breakdown of costs will be provided regarding anticipated expenditures for the Coronavirus Relief Fund.

Discussion and Approval of Resolution No. 2020-03; A Resolution of the City Council of Yerington, Nevada Providing or the Transfer of the City's 2020 Private Activity Bond Volume Cap to the Nevada Rural Housing Authority; and Other Matters Related Thereto.

City Manager Switzer stated Mrs. Diane Arvizo with the Nevada Rural Housing Authority will be giving a presentation.

Mrs. Diane Arvizo is the Director of the Homeownership Programs. Nevada Rural Housing Authority launched the Home At Last program in 2006 and was funded by Private Activity Bond Cap. During the first program, The City of Yerington transferred around \$145,000.00 and helped fifty-one families; with a total currently of 9,000 families helped. For the Yerington area, Nevada Rural Housing Authority has helped seventy-eight homebuyers. Program wide, \$1.8 billion was provided and helps towards affordable mortgages, \$52.1 million towards down payment assistance, and \$27 million for Federal tax savings.

Nevada Rural Housing Authority is requesting from the City of Yerington to transfer the Private Activity Bond Cap (PABC) in the amount of \$177,555.46. This amount will help fund the Home At Last programs.

Nevada Rural Housing Authority requests funds from cities in order to create funding for single families and a mortgage credit certificate program. The IRS allows the credit to be added to the income to reduce the debt to income ratio. An overview of the PABC, when the federal government provides the allocations to the state, 50% of the funding is given to the Department of Business and Industry for a public good.

Often the PABC is too low and funds are pulled together to create a program, which has been done since 2006. The transfer of the PABC to the Nevada Rural Housing Authority does not create any debt or obligation to the City of Yerington. This funding is an allocation and is not a budget line item. Transferring the PABC will be used for affordable mortgages and to continue funding the Home At Last program within rural Nevada.

Since 2006, The City of Yerington has transferred \$1.6 million to the Nevada Rural Housing Authority relating to unused PABC funding. The return has provided 11 million people with affordable mortgages within Yerington. The CARES housing assistance program has launched and people will need to apply through Lyon County with an income limit of \$76,920.00.

Councilman Bryant asked Mrs. Arvizo if the City can do anything and keep the funding within Yerington to benefit the community? Mrs. Arvizo stated directing people to contact the Nevada Rural Housing Authority, in order to provide help in all things housing. The Nevada Rural Housing Authority is launching more social media outreach and advertising to local radio stations. Councilwoman Catalano also stated pamphlets are available at City Hall. Mrs. Arvizo stated the main resource within the community are local real estate agents.

Councilwoman Schunke made a motion to approve Resolution No. 2020-03 as presented, seconded by Councilwoman Catalano. Mayor Garry asked for public comments, waited two minutes, there were no comments and the motion was carried unanimously.

Discussion and Approval to Withdraw a CD for \$50,000.00 with Wells Fargo and Adding the Funds to the Fixed Asset Fund.

City Manager Switzer stated not much interest is accruing in this fund through Wells Fargo. City Manager Switzer would like City Council to consider withdrawing or letting the fund mature at the end of this month and the amount to be placed in the Fixed Asset Fund. The fund is used for capital purchases which includes vehicles and equipment for the Police Department. An expected revenue of \$50,000.00 was added to the budget based on City Manager Switzer anticipating the amount be moved to the Fixed Asset Fund. City Manager Switzer would like City Council approval to withdraw \$50,000.00 and add the amount to the Fixed Asset Fund.

Councilwoman Catalano asked if the term will be matured at the end of this month. City Manager Switzer stated that is correct and no added fee or penalty will be added for taking the amount out.

City Manager Switzer suggested adding the amount into the LGIP funds in order to collect a market rate interest. A report will be provided on that fund within the Department Reports.

Councilman Bryant made a motion to approve to withdraw a CD for \$50,000.00 with Wells Fargo and add the funds to the Fixed Asset Fund as presented, seconded by Councilwoman Schunke. Mayor Garry asked for public comments, waited two minutes, and the motion carried unanimously.

Discussion and Approval to Finalize the Transfer of Booth Parr Field to the Lyon County School District.

City Manager Switzer stated a letter from legal counsel was presented, to transfer the Booth Parr Field to the Lyon County School District. City Manager Switzer suggested to leave this action the way it is or work with the school district. This process is at a standstill at the moment.

