

**MINUTES
CITY OF FALLON
55 West Williams Avenue
Fallon, Nevada
January 19, 2010**

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

Presentation to the *Leaders of Tomorrow* essay contest winners

Mayor Tedford stated that this was the time to honor some outstanding students. They are the winners of the *Leaders of Tomorrow* essay contest on the topic of family and traditions of family. He added that the parents of these young people should also be congratulated for their support and encouragement. He also thanked Kurt and Debi Henning of Fallon Auto Mall for sponsoring this contest. Letters of Commendation were presented and photographs were taken.

Request by David Barkley for an off-premises/unrestricted liquor license for Creamland Country Market to be located at 510 Harrigan Road

City Clerk Cordes explained that Mr. Barkley is a first time applicant and has requested an off-premises/unrestricted liquor license for Creamland Country Market to be located at 510 Harrigan Road. He plans on selling packages of alcohol out the door for consumption off the premises. The location is properly zoned. City Clerk Cordes recommended approval of this request.

Chief Gehman advised that he met with Mr. Barkley to discuss alcohol and beverage laws. He was confident that Mr. Barkley would comply with all requirements. Chief Gehman 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.

Councilwoman Dahl motioned to approve the request by David Barkley for an off-premises/unrestricted liquor license for Creamland Country Market to be located at 510 Harrigan Road; seconded by Councilman Erickson and approved with a 3-0 vote by the Council.

Introduction of Bill No. 753: An Ordinance to repeal City of Fallon Municipal Code Chapter 9.66, Concealed Weapons

Mayor Tedford explained that this ordinance was repealed on November 6, 2007 by Minute Order. A better way to do it is to create a bill and new ordinance with a hearing to remove it. City Attorney Mackedon had suggested that we treat this like we normally do. Since this was repealed, it had not been included in any ordinance books.

City Attorney Mackedon concurred; our ordinance was void due to the pre-exemption by the State. It is better practice to complete an ordinance.

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 introduced Bill No. 753: An Ordinance to repeal City of Fallon Municipal Code Chapter 9.66, Concealed Weapons.

Set a public hearing date for Bill No. 753: An Ordinance to repeal City of Fallon Municipal Code Chapter 9.66, Concealed Weapons

Mayor Tedford set the public hearing date for February 16, 2010.

Presentation of the Police Department Report for December 2010

Chief Gehman stated that he was pleased to represent the men and women of the Fallon Police Department with the presentation of the December monthly report. He added that the November incidents and activities were in line with previous months with no exceptional variances.

- Officers and detectives attended 96 hours of creditable training.
- Investigator Riley presented an indoctrination lecture to newly stationed Navy personnel.
- We utilized the Volunteers in Police Service for 116 hours and through the welfare assist account we provided seven persons with lodging.
- The citizen survey results were again highly positive.

Mayor Tedford asked Chief Gehman if they ever skip a month presenting the indoctrination lecture.

Chief Gehman noted that sometimes there may be scheduling conflicts but they provide at least 10 lectures per year.

Mayor Tedford inquired if lectures were also provided to CAG personnel when they arrive in Fallon.

Chief Gehman said no; they have not provided lectures to CAG personnel but he would contact the Navy and offer to provide lectures.

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.

Mayor Tedford welcomed Boy Scout Troop 441 to the meeting. Troop Leader Dave Perazzo advised that the troop is preparing for their citizenship and community badge. They must pick an agenda item and hear both sides of the issue. He asked Mayor Tedford to briefly discuss the concealed weapon ordinance.

Mayor Tedford advised that Council meetings are on record and no one would want to go on record expressing what they do not believe so it may be hard to hear both sides of this issue. He added that the 2nd Amendment is important to him and he believes in the right to bear arms. He was not sure how this got to be an ordinance to begin with. When the ordinance was repealed by Minute Order in 2007 there was no debate and it was done quickly once it was brought to our attention. He reminded that State law supersedes City law. He then used the example of Mr. Barkley's liquor license. A liquor license is a privilege license, not a right. If someone holding a liquor license was irresponsible with it in a minute market situation, such as selling alcohol to minors, and applied for another license for another location, the Council would have to decide if they should hold a license. The Council is tasked with the protection of the public. You could say if a current license holder had a proven track record of selling to minors the Council may not

quite trust what he may do. On one side the license should be revoked but on the other side, if the license is revoked it takes away their livelihood.

