

**MINUTES
CITY OF FALLON
55 West Williams Avenue
Fallon, Nevada
December 20, 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
Councilman James Richardson
City Councilwoman Kelly Frost
City Councilwoman Karla Kent
Chief of Staff Bob Erickson
City Attorney Mike Mackedon
Deputy City Attorney Trent deBraga
Captain Kris Alexander
Public Works Director Brian Byrd
Deputy Public Works Ryan Swirczek
Deputy City Clerk Elsie Lee
Deputy City Clerk Michael O'Neill
City Engineer Derek Zimney

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

Mayor Tedford led the Pledge of Allegiance.

Mayor Tedford held a moment of silence for the passing of Valerie Serpa.

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

Deputy City Clerk Elsie Lee advised that the agenda was posted in compliance with the NRS requirements.

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 comments were noted.

Approval of Warrants

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

Councilwoman Kent motioned to approve the accounts payable, payroll and customer deposit warrants; seconded by Councilwoman Frost and approved with a 3-0 vote by the Council.

Public Hearing for Bill No. 787: An ordinance amending Title 2, Chapter 2.04, Section 2.04.040 of the City of Fallon Municipal Code for the purpose of changing the days of the regular meeting of the Fallon City Council, and for other matters properly related thereto.

Deputy City Attorney Trent deBraga stated that Bill No. 787 was introduced at the Council's properly noticed regular meeting on December 6, 2021. Notice of the Deposit of Copies of the proposed Ordinance and the public hearing date was duly published in the Lahontan Valley News on December 8, 2021. The proposed Ordinance, as introduced, the Proof and Statement of Publication of the notice of Deposit of Copies, and Public Hearing to adopt Bill No. 787 are attached to this coversheet. This agenda item represents the public's opportunity to comment on the proposed ordinance and to present relevant information and materials to the Council.

Mayor Tedford stated that this Bill would change the times of our regular Council meetings from 9:00 a.m. on Mondays to 9:00 a.m. on Tuesdays. They would still be held on the 1st and 3rd week of the month. Are there any public comments during this time? Council do you have any questions or comments?

No further comments were noted.

Consideration and possible adoption of Bill No. 787 Ordinance No. 768: An ordinance amending Title 2, Chapter 2.04, Section 2.04.040 of the City of Fallon Municipal Code for the purpose of changing the days of the regular meetings of the Fallon City Council, and for other matters properly related thereto.

Deputy City Attorney Trent deBraga stated that this agenda item represents the Council's opportunity to consider the proposed ordinance as they see fit. This Bill will change the 1st and 3rd Monday meetings to the 1st and 3rd Tuesdays of each month. If the Council acts on this Ordinance, the next step would be to publish the Ordinance in the Lahontan Valley News. The earliest that could be done would be on December 29th, 2021, and wouldn't become effective until 20 days after the first publication. The 20th day falls on January 18th, 2022. The Monday prior to that date is a holiday and is an example of why this Ordinance is appropriate. Many holidays fall on Mondays, pushing the Council meetings to Tuesdays. If passed, it would be published and wouldn't become effective until 20 days after the publication date.

Mayor Tedford thanked Deputy City Attorney deBraga. One of the reasons why we have brought this up, is what Trent just mentioned. Many of these Mondays are holidays and we have posting requirements through the State of Nevada that we have to abide by. We are diligent with our postings and getting these agenda items completed. Sometimes, these holidays push us back further to the week ahead, to get them posted when we have Monday holidays. We thought it

would be better on Tuesdays. On some agenda items we need to talk to you about and it falls on the weekend and we aren't able to. Tuesdays are a better day to talk to you about those as well. It seems like, if we go back to where we were on Tuesday meetings, when we met at night for many, many years here. Bob as Mayor remembers, and me as a Councilman, and now the Mayor, it was held at 7:00 on Tuesday nights. Now, going to Tuesday mornings it might be better. So, that is the rationale behind it, Council. Are there any questions?

Councilwoman Frost asked if February 1st would be the first Tuesday meeting.

Deputy City Attorney deBraga stated that would be correct. The day that this would be published would be December 29, 2021. Day 20 would fall on January 18, 2022. This wouldn't necessarily be the date it would be effective. The first meeting we would start on Tuesdays would be the February 1, 2022, date.

