

**MINUTES
CITY OF FALLON
55 West Williams Ave
Fallon, Nevada
July 21, 2026**

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
City Clerk Treasurer Michael O'Neill
Deputy City Clerk Elsie Lee
Public Works Director Brian Byrd
Deputy Public Works Adrian Noriega
Deputy Public Works Erik Fain
Chief Daniel Babiarz
Captain John Riley
Engineer Derek Zimney
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 was out-of-town and unable to attend 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.

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 and possible action to approve the Maintenance Agreement for Softball Fields and related facilities between the City of Fallon and Churchill County to be constructed with funds received by Churchill County through the Southern Nevada Public Lands Management Act.

City Attorney Trent deBraga stated that the Maintenance Agreement for Softball Fields and related facilities is for the long-term maintenance of City owned property, specifically 447 N. Maine Street (Churchill County APN: 001011-03) and 481 N. Broadway Street (Churchill County APN: 001-051-26), and County owned property, specifically 376 N. Maine Street (Churchill County APN: 001-051-37). The County has received funds through the Southern Nevada Public Lands Management Act which will be used to develop and enhance the City and County's respective ball fields and related facilities. The Southern Nevada Public Lands Management Act requires an agreement between the two local governments related to the ongoing maintenance obligations for each entity on the properties. The agreement sets forth the City and County's obligations.

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

Councilman Harmon inquired if the County has approved their portion of the agreement.

City Attorney Trent deBraga stated that they have. That was approved, by them, on June 17th, of this year.

Councilman Harmon inquired on them receiving the funds. Have they received the funds or is it promissory that they will receive the funds?

City Attorney Trent deBraga stated that it is his understanding that they have received the funds, and one of the requirements is that there needs to be an agreement for the maintenance of the respective facility. I don't know if the money has actually dropped yet, but they have been awarded it.

Councilman Harmon stated that he believes this is a great thing for our community. The City doesn't have much say in what's going on. Is that an accurate statement?

City Attorney Trent deBraga stated that he doesn't believe that is the case. When this first became something that was a possibility, we had discussions with the County folks on what this may look like. So, we have been involved, from our standpoint, in what we would like to see in terms of the ballfields and the related improvements.

Councilwoman Frost inquired if there were any further comments or questions from the Council or public.

No comments were noted.

Councilman Harmon motioned to approve the Maintenance Agreement for Softball Fields and related facilities between the City of Fallon and Churchill County; seconded by Councilwoman Kent and approved with a 3-0 vote by the Council.

Consideration and possible action to approve a construction contract with A&K Earthmovers of Fallon, Nevada in order to complete the Fallon Municipal Airport Construct New Taxilane and Extend Existing Taxilane, in the amount of One Million One Hundred Six-Five Thousand Dollars (\$1,165,000), of which the FAA share would be 95% or One Million One Hundred Six Thousand Seven Hundred Fifty Dollars (\$1,106,750) and the City's share would be 5% or Fifty-Eight Thousand Two Hundred Fifty Dollars (\$58,250).

Public Works Director Brian Byrd stated that the City has been approved for an FAA grant to construct a new taxilane and extend an existing taxilane at the Fallon Municipal Airport as described in the attached exhibit. This project was previously designed by J-U-B Engineers, Inc. Sealed bids for FY 2026 Airport Improvements to the Fallon Municipal Airport were received and opened at 2:00 p.m., April 28, 2026. The overall low bidder, A&K Earth Movers, submitted a total bid that was 5.4% lower than the Engineer's Estimate and 20.1% lower than the next closest bid. City staff recommends approval of a construction contract with A&K Earthmovers as the lowest responsive and responsible bidder.

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

Councilman Harmon praised A&K Earthmovers for coming in lower than our engineer estimate. I think what we talked about in previous meetings is the higher the dollar amount of the project, the more people are interested in the project. Which makes the contractor sharpen his pencil a little more. Construction will start, if approved, this Summer or this Fall? How many working days to complete?

Public Works Director Brian Byrd stated that we have two projects, if approved, that A&K will have been awarded, at the Airport. Both of which have a six-week construction schedule. Activity will start as soon as we are able to administratively process a Notice of Award and get the Notice to Proceed and get a preconstruction schedule. The preconstruction meeting has already been conducted for the previous project that they were awarded. Both pavement projects should be completed by Winter. Once the FAA releases the money, and gets to this point, then it is up to us to maintain the schedule. If something catastrophic happens and we weren't able to complete the project, this fiscal year, or even calendar year, the money doesn't expire. The plan for A&K is to get in and out of there.

Councilman Harmon inquired on the previous work of the Airport. Is this complete?