Councilman Erickson asked the troop if they had any questions for the Mayor or the Council.

No questions were noted.

Ms. Jarene Manning of 420 South Russell Street offered her thanks to the Community Service Officers and the animal shelter staff for their efforts to find her dog that ran away during the New Year's Eve fireworks. Her dog was located last week. She has always had positive dealings with CSO Burgess and his department.

Mayor Tedford noted that her comments were appreciated and Chief Gehman would pass on her appreciative comments to his personnel.

Council and Staff Reports

City Engineer Souba: Advised that a Community Development Block Grant (CDBG) application had been submitted for a multi-purpose recreation building as a joint project with Churchill County.

The Oats Park playground equipment bids will be opened on January 29. This is a 2009 CDBG project.

Chief Gehman: Provided a yearend assessment of department statistics:

Homicides/Attempted Homicides: 1 in 2008 down to 0 in 2009

Robberies: 4 in 2008 and 4 in 2009

Burglaries: 143 in 2008 down to 101 in 2009

Larcenies: 266 in 2008 down to 240 in 2009

Stolen Vehicles: 21 in 2008 down to 9 in 2009

Assaults: 51 in 2008 down to 37 in 2009

Felonies: 73 in 2008 and 108 in 2009

Misdemeanors: 462 in 2008 and 584 in 2009

DUIs: 66 in 2008 and 91 in 2009

Traffic citations and accidents were down this year and he attributed that to officers spending more time on patrol. He noted that the simple presence of a police unit slows down traffic. Total incidents reported were down 11% compared to 2008. In 2009, over 12,300 calls for service were received. There was also a 10% reduction in overtime compared to 2008. Police Department personnel have worked very hard over the last year and added that it was his honor to be their Chief.

City Clerk Cordes: No comments.

City Attorney Mackedon: No comments.

Councilman Erickson: Offered his thanks and congratulations to Chief Gehman on a job well done.

Councilman Richardson: No comments.

Councilwoman Dahl: No comments.

Mayor Tedford: Met today with Mr. Rich Crombie of the Nevada State Fair and Fallon Tourism Director Rick Gray. The name of the State Fair has been changed to the Nevada Territory Wild West Fair. They are changing the idea to include the railroad, mining, agriculture, Wild West quick draws and other things that historically made up this State. Many western states have strong state fairs while other states are letting their state fairs go. Some California counties have put in nice displays at the California State Fair. Maybe we could do something like that with our offerings such as Nevada Grown, Navy, agriculture, hunting, fishing and birding. This will be discussed further at the Staff level. The 2010 Wild West Fair will remain at the Reno Livestock Events Center but they eventually want to find a permanent site of 75-80 acres. They were not even sure the Wild West theme should be in an urban area; maybe a rural area would be more suitable. With their permanent site, they could then rent to other groups throughout the year as a revenue source. Rick Gray will touch base with Churchill County. It was an interesting discussion; they believe this is a better way than just a state fair with a carnival.

Mayor Tedford also talked with Abbi PR to discuss Fallon branding. The idea of bringing in someone to help improve outside perceptions of Fallon and recruit businesses and residents was discussed with the County a few years ago. He thought that the CEDA Business Council, through Board Member Erica Behimer, met with Abbi Whitaker and was driving this. Then Erica Behimer was involved in a serious auto accident and now she will be able to follow up with Churchill County Commission Chair Gwen Washburn.

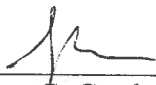
Executive Session

Mayor Tedford closed the meeting to an executive session at 7:44 p.m.
Mayor Tedford returned the meeting to an open session at 8:19 p.m.

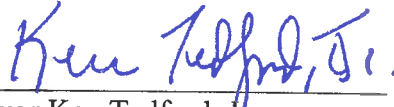
Adjournment

There being no further business to come before the Council, Mayor Tedford adjourned the meeting at 8:20 p.m.

Attest:



Gary C. Cordes
City Clerk/Treasurer



Mayor Ken Tedford, Jr.