## AGENDA CITY OF FALLON – CITY COUNCIL

#### 55 West Williams Avenue Fallon, Nevada February 21, 2023 – 9:00 a.m.

The Honorable City Council will meet in a regularly scheduled meeting on February 21, 2023 at 9:00 a.m. in the City Council Chambers, 55 West Williams Avenue, Fallon, Nevada.

Items on the agenda may be taken out of order. The Council may combine two or more agenda items for consideration. The Council may remove an item from the agenda or delay discussion relating to an item on the agenda at any time. Unless otherwise allowed by the City Council, public comments by an individual will be limited to three minutes.

- 1. Pledge of Allegiance to the Flag.
- 2. Certification of Compliance with Posting Requirements.
- 3. Public Comments: 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. (For discussion only)
- 4. Consideration and possible approval of Council Meeting Minutes for February 7, 2023. (For possible action)
- 5. Approval of Warrants: (For possible action)
  - A) Accounts Payable
  - B) Payroll
  - C) Customer Deposit
- 6. Consideration of application by Paramjit Singh for a retail liquor license for Fallon Station and Food Mart to be located at 1325 South Taylor Street. (For possible action)
- 7. Consideration of application by Johan Luis Vera Resendiz for a cabaret license for Greenwave Sports Bar, to be located at 2155 West Williams Ave. (For possible action)
- 8. Fallon Police Department Monthly Report for January 2023. (For discussion only)
- 9. Public Comments (For discussion only)
- 10. Council and Staff Reports (For discussion only)
- 11. Executive Session (closed):

Discuss Litigation Matters (For discussion only)

(NRS 241 et.seq.)

Negotiations with Operating Engineers Local Union No. 3 (For discussion only) Negotiations with Fallon Peace Officers Association (For discussion only)

This agenda has been posted on or before 9:00 a.m. on February 15, 2023 at City Hall, District Court Building, Churchill County Office Complex, Churchill County Public Library and posted to the City's website (https://fallonnevada.gov) and the State of Nevada public notice website (https://notice.nv.gov/). Members of the public may request the supporting material for this meeting by contacting Elsie M. Lee, Deputy City Clerk, City Clerk's Office, City Hall, 55 West Williams Avenue, Fallon, Nevada, 775-423-5104. The supporting material for this meeting is also available to the public on the City's website (https://fallonnevada.gov) and the State of Nevada public notice website (https://notice.nv.gov/).

Elsie M. Lee

NOTICE TO PERSONS WITH DISABILITIES: Reasonable effort will be made to assist and accommodate physically handicapped persons desiring to attend the meeting. Please call the City Clerk's Office at 775-423-5104 in advance so that arrangements may be conveniently made.

# February 21, 2023

Agenda Item 4

Consideration and possible approval of Council Meeting Minutes for February 7, 2023. (For possible action)

FALLON

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### MINUTES CITY OF FALLON 55 West Williams Ave Fallon, Nevada February 7, 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 City Attorney Mike Mackedon Deputy City Attorney Trent deBraga Public Works Director Brian Byrd Deputy Public Works Director Ryan Swirczek City Clerk-Treasurer Sean Richardson Deputy City Clerk Elsie Lee Deputy City Clerk Michael O'Neill Chief Kris Alexander Captain Ron Wenger Captain John Riley City Engineer Derek Zimney Director of Tourism Jane Moon

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.

No comments were noted.

Consideration and possible approval of Council meeting minutes for November 1, 2022, November 17, 2022, November 30, 2022, December 6, 2022, December 20, 2022, January 3, 2023, January 9, 2023, January 10, 2023, and January 17, 2023.

Councilwoman Frost motioned to approve the Council meeting minutes for November 1, 2022, November 17, 2022, November 30, 2022, December 6, 2022, December 20, 2022, January 3, 2023, January 9, 2023, January 10, 2023, and January 17, 2023, with no 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 application by Terry Smith for a Cabaret License for Stockman's Casino, to be located at 1560 West Williams Avenue.

Deputy City Clerk Elsie Lee addressed the Council. Terry Smith, General Manager of Stockman's Casino has made an application for a Cabaret License for Stockman's Casino, to be located at 1560 West Williams Avenue. A Cabaret License is a privileged license that allows the licensee to provide live entertainment or dancing at the establishment. The application has been reviewed by Captain Kris Alexander, Deputy City Clerk Elsie Lee, City Engineer Derek Zimney, and Deputy City Attorney Trent deBraga.

Mayor Tedford inquired if there were any questions from Council. You have a map attached to the agenda packet.

Councilman Harmon inquired about the description included in the application. On the description of live entertainment, it states that it would be a 1-person entertainer. In the future, if they ever brought in a band with multiple members, would this Cabaret License have to be amended to cover that?

Mayor Tedford stated that the Cabaret License would have to be amended.

Councilwoman Kent asked if they have ever had a Cabaret License in the past.

Deputy City Clerk Elsie Lee stated that they did have one in the past. During COVID time, and they weren't open, they let it lapse. They had to reapply, in order to have the entertainment again.

Mayor Tedford stated that the Cabaret License speaks to people under the age of 21 and accompanied by their guardian or parent. In this situation, this would be 21-year-olds, and older, and not people under the age of 21 accompanied by a guardian or parent. You are a casino, you have people higher than us that you would have to answer to, if you have someone in there under 21 years of age.

Terry Smith addressed the Council. Right there, it is a 21-year-old and over area. It is right next to the 3-Sister's Steakhouse entrance. Minors are able to stand at the waiting area, which is off of the gaming floor.

Mayor Tedford inquired if that area, where those minors would be, would be next to February 7, 2023 Fallon City Council Meeting

2

slot machines.

Mr. Smith stated that that area is away from slot machines.

Mayor Tedford stated that the Council will have to discuss that. The Ordinance speaks to a partition being built, if there is minors in or around that Cabaret area. You don't have a partition there.

Mr. Smith inquired if he was speaking on the area between the restaurant and the Cabaret area.

Mayor Tedford stated that he is looking at his map. I think I know where it is from the front door and your west door. At least on your map, I don't see a partition around where your Cabaret area is. I know where it speaks to a partition being around the Cabaret area. Are you familiar with the Ordinance?

Mr. Smith stated that he is not directly familiar with the Ordinance.

Deputy City Attorney Trent deBraga addressed the Council and Mr. Smith. In terms of the partition or separation, really, where that comes into play if there is anyone that is going to be under the age of 21, in that area. If that were the case, then in that particular instance, if there is anyone under the age of 21, they would have to be accompanied by a parent or guardian. I think in this particular instance, I don't believe you are going to allow anyone under the age of 21, is that correct?

Mr. Smith stated that was correct.