Public Works Director Brian Byrd stated that all of our previous projects, at the Airport, have been completed and closed out. I believe the FAA has finalized their reimbursements. They are pretty efficient at that.

Councilman Harmon stated that he believes this is a good project for the Airport, moving forward.

Public Works Director Brian Byrd agreed. The recommendation to Council is 95% of the project will be reimbursed, but I believe that every project that I have been a part of over the last 8 years, of the cost share of the City of Fallon's 5%, has been reimbursed by the Nevada Aviation Transportation Advisory Committee. They get allocated money from the state annually, and they host an annual board meeting, where they approve GA Airport Projects. With that being later in the year, I wanted to make it clear that it is a minimum 95%, but hopefully both projects that are currently happening are funded at 100%.

Councilman Harmon inquired if we have been reimbursed that 5% on previous projects.

Public Works Director Brian Byrd stated we have.

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

No further comments were noted.

Councilwoman Kent motioned to approve a construction contract with A&K Earthmovers of Fallon, Nevada in order to complete the Fallon Municipal Airport Construct New Taxilane and Extend Existing Taxilane, in the amount of One Million One Hundred Six-Five Thousand Dollars (\$1,165,000), of which the FAA share would be 95% or One Million One Hundred Six Thousand Seven Hundred Fifty Dollars (\$1,106,750) and the City's share would be 5% or Fifty-Eight Thousand Two Hundred Fifty Dollars (\$58,250); seconded by Councilman Harmon and approved with a 3-0 vote by the Council.

Consideration and possible action to approve of a professional services contract with J-U-B Engineers, Inc. for construction services for the Construct New Taxilane and Extend Existing Taxilane Project in an amount not-to-exceed Two Hundred Twenty-One Thousand Three Hundred Seventy-Four Dollars (\$221,374), of which the FAA share would be 95% or Two Hundred Ten Thousand Three Hundred Five Dollars and Thirty Cents (\$210,305.30) and the City's share would be 5% or Eleven Thousand Sixty-Eight Dollars and Seventy Cents (\$11,068.70).

Public Works Director Brian Byrd stated that The City has been approved for an FAA grant to complete the Construct New Taxilane and Extend Existing Taxilane Project at the Fallon Municipal Airport. This project was previously designed by J-U-B Engineers, Inc. Sealed bids for FY 2026 Airport Improvements to the Fallon Municipal Airport were received and opened at 2:00 p.m., April 28, 2026. After our Airport Improvement Plan is approved, late in the calendar year, we bring forward a design contract for the Council's approval for whatever project is slated next, in the calendar year. So, J-U-B did that last winter and early spring, and now we have awarded the project to A&K and J-U-B will now put another contract in front of the Council to do the construction management. That is what this is and why we list it second on the agenda. If A&K is approved, we need an engineer to go out there and manage the construction management and the special inspections and testing. This has the exact same reimbursement that we have discussed previously.

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

Councilwoman Kent inquired if J-U-B is being conclusive of everything that takes to run the project. They will be doing the inspections?

Public Works Director Brian Byrd stated that was correct.

Councilman Harmon stated that we have used J-U-B for other airport projects and are familiar with our airport and this type of project, correct?

Public Works Director Brian Byrd stated that was correct. J-U-B is on its 6th year of being our engineer on record, out there. So, we operate the Airport with an engineer in 5-year intervals. So, this is the 2nd term that J-U-B has been approved. Mike Wilhelm is our onsite representative, and David Myer works regionally out of the Idaho office, and those two folks are incredibly efficient and proficient at what they do. We are very happy to have them help us with this.

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

No further comments were noted.

Councilman Harmon motioned to approve of a professional services contract with J-U-B

Engineers, Inc. for construction services for the Construct New Taxilane and Extend Existing Taxilane Project in an amount not-to-exceed Two Hundred Twenty-One Thousand Three Hundred Seventy-Four Dollars (\$221,374), of which the FAA share would be 95% or Two Hundred Ten Thousand Three Hundred Five Dollars and Thirty Cents (\$210,305.30) and the City's share would be 5% or Eleven Thousand Sixty-Eight Dollars and Seventy Cents (\$11,068.70); seconded by Councilwoman Kent and approved with a 3-0 vote by the Council.

Consideration and possible action to approve a construction contract with Ernst Earthworks of Fallon, Nevada in order to complete the Laura Mills Walking Path Replacement Project in the amount of Eight Hundred Fifteen Thousand Seven Hundred Ninety-Eight Dollars and Eighty-One Cents (\$815,798.81).

