

**MINUTES
CITY OF FALLON
55 West Williams Avenue
Fallon, Nevada
May 3, 2016**

The Honorable City Council met in a regularly scheduled Council meeting on the above date in the Council Chambers, 55 West Williams Avenue, Fallon, Nevada.

Present:

Mayor Ken Tedford
City Councilman, Robert H. Erickson
City Councilwoman, Kelly Frost
City Councilman, James D. Richardson
City Engineer, James R. Souba
Police Chief, Kevin Gehman
City Clerk, Gary C. Cordes
Deputy City Attorney, Robert M. Erquiaga

The meeting was called to order by Mayor Tedford at 7:00 p.m.

Mayor Tedford led the Pledge of Allegiance.

Mayor Tedford inquired if the agenda had been posted in compliance with NRS requirements.

City Clerk Cordes advised that the agenda was posted in compliance with NRS 241.

Approval of Council meeting minutes for April 19, 2016

Mayor Tedford inquired if there were any additions or corrections to the minutes for April 19, 2016.

No additions or corrections were noted.

Councilman Erickson motioned to approve the Council meeting minutes for April 19, 2016 as submitted, seconded by Councilwoman Frost and approved with a 3-0 vote by the Council.

Approval of Warrants

- A) Accounts Payable
- B) Payroll
- C) Customer Deposit

Mayor Tedford inquired if there were any comments regarding the accounts payable, payroll and customer deposit warrants.

No comments were noted.

Councilman Richardson motioned to approve the accounts payable, payroll and customer deposit warrants and authorize the Mayor to sign the same; seconded by Councilwoman Frost and approved with a 3-0 vote by the Council.

Public Comments

Mayor Tedford inquired if there were any public comments. He noted that comments are to be general in nature, not relative to any agenda items. No action may be taken on a matter raised under this item until the matter has been specifically included on an agenda as an item upon which action will be taken.

Ms. Rebecca Taylor of 135 East Center Street stated that she had a concern. She had to file a police report over the weekend. She was at ladies appreciation night at The Nugget and she was leaving and passed Headquarters Bar. She saw a man that she had seen around the area before. He has a dog. That night he tried to grab her and tried to kiss her. She had to use her cane to fend him off; she felt threatened and very scared. She is disabled; she said that she does not feel safe and has to look over her shoulder now. She understood from the police officer that this individual, along with his group, are known throughout town. The officer said that there was nothing they could do because she was not touched. She wanted to know if there could be a solution to this problem because she does not want anybody to go through what she went through. She wanted to bring it to the Mayor and Council's attention because it seems like a problem. Yesterday is another example, she was at Jimmy's Bar, she stated that she is a regular customer there, and she was visiting with a few of her friends there and through the window one of these individuals that she has seen downtown before was exposing himself to urinate in the alley. She is concerned. There are kids in this town, she is a very family-oriented person, her mother lives here and she takes care of her.

Mayor Tedford stated that he was very sorry this happened to her. He was taking notes and asked for clarification on the second location.

Ms. Taylor said it was across from Jimmy's Bar on Center Street, in the alley behind the former Fallon Industries Store. She said her boyfriend works at The Nugget and she knows that this man has been 86'd out of The Nugget. She wanted to make sure that this did not happen to anyone else. This is a good town, she likes this place. She loves living here.

Mayor Tedford advised that he will talk to Chief Gehman about this. We have been doing some things with them but apparently we have not done enough. He was sure the Council is as concerned as he is about this. You should not have to go through these things. He again apologized to her for what transpired. He did not want anyone else to go through that.

Ms. Taylor said that the Mayor and Council are doing a very good job running this town. You have a tough job and a lot of responsibility.

Mayor Tedford thanked Ms. Taylor for her comments.

Request by Phuong Le for an on-premise liquor license for VN Pho LLC, located at 1770 West Williams Avenue

City Clerk Cordes explained that Ms. Phuong Le, the manager for VN Pho, has applied for an on-premise liquor license for VN Pho located at 1770 West Williams Avenue. The owner of record for this business is Minh Tran. On October 7, 2014, the City Council approved an on-premise liquor license for Minh Tran as owner/manager of VN Pho. Minh Tran is no longer the manager of this business; Phuong

Le is now the manager. The application has been reviewed by City Engineer Souba, Deputy City Attorney Erquiaga, Police Chief Gehman and City Clerk Cordes; they have recommended approval.

Mayor Tedford asked City Engineer Souba, Deputy City Attorney Erquiaga, Chief Gehman and City Clerk Cordes to each confirm their approval for the record.

They each separately confirmed their approval of this request.

Mayor Tedford inquired if the Council had any comments or questions.

No comments were noted.

Mayor Tedford inquired if there were any public comments or questions.