Deputy City Attorney Trent deBraga stated that if that is the case, anyone under 21 years of age, that's where the issue would come into play. Because that isn't the case here, I think, by Ordinance, they would be fine. I believe the area he is speaking to, is a restaurant area, which he is calling a waiting area. So, this would be a place that people would be waiting to go into the restaurant, is that correct Mr. Smith?

Mr. Smith confirmed Deputy City Attorney deBraga's statement.

Mayor Tedford inquired if they would be loitering in this area, and listen to the Cabaret, as they go into the restaurant, or are they just going to go into the restaurant?

Mr. Smith stated that they try to seat the people, going into the restaurant, right away. We have, more of an alcove, behind the reception, where we can also make sure that anyone that is under 21, can be sitting within.

Mayor Tedford stated that he believes he is misunderstanding what he is saying. Is the waiting area, leading to the Steakhouse or to the front Restaurant/Coffee shop? That area will be just for those patrons going to those restaurant areas. It is not going to be a place for people who are 18 years of age to go stand and listen to the live music.

Mr. Smith said no, this is not an area designated for people under 21 years of age to stand and listen.

Mayor Tedford stated that was his only question. You said that they are 10-feet away, so they can stand there. I thought your intent was, they could stand there and listen to the music.

Mr. Smith stated he understood the Mayor's question.

Mayor Tedford stated that the Police Department will be over there if this was the case.

Mr. Smith stated that the Police Department is always welcome.

Mayor Tedford stated that they won't be welcome if they have kids standing there listening to the music.

Mr. Smith stated that they will not be able to stand there if they have no intention of going to the restaurant.

Mayor Tedford stated that they can go in, wait in line to go to the restaurant, that's okay. That's not our intent. Our intent, is that they are not allowed to stand there and listen to February 7, 2023 Fallon City Council Meeting

the music, when they are below the age of 21.

Mr. Smith stated that they don't allow that.

Mayor Tedford stated that if they do allow it, they would have to have a partition in that area. So, people that are not the age of 21, are not mixing with the Casino or the bar area.

Mr. Smith stated that he understands.

Mayor Tedford stated that this is why the Ordinance is written in this way.

Mr. Smith stated that this won't be happening.

Mayor Tedford inquired if the Council was clear on this discussion.

Councilman Harmon inquired if the statement was anyone under the age of 21 has to be accompanied by an adult.

Deputy City Attorney deBraga stated that when it comes to a Cabaret License, it prohibits minors to be in attendance. There are 2 exceptions. One of the exceptions, is that if there is an area where liquor is served in conjunction with a regular meal, those under the age of 21, can be in that area, as long as there is a separate entrance, for that area, or, they are accompanied by their guardian or parent. The other exception, is if there is dining tables and booths that are separate and apart from the bar. Again, this is one of the exceptions, but also there would have to be a separate entrance for that dining facility or they would have to be accompanied by a parent or guardian. Which, presumably, they would be over the age of 21.

Councilman Harmon stated that there would be 18-20 year-olds coming in that won't be accompanied by adults. The quicker you could get them seated; I think it would be in your best interest.

Mr. Smith stated that it is in their best interest that people be seated right away, anyway, because there are a lot of impatient people right now that don't like to wait, so we are trying to get them seated.

Mayor Tedford wanted to clarify that the Ordinance doesn't state that the person under the age of 21 be accompanied by an adult, but that it must be a parent or a guardian. A 21-year-old college student can't take a 18-year-old in. It has to be a parent or a guardian. Their concern shouldn't be us, it should be the Gaming Control Board. They will take their license away. That's what I meant when I said that they have someone higher to answer to. We will just make a phone call. That is all that I wanted clear up. We aren't worried about you putting people into your restaurants. We just are worried if they are just standing there listening.

Councilwoman Frost inquired if there would be a platform/stage for the 1-person performance, or ground level.

Mr. Smith stated that they currently have a designated rug. We are working on getting a riser out there.

Mayor Tedford thanked Mr. Smith and inquired if there were any public comments. No further comments were noted.

Councilwoman Kent motioned to approve the application by Terry Smith for a Cabaret License for Stockman's Casino, to be located at 1560 West Williams Avenue; seconded by Councilwoman Frost and approved with a 3-0 vote by the Council.

# Consideration of application by Johan Luis Vera Resendiz for a Cabaret License for Greenwave Sports Bar, to be located at 2155 West Williams Avenue.

Deputy City Clerk Elsie Lee addressed the Council. Johan Luis Vera Resendiz, Owner of the Greenwave Sports Bar has made an application for a Cabaret License for the Greenwave Sports Bar, to be located at 2155 West Williams Avenue. A Cabaret License is a privileged license that allows the licensee to provide live entertainment or dancing at the establishment.

The application has been reviewed by Captain Kris Alexander, Deputy City Clerk Elsie Lee, City Engineer Derek Zimney, and Deputy City Attorney Trent deBraga.

Mayor Tedford inquired if there were any questions from the Council for Deputy City Clerk Elsie Lee or Mr. Resendiz.

Councilwoman Kent inquired if the Greenwave Bar allows only 21 years of age and older.

Mr. Resendiz addressed the Council. We have activities for families where they can bring their minors. We have separate booths from the bar, and have security at the bar asking for ID. Some activities, they like to bring family with their parents.

Councilwoman Kent inquired if these are separate events from the live entertainment.

Mr. Resendiz stated that on Wednesdays they have DJ Trivia. Sometimes they like to go with family.

Mayor Tedford stated that we will have this same issue with a partition or a separation. You have one access there, I take it, the front door.

Mr. Resendiz confirmed the Mayor's statement.

Mayor Tedford stated that this establishment is a bar, not a restaurant. Bars aren't generally family activities. They are bars. I don't know one, in my years of Cabaret Licenses being granted, without some sort of separation between the bar and wherever these booths and tables are, or whatever they have had used in the past, to separate the cabaret activity from the bar. That was just for 18 years of age and older, for the activities, not whatever a family may be. That could be all ages when you are talking about a family. It is Council's decision, but at least when I was voted on the Council, there had to be some separation, there had to be a railing, a partition built, that separated that bar from wherever there were kids that were 18 years of age and under 21. No matter what you are carding at the door. If you aren't carding at the door, you will have PD over there. This Ordinance is really clear, and I don't know if you had an opportunity to read it, but it is very clear of what you have to do when you have a Cabaret License. Not every bar has one because there are certain restrictions in the Ordinance that are tight, in order to have a Cabaret License. It concerns me when you say families, in a bar. I am sure that is how you read this Trent. There is no way that I think this Council is going to let you card these people as they come through that door with a bar right there, where people are serving, with no separation. The map I saw is wide open from the bar, even with the pool table right there, from your stage. Somewhere, there has to be a separation point for these young people that are under the age of 21. Are you going to serve food in there?

