

**MINUTES  
CITY OF FALLON  
55 West Williams Ave  
Fallon, Nevada  
July 18, 2023**

The Honorable City Council met in a regular meeting on the above date in the Council Chambers, 55 West Williams Avenue, Fallon, Nevada.

**Present:**

Mayor Ken Tedford  
Councilwoman Kelly Frost  
Councilwoman Karla Kent  
Councilman Paul Harmon  
Chief of Staff Bob Erickson  
Deputy City Attorney Trent deBraga  
Deputy City Attorney Sean Rowe  
City Clerk Treasurer Sean Richardson  
Deputy City Clerk Elsie Lee  
Deputy City Clerk Michael O'Neill  
Chief Ron Wenger  
Captain Daniel Babiarz  
Engineer Derek Zimney  
Director of Tourism Jane Moon  
Emergency Manager Steve Endacott

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

Mayor Ken Tedford led the Pledge of Allegiance.

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

City Clerk Treasurer Sean Richardson advised that the agenda was posted in compliance with the NRS requirements.

**Public Comments**

Mayor Ken 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.

Kevin Melancon at 140 W Park Street greeted the Council. I work in occupational safety and health for an F-16 squadron at NAS Fallon. I wanted to address a few issues that we are noticing around the park. Not only do we have a few safety concerns, we have a few ideas for resolution. The big issue, right now, is speeding. County Code 10.04.020 section E states, there should be a speed limit of 15 mph on all roads accessing the park area. Several of these

signs are missing. Additional signs are requested, and we would like to request one of those digital signs that states your speed. This would be especially beneficial during the softball tournament that we have going on this week, and there has also been a lot of construction between the stage area and the pool. Right now, residents are kind of like policing the area, but often that results in conflict between the people that are driving aggressively. In addition to a set of stop signs, so, right in that area, a lot of people roll through these stop signs. I was almost hit twice since Sunday, Sunday night, and again this morning when I was taking my dogs out for a walk. And then, Sunday night we observed people riding motorcycles on the sidewalks through the park. That's really everything I have.

Mayor Tedford stated that Mr. Melancon cited a County Code, which isn't applicable but there is a City ordinance that is 15 mph in the park zone anyway. The Chief will get on this issue, and we can get a digital sign over there, so people can see the speed that they are going during the baseball tournament going on over there, and with all the current activity. PD will keep an eye on the stop signs, he will just put that under directed patrol. They are currently all over this park because we are dealing with adults drinking alcohol during the day. We have stepped up enforcement on that issue in that area. The PD is around there often watching that park, so it surprises me that these things are going on because they are currently patrolling the adults that are drinking during the day and into the night. They are enforcing the time limits that people are allowed in the park and trying to make that more family friendly. They can look for the things that you have mentioned while they are there. The Chief can handle all these problems.

Mr. Melancon thanked Mayor Tedford. Also, you have a concert, I believe, in August, that is coming up. So, that digital sign will be effective on that weekend as well?

Mayor Tedford stated that night will be packed as it is the weekend of the Community Reunion, the third weekend in August. Yeah, he can put a digital sign up during that weekend as well. In the future, if you have issues like this, you can go directly to the Chief. He is at the far end of the hallway at the west corner. You don't have to wait two weeks for a Council meeting, you can just go straight there.

Mr. Melancon stated that he is kind of new here. It is a pleasure to meet you and I appreciate your time and your concern.

Mayor Tedford stated that it is not a problem, and he can go straight to the Chief's corner. Have a good day.

Mayor Tedford inquired if there were any further public comments.

No further comments were noted.

### **Consideration and possible approval of Council Meeting Minutes for June 20, 2023.**

Councilman Harmon motioned to approve the Council Meeting Minutes for June 20, 2023, with no corrections or additions; seconded by Councilwoman Kent and approved with a 3-0 vote by the Council.

