

**MINUTES  
CITY OF FALLON  
55 West Williams Ave  
Fallon, Nevada  
May 6, 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 Pro Tem Kelly Frost  
Councilwoman Karla Kent  
Councilman Paul Harmon  
Chief of Staff Bob Erickson  
City Attorney Trent deBraga  
Deputy City Attorney Sean Rowe  
City Clerk Treasurer Michael O'Neill  
Deputy City Clerk Elsie Lee  
Public Works Director Brian Byrd  
Deputy Public Works Adrian Noriega  
Deputy Public Works Marco Guerrero  
Chief Ron Wenger  
Captain Daniel Babiarz  
City Engineer Derek Zimney  
Director of Tourism Jane Moon  
Emergency Manager Steve Endacott

The meeting was called to order by Mayor Pro Tem Frost at 9:00 a.m.

Mayor Pro Tem Frost led the Pledge of Allegiance.

Mayor Pro Tem Frost 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.

Mayor Pro Tem Frost stated that Mayor Tedford is out-of-town and will be absent for the meeting.

**Public Comments**

Mayor Pro Tem Frost inquired if there were any public comments. She 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.

Mayor Pro Tem Frost stated that we would be honoring the wrestling State Champions.  
May 6, 2025 Fallon City Council Meeting

Our first State Champion Wrestler, and I believe he is a three-time champion, Carson Melendy. Congratulations Carson Melendy 2025 State Champion Fallon Greenwave Wrestling Team. City of Fallon, Mayor Ken Tedford, Councilwoman Kelly Frost, Councilwoman Karla Kent, and Councilman Paul Harmon. Thank you for representing us. Our second wrestler is Lonnie Adams. Congratulations Lonnie Adams 2025 State Champion Fallon Greenwave Wrestling Team. City of Fallon, Mayor Ken Tedford, Councilwoman Kelly Frost, Councilwoman Karla Kent, and Councilman Paul Harmon.

Mayor Pro Tem Frost inquired if there were any further public comments.

No further comments were noted.

**Consideration and possible approval of Council Meeting Minutes for January 7, 2025, January 14, 2025, and January 21, 2025.**

Councilman Harmon motioned to approve Council Meeting Minutes for January 7, 2025, January 14, 2025, and January 21, 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 Macie Anderson for a mobile food vendor license for Sprinkle Ice Cream and Treats.**

Deputy City Clerk Elsie Lee stated Macie Anderson, owner of Sprinkle Ice Cream and Treats, has made an application for a mobile food vendor license for Sprinkle Ice Cream and Treats. 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 Chief Ron Wenger, 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 Pro Tem Frost inquired whether there were any comments or questions from the Council or the public.

Councilwoman Kent inquired if Macie was requesting to go around our streets with the ice cream truck. I know that it is our policy, with mobile food vending trucks, that they are not supposed to be in residential areas. So, my concern is, if we allow one, what would happen with the other vendors?

City Attorney Trent deBraga stated that at the time the ordinance was created, it is hard to conceive every possible situation or scenario. I think what the Council is free to do is put any conditions on the license that you desire. I believe, if there are any issues down the road, then what we would probably be looking at, is a change of the ordinance.

Councilman Harmon stated that he is sure that Macie is familiar with the mobile food vendor ordinance and you have signed it. I know a big stipulation is you are to pull to the side of the road, when stopped, and you shut your music off, every time, when you are stopped. Just to be sure that we don't have kids running across the street. Our concern is the safety of the kids. It will be a big deal with you going around the neighborhoods. I know this is probably a concern for you, as well, with us.

Macie Anderson greeted the Council. Yes, I am aware of that. We did a test-run on Easter, and it was super fun. All of the kids were super excited, most of them had their parents out there watching them. We pulled to the side, and that was on County roads so, I feel like they are almost a little more dangerous, I think, because they are a little faster. We pulled over and made sure they were watching and told them to also check both ways before crossing the streets.

Councilman Harmon inquired if Macie would be serving pre-packaged ice cream.

Macie Anderson stated that was correct.

Mayor Pro Tem Frost stated that because the items are prepackaged that would reduce the stop time because she won't be preparing items while stopped.

Macie Anderson stated that during events she does the baked items, but only pre-packaged items during the times she is driving around.

Mayor Pro Tem Frost stated that she believes the kids will be excited for this.