Mr. Resendiz stated that they serve appetizers. Like pizza, chicken wings, and also we have a food trailer in the back.

Mayor Tedford inquired if Mr. Resendiz has a license to serve that food.

Mr. Resendiz stated that he is getting it through the Health Department. We are working on the permit to have a trailer in the back of the building.

Mayor Tedford inquired if they have a grease trap in the building.

Mr. Resendiz stated they do not. It is going to be a food truck. We don't serve like...we don't wash any dishes or anything like that. It's going to be a food trailer and given in to-go plates.

Mayor Tedford inquired if this would work for Engineer Derek Zimney.

Engineer Derek Zimney addressed the Council. The only way they would be able to do that is if everything gets thrown away, there is no potential for washing dishes, and no cooking. If there is none of that and set up like a snack bar. We definitely want to know more. When Mr. Resendiz applied he initially wanted to do a restaurant and we went through the grease interceptor process and when he remodeled the building he chose to not install one. This is the February 7, 2023 Fallon City Council Meeting

first I have heard of this change.

Deputy City Attorney Trent deBraga asked for clarity regarding the food serving process. Would it be the Greenwave Sports Bar who cooks the food?

Mr. Resendiz stated that it is separate from the bar.

Deputy City Attorney Trent deBraga inquired who would be cooking the food. Would it be the employees of the Greenwave Sports Bar?

Mr. Resendiz stated that it would be a different people.

Deputy City Attorney Trent deBraga stated that they would have to be licensed through the City. I will say, the City Attorney's Office is in the process of preparing an ordinance for mobile food vendors. Just to give you a heads up that there are going to be some regulations in terms of that.

Mr. Resendiz stated that if people want to eat something, they go to the restaurant next door and buy tacos, or whatever, and they give them in to-go boxes and they are allowed to eat inside. We're not washing any dishes, or anything like that.

Deputy City Attorney Trent deBraga wanted to state, for informational purposes, when we are talking about Cabaret Licenses, one of the exceptions is if liquor is served in conjunction with regular meals. From the City Attorney's standpoint, I would say, this will not exempt you under the Cabaret License because it isn't your business, it isn't the Greenwave Sports Bar producing the meals. So, to me, the only way, in which people under the age of 21 would be allowed, if there were dining booths or tables separate from the bar, like the Mayor said, based on the map, I don't see any sort of separation or partition of any sort or kind. I think that the most recent configuration, based on my interpretation of the code, at this point, anyone under the age of 21 would not be allowed, at this point.

Mayor Tedford stated that the cabaret area and dance floor is a separate activity from this bar and pool table. Somehow, you have to separate this cabaret activity, according to our Ordinance. Engineer Derek Zimney can supply with you Chapter 5:12, and explain to you how you have to separate this activity, if you want someone under the age of 21 in here. It doesn't always have to be a wall but it has to be some sort of way, that we believe you can monitor this, better than someone just coming through this front door.

Mr. Resendiz inquired if he put a table on the floor...

Mayor Tedford interjected that we would not be able to go into this during this meeting. You will have to meet with Engineer Derek Zimney but there has to be some mechanism that would be acceptable to this Council. They can give you some ideas, if you want. It has been a wall before, with a door, and it is all closed off. It has been as much as some sort of railing. In this state, it is 21 years of age and older. So, they aren't conducive to each other. When you say, you want 18-year-olds in your bar. So, there has to be something there that shows they are separate. The Council can't approve something that is illegal, they just can't do that. So, something has to show that there is a sectioning of this building. Something that the Police Department can enforce that shows 18-year-olds aren't allowed to pool next to the bar. That isn't going to happen. You aren't going to have 18-year-olds shooting pool, unless you section that off too. This isn't the Fallon Youth Club where you have kids in here with a bar. It is a serious thing, putting family and youth in a bar. It might be a nice idea for you, but it isn't legal. If you want to get fines and Gross Misdemeanors on your record, go ahead and do it and you can find out how fast that happens. So, there has to be a sectioning, and that is why this Ordinance was written this way. There are plenty of places around town that once were bars and have walls in all kinds of different places because they were sectioning off, that were a lot less than a full bar. You should also know that just because you get a Cabaret License it doesn't mean you get to do everything under the earth, in that place. There are things that the

City won't allow because this is a nice little town and we aren't doing certain things that other towns do. So, be mindful of what you are doing anyway. We are going to follow this Ordinance. It has been here for a while, and it was thoughtfully done and it was to keep people under the age of 21, separate from the bar area. I am just trying to think of how you could do this, and why we have an Engineer. He can draw things. Unless the Council has an idea for you, on how to do a wall here. Bob was the Mayor when I was Councilman and we sat here for hours drawing things different ways and then the Engineer goes back and figures it out a lot better than we do, with the business owner, that will work and satisfy the Council. Where I may make you build a wall all the way to the roof and all the way across here, that may not be necessary. You are working with a landowner too, you will have to keep that in mind.

Councilwoman Frost stated she has a question for the Attorney. Would a DJ Trivia night require a Cabaret License?

Deputy City Attorney Trent deBraga stated that he would say that is a form of live entertainment and would say yes.

Mayor Tedford stated that it is really anything outside an ordinary scope of a bar, that you would do above and beyond what a bar does. It isn't like throwing darts or pool, like he has. That is what a bar does. When you start talking about anything that is called entertainment, that would be a Cabaret License.

Councilwoman Frost stated that she is uncomfortable with approving this Cabaret License, at this point in time, until plans have been made regarding the separations. Looking at some of the events that you have had, you have violated our Ordinance. Some of the events, there should not be anyone under the age of 21 in the bar. I am pretty uncomfortable approving this Cabaret License at this time.

Mayor Tedford agreed that they will need to go back and draw something up, and come back to Council to see if it would be acceptable.

Councilman Harmon inquired about the map. If you do have people under the age of 18, if this Cabaret License is approved, at some point, partitioned where the restrooms are. These people, under the age of 18 have to use the restrooms and will be walking right into the area of the dance floor and the stage. Would that be something we would have to take into consideration? To completely separate how these people get in and out of the restrooms, as far as their partition, or wall, or whatever they have to build, to keep the people under the age of 21.

Deputy City Attorney Trent deBraga stated that they probably wouldn't have to go that far. Only because, in that particular instance, they wouldn't be loitering or remaining in that bar area. Much like a Casino where you have to walk through the Casino, to get to the restroom. I don't think you would have to go that far, if they are not remaining or loitering in that area, and just going to and from the restroom, that would be okay.