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

No further comments were noted.

Councilman James Richardson motioned to adopt Bill No. 787 as Ordinance No. 768: An ordinance amending Title 2, Chapter 2.04, Section 2.04.040 of the City of Fallon Municipal Code for the purpose of changing the days of the regular meetings of the Fallon City Council, and for other matters properly related thereto; seconded by Councilwoman Kent and approved with a 3-0 vote by the Council.

Consideration and possible approval of a Tentative Subdivision Map for Phases 6-8 of Country Air Estates.

Engineer Derek Zimney stated that this map would be the first step in creating thirty-nine (39) new single-family lots. The construction of the proposed improvements will complete the Country Air Estates subdivision. The City of Fallon and City Council first approved a tentative map for Country Air Estates in 1988. That map was for 162 lots. Only 86 lots have been completed in phases 1 through 5. The remainder have been redesigned with this tentative map. If approved and constructed, Country Air Estates will have 125 of the originally planned 162 lots. The proposed improvements are being proposed to be completed in three phases. This map has been reviewed by City Engineer Derek Zimney, Public Works Director Brian Byrd, and Chief of Staff Bob Erickson. Letters of intent and copies of the proposed tentative map have been submitted to the Nevada Department of Environmental Protection, Nevada Division of Water Resources, Truckee-Carson Irrigation District, Churchill County, and the Churchill County School District. Those letters and responses from each agency are attached. Friday, I provided an updated map that corrected some small revisions, names, and page numbers. They have been provided in the back of the room, and one has been provided for the record.

Councilwoman Kent stated that she would like to disclose that JKG Builders is a customer of Kent's Supply Center.

Mayor Tedford thanked Councilwoman Kent. So noted, for the record.

Councilwoman Frost asked if the School District responded to the letter.

City Engineer Zimney stated that they did not respond.

Councilman Richardson asked if the number of parcels are the same or if they are less than the previous approved plan.

City Engineer Zimney stated that it appears to be one less than the previously approved. 2 less with the infiltration basin and then one lot that looked like 3, is going to be one large one, from what I can tell.

Councilman Richardson asked if the major change would be the drainage. 2 parcels are missing, so we need put in a drainage?

City Engineer Zimney confirmed that was correct.

Mayor Tedford inquired if there were any further comments. Let's talk about the retention pond. I think that Councilman Richardson has some concerns, and I do too.

Councilman Richardson stated that the drainage on the map is basically, on the main road coming in on the new phase subdivision. Are there any plans on what that might look like, coming in, by the builders or developers? Who is going to take responsibility for that piece, and what kind of aesthetic consideration will be placed on that?

City Engineer Zimney stated that the City Staff has met and talked about this. Long term, the City would like this parcel, this drainage deeded to the City to help take care of our citizens. Before it is completed, I think a conditional approval maybe JKG could submit a plan of a nice trim cedar fence, maybe some landscaping features, something to make this look like a nice backyard. I think a conditional approval that staff and everyone has a chance to review would be a good idea, just to make sure that everyone is happy with what the final product would look like over there.

Mayor Tedford inquired if there were any further questions. I think all the questions that we have would revolve around that retention basin. I think the City is going to take on the long-term maintenance on that, as we have done in other areas. I think Councilman Richardson's questions are what that might look like aesthetically for those citizens around that area.

David Hall greeted the Council. Right now, we currently don't have anything that shows what the finished design would look like there. After discussing with Ken, Derek, and myself, I think that we have a pretty good idea of what you guys are after, as far as aesthetics coming into that development there. He was mentioning a cedar fence, with plants. We don't have an issue, at all, dressing that up, where you pull into that subdivision that it has a nice a feel to it when you drive past it, verses a hole in the ground. Our intent is to make that subdivision look like it has a nice curb appeal, things like that. So, if we left that area unfinished it wouldn't represent what type of product we are trying to represent for the City of Fallon.

Mayor Tedford stated that there is a really nice subdivision, with really nice homes, and really nice sized lots, which is great. We are just concerned about how that corner is going to look. If you would work with staff and come up with something that would be acceptable to the City. If you run that plan by us, maybe not in a formal setting here, Staff would be able to run that by us to see if it is acceptable to what we are looking for. I think that would be great.

