

**MINUTES
CITY OF FALLON
55 West Williams Avenue
Fallon, Nevada
November 19, 2018**

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 Councilman, James D. Richardson
City Councilwoman, Kelly Frost
City Clerk, Gary C. Cordes
City Attorney, Michael F. Mackedon
Director of Emergency Management, Steve Endacott
Deputy Public Works Director, Ryan A. Swirczek
Deputy Public Works Director, Adrian Noriega
Police Chief, Kevin Gehman
Deputy City Attorney, Leonard E. Mackedon
Legal & Administrative Director, Robert Erquiaga
Deputy City Clerk, Elsie M. Lee
Director of Tourism & Special Events, Jane Moon
Public Works Director, Brian A. Byrd
Marketing & Communications Coordinator, Kaitlin Ritchie
Deputy City Attorney, Trent deBraga

The meeting was called to order by Mayor Tedford at 9:00 a.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.

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.

No public comments were noted.

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.

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

Public hearing for discussion of possible project(s) to be funded through the Community Development Block Grant Program for fiscal year 2019-2020 and consideration and possible approval and ranking of project application(s) to be submitted through the CDBG program

Public Works Director Byrd explained that the City proposes to submit one or more projects to be funded through the Community Development Block Grant (CDBG) program for fiscal year 2019-2020. This agenda item allows discussion on public input that was received pertaining to the Front Street Reconstruction as well as request approval for the Front Street Reconstruction to be the project selected for application through the CDBG program. The CDBG program is administered by the Department of Housing and Urban Development and is authorized by Title I of the Housing and Community Development Act. The primary objective of the CDBG program is the development of viable communities by providing decent housing, suitable living environments, and expanding economic opportunities principally for persons of low and moderate income. The Governor's Office of Economic Development anticipates the amount of 2019 allocations at \$2,621,876 for rural Nevada. This public hearing is the third and final hearing in the CDBG process. A Public Hearing Notice, which posted on November 5, 2018, referenced the Front Street Reconstruction project as the only project listed as a priority for application.

Mayor Tedford asked Public Works Director Byrd if the \$2.6 million is spread through the 15 rural counties and the portion of Sparks that is considered rural.

Public Works Director Byrd was not certain about the rural portion of Sparks.

Mayor Tedford reminded that the first-time home buyer program through Nevada Rural Housing Authority is only for rural counties and a portion of Sparks that is considered rural. We keep information about the program available on the counter in the City Clerk's Office.

Public Works Director Byrd stated that he would follow up and find out if that rural portion of Sparks is eligible for the same CDBG funding.

Mayor Tedford stated that it widens the pool a lot when a portion of Sparks is also considered; that could be a large pool competing for \$2.6 million. We are only planning to use CDBG funds for a portion of the Front Street Reconstruction project, the portion that ties into downtown.

Public Works Director Byrd added that the idea behind that is to tie it directly into Maine Street and increase the accessibility to that corridor for residents all the way down to Humboldt Street.

Mayor Tedford noted that the amount of funding we are requesting for the portion of the project we are considering is conservative enough that he believed the City could be successful in securing CDBG funding.

Public Works Director Byrd stated that there is a pretty extensive process that you must go through to become eligible to apply and the Front Street Reconstruction Project has achieved that eligibility for application. We broke out the portions of the project that specifically address the access, like curb and gutter, sidewalk, and paving. We utilized a project estimate from Lumos & Associates and identified those items and that is the amount we hope to secure in CDBG funding. A rough draft of the grant is due February 1, 2019 for CDBG to internally review. The final application date is February 20, 2019.

Mayor Tedford added we are going to have to use a large percent of our own money for this Front Street Reconstruction Project. We are only asking for one CDBG project; which in his history and Councilman Erickson's history as Mayor, has been a plus.

Councilwoman Frost inquired as to the dollar amount of the request.

Public Works Director Byrd stated about \$750,000 is the street portion of the project.

Mayor Tedford added that we may not be asking for that much; it is still an internal discussion. Sometimes we have asked for less funding and when other communities cancel their projects and return the funds to CDBG, sometimes CDBG offers the funds to us and we certainly use them.

Councilwoman Frost noted that she understood this was an expensive project overall and when there is only \$2.6 million available, we do not want to appear to be too greedy.

Councilman Erickson expanded on Mayor Tedford's point that there is an opportunity to expand your grant award by people that apply and are awarded funds, but then are not in a position to accept the funds and exercise the grant. Historically, it is surprising how many people that are awarded the grant cannot perform within the required time frames and the funds roll back. He believed CDBG rules are such that they cannot roll it forward into subsequent years, they have to spend it within the fiscal year that the funds are granted. So, there is an opportunity there to expand what our grant award was and that has happened with us on two or three occasions and we were able to use those extra funds. That is an opportunity that we may be able to take advantage of.