### **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.

**Consideration of application by Ailyn Manzo for a mobile food vendor license for MM Foodtruck.**

Deputy City Clerk Elsie Lee stated that Ailyn Manzo, owner of MM Foodtruck has made an application for a mobile food vendor license for MM Foodtruck. A mobile food vendor license is a privileged license that allows the licensee to sell food from a motor vehicle, or other type of food service conveyance, for human consumption and which is used to sell and dispense food or beverages to customers. This application has been reviewed by Deputy City Attorney Trent deBraga, Chief Ron Wenger, Deputy City Clerk Elsie Lee, and City Engineer Derek Zimney, and has been recommended for approval.

Mayor Tedford inquired if there were any comments or questions from the Council.

Councilwoman Kent inquired on the status of the food truck's current operation. Is MM Foodtruck the truck that is set up on the corner of the Nugget parking lot? Has it not been in operation because they are waiting for this license?

Deputy City Clerk Elsie Lee stated that because the mobile food vendor license was put into place when some businesses were already operating food trucks, we did give them some time to get their application to us. This process does take a little bit of time, which is on us, we allow them to continue operation until the license is approved. That was something that we allowed for those that were already in operation.

Councilwoman Kent stated that she understood. I don't think that they are currently in operation, I believe that the truck is just sitting there.

Ailyn Manzo at 727 Sycamore Drive approached the Council. It has been operating, we just sit it there overnight, or leave it parked before we open and continue operating day after day.

Councilwoman Kent inquired on their hours of operation.

Ms. Manzo stated that they operate Tuesday-Sunday, from 6:00 p.m.-10:00 p.m.

Mayor Tedford stated that he echoes Elsie's comments. I told them to allow anyone that was currently in business to continue operating. They have the authority to allow them to keep operating until these licenses were approved. If they didn't have a current license, they couldn't start operation without getting their license, but if they were currently operating, I allowed it because I didn't want to shut them down.

Councilman Harmon inquired on the hours of operation. I know that we went over the times for operation when we were approving this new ordinance. Is 10:00 p.m. within that limit? I know that we were talking about making end of operation 8:00 p.m., at one point. I can't remember what the final time was for end of operation.

Mayor Tedford stated that he believed 10:00 p.m. was the end of operation time, correct Trent?

Deputy City Attorney Trent deBraga stated that he will look it up to double check. My computer isn't cooperating right now, but we will certainly look into it, but 10:00 p.m. does sound right. I do recall that we did have an earlier time that ended earlier than that but because of the summer months, I do believe that we extended it to 10:00 p.m. but by the time we are done with this meeting, I can confirm that.

Mayor Tedford inquired if there were any further comments or questions from the Council or public.

No further comments were noted.

Councilman Harmon motioned to approve the application by Ailyn Manzo for a mobile food vendor license for MM Foodtruck; seconded by Councilwoman Kent and approved with a 3-0 vote by the Council.

**Consideration of application by Lucia Vidrio for a retail establishment liquor license for Vidrio Ventures LLC. DbA Antojitos to be located at 960 Auction Road, Suite D.**

Deputy City Clerk Elsie Lee stated that Lucio Vidrio, owner of Vidrio Ventures LLC dba Antojitos has made an application for a retail establishment liquor license for Vidrio Ventures LLC dba Antojitos at 960 Auction Road, Suite D. A retail liquor license is a privileged license that allows the licensee to sell alcoholic beverages from a fixed and definite place of business for consumption off the premises only. This application has been reviewed by Deputy City Attorney Trent deBraga, Chief Ron Wenger, Deputy City Clerk Elsie Lee, and City Engineer Derek Zimney, and has been recommended for approval.

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

No comments were noted.

Councilwoman Kent motioned to approve the application by application by Lucia Vidrio for a retail establishment liquor license for Vidrio Ventures LLC. DbA Antojitos to be located at 960 Auction Road, Suite D; seconded by Councilman Harmon and approved with a 3-0 vote by the Council.

