

**MINUTES
CITY OF FALLON
55 West Williams Avenue
Fallon, Nevada
April 15, 2019**

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
Deputy Public Works Director, Ryan A. Swirczek
Deputy Public Works Director, Adrian Noriega
Police Chief, Kevin Gehman
Deputy City Attorney, Leonard E. Mackedon
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 Council meeting minutes for March 18, 2019 and March 25, 2019

Mayor Tedford inquired if there were any additions or corrections to the minutes for March 18, 2019 and March 25, 2019.

No additions or corrections were noted.

Councilman Richardson motioned to approve the Council meeting minutes for March 18, 2019 and March 25, 2019 as submitted, seconded by Councilman Erickson 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.

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

Appointment and possible confirmation of Derek Zimney as City Engineer

Mayor Tedford invited Mr. Derek Zimney to approach the dais. Mayor Tedford then read the following into the record: "Derek Zimney grew up in Fallon and graduated from Churchill County High School in 2006. In 2009 he graduated from TMCC with an Associate in Sciences. While working for Lumos and Associates as a Lab and Field Technician in college, Derek earned his bachelor's degree in Civil Engineering from the University of Nevada Reno in 2013. Upon graduating from college, Derek worked at Lumos & Associates as a project designer. In 2016 Derek accepted a job at Southwest Gas and obtained his Engineering License in 2018. Derek and his wife Taylor, also a Fallon native, have a one-year old daughter named Jacey. Derek and his family enjoy camping, fishing and hosting barbeques with family and friends. Derek's knowledge, education and experience will make him a great City Engineer. He also knows our community, which is important. It is with great pleasure that I offer as an appointment to be confirmed by Council, Derek Zimney as City Engineer and bring him before the Council for your consideration and confirmation."

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

Councilwoman Frost advised that she had a chance to visit with Mr. Zimney a couple weeks ago and she was happy to see Churchill County High School graduates return to our community. They know our community and they love our community; she was excited that Derek has chosen to do that.

Mayor Tedford added that each of the Council members had the opportunity to meet with Derek individually and it makes this process a little easier.

Councilman Erickson noted that he also had the opportunity to spend some time with Derek and he has known Derek throughout his school years and has the highest regard for him. He asked Derek to outline the high points of his experience to date in his career.

Mr. Zimney stated that he was most proud of obtaining his licensure. He also enjoyed the opportunity to work on some exciting projects in Eureka County, City of Fernley, and Battle Mountain. He would be excited to bring projects to his hometown.

Councilman Erickson asked about the project in Eureka County.

Mr. Zimney explained that he had the opportunity to write a 20-year Airport Master Plan for Eureka County. The full study included field assessments and improvement needs. It was successfully approved through the FAA and it is currently a working document for Eureka County.

Councilman Richardson noted that he had a telephone conversation with Derek, and he is excited to see a student return to our community; someone that understands how Fallon operates and our unique culture here and how our government really works on serving the citizens. Growing up here and living here, you get to experience that, and you get to see our festivals and how we back our youth and schools and celebrate championships. That part was important to him because he knew he would be invested, and his family is here. That is a strong asset that he sees in Derek. He has the credentials; he is relatively new to the engineering field and he spoke with some of Derek's former colleagues and employers and they said great things about him. They said that he is more than ready to come into this position and learn everything about our City and its infrastructure. He was excited for Derek to join the City.

Mayor Tedford noted that, in his discussions with Derek, we work as a team here and that facilitates some great things that we get done. Not only in the engineering field, but in events that we do. It is important to understand the team vision we have; we get a lot more accomplished for the City and this community when we work together.

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

No comments were noted.

Councilwoman Frost motioned to confirm Mayor Tedford's appointment of Derek Zimney as City Engineer; seconded by Councilman Richardson and approved with a 3-0 vote by the Council.

Consideration and possible action to establish the salary of Derek Zimney as City Engineer at Eighty-Five Thousand Dollars (\$85,000.00) per year

Mayor Tedford stated that the salary of City Engineer Derek Zimney would be established at \$85,000 per year.

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.

Councilman Richardson motioned to establish the salary of Derek Zimney as City Engineer at Eighty-Five Thousand Dollars (\$85,000.00) per year; seconded by Councilman Erickson and approved with a 3-0 vote by the Council.

At this time, Mayor Tedford administered the Oath of Office to City Engineer Derek Zimney.