No public comments were noted.

Councilman Richardson motioned to approve the request by Phuong Le for an on-premise liquor license for VN Pho LLC, located at 1770 West Williams Avenue; seconded by Councilman Erickson and approved with a 3-0 vote by the Council.

Request by Randy Shores for an off-premise liquor license for Golden Gate/S.E.T. Retail of Nevada LLC, located at 1755 West Williams Avenue

City Clerk Cordes explained that Mr. Randy Shores, the manager for Golden Gate Petroleum/S.E.T. Retail of Nevada, has applied for an off-premise liquor license for Golden Gate/S.E.T. Retail of Nevada located at 1755 West Williams Avenue. The owner of record for this business is Golden Gate Petroleum/S.E.T. Retail of Nevada. On June 2, 2014, the City Council approved an off-premise liquor license for Jeff W. Cutts, daytime manager of Golden Gate Petroleum/S.E.T. Retail of Nevada at this location. Jeff W. Cutts is no longer the manager of this business; Randy Shores is now the manager. The application has been reviewed by City Engineer Souba, Deputy City Attorney Erquiaga, Police Chief Gehman and City Clerk Cordes; they have recommended approval.

Mayor Tedford asked City Engineer Souba, Deputy City Attorney Erquiaga, Chief Gehman and City Clerk Cordes to each confirm their approval for the record.

They each separately confirmed their approval of this request.

Mayor Tedford inquired if the Council had any comments or questions.

No comments were noted.

Mayor Tedford inquired if there were any public comments or questions.

No public comments were noted.

Councilwoman Frost motioned to approve the request by Randy Shores for an off-premise liquor license for Golden Gate/S.E.T. Retail of Nevada LLC, located at 1755 West Williams Avenue; seconded by Councilman Richardson and approved with a 3-0 vote by the Council.

Public Hearing on Bill No. 772: An Ordinance amending Title 2, Administration and Personnel, Chapter 2.02, the Executive Branch, Section 2.02.010, the Executive Branch, and Title 2, Administration and Personnel, Chapter 2.40, Appointive Officers, Section 2.40.030, Definitions, of the City of Fallon Municipal Code for the purpose of creating the appointive office of Director of Tourism and Special Events, and for other matters properly related thereto

Mayor Tedford read the proposed Bill title and summary into the record. He stated that this was now the time for the public hearing. He inquired if there were any public comments or questions.

No public comments were noted.

Deputy City Attorney Erquiaga stated that this bill was introduced at a previous Council meeting. The public hearing notice was published in the Lahontan Valley News. There is no public comment tonight and his understanding is that no one has filed comments with the City Clerk's Office.

City Clerk Cordes concurred.

Deputy City Attorney Erquiaga noted that, at the completion of this public hearing, we can move onto the next item which would be the actual action on the item.

Consideration and possible adoption of Bill No. 772 as Ordinance No. 753: An Ordinance amending Title 2, Administration and Personnel, Chapter 2.02, the Executive Branch, Section 2.02.010, the Executive Branch, and Title 2, Administration and Personnel, Chapter 2.40, Appointive Officers, Section 2.40.030, Definitions, of the City of Fallon Municipal Code for the purpose of creating the appointive office of Director of Tourism and Special Events, and for other matters properly related thereto

Deputy City Attorney Erquiaga stated that he would answer any questions that the Council may have. As he stated during the previous item, this ordinance had been introduced prior and tonight the Council is asked to approve adoption. This is a piece of our ongoing effort to revise, and keep updated, the Fallon Municipal Code. Adoption of this ordinance is in the best interest of the City and will put the City in a more well-defined position moving forward as it relates to this position.

Mayor Tedford inquired if the Council had any comments or questions. He added that this moves this position to an appointed position, rather than a hired staff position.

No comments were noted.

Mayor Tedford inquired if there were any public comments or questions.

No comments were noted.

Councilman Richardson motioned to adopt Bill No. 772 as Ordinance No. 753: An Ordinance amending Title 2, Administration and Personnel, Chapter 2.02, the Executive Branch, Section 2.02.010, the Executive Branch, and Title 2, Administration and Personnel, Chapter 2.40, Appointive Officers, Section 2.40.030, Definitions, of the City of Fallon Municipal Code for the purpose of creating the appointive office of Director of Tourism and Special Events, and for other matters properly related thereto; seconded by Councilman Erickson and approved with a 3-0 vote by the Council.