**Consideration and possible approval of an amended Final Subdivision Map with updated civil improvement plans and amended Development Agreement for Phase 6 of Country Air Estates.**

City Engineer Derek Zimney stated the approval of the amended map would allow for the construction of fourteen new single-family lots, and one lot to be dedicated to the City of Fallon for storm water infiltration. On October 4, 2022, the City Council approved a Final Subdivision Map and Development Agreement for Phase 6 of Country Air Estates, Rockhound Investments, LLC engaged a different engineer to update its civil improvement plans previously submitted and approved. Rockhound Investments, LLC would now like to move forward with constructing Phase 6 of Country Air Estates using the same Final Map previously approved but incorporate the updated improvement plans. The major changes to the civil improvements are related to grading. Furthermore, the amended Development Agreement reflects the new master hydrology report prepared by Civil Engineering Consultants and adds provisions to supersede the previously approved October 4, 2022, Development Agreement. The amended Final Subdivision Map with updated civil improvements and has been reviewed by me, Public Works Director Brian Byrd, Chief of Staff Bob Erickson, Deputy City Attorney Sean Rowe, and Deputy City Attorney Trent deBraga. The proposed Final Subdivision Map and civil improvement plans have been approved by the Nevada Department of Environmental Protection and Nevada Division of Water Resources. Dave Paul is also here, from Rockhound Investment LLC, and is available for questions.

Mayor Tedford inquired if there were any questions/comments from the Council or public.

No comments were noted.

Councilman Harmon motioned to approve the amended Final Subdivision Map with updated civil improvement plans and amended Development Agreement for Phase 6 of Country Air Estates; seconded by Councilwoman Frost and approved with a 3-0 vote by the Council.

**Public meeting for discussion of possible state Community Development Block Grant Applications for fiscal year 2024-2025.**

City Engineer Derek Zimney stated that the purpose of this public meeting is to provide information about the CDBG program, past projects that have been funded in the City of Fallon, how to apply, eligibility requirements, how and where funds can be used, and to give citizens an opportunity to make their comments known regarding what types of eligible activities the City of Fallon should apply for under the State CDBG program. A second public hearing will be held September 2023, in order to discuss proposed projects submitted to date. A final hearing will be held prior to the end of February 2024, to discuss, approve, and rank applications prior to submittal to the State. We haven't proposed any projects yet but City staff, me, the Public Works Director, and the Chief of Staff will put our heads together and by the second meeting we will have a list. This is the public's opportunity to make comments.

Mayor Tedford stated that attached is former CDBG grants that we have received, going back to 1982.

Councilwoman Frost inquired on the application process. Will the committee be focusing on economic development again? Are you seeing this as an indicator as we look into future projects?

City Engineer Derek Zimney stated that he believes economic development is a huge indicator. The governor has the economic development office to manage these grants, and I believe this is always going to be a push for them.

Councilwoman Kent stated that it appears that the grants have been more infrastructure projects in the last 4 or 5 years.

City Engineer Derek Zimney stated that last year they seemed much more interested in Kaiser Street, and its relation to Industrial Way and our businesses and how that could help them versus the Laura Mills Project. They felt that redoing that street was a better use for economic development. This is the direction that I am getting from them when they are reviewing our applications. They want these types of areas done and these street projects have been successful for us.

Mayor Tedford stated that the street projects were all connector projects to some economic corridor. They weren't in a residential area; they were connected to Williams or Maine Street. The first one we were granted was connected to Maine, the Humboldt Street project, connected to what they felt was some kind of economic drive. That is how all those streets started laying out, in 2019, and since. Even Kaiser was an economic driver for all those businesses along there and as a relief for Williams, as a main economic drive for the community. You can't just pick a street that is in a residential area, like Bailey Street or Douglas Street, or something similar to these streets. We hooked Douglas in as a backside of Humboldt Street corridor, off Front Street, to Maine Street, and hooked that whole project together. Governor Sandoval redirected CDBG in an economic development fashion and Governor Sisolak remained that way. When Bob was Mayor, and when I was first Mayor you could do water and sewer projects, it didn't matter where they were, but that tone changed 12-years ago with Sandoval and economic development projects. We just figured out how we could get a street done but if you go all the way back to, looking on this sheet, 2016, I believe, for the theatre, that was an economic driver by how many employees that might create in the downtown

corridor. Just by bringing one business, the theatre, back to life, it was like 15 employees we could create in that corridor. I would have to go through each of these projects, but it was all during the administration, and I can't remember what year, in his administration, Sandoval changed that to economic development, and it wasn't right away, it was sometime after 2013, when we got the Outdoor Pool fixed. The Oats Park landscape in 2011. Those wouldn't have been eligible for a CDBG project. It had to be somewhere, I am thinking, around 2014-2015. That is when things changed for economic development. That is why last year we got what we did at Kaiser and not Laura Mills Park. They certainly didn't see that as an economic drive, but we tried it anyway. Some people just don't put in for that money, as we have found in the past. We will have to be in thought and see if someone approaches us on a project. People have approached us, but they are not projects that have to do with economic development, so we just have to tell them that they aren't going to work. Any further comments or questions from the Council or public?