Consideration and possible approval and adoption of Resolution No. 19-04: A resolution adopting small cell infrastructure design standards for the City of Fallon, an associated fee schedule, and other matters properly related thereto

Public Works Director Byrd read the following into the record: “On September 26, 2018, the Federal Communications Commission (FCC) issued a Declaratory Ruling and Third Report (R&O) that addressed small cell infrastructure, design and aesthetic standards adopted by states and local governments, fees adopted by states and local governments, and other matters relating to the deployment of small cell infrastructure. The deployment of small cell infrastructure is needed in order to transition to the next generation of wireless services, known as 5G, and, according to the FCC in its R&O, is important to entrepreneurship, innovation and economic opportunities for the citizens of the United States. Absent a judicial stay, the R&O requires states and local governments to adopt and publish design standards for small cell infrastructure within 180 days of the R&O’s publication in the Federal Register. The R&O further provides that design standards and aesthetic requirements must be reasonable, no more burdensome than those applied to other types of infrastructure deployments, and objective and published in advance. Fees imposed by a state or local government must be a reasonable approximation of the state or local government’s costs, with only objectively reasonable costs factored into the fees, and must be no higher than the fees charged to similarly-situated competitors in similar situations. The proposed Small Cell Infrastructure Design Standards, which are attached to the proposed Resolution as Exhibit “A,” are the result of a collaborative effort led by UAMPS and its Distributed Generation Task Force. Legal and Administrative Director Erquiaga is a member of the task force and has taken part in the discussions and development of the proposed design standards. The proposed design standards have also been reviewed by the Building Department and the City’s outside code consultants, West Coast Code Consultants. The proposed Small Cell Infrastructure Fee Schedule, which is attached to the proposed Resolution as Exhibit “B,” has been analyzed and developed by City staff in accordance with fee guidance in the R&O. City staff recommends approval and adoption of the proposed design standards and the associated fee schedule as just and reasonable standards and reasonable fees in order to provide for the safe and proper deployment of new wireless technology within the City of Fallon.”

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

Councilman Erickson noted that this is an interesting document. We have put together a thorough standard which is dictated by a lot of guidelines and mandates from the federal government. He understood that we have very little choice in this step forward. The transition to 5G is beneficial for our community because if we are not in a position to exploit and develop this technology, it could hamper our growth in economic development efforts. He noted that Legal and Administrative Director Erquiaga, through UAMPS and other resources, worked very hard to put this together, along with Public Works Director Byrd and his team. They put together the best possible, and least aesthetically invasive, way of implementing 5G technology in our community. He did not like mandates, but we are best served by adopting this and proceeding along these lines.

Mayor Tedford added that he did not like mandates either. The aesthetic portion bothered him the most; they do not look so bad until they are mounted on the poles. Almost every City across the country will have these if they have 5G. Some early designs over the years were deplorable compared to these designs in this document; he was much more comfortable with the current designs.

Councilwoman Frost agreed that 5G will be important to economic development and to our community. She was not happy that the City was mandated to do this either, but she believed this document protects the City and is a fair document to providers.

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

No comments were noted.

Councilwoman Frost motioned to adopt Resolution No. 19-04: A resolution adopting small cell infrastructure design standards for the City of Fallon, an associated fee schedule, and other matters properly related thereto; 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.

No public comments were noted.

Council and Staff Reports

Mayor Tedford inquired if there were any Council or staff reports.

Councilwoman Frost attended the Rural Roundup Conference that was recently hosted by the City of Fallon. It was a great event and she loved the idea that we were showcasing Fallon; also when guests experienced some of our outdoor activities, they received a memento, so every time they look at that, they can think about what a great time they had in Fallon. Many people, City staff as well as members of the community, came together as a team to showcase what we have to offer in Fallon and show what a great community we are. She thanked everyone for their efforts.

Councilman Erickson added that he also had the opportunity to visit with a lot of the Rural Roundup participants, they are the tourism people throughout the State of Nevada, on Thursday night, and they were still on an adrenaline high from their adventures on Wednesday. They experienced a lot of fun and a lot of things they had never been exposed to. He thanked everyone for their efforts in making Fallon shine.

Mayor Tedford concurred. From our first meeting to decide what events we wanted to do, like shoot skeet, race cars at the dragstrip, ride around Sand Mountain; and we made them happen. We even added a make-and-take event for those that did not want to be outside. There was a little bit of pushback from the State, saying it was too much adrenaline for tourism people and we held tight on what we wanted to do. That was the tone of the conference; it is exciting out here in Fallon, it is not dull. That was a great message to send back with all the tourism people from various communities in Nevada. Everyone did a great job, from the opening reception to the final dinner.

Executive Session

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

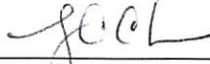
Adjournment

There being no further business to come before the Council, Mayor Tedford adjourned the meeting at 9:39 a.m.



Mayor Ken Tedford

Attest:



Gary C. Cordes, City Clerk/Treasurer