Macie Anderson stated that she is excited watching them get so excited. During Easter, especially, because we had Monica dress up as the Easter Bunny. They were all so pumped that the Easter Bunny was there.

Mayor Pro Tem Frost stated that, as a reminder, this is a privileged license. So, be very mindful of the safety of the people, and I know Councilman Harmon mentioned that as well.

Macie Anderson stated she understood.

Mayor Pro Tem Frost 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 an application by Macie Anderson for a mobile food vendor license for Sprinkle Ice Cream and Treats; seconded by Mayor Pro Tem Frost. Councilwoman Kent voted nay and was approved with a 2-1 vote by the Council.

Mayor Pro Tem stated that we would be taking items 7, 8, and 9 as one presentation. We will go back and have individual motions depending on what the Council decides.

City Attorney Trent deBraga stated these agenda items represent a combination of years putting together the Mayor and Council's vision for the redevelopment of the N Whitaker commercial block of Williams Avenue. The City's goal and vision is to increase economic development by extending Whitaker Lane north from Williams Avenue to Auction Road. To accomplish that objective the City has taken a layered approach. As a first step, to increase economic development in the N Whitaker commercial block, the City identified the KHWG property, located at 1050 W Williams Avenue as blighted property and acquired it to remove the blight and enhance the N Whitaker commercial block aesthetics. Secondly, the City needed to acquire a portion of property from two landowners so that it could extend Whitaker Lane north to Auction Road. Agenda Item 8 represents the purchase and sale agreement and escrow instructions to purchase approximately 6,428 square feet of land, located at 1080 W Williams Avenue from Gregory J. Berry, in the amount of \$93,270.28. This transaction would complete the acquisition of the final piece

of property the City needs to extend Whitaker Lane north to Auction Road, as the City has already acquired the parcel to the west, from the Freys. Furthermore, Item 7 represents the purchase and sale agreement and escrow instructions for the purchase of City-owned property located at 1050 W Williams Avenue by Gregory J. Berry, in the amount of \$72,000. Following the City's acquisition of the KHWG property and through negotiations to acquire Mr. Berry's property as represented in Agenda Item 8, the City has identified Gregory J. Berry as a suitable purchaser for the property. Many discussions between staff have been held with Mr. Berry and his team. From those discussions, Mr. Berry intends to tear down the KHWG property, thus eliminating the blight. In furtherance of this goal, Item 9 is also an agreement between the City of Fallon and NDOT. This is a cooperative agreement where the City has received funds. I will let Mr. Byrd speak more about that project.

Public Works Director Brian Byrd stated the City has been awarded Federal Transportation Alternatives Program funds in the amount of \$3,452,632 for the Auction Road Improvement Project. Pursuant to the agreement, the City of Fallon will be responsible for a 5% match of Federal funds in the amount not to exceed One Hundred Seventy-Two Thousand Six Hundred Thirty-Two Dollars (\$172,632) with the State of Nevada through the Department of Transportation covering the remaining 95% or Three Million Two Hundred Eighty Thousand Dollars (\$3,280,000). The Auction Road Improvement Project will consist of, among other things, installing sidewalks, curb and gutter, driveways, bike lanes, roadway improvements, and lighting on Auction Road from (Willimas) Avenue (US 50) to S Allen Road at (Willimas) Avenue (US 50). There will also be a new road connection between Whitaker Lane and Auction Road with signaling updates. The scope of work can be found after page 10 of the agreement. The attached agreement becomes effective once approved by official action of the governing body of each party. City Engineer Derek Zimney and City staff worked really closely with the Nevada Department of Transportation to secure these funds. We have utilized the CAP funds in multiple projects before. The Maine Street pedestrian enhancements were done through this program. So, we have about a 15-year history of working with them and they have always been successful. Again, the match from the FED's through NDOT is huge. We are super excited that we were able to secure that and make this project a reality.

Mayor Pro Tem Frost stated that she knows it has been several years that they have been working very hard on putting this together. I know, as a Councilwoman, the question I get asked most often is, what are you going to do with Auction Road? I think a lot of people are going to be really excited to see this project, and get it completed, if the Council votes that way.

Councilwoman Kent stated she had a question. On the 3.2-million-dollar amount and our match of 5%, we don't know, until we receive bids, how far down Auction Road we will be able to go?