Councilwoman Kent inquired about a Liquor License. On a Liquor License, where we serve alcohol on the premises, what is the laws there with people under the age of 21. Right now, as it stands, he has a Liquor License to serve alcohol, on the premises. So, how come there are people there that are under the age of 21.

Mayor Tedford stated that there shouldn't be people there under the age of 21. That is what Kelly's point is. Some of these events, that he has had, have had people under the age of 21, they are just geared to that, and that is wrong. You have to understand, what we are trying to do with a partition, or something, is create a second exit, where there isn't one. You can't get to the Cabaret with another door. You are trying to make a second door, where there isn't one. So, you are trying to skirt the bar, somehow. A person under the age of 21, does not have bar patrons, for a lack of a better term, harassing someone under 21 years of age, that has had a

little too much to drink, plus have access to that bar. So, even though they are carded at the door, how to they sneak back to the bar, trying to get a drink from the bartender, who thinks they have already been carded at the door. You are trying to partition off the bar, which is Paul's question regarding the restrooms. What you have to realize, the Liquor License is a privileged license. It can be taken away. We can take a Business License away for public safety, but a Liquor License is a privileged license. You don't want to walk that line all the time. I have taken away those myself, pending a Special Council meeting because there is stuff going on in a bar that I don't think is good for public safety, public health, and welfare. How would you like those guys to go and turn your lock one night? Well, I have done that, in my history here because I don't think it is in the public's best interest to have that open, waiting for a Special Council meeting waiting to confirm what I did. Those are a privileged license, and I don't know if you realize what a Liquor License is. So, whatever you do in there, is subject to ending very quickly with a Liquor License. We don't take lightly what we are discussing today, when you talk about people under the age of 21, because it is illegal. It puts the youth of our community at risk, which puts families at risk. So, that is why we are spending time on this. Now, these other folks know that they can't have anyone in there that are under the age of 21, or the Gaming Commission is going to hammer them and take their Gaming License away, which is a privileged license. They don't want to shut down Stockman's. They aren't going to fool with 18-year-old kids. What you are on the risk of doing, is doing something almost the same. We have to find a way, with Derek's help, to somehow partition this, in a way, that satisfies the Council, that people under the age of 21 aren't at risk. There may be a way to do this. Kelly is right, we can't figure this out today. I am sure that the Council agrees that they aren't comfortable with it either. We are trying to get a second way to get to this, when you only have one way. That may not be building a 12-foot wall across here, but it might be easier than what we are thinking right now.

Mr. Resendiz stated that he can make it for only people that are 21 years of age, that would be fine.

Mayor Tedford stated that he may have to make it be a bar for only 21-year-olds and older. Your events cater to 21-year-olds anyway, and anyone younger shouldn't be in there. We will see if Engineer Derek Zimney can put something together that can get you there, and might make it work. We always try to work with businesses as much as we can, and I don't see why we don't try now.

Councilwoman Frost stated that she wants them to be successful. You have to follow the laws and the ordinances. I am very concerned mixing under 21-year-olds with 21-year-olds in a bar situation. That is a danger to our community, and I don't think, as a Council, we can allow that to happen, whatsoever. Either you look at your business plan and decide that it is 21 years of age and older, or you work with Derek and figure out a way to do what you want to do here.

Mr. Resendiz stated that he can just make it 21 years and older.

Mayor Tedford stated that we will table this for now. I have down here, in my notes, that there needs to be a second access. Maybe you get around a second access with a railing around that bar area. Maybe not a wall but some kind of railing, and they can walk on the other side of the railing and avoid the bar, or it has to be people that are 21 years of age or older. You have to get around that bar. That isn't a huge deal.

Mayor Tedford tabled the application by Johan Luis Vera Resendiz for a Cabaret License for Greenwave Sports Bar, to be located at 2155 West Williams Avenue.

Public Hearing for discussion of possible project(s) to be funded through the Community Development Block Grant Program for the fiscal year 2023-2024 and consideration and possible approval and ranking of project application(s) to be submitted through the CDBG program.

City Engineer greeted the Council. The CDBG Program is administered by the Department of Housing and Urban Development and is Authorized by Title I of the Housing and Community Development Act. The primary objective of the Community Development Block Grant is the development of viable communities by providing decent housing, suitable living environments, and expanding economic opportunities principally for persons of low and moderate income. The Governor's Office of Economic Development anticipates the amount of 2023 allocations at \$3,600,000.00 for rural Nevada. This Public Hearing is the third and final hearing in CDBG process. A Public Hearing Notice, which was posted on January 24, 2023, referenced projects proposed to date. These are Kaiser Street and Sidewalk ADA Improvements - \$788,105.00, which would be the CDBG match, and the Laura Mills Park ADA Improvement Project - \$400,000.00. Both projects were submitted for eligibility, and both were found eligible. We are pleasantly surprised that we were able to get Laura Mills Park eligible. So, that was a big win. Today, we come before the Council, and I have provided some drawings. Laura Mills is very conceptual, at this point. We are always open to thoughts and process on this. The Kaiser Street is a very important project that we found. We did do a double micro slurry seal, on that project just because it was in a lot of trouble over there. Parts of that is holding but we do see where some truck traffic is starting to take it down, in small areas. Both are great projects. I would love to hear any questions, thoughts, and by the end we can get a ranking of what our greatest need is here.

Mayor Tedford stated that he thinks we need to rank Laura Mills Park. I think we need to submit both projects. I think that we need to rank Laura Mills Park first and Kaiser Street second.

Councilman Harmon stated he had a question regarding Kaiser Street. What part of Kaiser are you doing the ADA improvements? Golden Gate did all of their sidewalks and ADA. Is it basically, the section behind Louie's and the Coffee Shop there?

City Engineer Derek Zimney stated that the way Kaiser is broken out is into two phases. The most critical was from Golden Gate over to Allen Rd, where we have seen significant truck traffic cause degradation but as we replace that road, both sides, going down, will become ADA compliant, with curb, gutter, and sidewalk. If the sidewalk needs it, we will just replace everything as we go.

Councilman Harmon stated that this isn't just sidewalk improvements on Kaiser Street, it is Kaiser Street and ADA improvements.

City Engineer Derek Zimney confirmed Councilman Harmon's statement. We also intend to do our utilities underneath. We like to do that before we do a major roadway project.

Councilman Harmon agreed. Absolutely, there are lots of power poles and power boxes where people would be walking on the sidewalk. Poles in the middle of the sidewalk are not good for ADA.

Councilwoman Kent inquired if the sidewalk is on both sides of the street.

City Engineer Derek Zimney stated that it is patchy and a little bit of a mess currently but that there will be.

