

**MINUTES
CITY OF FALLON
55 West Williams Ave
Fallon, Nevada
June 17, 2025**

The Honorable City Council met at 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
City Attorney Trent deBraga
City Clerk Treasurer Michael O'Neill
Public Works Director Brian Byrd
Deputy Public Works Adrian Noriega
Deputy Public Works Marco Guerrero
Deputy Public Works Erik Fain
Chief Ron Wenger
Captain Daniel Babiarz

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 Michael O'Neill 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.

Consideration and possible approval of Council Meeting Minutes for December 3, 2024, December 11, 2024, December 17, 2024, February 4, 2025, February 18, 2025, February 27, 2025, and March 4, 2025.

Councilman Harmon motioned to approve Council Meeting Minutes for December
June 17, 2025 Fallon City Council Meeting

3, 2024, December 11, 2024, December 17, 2024, February 4, 2025, February 18, 2025, February 27, 2025, and March 4, 2025, with no additions or corrections; 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 Councilman Harmon and approved with a 3-0 vote by the Council.

Consideration of an application by Paul Pryor for a mobile food vendor license for Lucian, LLC dba: Otis' Grill.

Deputy City Clerk Elsie Lee stated Paul Pryor, owner of Lucian, LLC dba: Otis' Grill has made an application for a mobile food vendor license for Lucian, LLC dba: Otis' Grill. 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. The application has been reviewed by Captain Daniel Babiarz, City Attorney Trent deBraga, Chief of Staff Bob Erickson, City Engineer Derek Zimney, and Deputy City Clerk Elsie Lee and has been recommended for approval.

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

No comments were noted.

Councilwoman Kent motioned to approve an application by Paul Pryor for a mobile food vendor license for Lucian, LLC dba: Otis' Grill; seconded by Councilwoman Frost and approved with a 3-0 vote by the Council.

Consideration and possible approval of an application by Sarah Lucas to operate a daycare facility in an LI zone at 160 Industrial Way, Fallon, Nevada.

Chief of Staff Bob Erickson stated that City Engineer Derek Zimney is out-of-town on City business today and would be handling this agenda item. Sarah Lucas had made an application to operate a daycare facility in a LI zone at 160 Industrial Way. The City's LI zone has certain designated permitted uses, which do not include daycare facilities, but allow for other uses as approved by the City Council. This location has been approved previously by the City Council for the former daycare facility, Ivy Land, which was initially licensed in 2018, and Ms. Lucas has made an application with the state to be a licensed daycare operator at this location.

Mayor Tedford stated that we all know where Ivy Land is located. Derek is at CDBG training today and tomorrow. Are there any comments or questions from the Council or the public?

Councilman Harmon inquired if this was just a change in ownership on a previous daycare.

Chief of Staff Bob Erickson stated that was correct. Ivy Land was licensed for approximately six years, same location, no change in the footprint, the use of the building, or the parking area. I believe their application with the state is for 45 students, which was what it was previously licensed for.

Councilman Harmon stated that he believes the state has many regulations in licenses that need to be adhered to and put in place before they begin the daycare.

Sarah Lucas stated that the state does have lots of regulations. One of those regulations is that we have to either have a special use permit or a letter from the City stating that we do not need a special use permit. This is the last thing that we are waiting on for our license to be approved by the state. Everything else has been taken care of, the Fire Marshal inspection, and everything.

Councilwoman Kent inquired on the age group of the daycare.

Sarah Lucas stated that they serve 3 months to 12 years old. So, we do after school programs as well.

Councilwoman Kent inquired on the capacity of the building.

Sarah Lucas stated that the previous fire license, under Ivy Land, was for 55 students. We expect that to go down to about 45 students, based on our initial inspection with the state. She actually just called yesterday and said that she left her measurements at the facility, so she has to come back out next Wednesday to remeasure that number. Our current license, that was issued mimics Ivy Land's as well, at a capacity of 55, but we do expect it to decrease to 45.

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

No further comments were noted.