Public Works Director Brian Byrd stated that it is a fair statement. We are going to maximize the grant funds, and we believe that we are certainly going to be able to accomplish all the road reconstruction and the N Whitaker extension, within the incorporated limits of the City. So, if we can clean up the Y, the intersection at N Whitaker is our priority and then rebuilding the Auction, at a minimum, to Reagan Place. If there are funds available, we will have a bid alternate, to continue that project all the way to connect at the Allen intersection.

Councilman Harmon inquired on NDOT's grant. We are getting this grant because Auction Road used to be part of the Old Lincoln Highway.

Public Works Director Brian Byrd stated that was part of the grant application on the

justification.

Councilman Harmon stated that this project is important to our City. My concern is, we spend all of this money on Y, Whitaker, and we don't get all the way down to Auction, or back up to Williams. What does that do with our grant money if we aren't fulfilling what we thought was going to be part of the project, for all of Auction Road?

Public Works Director Brian Byrd stated that he feels as though we have represented this plan, the entire time. The full scope would be to make this connection and then we would have the opportunity to revisit it, and the Council would have the opportunity to find additional local funds to complete the project. Or, we would have to go back to NDOT with a justification of why we can't finish that last section.

Councilman Harmon inquired on the 3.2-million-dollar amount. This was an estimate from 2 years ago, correct? Regarding the 5%, we want to hold to the \$172,000 amount. When construction starts, in a year from now, and prices have increased, like they have on every other road project since the 2 and a half years I have been on this Council, we have a good plan to tighten our belts and still get this project done and it be a good project.

Public Works Director Brian Byrd stated that since the last decade it has been increasingly complicated to bring the Council engineer's estimates with construction escalation and inflation. J-U-B Engineering completed this engineer's estimate as Councilman Harmon said, several years ago. We will need to revisit it and tighten our belts, as Councilman Harmon said, to try to bring this project in. So, that is one of my tasks. We don't like the term, value engineering. We are never going to decrease the quality of the product we install but keep maintaining the scope that we initially utilized in the grant application, in not allowing that to creep, is going to be important, and using benchmarks throughout the project to hopefully allow us to stay on task.

Councilman Harmon inquired if utility upgrades was also a big part of this project along Auction.

Public Works Director Brian Byrd stated that we are in pretty good shape, along Auction Road. There will be some, specifically, in that future Whitaker corridor that we will need to do and identify, to see if there is a need to replace it at this time. I do believe that water and sewer are in good enough shape to pave over the top of it, and still get the useful life of the road, and the utilities below.

Mayor Pro Tem Frost inquired if there was an estimated start time for the project.

Public Works Director Brian Byrd stated that the TAP Program is historically, administratively complicated. So, I do perceive that we might be able to start construction Spring of 2026, but most likely Fall of 2026. There are just a lot of hurdles to go through with these Federal projects. So, I wouldn't want to overpromise something. Fall of 2026 is very achievable.

Councilman Harmon inquired if we are still good with receiving the grant money in that time period.

Public Works Director Brian Byrd stated that there are more limitations on how quickly we could spend the money. There are some timelines that are 3 years from the notice of award, is typically what a lot of federal funding is tied to. It just needs to be obligated, at that point in time. So, all of the programs we have utilized have been pretty good with granting extensions for that funding. NDOT was really concerned that we were going to spend that money too quickly and they didn't have that money budgeted or obligated. I told them they didn't have to worry about that.

Councilman Harmon inquired if there were any concerns from NDOT or the State

that they are out of budget and going to make cuts. Have you heard anything from them?

Public Works Director Brian Byrd stated that his understanding is this money has been set aside through the Federal Highway Administration, and they are not able to move this dollar amount.

Councilman Harmon stated he understood. I know that NDOT is federally funded but just wanted to be sure we had it on the record.

**Consideration and possible action to approve the Purchase and Sale Agreement and Escrow Instructions for the purchase of City owned property located at 1050 W Williams Avenue, Fallon, Churchill County, Nevada, and further identified as APN 001-191-07, by Gregory J. Berry in the amount of Seventy-Two Thousand Dollars (\$72,000).**

Mayor Pro Tem Frost inquired whether there were any comments or questions from the Council or the public.

No comments were noted.