David Hall responded by stating yes, definitely. As soon as we come up with something we will put it on paper and make it look as best as we can on paper. We will also work with Derek on getting his feel on what the City of Fallon would like to see. He probably has the best idea what you guys are after for cosmetics in that area. We will come up with something that is going to be more than adequate to make that area look really good when you pull into that area.

Mayor Tedford stated that we know what needs to be there. Okay, great, thank you.

David Hall stated his name for the record and let the Council know that he is a representative for JKG Builders.

Mayor thanked Mr. Hall. Any other comments or questions?

No further comments were noted.

Councilwoman Kent motioned to approve a Tentative Subdivision Map for Phases 6-8 of Country Air Estates; seconded by Councilman Richardson and approved with a 3-0 vote by the Council.

Possible adoption of Resolution No. 21-09: A resolution to change the three (3) Ward boundaries embracing the territory within the corporate limits of the City of Fallon, and for other matters properly related thereto.

City Clerk Sean Richardson stated that with the upcoming elections that will be held in 2022, City Staff reviewed and compared the population of each Ward with current data. Redistricting Application DRA 2020 was provided to us by the County. We used that information to assess our Wards, to ensure that the population of the City's 3 Wards do not exceed one another by 5%, as required by State Statute and the City Code. We found, currently, as the Ward maps are, we are not meeting that requirement. We used this application to redistrict the wards to get the variations under 5% in each Ward. That map is attached to the agenda. Also, the Fallon Municipal Code allows the change in the Ward boundaries to be changed through a resolution, which is also attached.

Mayor Tedford inquired if there were any questions. This is driven by the National Census that we just went through. We were running against Henderson for the highest number of people that were responding to the Census, but I think that we lost. Well, I know that we lost to Henderson because I had a bet with Mayor March that we would win. We fell in 2nd or 3rd place at the end; I believe. In each election that we have in the City we have to be within 2%, even before the one in 2 years we had to redo this so we could be in that percentage of population for each Ward. It will be interesting again to know the numbers. I know that Bob and Sean did a lot of work with the DRA computer program from the County. The County was a big help in allowing us to use that. So, I think that they have done a good job and I don't know what comments the Council or public may have.

Councilwoman Kent asked if the software being used keeps track of the population without requiring a Census.

Mayor Tedford stated that it does keep track without requiring a Census. We used to always have to do it before, and I don't know how we ever did it before, but before every election we used to have to make sure we were within 5%.

No further comments were noted.

Councilwoman Frost motioned the adoption of Resolution No. 21-09: A resolution to change the three (3) ward boundaries embracing the territory within the corporate limits of the City of Fallon, and for other matters properly related thereto; seconded by Councilman Richardson and approved with a 3-0 vote by the Council.

Fallon Police Department Monthly Report for November 2021.

Chief Kris Alexander greeted the Council. The monthly report hasn't really changed much from the month of October. The calls for service were down this month slightly, with a little over 100. There are a lot of reasons for that and generally, colder months the calls for service go down. Crime summary, the larcenies are still at 13 last month, as opposed to 19 in October. Again, most of the vast majority of these are retail thefts. We also still encourage people to follow the 9:00 routine; to lock your car doors, lock your house doors, and check them all before you go to sleep at night. Last month, and in October, we released the officers to make more traffic stops. We identify the school zones before and after school, looking for people with excessive speeds. We had 138 warnings issued and 16 citations. Traffic accidents are cut in half last month as opposed to October, on private property accidents with 7 last month, as opposed to 8 in October. Animal Shelter numbers are approximately at an average. I would like to point out that the Animal Shelter posted on their Facebook page that Pat Mcowen has done a phenomenal job in reducing our feral cat population and she was recognized as a friend of Law Enforcement. We received 8 Citizen Surveys back most in very satisfied, or satisfied, and one with no opinion. For the Citizen Survey comments I would like to point out that there was a female subject that had cash stolen out of her purse. We had officers review several hours of