Public Works Director Brian Byrd stated that this project would allow for the replacement of both interior and exterior walking paths at Laura Mills Park. The existing asphalt paths, totaling $\frac{3}{4}$ of a mile, will be removed and replaced with 4" reinforced concrete. The removal of the existing paths will allow for the installation of wider paths with proper slopes and achieve full ADA compliance. 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. This project was released for public bid on May 5, 2026, and was advertised in the Fallon Post in accordance with NRS 338.1385. Four (4) bids were received and opened on May 26, 2026, as further described in the attached documents. Of the four bids received, Ernst Earthworks was the lowest bidder. City staff recommends approval of a construction contract with Ernst Earthworks of Fallon, Nevada. The removal and replacement of the walking paths of Laura Mills is the 2nd project in a multi-phased approach that we have. The 1st was the Renown exercise pad on the north side. In conjunction with the walking paths, the Council previously approved the playground equipment. It will be installed during the same time period that the walking paths are being removed and replaced. So, at Laura Mills Park we have a lot of improvements happening in a very short period of time. The center section is going to be the City's focus for reinstalling the irrigation system and the infrastructure that is going to be needed to make that park function efficiently. We have a good working model that has been successful at Oats Park. We are going to just replicate that at Laura Mills. We have Michael Laca helping us with the chemistry of the soil. A professionally designed irrigation system that is also going to be installed before Winter. Our hope is to have the walking paths, the playground, seed in the ground, and the irrigation system up and running before October 1st.

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

Councilwoman Kent inquired on the center portion of the park. So, the center part consisted of tearing up the soil and replacing the irrigation system, and is not part of the Ernst contract?

Public Works Director Brian Byrd stated that it is not part of the Ernst Contract. Neither is the installation of the playground equipment. I just wanted to give a clear picture of all the happenings that are going on out there.

Councilwoman Kent inquired if those would go out to bid or if we would be doing the work in-house.

Public Works Director Brian Byrd stated that the work would be done in-house.

Councilman Harmon inquired if the park would be closed during construction.

Public Works Director Brian Byrd stated that the plan is to close the interior walking path

portion, where the playground is at. That is where the bulk and the majority of the work and the hazards are going to be. So, we will run construction fencing east to west. On the north end of the interior walking path and the south end of the interior walking path. So, the citizens and visitors will still have an opportunity to park on the street and utilize those thinner strips on the north and south side of 5th and Babb.

Councilman Harmon stated that he is concerned with people stepping in wet concrete and things like that. I don't want that to happen. I don't want any of that to get vandalized for the amount of money that we are paying for this. I think, if there is anyway, besides this meeting, publicize this project because I think we have all gotten a lot of feedback about the condition of Laura Mills Park even though we knew things were progressing. I don't know if the City did the best job of promoting what job or project, we were going to be doing. My suggestion would be to promote that in a way that lets our citizens know that we are doing something for Laura Mills, and improvements are coming. Hopefully, by October, we will have seed in the ground and grass growing, and it looks really nice. Was this money that we are using to pay for this part of that bond money that we received?

City Clerk Treasurer Michael O'Neill stated that was correct. This primarily is funded by the bond funds.

Councilwoman Kent inquired on the fencing in the park. When we have the park fenced off on both sides, is the exterior walking path still going to be usable?

Public Works Director Brian Byrd stated that he wouldn't think so. We are going to get out there, and as this project starts, it will kind of be fluid. So, as we finish an area, we might be able to expand, but with the exterior walking paths also being replaced, I think, to start, we will keep that exterior open as long as we can, but once that work expands to the exterior walking paths, we will need to close it. I don't anticipate an alley closure but there are going to be times when that might be the case as well.

Councilwoman Frost stated that she needs to disclose that her husband works for Cheek Construction, who did submit a bid on this project, but doesn't think it affects her ability to vote on the issue. Are there any further questions or comments from the Council or public?

No further comments were noted.

Councilwoman Kent motioned to approve a construction contract with Ernst Earthworks of Fallon, Nevada in order to complete the Laura Mills Walking Path Replacement Project in the amount of Eight Hundred Fifteen Thousand Seven Hundred Ninety-Eight Dollars and Eighty-One Cents (\$815,798.81); seconded by Councilman Harmon and approved with a 3-0 vote by the Council.

Consideration and possible action to approve a change order contract with A&K Earthmovers of Fallon, Nevada in order to complete the Rattlesnake Hill Water Tank Demolition Project, in the amount of Six Hundred Sixteen Thousand Five Hundred and Fifty Dollars (\$616,550).

