

**MINUTES  
CITY OF FALLON  
55 West Williams Avenue  
Fallon, Nevada  
June 15, 2020**

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, James D. Richardson  
City Councilwoman, Kelly Frost  
City Councilwoman, Karla Kent  
Police Chief, Kevin Gehman  
Legal & Administrative Director, Robert Erquiaga  
Public Works Director, Brian A. Byrd  
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.

Legal and Administrative Director Erquiaga advised that the agenda was posted in compliance with Governor Sisolak's Declaration of Emergency Directive 006, and as extended by Directives 016, 018, and 021, the agenda and the supporting materials were posted on the City's website and the State of Nevada's public notice website on or before 9:00 a.m. on June 10, 2020.

**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 May 18, 2020, May 20, 2020, and June 1, 2020**

Mayor Tedford inquired if there were any additions or corrections to the minutes for May 18, 2020, May 20, 2020, and June 1, 2020.

No additions or corrections were noted.

Councilwoman Frost motioned to approve the Council meeting minutes for May 18, 2020, May 20, 2020, and June 1, 2020 as submitted, seconded by Councilman Richardson 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 Kent 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.

**Consideration and possible approval of a proposed parcel map submitted by the Robert R. Kent and Muriel S. Kent Trust, dated July 17, 2009, creating two (2) new parcels on South Maine Street and setting the zoning for the new parcels as C-2, General Commercial District, adjusting the boundaries of an existing parcel fronting East Center Street and South Nevada Street, and dedicating a non-exclusive public access and public utility easement to the City of Fallon for portions of the alley running north-south connecting East Williams Avenue and East Center Street and located between South Maine Street and South Nevada Street**

Legal and Administrative Director Erquiaga explained the Kent Trust submitted this proposed parcel map. As background, the Trust is in the process of trying to distribute Trust property and this parcel and the structures that exist on it became a bit of a challenge in that process. As such, the attorney for the Trustee has submitted the proposed parcel map as well as the request that is the next Council agenda item, but as it relates to the parcel map, essentially what they are asking is to take their one existing parcel and turn that into three parcels. That will allow the existing structures to each be on their own parcel. Each of those structures is served separately by its own City utilities. The new parcels would also extend beyond what currently exists as the alley to the east, and in order to provide the required off-street parking numbers per Fallon Municipal Code, the next agenda item will address that issue. The structures have been in existence for many years, they are connected to all City utilities, meaning they have paid all connection and water right fees in the past so those would not be implicated by this action. The zoning around these proposed parcels is all C-2 and so the recommendation is that the new parcels be zoned C-2 as well.

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

Councilwoman Kent stated that she did not have a question but wanted to put on record that she is related to the Kent family but she has no pecuniary interest in the matter so she planned to vote on this item.

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

No comments were noted.

Councilwoman Kent motioned to approve the application by the Robert R. Kent and Muriel S. Kent Trust, dated July 17, 2009, to vacate a portion of the alley running north-south connecting East Williams Avenue and East Center Street and located between South Maine Street and South Nevada Street in favor of a non-exclusive public access and public utility easement as depicted in the "Exhibit Map to Accompany Letter of Application to Vacate an Alley" dated 05-2020.

It was noted that motion was related to the next agenda item, not the current item.

Councilwoman Kent withdrew her motion.

Councilwoman Kent motioned to approve a proposed parcel map submitted by the Robert R. Kent and Muriel S. Kent Trust, dated July 17, 2009, creating two (2) new parcels on South Maine Street and setting the zoning for the new parcels as C-2, General Commercial District, adjusting the boundaries of an existing parcel fronting East Center Street and South Nevada Street, and dedicating a non-exclusive public access and public utility easement to the City of Fallon for portions of the alley running north-south connecting East Williams Avenue and East Center Street and located between South Maine Street and South Nevada Street; seconded by Councilwoman Frost; at this time, Councilman Richardson stated that before he voted, he wanted to inquire if the map was submitted in 2009.

Legal and Administrative Director Erquiaga explained that the Trust itself was dated 2009, the map was just submitted.

Councilman Richardson stated that he would vote for this proposed parcel map.

Mayor Tedford stated that this item carried with a 3-0 vote by the Council.