City Attorney Zumpft sent a letter to the Lyon County School District and determined the City of Yerington would need to pay survey costs before transferring to the Lyon County School District. Within City Attorney Zumpft's letter, the property has never been transferred and needs to be prepared by a land surveyor or an engineer. City Attorney Zumpft does not have the authority to authorize the transfer and cannot reach out to the school district, only to the school's counsel; which have been nonresponsive.

Mayor Garry stated that the City of Yerington is gifting the property to the school district and they should bare the additional costs. Mayor Garry's recommendation is to turn back to City Manager Switzer, to see if this issue can be negotiated with the school district.

Councilman Bryant concurs with Mayor Garry. Councilman Bryant would like to confirm this property is being handed over to the school district by good faith and no financials will be expended. City Manager Switzer stated that is correct. The City of Yerington's staff could approach the school district and go in the direction that is needed to continue this process.

Mayor Garry asked City Manager Switzer if the City of Yerington is currently paying the water expenses at that property. City Manager Switzer stated that he believes so.

City Attorney Zumpft stated no action or motion is necessary.

#### Discussion and Approval of a Quote for Cleaning Services for the City Hall, Public Works and the Police Department.

City Manager Switzer stated that Deputy Clerk/Grants Administrator Angela Moore will be providing a presentation on the quotes for deep cleaning services.

Deputy Clerk/Grants Administrator Angela Moore stated four companies provided a quote or proposal for cleaning services. The cost will be added to the Coronavirus Relief Fund, the direct allocation of \$591,873.00, until December 30, 2020. Once the City moves to the new City Hall, a new quote would need to be provided. After the end of the calendar year, the cost will be split between all three departments; City Hall, Public Works, and the Police Department.

Quote number one was provided by Mason Valley Janitorial in the amount of \$1,075.00 per month for all three locations. This company is located in Yerington, Nevada and currently has a City business license. Mason Valley Janitorial verified that the company could provide services in a timely manner and would be able to start as soon as possible.

Quote number two was provided by Kapra Cleaning LLC in the amount of \$1,042.08 per month for all three locations. This company is also located in Yerington, Nevada and currently has a City business license. Kapra Cleaning LLC stated the company schedule is pretty full and would be able to start when available.

Quote number three was provided by Certified Servpro Cleaning Services in the amount of \$2,500.00 per month plus transportation for all three locations. This company is located mainly in Lake Tahoe, California but has a location in Carson City, Nevada, which also provide services to Lyon County. Certified Servpro Cleaning Services requested an appointment to review the locations, in order to provide the quote.

Quote number four was provided by Sonia's Cleaning Services in the amount of \$2,700.00 per month and included quotes per location plus transportation. This company is located in Carson City, Nevada and the quote was provided over the phone.

Councilwoman Catalano asked Deputy Clerk/Grants Administrator Angela Moore what disinfecting products will be used in order to prevent the Coronavirus? Deputy Clerk/Grants Administrator Angela Moore stated the companies would use their own cleaning supplies and did not describe the products that will be used.

Councilman Bryant suggested the funds for the Coronavirus Relief Fund to be used locally and recommends the City of Yerington to move forward with Mason Valley Janitorial.

Councilman Bryant made a motion to approve the cleaning service agreement with Mason Valley Janitorial through the end of the year, seconded by Councilwoman Schunke. Mayor Garry asked for public comments, waited two minutes, and the motion carried unanimously.

#### Review Bills Previously Submitted for Payment

##### Bills, Salaries and Vouchers:

Accounts Payable Checks	6-16-2020	32476 through 32482
	6-23-2020	32483 through 32497
	6-29-2020	32502 through 32517
Payroll Vouchers	6-15-2020	6182001 through 6182020
	6-29-2020	7022001 through 7022025
Payroll Checks	6-15-2020	32474
	6-29-2020	32498 through 32499
Transmittal Vouchers	6-15-2020	6152001
	6-29-2020	6292001
Transmittal Checks	6-15-2020	32475
	6-29-2020	32500 through 32501

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

## Public Participation

Mayor Garry asked for public comments, with a wait time of two minutes, and no comments were made at this time.

## Department Reports

Public Works Director Flakus stated the roads located at Meadow, Shipley, Shawna and Madden need to be patched and the department will start working on that issue. The department will continue working on keeping the lawns mowed, the dogs out of the park, and the trash emptied.