Mayor Tedford stated that we have done some on the southside. No one seems to walk on the southside only, they seem to walk in the street still on the northside.

Councilman Harmon inquired how that will work in front of the Saleyard. That isn't February 7, 2023 Fallon City Council Meeting

9

City property, right? Where the Saleyard is?

City Engineer Derek Zimney stated that the Saleyard is in the County. I believe that they have sidewalk there.

Mayor Tedford stated they have sidewalk there but that it is just full of dirt from the trucks driving over it. You're right, but I think we may have to fix a lot of that. I think it is going to come down to drainage, I think.

Councilman Harmon inquired if we have an idea of how many people use Laura Mills Park during the summer, the walking loop, and such.

City Engineer Derek Zimney stated that every time he is down there, there are different groups of people that walk that neighborhood. There are people that jog across town to do laps around the loop. I don't have exact numbers, but I do know that it is a beloved park and I think any improvement we do over there, is going to increase usage. I am confident of that.

Councilwoman Kent stated that the outside loop is a ½ of a mile. People go to just walk that loop.

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

No further comments were noted.

Councilwoman Frost inquired if both projects are eligible for CDBG grants.

City Engineer Derek Zimney stated that they were both eligible projects. The purpose of this meeting is to rank the projects. Since we have multiple projects, typically, when we go through, it wouldn't surprise me, they go through them, and they say that we like both of your projects but you are fighting with other cities and counties. Which one is more important to you? It is a real possibility that they will try and say you can do one and not the other, or they will say that they both fit the budget. It just depends on what everybody else submits, what their budgets are, and where we rank once they are presented.

Councilman Harmon inquired if Laura Mills Park has been approved by this grant, would this also give us the opportunity to do other improvements while they are doing the sidewalks. If we find funding for that, is that something we could look at, in the future, to make improvements to the park, as they are doing the ADA stuff?

Mayor Tedford stated that we will.

City Engineer Derek Zimney stated that we will want to show that when presented. Let them know that the City is going to spend this amount for these other improvements. Showing that match to the CDBG is usually a huge thing. They like us to show that we have some skin in the game, and that we are super vested in this project. They appreciate those kinds of things.

Councilwoman Frost motioned to rank Laura Mills Park ADA Improvement Project for \$400,000.00, 1st to be funded through the Community Development Block Grant Program for the fiscal year 2023-2024, along with the Kaiser Street and Sidewalk ADA Improvements - \$788,105.00 ranked as number 2 in our submittals; seconded by Councilman Harmon and approved with a 3-0 vote by the Council.

#### **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.

Councilman Harmon stated that he, along with Captain Riley, attended the Nevada February 7, 2023 Fallon City Council Meeting

Public Officials Orientation and Symposium, in Reno, on Friday and Saturday of this last week. I thought that was a great, eye-opener, and training to being a Public Official, for me, as this is my first time being a Public Official, in the position that I am. I appreciate the City and the Staff who made it possible to attend, and I look forward to attending other things in the future that will further my knowledge, in that aspect. I think Captain Riley, as an appointed Public Official, got quite a bit out of it, during the discussion that we had.

Mayor Tedford stated that was good to hear. 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 9:49 a.m.

		Mayor Ken Te	dford	
Attest:				
Sean C. Rich	ardson, City Clerk-Trea	surer		

# February 21, 2023

# Agenda Item 6

Consideration of application by Paramjit Singh for a retail liquor license for Fallon Station and Food Mart to be located at 1325 South Taylor Street. (For possible action)

Incorporated 1908

#### CITY OF FALLON REQUEST FOR COUNCIL ACTION

Agenda	Item No
DATE SUBMITTED: February 14, 2023	
AGENDA DATE REQUESTED: February	21, 2023
TO: The Honorable City Council	
FROM: Elsie Lee, Deputy City Clerk	
• •	ation by Paramjit Singh for a retail liquor license for at 1325 South Taylor Street. (For possible action)
TYPE OF ACTION REQUESTED: (Check	k One)
( ) Resolution (X) Formal Action/Motion	( ) Ordinance ( ) Other
DECOMMENDED COLDICIL ACTION	Nation to annual annihilation and to icour a natail

RECOMMENDED COUNCIL ACTION: Motion to approve application and to issue a retail liquor license to Paramjit Singh for the Fallon Station and Food Mart to be located at 1325 South Taylor Street.

DISCUSSION: Paramjit Singh, partner of Fallon Station and Food Mart has made application for a retail liquor license for Fallon Station and Food Mart to be located at 1325 South Taylor Street. 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 of the premises only.

The application has been reviewed by Police Chief Kris Alexander, City Engineer Derek Zimney, Deputy City Clerk Elsie Lee and Deputy City Attorney Trent deBraga and has been recommended for approval.

FISCAL IMPACT: Annual retail liquor license fee revenue.

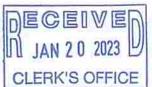
FUNDING SOURCE: N/A.

PREPARED BY: Elsie Lee, Deputy City Clerk



RECEIVES West Williams Avenue, Fallon, Nevada 89406 Phone: (775) 423-5104

JAN 2 5 2022 Fax: (775) 423-8874



LIQUOR LICENSE APPLICATION Owner Change ☐ Manager Change Location Change Application Type: SINGH PARAMSIT Applicant Name: Application Date: Phone: 530-318-8401 Title: Owner Driver's License Number: \_\_\_\_ Date of Birth: State: \_\_\_\_C. P List all addresses in which you have resided at for the past five (5) years. State Zip City Begin/End Physical Address - Present 762 N. Brodway ST TALION 01-02-2018 360 Torry Pa; N S.T 02-1-2019 12-1-2019 860 ILARRY way \*p110N W.V 89406 10-30-2022 Sole Proprietor ☐ Partnership ☐ Limited Liability Company □ DBA Business Entity Type: ☐ Corporation Association Other: STATION and food MART FALLOW Business Name: Business Owner(s): Title Name Address PARAMJIT SINGH 762 W. BROUWAY ST FALLOW N. V 89406 Duney 1325 S. TAYlor Street fallow N. 189406 Business Address: Provide a brief description of the portion to be occupied by the establishment for which the license is sought: Yes No Is the premises to be licensed leased by the applicant? Name of the owner of the premises: PARAMJIT SINGH

P Retail (Off Premises)

Yes M No

☐ Drinking Establishment (On Premises)

Name of the owner's authorized agent, if any:

What type of license for which the application is made:

Have you owned or managed any other business?



