

**MINUTES  
CITY OF FALLON  
55 West Williams Ave  
Fallon, Nevada  
September 5, 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 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  
Public Works Director Brian Byrd  
Deputy Public Works Ryan Swirczek  
Chief Ron Wenger  
Captain John Riley  
Captain Daniel Babiarz  
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 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 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 Councilman Harmon and approved with a 3-0 vote by the Council.

## **Consideration of application by Rick McCusker for an on-premises drinking establishment liquor license for Elk's Lodge 2239.**

Deputy City Clerk Elsie Lee stated that Rick McCusker, bar manager of Elk's Lodge 2239, has made an application for an on-premises drinking establishment liquor license for Elk's Lodge 2239 at 93 W Center Street. A drinking establishment liquor license is a privileged license that allows the licensee to sell alcoholic beverages from a fixed and definite place of business for consumption upon the premises only. The application has been reviewed by Deputy City Attorney Trent deBraga, City Engineer Derek Zimney, Chief Ron Wenger, and Deputy City Clerk Elsie Lee and has been recommended for approval, with conditions.

Councilwoman Frost inquired if this was an existing license.

Deputy City Clerk Elsie Lee stated that it was. This is just a change of the on-premises manager.

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

No further comments were noted.

Councilwoman Frost motioned to approve the application by Rick McCusker for an on-premises drinking establishment liquor license for Elk's Lodge 2239; seconded by Councilman Harmon and approved with a 3-0 vote by the Council.

Rick McCusker added that Elk's Lodge 2239 hosted the pitch, hit, and run competition, at the Fairgrounds. On Saturday, 5 kids competed in the next level, at Oakland A's Coliseum.

Mayor Tedford stated that was great to hear.

Rick McCusker stated that they would know in 2-3 weeks if they advance. Up next, NFL punt, pass, and kick, at the High School on October 6<sup>th</sup>.

Mayor Tedford reiterated that it was great to hear. Thank you.

## **Consideration and possible approval of a Tentative Subdivision Map for Diamond Creek 2 Subdivision.**

City Engineer Derek Zimney stated that this map would be the first step in creating sixty (60) new single family lots in the proposed subdivision located on the parcel identified as APN 001-841-99. The City Council first approved a tentative map for this area in 2004. This map has been revised and resubmitted. 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 of Resources. Truckee-Carson Irrigation District, Churchill County, and the Churchill County School District. Responses received are attached. One of the comments we received was from Churchill County, as their maintenance yard backs

up this subdivision. They were concerned about the noise. They work during all hours, occasionally during the snow, and they start early. They didn't want the impact on this future subdivision. They requested that City staff require a CMU wall to block the noise. City staff considered this and thought it was a good recommendation. After speaking with the developer, their representative, Eric Anderson, who is in the room today, agreed that it would be an improvement. So, part of our recommendation for Council action is including the recommendation of this wall. These are bigger sized lots and the layout submitted matches what was originally submitted, with some improvements. They have improved the drain abrasions and a couple of other minor things. This map follows the original intent that was submitted to us in 2004. I am here for questions, as well as Eric Anderson, who is the designer of the subdivision.

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

Councilwoman Frost inquired if part of the plan includes extending Serpa Place.

City Engineer Derek Zimney stated that was correct. City staff always felt that was the original intent of the subdivision. We have requested that this be done in the first phase. For so long, people have been using this subdivision as a cut-through for 95 to 50. Those poor people, in those houses there, have taken on a lot of traffic. We think that the completion of Serpa Place will really cut down on people speeding through the neighborhoods. They have agreed to do it as part of the first phase of this project.

Councilman Harmon inquired on the sound wall. Is this going to be the back fence for the people that are on that west-end of the subdivision or is there going to be an easement between their property line and the fence?

City Engineer Derek Zimney stated that he believes this will be their back fence in order to give them the most space of their lots as possible. I would make that recommendation, that this be their rear fence.

Councilman Harmon inquired on the west side, of the sound wall. Would this west side of the sound wall be a TCID easement?

City Engineer Derek Zimney stated that this was correct.

Councilman Harmon inquired on who would be maintain the backside of the sound wall if graffiti, and other things were to happen.

City Engineer Derek Zimney stated that this area is not a heavily accessed area. If this were to happen, I believe the City would go and take care of it, we are pretty good about taking care of graffiti, when those things happen. It is not a high traffic area and has limited access.

Councilman Harmon stated that he is assuming there is a TCID easement road.

City Engineer stated that was correct.

Mayor Tedford inquired if City Engineer Derek Zimney would like to address if the sound wall would be the property owner's fence.

Eric Anderson greeted the Council. I am with Bighorn Consulting. Yeah, the fence will be on the property line, and they would have their standard cedar wall that would join up to it on the side yards. We want to optimize the real estate on both sides of the property line.

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

No further comments were noted.

Councilman Harmon motioned to approve the Tentative Subdivision Map for Diamond Creek 2 Subdivision with the condition that an 8-foot minimum height concrete or masonry CMU sound wall be required to be installed on the west property line of lots 219, 226, 227, 234, 235, and south west retention pond, all of which are adjacent to, and share the common property line, with the existing Churchill County Maintenance Yard to the west; seconded by

Councilwoman Kent and approved with a 3-0 vote by the Council.

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

Chief Ron Wenger presented the July monthly report. The report will compare the 2023 crime, traffic stops, and traffic accident statistics to July 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 68, with 732 total calls-for-service, compared to 800 last year.

- Crime Summary: 4 total Domestic Batteries; 2 Batteries; 16 Disorderly Conducts.
- Theft Calls: 8 total thefts for various items.
- Arrest Summary: 6 DUI arrests. 35 total arrests were made.
- Moving Citations/Traffic Warnings: 137 traffic stops were made.
- Public Property Accidents: 13 total accidents.
- Animal Shelter Services: Total 101; Churchill County – 60; City – 39; 2 – Fallon Paiute Shoshone Tribe.
- Volunteers in Police Services: Contributed 133 hours to the agency through Helping Hands and other assignments.
- Various training courses were provided to sworn-in and non-sworn-in officers.
- No requests were made through the Citizen Assistance Program.
- Police offers participated in several various public relations events.
- The Citizen Survey results were positive.

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

Councilwoman Frost stated that CSO Hammond and CSO Norcutt were at the Cantaloupe Festival. I stopped at their booth on Saturday, and at that time, they had adopted out 9 animals. That was a very effective way to get out into the community and get some animals into good homes.

No further comments were noted.

### **Public Comments**

Mayor Tedford inquired if there were any public comments.

No comments were noted.

### **Council and Staff Reports**

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

No 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 9:16 a.m.

\_\_\_\_\_  
Mayor Tedford

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

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