video and we couldn't identify the time that she provided us, as any cash being stolen. We received a lot of reports of speeders in the area of N. Taylor Street and A Street. So, we did put out extra patrols in that area for officers to focus on. No assistance was provided in the month of November and no indoctrination was provided to NAS Fallon. The volunteers donated 92.5 hours of volunteer service to the City. That included admin, patrol, and domestic violence. I would also like to point out that Donn Sheldon, who is one of our volunteers, sits on the Domestic Violence Intervention Board. Public Relations – Officer Ugalde provided the Varsity Football Team an escort out-of-town, to the State semi-finals. Unfortunately, that didn't go in our favor. Sergeant Decker ran in the Turkey Trot at Numa Elementary School, in his uniform. I would like to point out, that was interesting. Officer Perez and Officer Wolff provided traffic control for the Fountain Dye for the FYFL football champions.

Mayor Tedford inquired if there were any questions.

No comments were noted.

Executive Session:

Discuss Litigation Matters

Negotiations with Operating Engineer Locals Union No. 3

Negotiations with Fallon Peace Officers Association

Mayor Tedford stated that at this time there will be a closed Executive Session to discuss Negotiations with Operating Engineers Local Union No. 3 and Fallon Peace Officers Association. I expect this to be 20-30 minutes. At that time, we will come out of the closed session, return to open session to consider Items 11 and 12. You may wait out in the hallway if you would like to return to open session. We will also have Public Comment and Staff Reports upon return to open session. At this time, I would like to close the session to Council and the negotiating team for the City. Thank you for your attendance today if you choose not to come back.

Mayor Tedford stated that the Council has come out of closed session, and returned to regular session, and will be in recess at 10:15 a.m.

Mayor Tedford stated that the Council is out of recess and back in session at 10:50 a.m. and will proceed to Item 11.

Consideration and possible action to approve negotiated agreement between the City of Fallon and the Operating Engineers Local Union No. 3 to be effective from July 1, 2021, to June 30, 2024. (Pursuant to NRS 288.153, the proposed agreement and any exhibits or other attachments to the proposed agreement are available to the public on the City's website, fallonnevada.gov, and at the City Clerk's Office, 55 West Williams Avenue, Fallon, Nevada.)

Mayor Tedford stated that Council has had an opportunity to review this. Any additions Mr. Lattin to the contract, or questions?

Don Lattin, Esq. stated that he has no changes.

Mayor Tedford inquired if there were any public comments.

No comments were noted.

Councilwoman Frost motioned to approve to authorize Mayor Tedford to sign the negotiated agreements effective date contingent upon execution by the Chief Negotiator of OE3; seconded by Councilwoman Kent and approved with a 3-0 vote by the Council.

Consideration and possible action to approve negotiated agreement between the City of Fallon and the Fallon Peace Officers Association to be effective from July 1, 2021, to June 30, 2024. (Pursuant to NRS 288.153, the proposed agreement and any exhibits or other attachments to the proposed agreement are available to the public on the City's website, fallonnevada.gov, and at the City Clerk's Office, 55 West Williams Avenue, Fallon, Nevada.)

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

Councilman Richardson motioned to approve negotiated agreement between the City of Fallon and the Fallon Peace Officers Association be effective from July 1, 2021 to June 30, 2024. (Pursuant to NRS 288.153, the proposed agreement and any exhibits or other attachments to the proposed agreement are available to the public on the City's website, fallonnevada.gov, and at the City Clerk's Office, 55 West Williams Avenue, Fallon, Nevada.); 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.

No comments were noted.

Council and Staff Reports

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

Councilwoman Frost commended the Fire Department for escorting Santa throughout the community. I think they brought a lot of Christmas joy and I appreciate their efforts.

Mayor Tedford inquired if there were any dates that Nicole needed to go over.

Nicole stated that the 22nd we would be Christmas caroling.

Mayor Tedford stated that we will be going around Christmas caroling the 22nd, starting at 5:30 p.m.

Nicole stated that we will be serving lunch to the seniors that morning of the 22nd.

Mayor Tedford stated that yes, at 11:30 a.m. we will be serving lunch to the seniors.

No further comments were noted.

Adjournment

There being no further business to come before the Council, Mayor Tedford adjourned the meeting at 10:58 a.m.

Attest: 
Sean C. Richardson, City Clerk-Treasurer


Mayor Ken Tedford