Councilwoman Kent motioned to approve the Purchase and Sale Agreement and Escrow Instructions for the purchase of City owned property located at 1050 W Williams Avenue, Fallon, Churchill County, Nevada, and further identified as APN 001-191-07, by Gregory J. Berry in the amount of Seventy-Two Thousand Dollars (\$72,000); 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 the Purchase and Sale Agreement and Escrow Instructions for the City's purchase of approximately 6,428 square feet of land from a parcel located at 1080 W Williams Avenue, Fallon, Churchill County, Nevada, and further identified as APN 001-191-27 from Gregory J. Berry in the amount of Ninety-Three Thousand Two Hundred Seventy Dollars and 28/100 (\$93,270.28).**

Mayor Pro Tem Frost inquired whether there were any comments or questions from the Council or the public.

No comments were noted.

Councilman Harmon motioned to approve the Purchase and Sale Agreement and Escrow Instructions for the City's purchase of approximately 6,428 square feet of land from a parcel located at 1080 W Williams Avenue, Fallon, Churchill County, Nevada, and further identified as APN 001-191-27 from Gregory J. Berry in the amount of Ninety-Three Thousand Two Hundred Seventy Dollars and 28/100 (\$93,270.28); seconded by Councilwoman Kent and approved with a 3-0 vote by the Council.

**Consideration and possible action to approve the Cooperative Agreement between the City of Fallon and the State of Nevada acting by and through the Department of Transportation for the Auction Road Improvement Project where the City will be responsible for a five percent (5%) match of Federal funds in an amount not to exceed One Hundred Seventy-Two Thousand Six Hundred thirty-two Dollars (\$172,632); and other matters properly related thereto.**

Mayor Pro Tem Frost inquired whether there were any comments or questions from

the Council or the public.

No comments were noted.

Councilman Harmon motioned to approve the Cooperative Agreement between the City of Fallon and the State of Nevada acting by and through the Department of Transportation for the Auction Road Improvement Project where the City will be responsible for a five percent (5%) match of Federal funds in an amount not to exceed One Hundred Seventy-Two Thousand Six Hundred thirty-two Dollars (\$172,632); and other matters properly related thereto; seconded by Councilwoman Kent and approved with a 3-0 vote by the Council.

**Consideration and possible adoption of Bill No. 804 as Ordinance No. 785: An Ordinance Designated as the “2025 Medium-Term Bond Ordinance”; Providing for the issuance by the City of its General Obligation (Limited Tax) Medium-Term Bond, Series 2025; Providing Covenants, Conditions, and Other Details Concerning the Bond, the Project and General Tax Proceeds; Ratifying Action Previously Taken and Pertaining to the Foregoing by the City and its Officers and Employees; Providing for Adoption as if an Emergency Exists, and Providing Matters Relating Thereto.**

City Clerk Treasurer Michael O’Neill stated on November 28, 2023, the City Council adopted Resolution No. 24-01 authorizing medium-term obligations in the amount of up to Ten Million Dollars (\$10,000,000) to finance all or a portion of the cost of water projects, sewer projects, airport projects, street improvements, park improvements, and City Hall upgrades; directing the officers of the City to forward materials to the Nevada Department of Taxation for approval. The City received approval from the Department of Taxation on January 11, 2024, authorizing medium-term obligations in the amount of up to Ten Million Dollars (\$10,000,000). On April 2, 2024, the Council authorized a Four Million Dollar (\$4,000,000) General Obligation (Limited Tax) Medium-Term Bond designated as series 2024A. City staff have identified several projects, including water system improvements, sewer system improvements, airport improvements, street improvements, park improvements, and City Hall upgrades. Pursuant to the authorization of November 28, 2023, the City’s bond counsel, in conjunction with City staff have, among other things, prepared Bill No. 804 to authorize the issuance of a General Obligation (Limited Tax) Medium-Term Bond for the purpose of financing, all or a portion of the identified projects. Approval of Bill No. 804 as Ordinance No. 785 will authorize the issuance of a medium-term bond not to exceed Six Million Dollars (\$6,000,000). As part of this process, we have already sought bids from banks that may be interested in this bond and we received 4 bids, as of yesterday, when the close for bidding was at 2:00 p.m. The interest rates ranged from 4.3% to 5.16%, with obviously the low bidder being the 4.3% from Flagstar Government Financing. The staff have discussed Flagstar as being the low bidder and they didn’t have a lot of restrictions. A lot of the time with financing like this they will ask for things and Flagstar was very accommodating in their bid, and with the low rate it is our best option. If this bill is approved as an ordinance we will proceed with that bid from Flagstar.