**Consideration and possible approval of an application by the Robert R. Kent and Muriel S. Kent Trust, dated July 17, 2009, to vacate a portion of the alley running north-south connecting East Williams Avenue and East Center Street and located between South Maine Street and South Nevada Street in favor of a non-exclusive public access and public utility easement**

Legal and Administrative Director Erquiaga explained that this was the follow-on agenda item from the previous item discussion. Wherein, in order to accomplish the parcel map and to clear up some title issues and to strengthen the City's access to portions of the existing alley, request was made by the Trust to vacate a portion of the alley. As we worked through this process internally with the City Attorney's Office and with the attorneys for the Trust, it became clear that titles, in this area especially, there were a number of interesting documents and questions. We do feel that this request will strengthen the City's position that it has very clear access and the ability to run utilities, some of which are already existing, in the portion of the alley identified. This item was published twice in the Lahontan Valley News as required by the Fallon Municipal Code and we have not received any comments to date as to the application. It would be the recommendation of staff that the Council approve the application and vacate that portion of the alley in favor of the easement granted in the prior agenda item.

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

Councilwoman Kent inquired if the area west of the hash marked portion on the map already belonged to the City as an alleyway.

Legal and Administrative Director Erquiaga explained that was one of the areas that was certainly in question. As we worked through this, the best answer he could provide was that the

hashmarks on the map are potentially owned by the City and that is why it is being requested that it be vacated. The other area is complicated, but this takes care of that by granting us the easement. So, any question of what is outstanding there is our ability to access or run utilities is taken care of if this is approved and that easement is accepted.

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

No comments were noted.

Councilwoman Frost confirmed that, with the easement, the property owners could never fence that off or prevent the public from using that as well.

Legal and Administrative Director Erquiaga stated that was correct.

Councilwoman Frost motioned to approve an application by the Robert R. Kent and Muriel S. Kent Trust, dated July 17, 2009, to vacate a portion of the alley running north-south connecting East Williams Avenue and East Center Street and located between South Maine Street and South Nevada Street in favor of a non-exclusive public access and public utility easement as depicted in the "Exhibit Map to Accompany Letter of Application to Vacate an Alley" dated 05-2020; seconded by Councilwoman Kent and approved with a 3-0 vote by the Council.

**Consideration and possible approval of a Professional Services Contract with Atkins North America, Inc. for completion of a cultural resources survey for the Fallon Municipal Airport, in an amount not to exceed Twenty-Nine Thousand Nine Hundred Forty-One Dollars (\$29,941.00)**

Public Works Director Byrd explained that the City of Fallon received \$30,000.00 in CARES Act funding for the Fallon Municipal Airport (FLX). The last cultural resources survey at FLX was completed in 2009 and is now more than ten years old. As such, the prior survey is technically out of date and a new survey is required in order for the City to continue receiving FAA grants to complete airport improvement projects. This professional services contract with Atkins North America, Inc. (Atkins) would result in the completion of a cultural resources survey with Atkins utilizing the services of Broadbent and Associates, Inc. Atkins was previously awarded an open-ended contract to provide a variety of engineering services for the airport and this particular contract would be Task Order Number 10. City staff recommends approval of a Professional Services Contract with Atkins. This project will be funded by the FAA, utilizing CARES Act funds, at 100%.

Mayor Tedford noted that we really need to have this survey completed so we can remain eligible for future FAA grant funding.

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 approve a Professional Services Contract with Atkins North America, Inc. for completion of a cultural resources survey for the Fallon Municipal Airport, in an amount not to exceed Twenty-Nine Thousand Nine Hundred Forty-One Dollars (\$29,941.00); seconded by Councilwoman Frost and approved with a 3-0 vote by the Council.

## **Presentation of the Police Department Report for May 2020**

Chief Gehman presented the May monthly report.

- No training in May, but they did participate in some community engagement functions such as high school graduation and a birthday party drive-through where they arranged for 30 vehicles to pass a child's residence.
  - The citizen survey results were positive.
- Mayor Tedford inquired if the Council had any comments or questions.  
No comments were noted.  
Mayor Tedford thanked Chief Gehman for the report.

## **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.  
No Council or staff reports were noted.

Mayor Tedford thanked everyone for their participation in the drive-by championship recognition for the CCHS Boys Basketball Team. It was a celebration unlike any that we have ever done because you could not have much family or public present since we were not fully opened back up by this time. He believed that the kids liked it and that was the most important thing. He thanked everyone for their help in putting it together.

## **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 9:21 a.m.



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Mayor Ken Tedford

Attest:



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Sean C. Richardson, City Clerk-Treasurer