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 comments were noted.

Councilwoman Frost motioned to approve the Front Street Reconstruction Project as the Number 1 project for the Community Development Block Grant application in the Community Development Block Grant Program; seconded by Councilman Erickson and approved with a 3-0 vote by the Council.

Consideration and Possible Adoption of Resolution No. 18-28: A resolution authorizing a temporary interfund loan from the Water Treatment Enterprise Fund to the Airport Fund in the amount of Eighty-One Thousand Six Hundred Dollars (\$81,600)

City Clerk Cordes explained that this is a resolution for a temporary interfund loan from the Water Treatment Enterprise Fund to the Airport Fund. At the November 5, 2018 City Council meeting, the Council was advised that the Federal Aviation Administration (FAA) would like to move forward with a perimeter fencing and gate project at the Fallon Municipal Airport. The FAA also advised that the funding would not be available until next summer. The project engineering is \$81,600; of which the FAA reimburses 93.75% of that cost. We need to move forward with the engineering of the fence and gate project so that it is ready when the FAA can deliver the grant to the City in the Summer of 2019. This resolution complies with NRS 354.6118 and NAC 354.290. We did an interfund loan for our last airport project and received the federal money and that loan was repaid. All information is submitted to the Department of Taxation with the City's quarterly report and the City also notifies them when the loan is repaid. He recommended adoption of this resolution.

Mayor Tedford stated that we receive these grants from the FAA for running the general aviation airport in Fallon. They are very nice grants because it is almost a 94/6 match. The timing of those grants and receiving the money and doing the work is almost always delayed. As City Clerk Cordes indicated, we have just completed an interfund loan and paid it off once we were paid by the federal government. Now we are doing it again. The funding will not be received from the federal government until next summer, but we do the work and get the airport fixed then we pay the loan off. We advise the Department of Taxation when we do this and when we pay it off. It is something we have done for many years, due to the lag in payment from the federal government. He thanked City Clerk Cordes for his work on this.

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 comments were noted.

Mayor Tedford added that this fencing project is very much needed. He referred to discussions with Emergency Manager Endacott about fencing this airport since the September 11 attacks. When the City visited with the FAA representatives every year, it seemed to slip down on the five-year plan. But when the FAA region manager came to Fallon, Mayor Tedford and Deputy Public Works Director Swirczek met with him at the airport and Mayor Tedford told him that this airport needed to be fenced and it somehow got back in the plan. It is a very effective tool when someone that high up comes into your airport and they can see what we are talking about. The FAA is very nice to work with.

Councilman Richardson motioned to adopt Resolution No. 18-28: A resolution authorizing a temporary interfund loan from the Water Treatment Enterprise Fund to the Airport Fund in the amount of Eighty-One Thousand Six Hundred Dollars (\$81,600); seconded by Councilman Erickson and approved with a 3-0 vote by the Council.

Public Comments

Mayor Tedford inquired if there were any public comments.

Mr. Larry Jackson of 840 Esmeralda Street, stated that, as someone that will be directly impacted by the Front Street Reconstruction Project, he looked forward to the construction improvements. He then moved on to another matter; he stated that he prayed the Chief of Police, City Attorney and Council members were correct; that we do not need a safety zone between free speech events. He prayed that forces are not gathering outside our community which may enter and bring unforeseen events. May events be controlled, and sorrow be avoided. He wished them all good luck.