Public Works Director Brian Byrd stated that on June 17, 2025, The City of Fallon approved a construction contract with A&K Earthmovers to complete the Rattlesnake Hill Water Tank Demolition and Site Preparation Project in the amount of \$1,095,000. The project consisted of the demolition of two water storage tanks located atop Rattlesnake Hill and included prep work associated with the placement of a new welded steel tank. A&K Earthmovers has completed the demolition of the existing tanks. Once the tank removal was complete, Lumos & Associates was able to perform additional soils testing at the location of the previously demolished tanks. Upon the additional testing, it was determined that the

subsurface conditions were unsuitable for the placement of a new tank. The attached change order includes additional site preparation that will complete the project and allow for the future procurement and placement of a welded steel tank. In 2022, the City of Fallon received \$1,995,000 in Congressionally Delegated funding for the project. If approved, the attached Change Order will complete the project under budget and be fully eligible for reimbursement, with a closeout total of \$1,547,992.

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

Councilman Harmon inquired, if approved, this work would pretty much make the site water tank ready. So, when we do get the money to install the new water tanks, prep work is done, we can just move forward with installation, is that correct?

Public Works Director Brian Byrd stated that was correct.

Councilman Harmon stated that we would still have a couple thousand dollars in our pocket if something comes up, to do something, is that correct? To cover costs of unforeseen circumstances that may happen.

Public Works Director Brian Byrd stated that was correct. The remaining work is a little complicated still. So, I am really happy to come to you with this change order with a little more of a cushion. Obviously, the City of Fallon and Lumos will be up there monitoring the geogrid and the pad that is being built up there, to ensure that, once completed, we will have exactly that project that is ready to go.

Councilman Harmon inquired on the quote. This is dated for March 5th, so these prices are still good, I am assuming?

Public Works Director Brian Byrd stated that was correct. I confirmed with Tanner Hiatt, who put the estimate together before we put the packet together, and he acknowledged and confirmed that pricing was still good.

Councilman Harmon inquired if there was more money out of this that will be paid for Lumos's engineering portion of it.

Public Works Director Brian Byrd confirmed.

Councilman Harmon inquired if that would be coming out of this fund.

Public Works Director Brian Byrd stated that it actually doesn't on this one. It has been kind of difficult to work with as many different federal agencies as we are currently with the earmarks. Some have indicated that the design, predesign, and any engineering administrative costs of the grant are reimbursable. So, the EPA has been really easy and good to work with on their Rattlesnake Project. They have been a little slow on reimbursements and finalizing that process, but from the actual grant administration and construction, they have been the most reasonable.

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

No further comments were noted.

Councilman Harmon motioned to approve a change order contract with A&K Earthmovers of Fallon, Nevada in order to complete the Rattlesnake Hill Water Tank Demolition Project, in the amount of Six Hundred Sixteen Thousand Five Hundred and Fifty Dollars (\$616,550); seconded by Councilwoman Kent and approved with a 3-0 vote by the Council.

Fallon Police Department Monthly Report for June 2026

Chief Daniel Babiarz presented the June monthly report. The report will compare the

June 2025 crime, traffic stops, and traffic accident statistics to June 2026. Total calls-for-service this month were 705.

- Crime Summary: 7 total Domestic Battery; 1 Battery.
- Theft Calls: 7 total thefts for various items.
- Arrest Summary: 37 total arrests.
- Moving Citations/Traffic Warnings: 119 traffic stops were made; 22 issued citations.
- Public/Private Property Accidents: 23 total accidents.
- Animal Shelter Services: Total – 67; Churchill County – 40; City – 24; Fallon Paiute Shoshone Tribe – 3.
- Volunteers in Police Services: 111 contributed hours.
- Various training courses were provided for sworn-in and non-sworn-in officers.
- Police officers participated in several various public relations events.

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

Councilman Harmon inquired on the 2 thefts of packages. Were those packages stolen off people's front doors? Is that happening, here in Fallon, now, like we see on the news?

Chief Babiarz stated that one of the 7 thefts was a package in front of house. We do, historically, see that, not to an extent larger cities. Generally, it is around Thanksgiving and Christmas when holiday orders are coming in.

Councilman Harmon stated that it seems like the package delivery system, and with Amazon being here now, it is becoming a lot more prevalent in our community. I just hope that isn't something, moving forward, we will see an uptick in. I don't know what you have in place, or the City, can do. I know that people can be more diligent in having packages delivered to places where people are home or even having Ring doorbells. Are there any other things that you can suggest to people that may prevent this from happening?

Chief Babiarz stated that he can comment that in the past, when we have seen an uptick in this, that we have organized operations where we have positioned a package in a front of a known house, and we watch it to see if someone will come and take it. We have done similar operations in parking lots, where we will put a high value item in a parked car and leave it unlocked. Aside from that, we will try to promote it on our social media and let people know that we are seeing this trend.

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 further reports were noted.

Adjournment

There being no further business to come before the Council, Mayor Pro Tem Frost adjourned the meeting at 9:31

Attest: 
Michael O'Neill, City Clerk-Treasurer


Mayor Pro Tem Kelly Frost