

**MINUTES
CITY OF FALLON
55 West Williams Avenue
Fallon, Nevada
January 19, 2021**

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
Chief of Staff Robert Erquiaga
City Clerk-Treasurer Sean C. Richardson

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.

Chief of Staff Erquiaga advised that the agenda was posted in compliance with Governor Sisolak's Emergency Directives, the agenda and the supporting materials were posted at City Hall, on the City's website, and the State of Nevada's public notice website on or before 9:00 a.m. on January 13, 2021.

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.

Mr. Geoff Knell of 261 Serpa Place read passages from Luke 17. He advised that he preached yesterday to call the nation to repent because this Wednesday, absolute evil will be pushed upon the people of this nation and around the world. This nation is the last shining light to promote the gospel of the Lord Jesus Christ but evil is prevailing because people are not speaking out against evil. He was walking his dog and was almost run over in the crosswalk because people are hurrying and do not care. He talked to a depressed teenager who previously told him there was no God; he wore makeup and dyed his hair red to express his anger. He provided his testimony to the teenager. He stated that God needs to be brought back into government.

Mayor Tedford thanked Mr. Knell.
No further 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 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.

Possible introduction of Bill No. 786: An ordinance providing for the annexation of 6.05 acres, more or less, located at 879, 899 and 901 South Maine Street, owned by Churchill County, Nevada, and contiguous to the corporate limits of the City of Fallon, Nevada, and for other matters properly related thereto. (This agenda item is for possible introduction of the proposed ordinance only. If introduced, a public hearing on the proposed ordinance will be set for February 1, 2021 and no further action can or will be taken at this meeting. At the public hearing on February 1, 2021, which will be properly noticed and advertised, the City Council will take comment and then consider possible adoption of the ordinance as introduced or amended.)

Chief of Staff Erquiaga explained that Churchill County Communications (CC Communications) has come forward requesting this annexation. The property involved includes all of their structures and yard on South Maine Street, a portion of which is currently in the City and receiving City utilities. Churchill County Communications is in the process of building a new facility that will consolidate all its operations on South Maine Street. If this ordinance is introduced, and ultimately the annexation goes through, then that will allow all the property to be in the City and all those facilities to be served by City utilities. This item is for possible introduction and then we would move forward at the February 1 Council meeting with the consideration and possible action. The ordinance, if introduced, would be published in the Lahontan Valley News which must occur prior to its final consideration and adoption. The ordinance and a draft annexation agreement were included in the agenda packet. The annexation agreement has been agreed to by Churchill County. Churchill County owns the property, so they are working with Churchill County Communications through this process and they are comfortable with the terms of the draft annexation agreement.

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

Councilwoman Kent asked if the annexed property was where all the buildings would be setting.

Chief of Staff Erquiaga replied affirmatively, they are remodeling a portion of the existing building, which is within the parcel that is already within the City so there are a couple of facilities where the addition would be in the annexed parcel.

Councilwoman Kent noted that it may make sense that the county would want to keep the empty lots as county property and earn the taxes off that versus it all coming into the City limits.

Chief of Staff Erquiaga clarified that this annexation would cover all the property owned by Churchill County in that area. County property is not taxed because it is owned by Churchill County.

Councilwoman Kent understood now, she thought some of the property was not coming into the City, but it would all come into the City with this annexation.

Mayor Tedford reminded that this is the only way the City can serve them utilities; they must be within City limits. This makes it much cleaner to have all that property in the City.

No further comments were noted.

Councilwoman Frost introduced Bill No. 786: An ordinance providing for the annexation of 6.05 acres, more or less, located at 879, 899 and 901 South Maine Street, owned by Churchill County, Nevada, and contiguous to the corporate limits of the City of Fallon, Nevada, and for other matters properly related thereto.

Mayor Tedford stated that Councilwoman Frost introduced Bill No. 786 and the public hearing will take place on February 1, 2021.

Presentation of the Police Department Report for December 2020

Chief Gehman presented the December monthly report. He added that the December incidents and activities were primarily in line with previous months with no exceptional variances.

- Detective Goodrick provided the indoctrination lecture to newly stationed Navy personnel.
- School Resource Officer Jacobs and the Police Explorers served meals at Fallon Daily Bread.
- The department went through the virtual onsite CALEA assessment. After months of preparation and days of email and Zoom meetings, the department met all the standards and was reaccredited for a period of four years. That makes the Fallon Police Department only one of three in Nevada that have achieved this accreditation. This is an annual event, but this was the big one at the end of our term. It was different since the people were not onsite looking at everything, but we went around with cameras and it all went well. Mayor Tedford noted that it was likely more difficult on Zoom than when onsite visits were conducted; face to face makes things go more smoothly. Chief Gehman agreed.

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.