55 West Williams Avenue, Fallon, Nevada 89406 Phone: (775) 423-5104 Fax: (775) 423-8874

If Yes, list the bu	siness(es) you h	ave owne	d or managed.						
Begin/End	Name	)	Address			City		State	Zip
							10		
Have you ever be					√Yes	□ No			
If Yes, when?	20	15_		What A		12.00			
Have you ever ha	ad a business or	liquor lice	ense revoked?		☐ Yes	No No			
If Yes, when?				What A	Agency?				
Have you ever be	een denied a bu	siness or	liquor license?		☐ Yes	📈 No			
If Yes, when?				_ What A	Agency?				
Have you received any specialized training for serving alcoholic beverag				erages?	☐ Yes	☐ No			
If Yes, explain:									
Have you ever be	een arrested?	Yes	☐ No						
If Yes, provide th	e following infor	mation:							
Date 7/8/99	Charge /3-	ritray	DISSMI	Isey	Arresting A	gency SUTF	PD	Di	sposition
6/1/200	Di	) F	Disser	ed		NV 4	P	DI	smid
3/12/02	DU	1.	9011/14			SLPD		9	ULy '
6/4/02			Discret			1290		C	ULY
List five (5) refere				e numb	ers:	Tro		Di	ssmed
Name					Phone		Relation	onship	
SMINDERD SINGLA				530-31	8-2349	fr	end		
TAMMY HARDTNER				775-5	60-2330	fm	end	·	
CYNTHIA RULLY				775-	376-4880	fm	end		
HZA-D N	men				925-4	64-3635	fro	end	
MANRY	CINGH					541-7848			

I declare under penalty of perjury that the foregoing is true and correct:

- 1. That I have received and read a copy of Chapter 5.08 of the Fallon Municipal Code Alcoholic Beverage Sales;
- That upon approval of a Liquor License, I will conduct the business and business establishment in accordance with the provisions of the laws of the State of Nevada, the United States, and the ordinances of the City of Fallon applicable to the conduct of business; and
- That the above information is true and correct to the best of my knowledge and belief and that such declaration is made with the full knowledge that any failure to disclose, misstatement, or other attempt to mislead may be considered sufficient cause for denial of a business license.

Applicant's Signature

Liquor License Application - Page 2 of 3



55 West Williams Avenue, Fallon, Nevada 89406 Phone: (775) 423-5104 Fax: (775) 423-8874

#### **AUTHORIZATION AND RELEASE**

I, YATAMJIT SINGH, authorize the Fallon Police Department to perform a background check and to release the results of said investigation, which may include information of a confidential or privileged nature, to the

Applicant's Signature

City Council in public documents and/or discussion at a public meeting.

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ity of Fallon Chief	\$ REVIEWED BY For Police Chill County Fire Dept.	Recommended by Chief of Police or Designee  Not Recommended by Chief of Police or Designee  Date: 2/14/23 Date: 2-14-23 Date: 2-14-23 Date: 2-14-23

## FALLON POLICE DEPARTMENT

55 West Williams Avenue Fallon, Nevada 89406-2941 775-423-2111

Fax: 423-6527

Kristopher R. Alexander Chief of Police

February 7, 2023

This letter certifies that Mr. Paramjit Singh, Fallon Station and Food Mart, located at 1325 S. Taylor St., Fallon, NV 89406, has completed and passed his background check for a liquor license.

Additionally, I have met with the applicant regarding components of the Fallon Municipal Code concerning alcoholic beverage sales as well as his responsibilities as owner of the business.

Furthermore, there is a supplemental form that specifically addresses the operation of the business, to include identifying the on-site manager, and acknowledgments from the applicant indicating understanding he may be held personally responsible for improper business practices.

Sincerely,

Kristopher/R. Alexander

Chief of Police

## <u>Liquor License Application Interview Supplement</u>

APPLICANT: _	Paramjit Singh	DATE: 02/07/2023
BUSINESS NAM 89406	IE – <u>Fallon Station and Food N</u>	Mart, 1325 S. Taylor St., Fallon, NV
(will will not)	be the on-site supervisor.	
If not, the	e on-site supervisor will be	P
	and that if the on-site supervi e City Clerk's Office. Initials _	sor changes, I am responsible to
I acknowledge t sold at the store		personally responsible for what is
from the busine		ler, I am responsible for alcohol sales y responsible for alcohol sales that
		or and Business License le and agree to abide by those

# February 21, 2023

Agenda Item 7

Consideration of application by Johan Luis Vera Resendiz for a cabaret license for Greenwave Sports Bar, to be located at 2155 West Williams Ave. (For possible action)

Incorporated 1908

#### CITY OF FALLON REQUEST FOR COUNCIL ACTION

Agenda Item No. 7

DATE SUBMITTED: February 14, 2023 AGENDA DATE REQUESTED: February 21, 2023 TO: The Honorable City Council FROM: Elsie Lee, Deputy City Clerk SUBJECT TITLE: Consideration of application by Johan Luis Vera Resendiz for a cabaret license for Greenwave Sports Bar, to be located at 2155 West Williams Ave. (For possible action) TYPE OF ACTION REQUESTED: (Check One) ( ) Ordinance ( ) Resolution (X) Formal Action/Motion ( ) Other

RECOMMENDED COUNCIL ACTION: Motion to approve application and to issue a cabaret license to Johan Luis Vera Resendiz for Greenwave Sports Bar, to be located at 2155 West Williams Ave.

DISCUSSION: Johan Luis Vera Resendiz, Owner of Greenwave Sports Bar has made application for a cabaret license for Greenwave Sports Bar, to be located at 2155 West Williams Ave. A cabaret license is a privileged license that allows the licensee to provide live entertainment or dancing at the establishment.

The application has been reviewed by Police Chief Kris Alexander, Deputy City Clerk Elsie Lee, City Engineer Derek Zimney, and Deputy City Attorney Trent deBraga.

FISCAL IMPACT: Annual cabaret license fee revenue.

