

**MINUTES
CITY OF FALLON
55 West Williams Avenue
Fallon, Nevada
February 3, 2009**

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, Jr.
City Councilman, Willis Swan
City Councilman, Robert Erickson
City Councilman, John Tewell
City Engineer, Jim Souba
Chief of Police, Kevin Gehman
City Clerk, Gary Cordes
City Attorney, Mike Mackedon

The meeting was called to order by Mayor Tedford at 7:00 p.m. He then requested everyone rise to pledge allegiance to the flag.

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.

Mayor Tedford welcomed members of Boy Scout Troop 541: Nathan Schank, Spencer Wadsworth and Tyler Wood.

Approval of Council meeting minutes for January 20, 2009

Mayor Tedford inquired if there were any additions or corrections to the Council meeting minutes for January 20, 2009.

No additions or corrections were noted.

Councilman Swan motioned to approve the Council meeting minutes for January 20, 2009 as submitted, seconded by Councilman Tewell and unanimously approved.

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.

Councilman Tewell motioned to approve the accounts payable, payroll and customer deposit warrants; seconded by Councilman Erickson and unanimously approved.

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.

Request to waive 2009 business license fee for Fallon Recovery Association, Inc., a non-profit organization

City Clerk Cordes explained that Fallon Recovery Association, Inc. is a newly formed non-profit organization in our community. Fallon Municipal Code requires that all companies doing business within the City have a City of Fallon business license. The Council may waive the business license fee for non-profit organizations. City Clerk Cordes recommended approval of this request.

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 Tewell motioned to waive the 2009 business license fee for Fallon Recovery Association, Inc., a non-profit organization; seconded by Councilman Erickson and unanimously approved.

Approval of an extension of time for a Tentative Subdivision Map for Stone Bridge Subdivision

City Engineer Souba explained that the tentative subdivision map for Stone Bridge Subdivision was approved by the Council on February 6, 2007. At that time the map was valid for a period of two years. Per NRS 278.330-278.350 the applicant may apply to extend the approval period one year. The developer has not gone to the final map stage and would like to extend the tentative map for one year. He noted that the annexation agreement also will continue and includes improvements such as the recent sewer interceptor project. All annexation requirements will remain in effect if the tentative map is approved. City Engineer Souba recommended approval of a one year extension of time for the tentative subdivision map for Stone Bridge Subdivision.

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 Swan motioned to approve an extension of time for a tentative subdivision map for Stone Bridge Subdivision for a period of one year; seconded by Councilman Erickson and unanimously approved.

Approval of a bid for Transformer Surplus Sale

City Engineer Souba explained that the City currently has 72 transformers that are no longer in service and has put out a request for bids. The bid was to go to the highest bidder for the sale of surplus transformers as a lot. No bids were received. He noted that he contacted all firms on the bid list and the primary reason for not bidding was the testing for PCBs that was not completed. They felt the monetary risk was too great without prior testing. We will now test all the transformers for PCBs then rebid the transformers. He respectfully withdrew this agenda item.

Adoption of Resolution No. 09-02: Set New Rates For Encroachment And Excavation Permit

City Engineer Souba explained that this resolution will set new rates for obtaining encroachment and excavation permits for the City of Fallon. Currently Resolution No. 97-06 sets the rates for permits and the rates are outdated. This resolution would rescind and replace all fees set in Resolution No. 97-06. This will ensure that the fees are appropriate for the condition and age of the road to be cut. He recommended adoption of this resolution.

Mayor Tedford noted that the next agenda item is tied to this resolution. This resolution sets up the costs and the next agenda item is the actual permit form. It is discouraging to see newly paved streets cut and it is hoped that this new resolution will help deter that.

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 Tewell motioned to adopt Resolution No. 09-02: Set New Rates For Encroachment And Excavation Permit as submitted; seconded by Councilman Erickson and unanimously approved.

Approval of Encroachment and Excavation Permit Application

Mayor Tedford advised that Assistant City Attorney McCormick is reviewing all of our ordinances and we are making changes if needed. Per current ordinance, this type of form must be approved by the Council. The City Engineer should be able to adjust the form as necessary without coming to the Council when the appropriate ordinance is changed.

City Engineer Souba explained that the proposed application for encroachment and excavation is the actual form that contractors will use to apply for an encroachment and excavation permit. It includes fee calculations, insurance requirements, a bond form and a construction checklist. This goes hand in hand with Resolution No. 09-02 that was just adopted as a previous agenda item. He recommended approval of this permit application.

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

Councilman Erickson suggested an addition to the bond portion of the application. A line for the contractor's dollar limit should be added; as it is pertinent information.

City Engineer Souba will follow up and add that line item to the form.

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

No comments were noted.

Councilman Erickson motioned to approve an Encroachment and Excavation Permit Application as amended; seconded by Councilman Tewell and unanimously approved.

Confirmation of James R. Souba as a City of Fallon Representative to the Lahontan Valley Environmental Alliance Board

Mayor Tedford explained that the Lahontan Valley Environmental Alliance (LVEA) Board needs a City representative. He offered his nomination of City Engineer Souba as our representative and asked the Council for their confirmation.

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

Councilman Swan noted that Shirley Walker served many years on the LVEA Board for the City. She would like to retire from this service.

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

No comments were noted.

Councilman Swan motioned to confirm the appointment of James R. Souba as a City of Fallon Representative to the Lahontan Valley Environmental Alliance Board; seconded by Councilman Tewell and unanimously approved.

Public Comments

Mayor Tedford inquired if there were any public comments.

No comments were noted.

Council and Staff Reports

City Engineer Souba: Advised that the advertisement for bids for the Downtown Pedestrian Enhancement Project, Phase III will begin this week. Bids will be opened on February 20, 2009 with an anticipated bid award date of March 3, 2009.

Chief Gehman: No report.

City Clerk Cordes: No report.

Assistant City Attorney King: No report.

Councilman Erickson: No report.

Councilman Tewell: Advised that his mother recently celebrated her 104th birthday; she is doing well and enjoyed her day.


Councilman Swan: No report.

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 7:19 p.m.

Attest: 

Gary C. Cordes
City Clerk/Treasurer



Mayor Ken Tedford, Jr.