Consideration and possible approval of engagement of Tri Sage Consulting to provide professional electrical consulting services to the City of Fallon

Deputy City Attorney Erquiaga explained that, due to the unfortunate and unexpected passing of our prior electrical consultant Herb Clowers, City staff has been in discussions with Tri Sage Consulting regarding professional electrical consulting services. We had relied on Herb for consulting in many areas. The Council is aware of how complicated the electric enterprise can be. Herb was a unique and special person in his ability to advise on many things, from fieldwork to design plans, up through advising and assisting him with UAMPS related matters and important, functional matters of the enterprise. With Herb's passing, he and Deputy Public Works Director Ryan Swirczek reached out and were able to conduct interviews with Tri Sage and another company from Reno. Our first effort was to try to locate somebody as local as possible to provide the services that Herb was providing. We met with Tri Sage; they have a wide variety of expertise and were confident that they could provide the services that we need. With their combined expertise and varying background in their firm, they were confident that they could give us proper advice with our electric utility. We had a second meeting with

them where Tri Sage had the opportunity to meet City Engineer Jim Souba, Deputy City Engineer Michael Miller and Electric Lead Kevin Gully. They also met Mayor Tedford. At this meeting, they reinforced the fact that they were capable and willing to assist us. As a result of that, an agreement has been submitted for approval. The rates are in line with what we paid Herb, and Energy Source before that, in the past for similar services. We do not anticipate an increase in rates as it relates to services. Tri Sage has toured our facilities, specifically the substations. We are confident in everybody that we have met from Tri Sage, which is now six or seven people, that they can provide the electrical consulting services needed by the City in a timely, cost-effective and professional manner. He recommended approval of the engagement of Tri Sage Consulting.

Mayor Tedford inquired if the Council had any comments or questions.

No comments were noted.

Mayor Tedford inquired if there were any public comments or questions.

No public comments were noted.

Councilwoman Frost motioned to approve the engagement of Tri Sage Consulting to provide professional electrical consulting services to the City of Fallon and authorize Mayor Tedford to sign the consulting agreement; seconded by Councilman Richardson and approved with a 3-0 vote by the Council.

Award Professional Services Contract for Rattlesnake Hill Water Storage Tank Preliminary Engineering Report

City Engineer Souba explained that the City has three potable water storage tanks on Rattlesnake Hill, being the relatively new 3 million gallon steel tank installed in 2010, and two much older rectangular concrete tanks that are approximately 50-70 years old. In February 2016, City staff became aware of water loss occurring from the two concrete water tanks. The concrete tanks were drained, and a geotechnical study was conducted to determine the sub-surface conditions. This geotechnical study was performed by Lumos & Associates, and it was vitally important to determine if the tanks could potentially be rehabilitated. The geotechnical study concluded that the concrete tanks have generally adequate bearing capacity from the supporting soils, and therefore rehabilitation is technically feasible. The next logical step to properly address the leaking tanks is to perform a Preliminary Engineering Report. This engineering report will investigate the structural conditions of each tank and evaluate options for stopping the leakage, such as completing any required repairs and installing a new liner system. Further, the study will complete a detailed evaluation of the water storage needs of the City, and consider the cost to benefit analysis comparison for the option of constructing a new tank. Finally, the study will make a recommendation on the City's best options for meeting water storage needs on Rattlesnake Hill. Lumos & Associates provided construction engineering services for the new steel water tank on Rattlesnake Hill, they have a good understanding of these leaking concrete water tanks, and they have previously provided excellent professional services for the City. After the completion of this study, City staff anticipates additional funding will be required for the actual design documents and construction of potable water storage tank improvements on Rattlesnake Hill. He recommended approval of a professional services contract with Lumos & Associates in the estimated amount of \$17,000 to prepare a Preliminary Engineering Report for the concrete water storage tanks on Rattlesnake Hill.

Mayor Tedford inquired if the Council had any comments or questions.

No comments were noted.

Mayor Tedford inquired if there were any public comments or questions.

No public comments were noted.

Councilwoman Erickson motioned to approve a professional services contract with Lumos & Associates in the estimated amount of \$17,000, more or less, to prepare a Preliminary Engineering Report for the concrete water storage tanks on Rattlesnake Hill; seconded by Councilwoman Frost and approved with a 3-0 vote by the Council.

Public Comments

Mayor Tedford inquired if there were any public comments.
No public comments were noted.

Council and Staff Reports

Deputy City Attorney Erquiaga: No comments were noted.

City Clerk Cordes: No comments were noted.

Chief Gehman: No comments were noted.

City Engineer Souba: No comments were noted.

Councilwoman Frost: No comments were noted.

Councilman Richardson: No comments were noted.

Councilman Erickson: No comments were noted.

Executive Session


Mayor Tedford tabled the executive session, as it was not needed at this time.

Adjournment

There being no further business to come before the Council, Mayor Tedford adjourned the meeting at 7:37 p.m.



Mayor Ken Tedford

Attest: 

Gary C. Cordes, City Clerk/Treasurer