**FUNDING SOURCE: N/A** 

PREPARED BY: Elsie Lee, Deputy City Clerk

TO BE PRESENTED TO THE COUNCIL BY: Elsie Lee, Deputy City Clerk



55 West Williams Avenue, Fallon, Nevada 89406 Phone: (775) 423-5104 Fax: (775) 423-8874



#### CABARET LICENSE APPLICATION

A THE CONTRACTOR OF PERSON	Annual (Per calendar ye	-	Manager Change ☐ Temporary (№ _ Application Date:	1/4/20	-
Business Entity Type:  Business Name:	Sole Proprietor Corporation  Corporation	□ Partnership □ Association □ SPOV+S	Limited Liability Other:		□ DBA
Business Owner(s): Name	John doi	S IEXO RO	Sendiz	Title COW	nco
Room Description (Attach Flex (i.e. entertains)  Description of live entertains  I declare under penalty of perjury the 1. That no person not name 2. That each and every person to the second of the	rtainment annent (i.e. DJ, karaoke,	live band, etc.):  correct: directly or indirectly interestation is of legal age and a disest during all hours in whattached hereto and made	Sce attaces  sted in the business to be ocitizen or lawful resident or ich business is conducted a part of this application.	conducted under such f the United States;	EP PEC
of the State of Nevada, th 7. That the above information	Cabaret License, I will condu- te United States, and the ord- on is true and correct to the to the to disclose, misstatement,	dinances of the City of Fall best of my knowledge and	on applicable to the condu belief and that such declar	ct of business; and ation is made with the cient cause for denial	full
City of Fallon Engineering/Buil City of Fallon Chief of Police City of Fallon/Churchill County City of Fallon Attorney's Office	ding Department	USE ONLY - REVIEW	WED BY	Date: //20/2 Date: //2/2 Date: /-30 Date: /-30	623 623 73 7623
Account No.	License No.	OFFICIAL USE ONLY:	Payment Received	Ву:	

# Greenwave Sports Bar 2155 W. Williams Ave. Fallon, NV 89406



February 9, 2023

To whom it may concern:

This letter is to request to go in front of the City of Fallon to ask for a cabaret license to be approved. If possible, we would like to request to be on the next agenda for February 21, 2023, at 9:00AM.

We now understand that this is a privilege and that this is needed for any entertainment events. All events are currently cancelled until further notice.

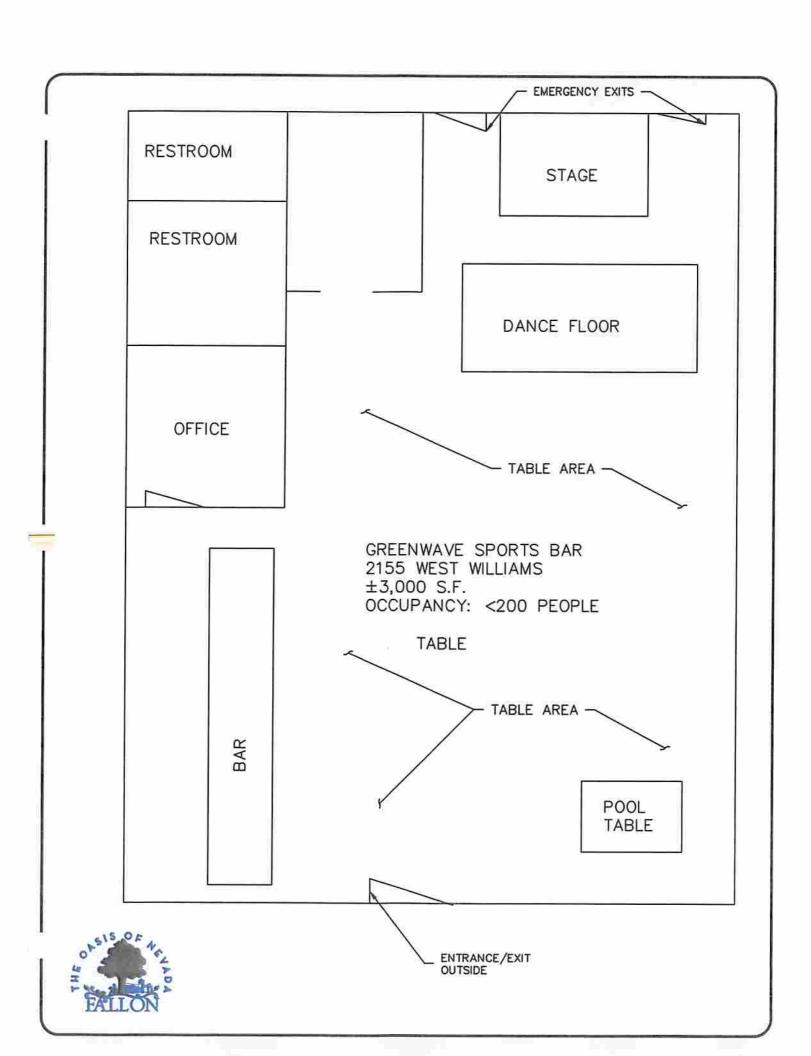
We are a sports bar for only 21 years of age in attendance and would like to be able to have live music, dancing, karaoke, DJ's, bands, trivia, mechanical bull, cornhole, dart competitions, pool league

Johan Vera

Owner

Greenwave Sports Bar

Tokan (Jera.



Energeny Existing STAGE Rest rooms 12 F7 15 FT DAUSCE 7 LOOR. あれ

BAR AREA.

TABLES AREA.

Johan Vere-1/3/2022

1013LES 1/RER.

Main entrance

Anotherton.

# February 21, 2023

Agenda Item 8

Fallon Police Department Monthly Report for January 2023. (For discussion only)



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# 

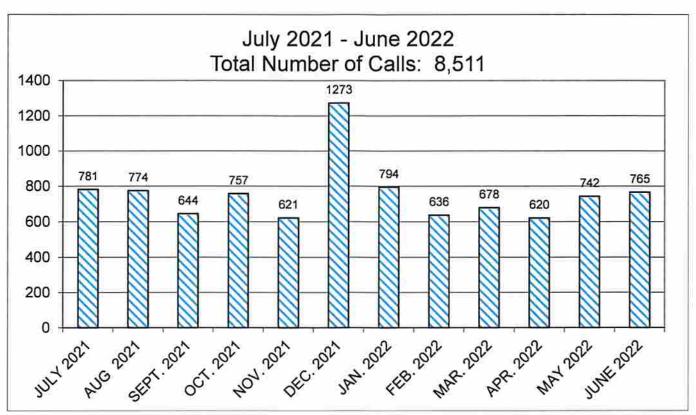
DATE SUBM	HTTED: 2/7/23	AGENDA DATE REQUES	STED: 2/21/23
TO:	Mayor and Council		
FROM:	Kristopher R. Alexander, Chie	ef of Police	
SUBJECT:	Fallon Police Department M	onthly Report for January	2023
TYPE OF AC	CTION REQUESTED: (Chec ( ) Resolution ( ) Formal Action/Motion	k One) ( ) Ordinance ( x ) Other (Specify) Review	Only
RECOMME	NDED COUNCIL ACTION:	For review only	
DISCUSSION	N/ANALYSIS: (Attachment, it	f necessary)	
FISCAL IMP	PACT: None		
FUNDING S	OURCE:		
EXPLANAT	ION OF IMPACT:		
ALTERNAT	IVES: Emily Rasmussen		Date <u>217123</u>
Reviewed By:	Chief Kristopher Alexander		Date Z 1/3 /23