Councilwoman Frost motioned to approve the application by Sarah Lucas to operate a daycare facility in an LI zone at 160 Industrial Way, Fallon, Nevada; and for other matters properly related thereto; seconded by Councilman Harmon and approved with a 3-0 vote by the Council.

Consideration and possible action to approve a construction contract to the lowest responsive and responsible bidder for the Rattlesnake Hill Water Tank Demolition and Site Preparation Project with A&K Earthmovers of Fallon, Nevada, in the amount of One Million Ninety-Five Thousand Dollars (\$1,095,000) (PWP-CH-2025-077).

Public Works Director Brian Byrd stated two water storage tanks located atop Rattlesnake Hill store water for the City as part of our municipal water supply. Currently, these tanks are in need of replacement, as engineering reports commissioned on behalf of the City have shown structural damage to both. The concrete portions of each tank display visible cracks and erosion, with exposed steel reinforcement being visible. These structural deficiencies have been identified by engineers as significant seismic activity. Tank No. 1, constructed in the 1940's, was built mostly of masonry rubble. Tank No. 1 has multiple cracks and penetrations that create a sanitary defect. Tank No. 2, constructed in 1977, has multiple locations within the tank itself where steel corrosion is present. Corroded rebar is exposed in many instances to the public water supply. In addition to numerous cracks, there is spalling of the interior concrete present throughout. Both tanks No. 1 and 2 have been taken offline and isolated from the City's distribution system. The Rattlesnake Hill Water Tank Demolition and Site Preparation Project were released for public bid on April 25,

2025. Two bids were received on May 20, 2025. As described in the attached documents, WC Maloney, Inc.'s bid was determined to be non-responsive due to failure to complete several mandatory documents including the 1% Subcontractor and Supplier List, Disadvantaged Business Enterprise (DBE) Form, Material Supplier List, and documentation of Good Faith Efforts toward meeting the DBE participation goal. In accordance with NRS 338, and bids received in response to an advertisement for bids may be rejected if the public body or its authorized representative responsible for awarding the contract determines that the bidder is not responsive. A&K Earthmovers, Inc., submitted the lowest responsive bid package and is being recommended for award.

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

Councilman Harmon stated that he is pleased to see that the bid came under the engineer's estimate. My only take from that, I think, is that it is cheaper to demolish than it is to build. I believe this question is more for Trent or maybe Brian could answer it. I agree that A&K Earthmovers, Inc. is the most responsive bidder because technically the low bidder did not provide the documentation needed at the time of the bid opening. I just want to be sure that we covered all of our bases in case they want to come back to refute the bid process, and we don't get ourselves in trouble down the road.

City Attorney Trent deBraga stated when it comes to the awarding of a contract, at the end of the day, any of the bidders can submit a protest. That protest would essentially have to occur within five business days after the awarding of the contract, they would have to post the necessary bond, and they would also have to outline, in writing, their basis as to why they feel a violation of the law occurred. If that was to happen, obviously, the City would have an opportunity to review that protest, in depth, to be able to make a determination on whether their claim violation is valid or not. Obviously, if it is upheld, essentially what is going to happen is the bond will be returned. If the protest is rejected, then the City would have an opportunity to collect any of its necessary fees from that protest. I guess to answer your question, Paul, at the end of the day, any of the bidders are welcome to file a protest, if they feel it is necessary, but with the caveat that they do have to post the bond and submit, in writing, why they think a violation of the award occurred.

Councilman Harmon thanked City Attorney Trent deBraga.

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

No further comments were noted.

Councilman Harmon motioned to approve a construction contract to the lowest responsive and responsible bidder for the Rattlesnake Hill Water Tank Demolition and Site Preparation Project with A&K Earthmovers of Fallon, Nevada, in the amount of One Million Ninety-Five Thousand Dollars (\$1,095,000) (PWP-CH-2025-077); seconded by Councilwoman Kent and approved with a 3-0 vote by the Council.

