

**MINUTES
CITY OF FALLON
55 West Williams Avenue
Fallon, Nevada
November 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, Robert Erickson
City Councilwoman, Rachel Dahl
City Councilman, James D. Richardson
City Engineer, James 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.

Approval of Council meeting minutes for October 6, 2009

Mayor Tedford inquired if there were any additions or corrections to the Council meeting minutes for October 6, 2009.

No additions or corrections were noted.

Councilman Erickson motioned to approve the Council meeting minutes for October 6, 2009 as submitted, seconded by Councilwoman Dahl 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.

Councilman Richardson motioned to approve the accounts payable, payroll and customer deposit warrants; 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. 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. Tim Coverston of Great Basin Land Development LLC asked to be placed on the next Council meeting agenda regarding the cancellation of a bond for a subdivision.

Mr. Abraham Sadegh of 320 Lincoln Street recounted his experience on September 3, 2009 when he was served a notice of the revocation of his library privileges and a notice of trespass. He attended a Library Board of Trustees meeting to present his appeal. A police officer was present on September 3, 2009 when he was served the notices at the library. He requested the police report related to the incident and was advised that he needed a subpoena or a lawyer to secure the report. He did not have a lawyer; he was representing himself. He was advised that it was the policy of the Police Department not to give out the reports.

Mayor Tedford reminded Mr. Sadegh that the City does not have any jurisdiction over the library.

Chief Gehman explained that reports are held in confidence at the Police Department. They are released to attorneys or courts because they contain information such as social security numbers, addresses and dates of birth. Regarding this incident, there is just the notation that we were present as the letter was served to Mr. Sadegh at the library. There was no further action.

Mr. Sadegh stated that he has been accused of many things and there is a discrepancy in what Churchill County Librarian Barbara Mathews says happened during these incidents. His character and what he believes in have been called into question. He outlined his religious beliefs and referred to quotes from a handbook titled "Iran Centre for Management Studies."

Mayor Tedford stated that Mr. Sadegh has been given a lot of latitude during the three times he has made comments to the Council. He understood how he felt and empathized. He directed City Attorney Mackedon and Chief Gehman to meet to discuss the City's policy regarding the alleged report and what can and cannot be released.

Consideration of a request by Bryant Peterson for an on-premises/unrestricted liquor license for Pizza Hut located at 1770 West Williams Avenue

City Clerk Cordes explained that Pizza Hut will be under new ownership and they have requested an on-premises/unrestricted liquor license. Liquor licenses have been held at this location for many years. He recommended approval of this request.

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

Councilwoman Dahl asked if there would be a gap in the licenses.

City Clerk Cordes explained that the current license would stay in place until the new owner takes over with their own license.

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

No comments were noted.

Councilman Richardson motioned to approve the request by Bryant Peterson for an on-premises/unrestricted liquor license for Pizza Hut located at 1770 West Williams Avenue; seconded by Councilman Erickson and approved with a 3-0 vote by the Council.

Consideration of a request by Steve Taylor and Chris Jensen for an off-premises/unrestricted liquor license for Maverick's, Inc. #416 to be located at 850 West Williams Avenue

City Clerk Cordes explained that Steve Taylor and Chris Jensen have requested an off-premises/unrestricted liquor license for Maverick's, Inc. #416 to be located at 850 West Williams Avenue. Mr. Jensen will be the interim manager for this new gas station and convenience store. He recommended approval of this request.

Mayor Tedford noted that, if approved, the permanent manager must also meet with Chief Gehman.

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

Councilwoman Dahl asked if the persons requesting the license should attend this meeting.

Mayor Tedford noted that attendance tonight is not required but they all must meet with the Chief of Police for a lecture about what they can and cannot do, as well as calls for assistance. This lecture seems to be most effective when it comes from the Chief.

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

No comments were noted.

Councilwoman Dahl motioned to approve the request by Steve Taylor and Chris Jensen for an off-premises/unrestricted liquor license for Maverick's, Inc. #416 to be located at 850 West Williams Avenue; seconded by Councilman Richardson and approved with a 3-0 vote by Council.

Approval of City purchase of real property located on the West side of South Carson Street, 138 +/- North of First Street, Fallon, Nevada 89406, APN 001-533-10 and City sale of property located at the Southwest corner of South Carson Street and First Street, Fallon, Nevada 89406, APN 001-537-01

City Attorney Mackedon explained that the City and WCW Corporation (WCW) entered into an agreement for the City to purchase land from WCW and the City would sell land to WCW. The difference in value, under the agreement, would be credited in a lease as a public parking lot. The City property value is \$42,000.00 and the WCW property value is \$34,000.00. If approved, WCW would owe the City \$8,000.00 which, as previously noted, would be credited as a lease. The lease rate is \$396.50 per month so the credit would last approximately 20 months. The lease value was arrived at by matching the rate the City is paying for other portions of the public parking lot. WCW owns a small property between two City-owned properties so it made sense to put the parcels together and was actually the idea of WCW. He recommended approval of this purchase.