No further comments were noted.

### **Fallon Police Department Monthly Report for June 2023.**

Chief Ron Wenger presented the June monthly report. The report will compare the 2023 crime, traffic stop, and traffic accidents statistics to June 2022. He added that the incidents were down, with respect to the same timeframe last year. Total calls-for-service this month were down by 27, with 738 total calls-for-service compared to 765 last year.

- Crime Summary: 6 total Domestic battery; resulted in 3 – adult arrest, 3 – sent to prosecutors for warrants. 13 Disorderly Conducts; 1 – occurred at a resident, 6 – occurred at businesses, 3 – on public streets, and 3 - occurred in public parks. This resulted in 2 adult arrests, 11 warnings, and 2 cases involving juveniles.
- Theft calls: 9 total thefts of various items.
- Arrest Summary: 6 – DUI arrests. 33 total arrests were made. 2 – juvenile arrests; 25 adults; 1 – misdemeanor citations issued in lieu of arrest.
- Moving Citations/Traffic Warnings: 130 traffic stops – 17 citations and 113 warnings.
- Public Property Accidents: 2 – private property traffic accidents, and 17 – public property accidents.
- Animal Shelter Services: Total 137; Churchill County – 59; City – 73; 5 – Fallon Paiute-Shoshone Tribe.
- Volunteers in Police Services: Contributed 111 hours to the agency through Helping Hands and other assignments.
- Various training courses were provided to sworn-in and non-sworn-in officers.
- 1 request was made through the Citizen Assistance Program, and 1 bus ticket was issued.
- Police officers participated in several various public relations events.
- The Citizen Survey results were positive.

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

No comments were noted.

### **Public Comments**

Mayor Tedford inquired if there were any public comments.

Kevin Melancon at 140 W Park Street greeted the Council. I have a question for the

Chief of Police. Would it be possible to enforce mandatory citations in that 15-mph zone, versus issuing the warnings? I just wanted to ask that question, just for food of thought. Also, I don't know what the qualifications would be for double the fine. I am just thinking out loud. I didn't want to go to your office because I think this might end up on the agenda for the next Council, that's why I brought it up.

Chief Wenger stated that issuing citations is an officer discretionary because there are certain conditions, or there might be valid reasons that somebody might be going a little over the speed limit. We leave that completely up to the officer's discretion. There are times that we set zero tolerance, actual extra enforcement in the area, which we might do with this situation. That would entail more citations being issued. What was the 2<sup>nd</sup> question?

Mr. Melancon stated the double fines.

Chief Wenger stated that he believes double fines are in the Municipal Code. 15-mph park zones and school zones are all double the fine.

Mr. Melancon stated that he appreciates that. That is all I have and Mayor, thank you. No further comments were noted.

### **Council and Staff Reports**

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

Deputy City Attorney Trent deBraga stated that he wants to confirm the Mobile Food Ordinance times of operation. The ordinance does allow vendors to operate until 10:00 p.m.

Mayor Tedford thanked Deputy City Attorney Trent deBraga. Anything else from Council or Staff? If not, I would like to take this opportunity to congratulate Kelly for being elected to the Greenwave Hall of Fame. I think that is quite an honor, and one well-deserved and you should look forward to your time of induction and it being a time of fun and enjoyment. Congratulations from me and from the City.

Councilwoman thanked the Mayor. I am looking forward to the ceremony and I am very honored.

No further reports 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 9:34 a.m.

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Mayor Ken Tedford

Attest: \_\_\_\_\_  
Sean C. Richardson, City Clerk-Treasurer