Consideration and possible approval of a professional services contract with J-U-B Engineers, Inc. for engineering design services for the Construct New Taxi Lane, Extend Existing Taxi Lane (design only) Project in the amount not-to-exceed One Hundred Sixty-Three Thousand Seven Hundred Dollars (\$163,700), of which the FAA share would be 95% or One Hundred Fifty-Five Thousand Five Hundred and Fifteen Dollars (\$155,515) and the City's share would be 5% or Eight Thousand One Hundred and Eighty-Five Dollars (\$8,185).

Public Works Director Brian Byrd stated the City has identified the Construct New Taxi Lane Extend Existing Taxi Lane Project as its next airport capital improvement project. If approved, J-U-B would complete the engineering design and bidding services for the project and submit it to the FAA for approval. City Staff recommends approval with J-U-B Engineers, Inc. for the services referenced. As we discussed before this project is a design only, so it allows us to get a shovel-ready project that has already been approved on our Capital Improvement Plan through the FAA, that next Spring will hopefully be funded for a construction contract. We design in the Summer and the Fall, and then typically the FAA will work with the City to get this project funded at 95%, as long as funding is available for their fiscal year.

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

Councilman Harmon inquired when we submit, for approval, the FAA projects.

Public Works Director stated that they are submitted at the end of the calendar year. They will have a better understanding of what their funding looks like and help us scope the project out for our next 5 years of capital improvement projects. This year, we will be doing the construction of the project previously awarded at the Council meeting and the design of this. Sometimes, more funds are available, and sometimes there are less funds available, for northern Nevada.

Councilwoman Frost stated, for confirmation, that we are more likely to receive that money when we have a plan, on the shelf, ready to go.

Public Works Director Brian Byrd confirmed that statement was correct.

Mayor Tedford stated that there is FAA money and there is Nevada Aviation Fund Money. There are 2 funds.

Public Works Director Brian Byrd stated that it does appear that the Legislature has funded the Nevada Aviation Fund and Nevada Aviation assists in local matches for FAA projects of general aviation airports. Hopefully, the 5% match on this project, and the previous project awarded, will be completely funded through the Nevada Advisory Transportation Committee.

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

No further comments were noted.

Councilwoman Frost motioned to approve a professional services contract with J-U-B Engineers, Inc. for engineering design services for the Construct New Taxi Lane, Extend Existing Taxi Lane (design only) Project in the amount not-to-exceed One Hundred Sixty-Three Thousand Seven Hundred Dollars (\$163,700), of which the FAA share would be 95% or One Hundred Fifty-Five Thousand Five Hundred and Fifteen Dollars (\$155,515) and the City's share would be 5% or Eight Thousand One Hundred and Eighty-Five Dollars (\$8,185); seconded by Councilman Harmon and approved with a 3-0 vote by the Council.

Consideration and possible action to approve a design contract with Van Woert Bigotti of Reno, Nevada, in order to provide design and engineering services for a Fixed Base Operations Facility at the Fallon Municipal Airport, in the amount of Two Hundred Thirty Thousand Four Hundred Dollars (\$230,400).

Public Works Director Brian Byrd stated the City was awarded \$825,000 during the 2022-2023 Congressionally Directed Spending cycle in order to assist in the construction of a new Fixed Base Operations Center (FBO) at the Fallon Municipal Airport (FLX). The

current FBO serves as the sole gateway to our community for those traveling by air. Constructed in 1945, the current FBO no longer serves the needs of our community nor is it a candidate for rehabilitation. On March 14, 2025, the City released a Request for Statements of Qualifications for consultants interested in providing airport architectural consultant services for the demolition and reconstruction of a new FBO at FLX. Two Statement of Qualifications were received and ranked by the evaluation committee. Van Woert Bigotti ranked the highest among the submissions. The objective of the request was to select a highly qualified team with full-service architectural design expertise capable of producing documents for design, bidding and construction in accordance with FAA standards. City Staff recommends an approval with Van Woert Bigotti for the services referenced.

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

Councilwoman Frost inquired on working with Van Woert Bigotti in the past. They have built several buildings that have been constructed for the City of Fallon, is that correct?