City Engineer Souba added that this transaction makes sense and allows the City to own a contiguous parcel of land.

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 Erickson motioned to authorize the City's purchase of real property located on the West side of South Carson Street, 138 +/- North of First Street, Fallon, Nevada 89406, APN 001-533-10 and City sale of property located at the Southwest corner of South Carson Street and First Street, Fallon, Nevada 89406, APN 001-537-01 and credit the difference in price of \$8,000.00 to a lease for a public parking lot; seconded by Councilwoman Dahl and approved with a 3-0 vote by the Council.

Public input on proposed projects for 2010 Community Development Block Grant

City Engineer Souba explained that the City proposes to submit a Community Development Block Grant (CDBG) application for 2010. This agenda item is for public input only. Since the 1980s, the City has received 14 CDBG grants. Last year, the City received a grant to purchase playground equipment for Oats Park but was unsuccessful in applying for a pH control system for the treatment plant. There is \$2.3 million available for the pool of 27 applicants and each applicant may only submit one application. Fallon Industries recently approached City Engineer Souba with an inquiry about infrastructure. Historically, infrastructure grants have not been successful. There is a community-wide need for a recreation/multi-purpose building for sports and other activities.

Mayor Tedford noted that Fallon Industries approached us but now each entity can only submit one application. Fallon Industries has received many grants for projects through the City and they are currently undergoing a major project on South Maine Street. They agreed not to seek funds this year. He was disappointed that our infrastructure application for the pH control system was not successful. We have had a building for recreational purposes on the Debt Management Plan for awhile. Maybe this grant could be used for engineering work. This could impact so many people. Oats Park Gym cannot accommodate everyone.

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

Councilwoman Dahl noted that she was in full support of the idea.

Mayor Tedford advised that the City was given an indoor hockey rink. At first, we thought it was an outdoor rink and we were going to place it at Venturacci Park. But this indoor rink has dimensions of 165 feet by 65 feet. Over the years we have looked at many things and maybe this grant could get us started.

City Engineer Souba added that a building to house the hockey rink would likely cost \$1 million.

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

Ms. Jarene Manning of 420 South Russell Street noted that it sounded like a good plan. She asked if the former Wal-Mart building would be a suitable site.

Mayor Tedford advised that Wal-Mart offered to sell it to the City and Churchill County. Aaron Guillen, who was with Lumos & Associates at the time, and Larry White, City Engineer at the time, assessed the building. There were so many poles throughout the building that it would have been impossible to install any kind of play court without re-suspending the ceiling. Utility costs were also researched. Maybe we should have purchased it and then tore it down since it is a nice footprint. It could have housed the Senior Center, a Community Center, recreation activities and volunteer groups.

No further comments were noted.

Public Comments

Mayor Tedford inquired if there were any public comments.

Ms. Jarene Manning of 420 South Russell Street inquired as to the status of Laura Mills Park. The trees and grass do not look well.

Mayor Tedford explained that we are trying to keep up. We added one new parks employee. We are trying to maintain the rose garden since the Rose Society disbanded; that is a high-maintenance area.

City Engineer Souba advised that we have sent soil samples in for analysis to try to fix the grass.

Mayor Tedford noted that when Councilman Erickson was Mayor, there were three park facilities in the City. Now we have 14 park facilities. We are not winning the battle right now but we are trying.

Council and Staff Reports

City Engineer Souba: No comments.

Chief Gehman: No comments.

City Clerk Cordes: The Fallon Youth Football League recently hosted Sierra Youth Football League Playoffs. Ten teams competed and Fallon has five teams advancing to the second round of playoffs. The welcome messages on the electronic reader board and the banner hung over Williams Avenue and the water bottles filled with candy were very well received and appreciated. There were many volunteers that helped make it a success.

City Attorney Mackedon: No comments.

Councilman Erickson: Noted that there are many reasons Fallon is a great place to live but the volunteers in sports and other institutions really do make a difference.

Councilman Richardson: Thanked the City for providing the water bottles and candy for playoff participants. Now Fallon will be considered a great host site.

Mayor Tedford explained that we fixed up the Oats Park ball field to bring in baseball tournaments. There are so many people that come and stay in hotels, eat in restaurants, shop and buy fuel in our community during tournaments.

Councilwoman Dahl: Jerry Frey expressed his appreciation to the City for the recent work completed at the airport. We rehabilitated the dirt runway by scraping, watering and rolling it.

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 8:19 p.m.

Attest:



Gary C. Cordes
City Clerk/Treasurer



Mayor Ken Tedford, Jr.