Mayor Tedford noted that he had Deputy City Attorney Leonard Mackedon and Deputy City Attorney Trent deBraga speak with Mr. Jackson because this is certainly an issue that he and the Council felt strongly about. He had much confidence in Chief Gehman. Free speech is very important to him and the Council. He did not want to go on too long because he felt very strongly that a meanness was developing in America; not just in the City of Fallon but all the way to our nation's capital. He and City Attorney Mike Mackedon had the opportunity many years ago to work for a Democratic Senator for Nevada named Alan Bible. Senator Bible got a lot accomplished for our State in a time when people compromised and rode the elevator with each other and were very conciliatory, even on the legislative floor. He learned a lot as a young man; how you do things in politics and in life. He knew City Attorney Mike Mackedon learned those things too. So, what is seen today is very disturbing for him. It makes him not want to be in that process. He was very glad that we are in non-partisan offices here and do things like CDBG grants and infrastructure and not social issues. When you have a sense of meanness on your streets that is not akin to what our whole community is like, and it is hard for a Mayor who has not grown up like that. He was fortunate to grow up in a *Leave it to Beaver* household, where people were people and it did not matter what type of life they came from or the color of their skin or what they believed in or if they believed like you or not, they were still friends. This course of action is troubling to him. He is a Republican and he has spoken at the Democratic dinner, and never at the Republican Dinner, so, go figure. But people are just people to him, and everybody has to get along and understand differences and be kind. He knew the Chief has had many visits and counseling sessions and the Mayor has also had a couple sessions to try to relay that this is not a sense of who we are, we are not trying to silence people, but that we need to be fair to everyone and not disturbing to people. Now, he thought that sometimes that fell on deaf ears; but trying to get our point across in a way that does not stifle the comment of those First Amendment rights but does affect the way they are delivered. He knows the Chief can get frustrated, but he has 19 guys to try to deliver a message with and sometimes others are more effective. He knew an ordinance was not the way because the law does not just pound it through; it must start with your heart and how you feel about yourself and how you feel about others. It is something we are going to watch closely. People should be able to drive by their City street and feel safe and that ensures a high quality of life and that is what we are about. Since he has been Mayor, and previously with other Mayors, he wants people to feel like they have a very good quality of life here and maybe sometimes that is affected. Sometimes people get angry because the message from the other side is not what they want to see in signs; he tells those folks this is what free speech is about. We have not had it in our community, but it does not mean we cannot have the discussion and should walk away still being friends. We just need to try to work with this and see what may happen. He knew the Chief had some good discussions and we need to work on this as a City and we are going to try to.

Mr. Jackson asked the Mayor and Council to understand that he was not the enemy in this. He did not mean for this to be from a confrontational or a political point. This was meant from the bottom of his heart; that he was afraid of problems and he wanted to be proactive.

Mayor Tedford assured him that he understood that; and he was not the only person that has spoken with the Mayor about this issue. This was also not the only geographic area that we had this occur. We try to improve quality of life and we think people should just get along; not just in Fallon, but in Carson City and Washington D.C. He sat down with Senator Bryan after the Democrat Dinner last year and talked about people getting along for the good of our State, they also had a telephone call about it after that; but the busyness of life and time constraints have prevented further action so far. We know there is a problem everywhere and we are trying to do the best we can, and we do not want to make the issue even larger than it is now. The meanness in America must stop, sometimes it is not just politics, it is just life, people are just not nice to each other and it is not that hard to be kind. Our job here is somewhat nicer because we talk about sewer and water lines a lot and electricity and things like that; it does not have those influences that are harder. He is a Mayor from retail so these people that come in are always right. He noted that we are trying to work this issue from the inside out and from in our heart. This is not something that we want to continue. He believed that the Chief could get this done and if he does not, he will be down the road tomorrow. He thanked Mr. Jackson for his comments and appreciated his concern as a citizen.

No further comments were noted.

Council and Staff Reports

City Attorney Mike Mackedon: No comments were noted.

Deputy City Attorney Leonard Mackedon: No comments were noted.

City Clerk Cordes: No comments were noted.

Chief Gehman: No comments were noted.

Legal and Administrative Director Erquiaga: No comments were noted.

Deputy City Clerk Lee: No comments were noted.

Tourism Director Moon: No comments were noted.

Emergency Manager Endacott: No comments were noted.

Marketing & Communications Coordinator Ritchie: No comments were noted.

Deputy Public Works Director Swirczek: No comments were noted.

Public Works Director Byrd: No comments were noted.

Deputy Public Works Director Noriega: No comments were noted.

Deputy City Attorney deBraga: No comments were noted.

Councilwoman Frost: Attended the Governor's Global Summit on Tourism and learned a lot about trends in tourism, including social media. She was happy to say the Rural Roundup was prominently displayed on advertising and signs around the conference. It was nice to see Fallon's name. She had heard several comments about how well Fallon seems to be doing and we are out there, and people seem to be talking about us so that was good news.

Councilman Richardson: Appreciated the first responder escort for the football team – it seemed to go viral on social media and had many parents and coaches talking about it, many from California and Las Vegas and comments about how well Fallon does things like this and with such great support from the community. He would like to see those comments and posts tied into the City's social media platforms.

Councilman Erickson: No comments were noted.

Executive Session

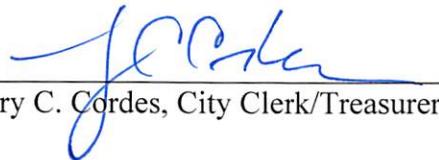
Mayor Tedford tabled the executive session, as it was not needed at this time.

Adjournment

There being no further business to come before the Council, Mayor Tedford adjourned the meeting at 9:51 a.m.



Mayor Ken Tedford

Attest: 

Gary C. Cordes, City Clerk/Treasurer