Public Works Director Brian Byrd stated that it is an accurate statement. The City has worked directly with them on the Fallon Youth Club and they have done other building projects with the Churchill County School District. They are well known in northern Nevada for their abilities, and they are excited about this project, as it has some budget constraints and will be a challenge for them, certainly.

Councilman Harmon inquired if they have experience with airport projects.

Public Works Director Brian Byrd stated that he believes they have built some airport buildings in northern Nevada. They are really tied to the public sector work and commercial buildings and using tight budgets with unique architectural features.

Councilman Harmon inquired on the awarded amount and the timeframe it needs to be completed in order to not lose the funding.

Public Works Director Brian Byrd stated that all the congressionally directed spending has timelines built into them. A lot of it is getting allocated through the agencies. This one is through the Department of Agriculture, and we have the money approved, which is the biggest step. Yes, I believe there is about a 3-year timeline to get construction approved, from the Council, in order to commence.

Councilwoman Frost stated that she believes our FBO building is in need of an upgrade. Especially when we welcome people to our community, through our airport. We need a better building to represent us well.

Councilwoman Kent stated that Van Woert Bigotti is a renown architectural firm. It is awesome that we have them doing this project.

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

No further comments were noted.

Councilwoman Kent motioned to approve a design contract with Van Woert Bigotti of Reno, Nevada, in order to provide design and engineering services for a Fixed Base Operations Facility at the Fallon Municipal Airport, in the amount of Two Hundred Thirty Thousand Four Hundred Dollars (\$230,400); seconded by Councilman Harmon and approved with a 3-0 vote by the Council.

Consideration and possible action to approve a construction contract with Cheek Construction of Fallon, Nevada, in order to complete the National Fitness Campaign Fitness Court Studio Concrete Slab, in the amount of Forty-Nine Thousand

Nine Hundred Fifteen Dollars (\$49,915).

Public Works Director Brian Byrd stated the City was awarded \$50,000 to participate in the 2025 Renown Program in association with the National Fitness Campaign. Fallon's application was selected on the basis of our community's commitment to public health and fitness options in our park spaces. The Scope of Work includes but is not limited to the furnishing and installation of all site work, cast-in-place concrete work, reinforcing steel, dowels, concrete curing, formwork, chamfer strips, crack joints, construction joints, expansion joints, and accessories. The project was solicited to six qualified contractors on June 3, 2025. Two contractors submitted bids on June 9, 2025. Of the two bids received, Cheek Construction was the lowest bidder. City Staff recommends approval of a construction with Cheek Construction.

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

No comments were noted.

Councilwoman Frost motioned to approve a construction contract with Cheek Construction of Fallon, Nevada, in order to complete the National Fitness Campaign Fitness Court Studio Concrete Slab, in the amount of Forty-Nine Thousand Nine Hundred Fifteen Dollars (\$49,915); seconded by Councilwoman Kent and approved with a 3-0 vote by the Council.

Fallon Police Department Monthly Report for March 2025.

Chief Ron Wenger presented the March monthly report. The report will compare the 2024 crime, traffic stops, and traffic accident statistics to March 2025. Total calls-for-service this month were 648.

- Crime Summary: 5 total Domestic Batteries; 4 Battery.
- Theft Calls: 13 total thefts for various items.
- Arrest Summary: 33 total arrests.
- Moving Citations/Traffic Warnings: 69 traffic stops were made; 19 issued citations.
- Public/Private Property Accidents: 10 total accidents.
- Animal Shelter Services: Total – 143; Churchill County – 74; City – 61; Fallon Paiute Shoshone Tribe – 8.
- Volunteers in Police Services: 104 Contributed hours.
- Various training courses were provided for sworn-in and non-sworn-in officers.
- 0 request was made through the Citizen Assistance Program.
- Police officers participated in several various public relations events.
- Citizen Surveys were all positive.

Mayor Tedford inquired if there were any comments or questions.

No 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 9:28 a.m.



Mayor Ken Tedford

Attest: _____
Michael O'Neill, City Clerk-Treasurer