Mayor Pro Tem Frost stated that she believes there is a timeline for this authorization.

City Clerk Treasurer Michael O’Neill stated that the authorization from the Department of Taxation has a limit. It expires in July of 2025. So, we are getting near the end of the process. Issuing bonds, as you well know, is a fairly lengthy process, as you go through sending information to banks, receiving bids, and processing that. So, we do have a little time constraint here. I was surprised to see bids below 5%. Even our Finance

Consultant, Marty, was projecting closer to 5%. So, I was pleasantly surprised.

Councilman Harmon inquired on the percentage rate for the 4-million-dollar amount. Do you remember what the percentage rate was on that one?

City Clerk Treasurer Michael O'Neill stated that it was closer to 5%. I don't know exactly what it was, but it was right around 4.8%-5%.

Councilman Harmon stated that he believes there have been good projects identified for this 6-million-dollar amount. What happens if we have an emergency, like we had last week with Serpa being closed, an excavator is in the middle of the road, and we have a big hole in the street. Are we tied to these projects, or if we have another sewer manhole collapse, causing a big project that will cost us lots of money, will we be able to use some of this bond money for that?

City Clerk Treasurer Michael O'Neill stated that in the bond bidding package information we provide to the banks, we do not tie the money to a specific project. Because of situations, like you are describing, we realize that things can change, which is why we try to be very diligent about sewer projects, water projects, and park projects. It provides that little leeway to take advantage of opportunities, and to address challenges. So, yes, we do have the flexibility to adjust, if we need to.

Mayor Pro Tem Frost inquired whether there were any further comments or questions from the Council or the public.

No further comments were noted.

Councilwoman Kent motioned to adopt Bill No. 804 as Ordinance No. 785: An Ordinance Designated as the "2025 Medium-Term Bond Ordinance"; Providing for the issuance by the City of its General Obligation (Limited Tax) Medium-Term Bond, Series 2025; Providing Covenants, Conditions, and Other Details Concerning the Bond, the Project and General Tax Proceeds; Ratifying Action Previously Taken and Pertaining to the Foregoing by the City and its Officers and Employees; Providing for Adoption as if an Emergency Exists, and Providing Matters Relating Thereto; seconded by Councilman Harmon and approved with a 3-0 vote by the Council.

### **Fallon Police Department Monthly Report for February 2025.**

Chief Ron Wenger presented the February monthly report. The report will compare the 2024 crime, traffic stops, and traffic accident statistics to February 2025. Total calls-for-service this month were 549.

- Crime Summary: 6 total Domestic Batteries; 1 Battery.
- Theft Calls: 14 total thefts for various items.
- Arrest Summary: 22 total arrests.
- Moving Citations/Traffic Warnings: 88 traffic stops were made; 21 issued citations.
- Public/Private Property Accidents: 12 total accidents.
- Animal Shelter Services: Total – 127; Churchill County – 63; City – 50; Fallon Paiute Shoshone Tribe – 14.
- Volunteers in Police Services: 98 Contributed hours.
- Various training courses were provided for sworn-in and non-sworn-in officers.
- 1 request was made through the Citizen Assistance Program.
- Police officers participated in several various public relations events.
- Citizen Surveys were all positive.

Mayor Pro Tem Frost inquired if we were still sending the Citizen Surveys out. It seems



like, in the last couple of months, we haven't had a great citizen response from those.

Chief Wenger stated that the surveys have been moved on the police app. If you download our police app, you can complete the survey. It saves cost and postage by not sending them out that way. We are trying to be fiscally responsible with the budget. We have that ability to complete the surveys on that app.

Mayor Pro Tem Frost inquired if we have received any surveys from the app.

Chief Wenger stated that they have received some accommodations for police officers, but not in a survey format.

Mayor Pro Tem Frost inquired if there were any further comments or questions.

No comments were noted.

### **Public Comments**

Mayor Pro Tem Frost inquired if there were any public comments.

No comments were noted.

### **Council and Staff Reports**

Mayor Pro Tem Frost inquired if there were any Council or staff reports.

No reports were noted.

### **Executive Session**

Mayor Pro Tem Frost tabled the executive session, as it was not needed at this time.


### **Adjournment**

There being no further business to come before the Council, Mayor Pro Tem adjourned the meeting at 9:36 a.m.

Attest:



Michael O'Neill, City Clerk-Treasurer

  
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Mayor Pro Tem Kelly Frost