Mr. Geoff Knell of 261 Serpa Place advised that he was not angry with the Mayor and Council, he was frustrated with the system. He reads the Nevada Revised Statutes, and sees what the higher up government is doing, and how the City must follow it. Look at the open meeting laws, right now you would not allow a public comment on the ordinance that you are going to pass. The State government is such an influence in restricting the First Amendment. He asked why there was no public comment. He asked why freedom of speech was restricted to three minutes, five minutes, ten minutes, because it is a deliberate act to restrict the First Amendment and that is totally unconstitutional. You have overstepped the bounds. Our Declaration of Independence and Bill of Rights is to keep you and your responsibility under control. But no, it is restricted. You restricted the grievances with the government. You allowed it to happen. It is a deliberate attack against it. It is frustrating. It also happens with the Churchill County Commissioners. They restrict comment and you sit in your positions and you walk away and do not ask what my concern is. You go on as business as usual, just like in Luke 17. No regard for God and the people's will. If the people object to it, they have the right to object to it and you need to listen. It is frustrating. It is supposed to be ordained by God, but you let a government that kills human life, a government that promotes promiscuity; young people are committing suicide and putting makeup on their faces to justify their anger. What we are seeing today is evil and you are following the evil plan. The Fallon Post newspaper is a rag; no interviews, it is all about propaganda. Our State government dwindles down the First Amendment to restrict us. He stated that he had the right to discriminate against evil. That is in the Constitution, to agree or disagree, but the evil restricts the promotion of the Word of God. The sermon is to keep you in check as our Declaration of Independence says that he is able to take you out, to change the government. But no, the State government restricts bringing the government back to God and decency. He implored them to rebel against the State and recommended the City secede from Churchill County. Churchill County should secede from the State because they are killing human life and he sees it every single day as he walks his dog. Several people drive through the stop sign. He asked where the teaching in the schools is to say obey the simple stop sign and watch for people in the crosswalk and put lights on your bicycle. People are angry and bitter. People yell at him when he is in the crosswalk. Our society is not of God and there is no love. He was getting rejected by his own leadership that allows murder. The LGBTQ is a lie, and it is proven. He stated that he was very passionate with his concerns.

Mayor Tedford thanked Mr. Knell.

Council and Staff Reports

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

Councilwoman Kent asked for clarification on an issue. She explained that before this meeting, Mr. Geoff Knell attempted to ask the Council about the ordinance but if he had asked his question during the public comment portion on item 3, would it have been appropriate at that time to ask before the adoption.

Mayor Tedford stated that he could have asked questions while we were introducing the ordinance, on item 5.

Councilwoman Kent confirmed that he could have asked at that time.

Mayor Tedford replied affirmatively. Public comment as in item 3 is for things general in nature, not relative to any item on the agenda.

Chief of Staff Erquiaga clarified for the record that the ordinance was not adopted today, it was introduced. The public hearing on the adoption would take place on February 1, 2021.

Mayor Tedford concurred, he read the title's explanation portion into the record again: "This agenda item is for possible introduction of the proposed ordinance only. If introduced, a public hearing on the proposed ordinance will be set for February 1, 2021 and no further action can or will be taken at this meeting." He added that any discussion can be held on this bill during the public hearing. No further action could be taken at this meeting today, other than introduction. You can have discussion during introduction, but it does not really matter much because the hearing is on February 1. Public comment as in item 3 is for something that is not on the agenda because you would have discussion on that item because he asks for public comment at that time. But today, we specifically stated that there would be a hearing on February 1. A public hearing is when the public comes and talks. When we have some issue that is more heated, people come to the public hearing. Introduction is the way to get to the hearing because the bill needs to be introduced. There have been times in his career where a bill was introduced just so discussion could be held at the hearing. It is unfair in a way, to have discussion during the introduction because then the people that were going to attend the hearing would not get to hear the discussion that occurred during the introduction. He has never limited discussion during the introduction, it is not a big deal. But it is a big deal if someone complains about it later because they were not here today. Specifically, that is what a public hearing is for, a discussion on the bill, about whether it will be an ordinance. That is how the process works.

Councilwoman Kent stated that she wanted to get clarification for Mr. Knell.

Councilman Richardson stated that the other issue was that the entire Council was present, and we could not speak outside of the meeting together. That was the problem when Mr. Knell approached the Council before the meeting.

Mayor Tedford confirmed that the Council may not discuss an issue together outside of a convened Council meeting. Council members cannot discuss an item together or speak to Mr. Knell together. Only one Councilmember would be able to discuss an item with Mr. Knell. That is a violation of the law and we do not do that here and never have. The Council cannot email each other or text each other. He was glad Councilman Richardson brought that up. Other items can be brought up and discussed during Council and staff reports, but it is not good practice to discuss the bill under Council and staff reports because someone may want to come during introduction and then leave and then the issue is discussed later during a Council report. That is not a good thing to do because the public might be misled by statements not made during the introduction. Introduction really needs no discussion because it is just introduction – but it can have discussion, it does not really matter. He does not strictly follow Robert's Rules of Order and has been informal the entire time he has been here so the public can say things they want to say, and the Council can, and it makes for a better discussion and not such a stiff government. But he likes agenda item discussions to occur during the presentation of the agenda item, so people do not come and go. He stated that he could return to agenda item 5 if there was appetite to do so; he did not mind.

No further 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 9:26 a.m.



Mayor Ken Tedford



Attest: _____
Sean C. Richardson, City Clerk-Treasurer