Councilman Bryant would like to thank Public Works Director Flakus for the planned activities at the softball field, including tournaments. Councilman Bryant asked Public Works Director Flakus if all parks and playground equipment are opened now. Public Works Director Flakus stated the barriers at the parks have been removed and one disinfection of the playground equipment has been performed so far, with daily disinfections to be performed in the future. The playground equipment is open, but bathrooms are not currently open.

Public Works Director Flakus stated the baseball field bathrooms are not opening up on a normal basis, unless for tournaments. The gates are locked and the bathrooms will be closed unless a call is given to the Public Works Department. The employees of Public Works are paid to be at the field when called and to open the bathrooms when requested.

City Manager Switzer provided an update to the LGIP account with an additional amount of \$3,898.21 and a total amount of \$75,816.54 in interest. The City is at the final home stretch to receiving the Armory with indications as early as next week. The National Guard is gathering final personal items and did sign the Conveyance Agreement to transfer the Armory to the City of Yerington. The anticipated time frame is at the end of July.

Administrative Director/Interim City Clerk Shaw stated a report to City Council is within the council packet. Deputy Clerk/Grants Administrator Angela Moore is very busy with grants, always working and really appreciates her being here.

Councilman Bryant would like to ask Administrative Director/Interim City Clerk Shaw if a Public Safety meeting could be held in month of August. Also requested by Councilman Bryant, adding more historical information of arraignments per the Municipal Court section with the City Hall report. Administrative Director/Interim City Clerk Shaw stated yes, she can provide more historical information.

Councilman Bryant stated he attended the Lyon County Commissioner's meeting and would like to include a letter provided from Lyon County Commissioner Dini. This letter was also approved by Lyon County Commissioner Gray. Lyon County would like to

be removed from the restricted list and Councilman Bryant would like to lend his support as well.

Councilwoman Schunke would like to thank all of the City employees and City Attorney Zumpft for their hard work. We all need to remember and give thanks to our First Responders, Military, EMTs, Fire Department, and Police Department.

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

Our Governor has directed Lyon County bars to close if they do not serve food and direct all restaurants to limit seating to no more than six people. This is a directive that we as leaders in our county should fight against as it not only hurts our economy, but also spreads fear among our residents. The Governor says that we must meet the following criteria before he will lift this order.

The criteria are:

\*Average daily tests: an average of 150 tests per day per 100,000 residents.

(We do not have any scheduled testing for our area. One of my employees was exposed to another person from out of the area who tested positive to COVID-19. She called the tri-county hotline to seek testing, she received a return call three days later and was given an appointment to be tested in another two days. She was told that she would have the results in seven days. She patiently waited the seven days and was not contacted. She tried to contact the testing site and was told that it could take fourteen days to get the results. It is no wonder to me why people are hesitant about being tested.)

\*New case rate: a fourteen-day new case rate of fewer than 100 per 100,000 residents. (We have met that number)

\*Positive test rate: A seven-day average of positive tests, measured after a seven-day lag, divided by the county population. Counties with new case rate higher than twenty-five, combined with a positive test rate higher than seven percent, will meet this criterion for elevated disease transmission risk. (Again, no tests)

Let's do the math:

Lyon County has a population of around 57,000 in 2019 so let's take that number for argument sake. Lyon County as of yesterday has had 149 cases of COVID-19, with 112 recovered. We have 35 active cases with 2 deaths. No one wants to see anyone die from this and my heart goes out to the families that have lost a loved one to this horrible disease.

Lyon County: 0.0026% of people have contracted COVID-19

Dayton: 0.003% of residents have contracted COVID-19

Fernley: 0.003% of residents have contracted COVID-19

Silver Springs: 0.0012% of residents have contracted COVID-19

Mason Valley: 0.0016% of residents have contracted COVID-19

The Smith Valley rate is even lower.

The death rate in Lyon County if you contract COVID-19 is 0.013%.

The only real science is math, you do the math. I have the utmost respect for my fellow Commissioners, our County Manager, and the Elected and Appointed officials of our County. It is time for us to be leaders and take back our County! I would like to have our County Manager; Mr. Page send a letter signed by all of our Commissioners demanding that the Governor remove Lyon County from the list of counties directed to reimplement restrictions on certain businesses.

Fear wins when Leaders stay silent.

Lyon County Commissioner Dini