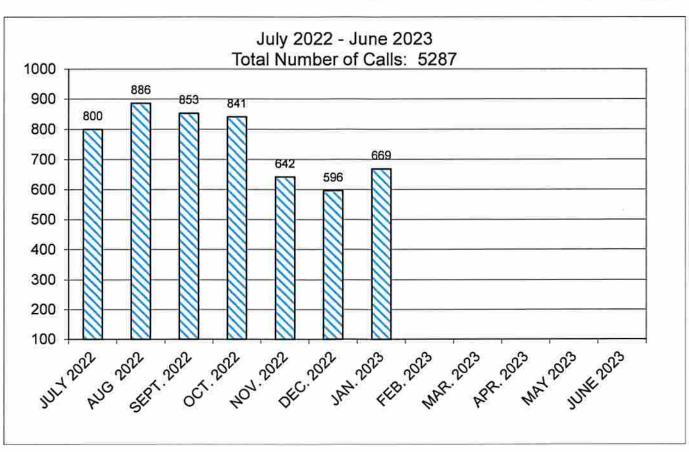
# MONTHLY ACTIVITY REPORT



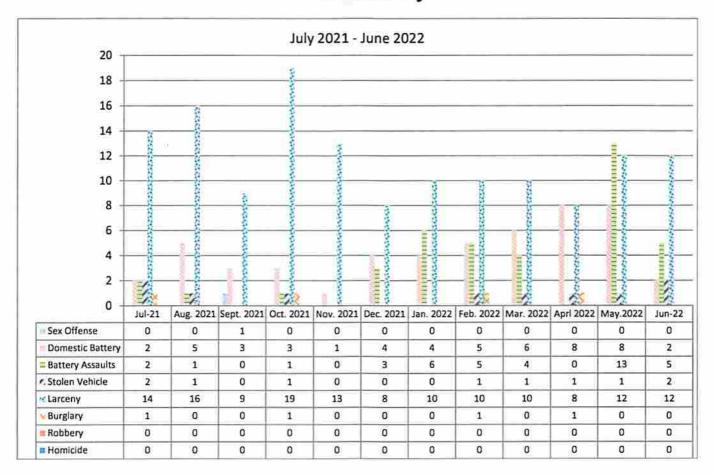
January 2023

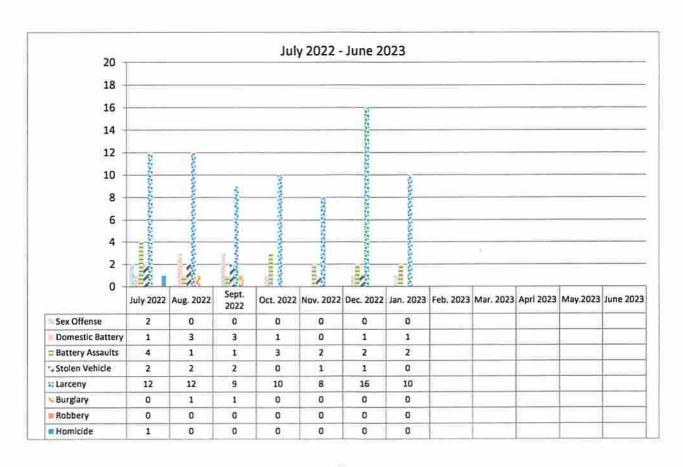
## Calls for Service / Total Incidents Reported



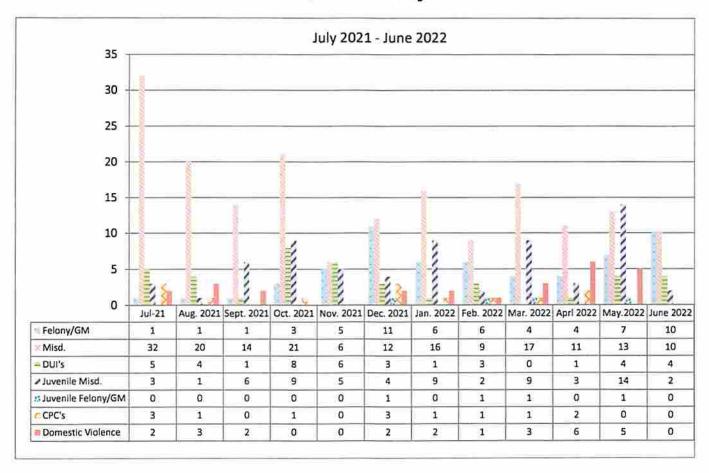


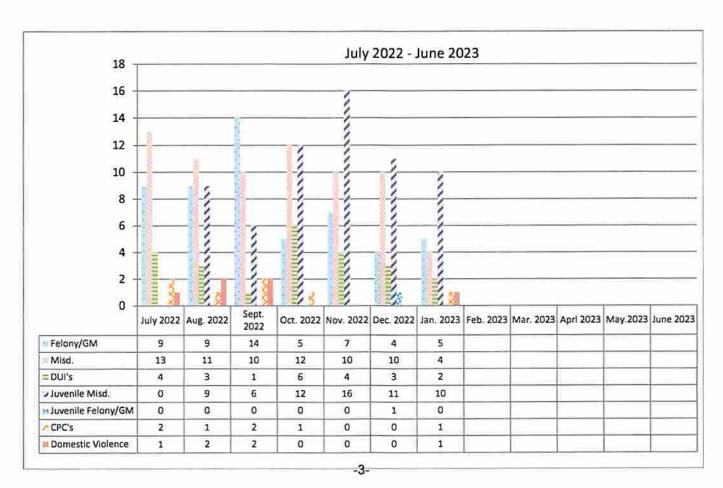
## **Crime Summary**



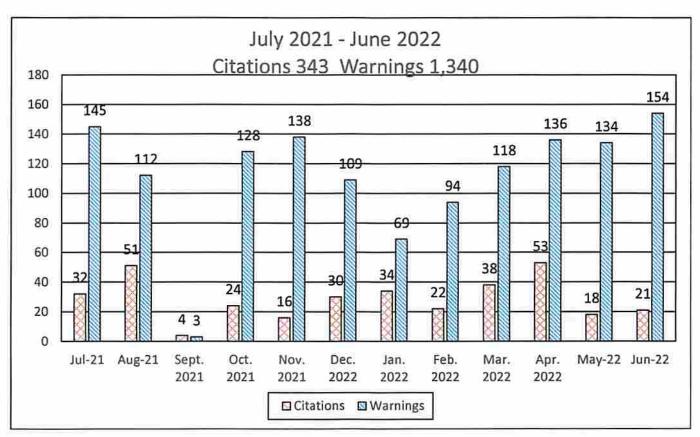


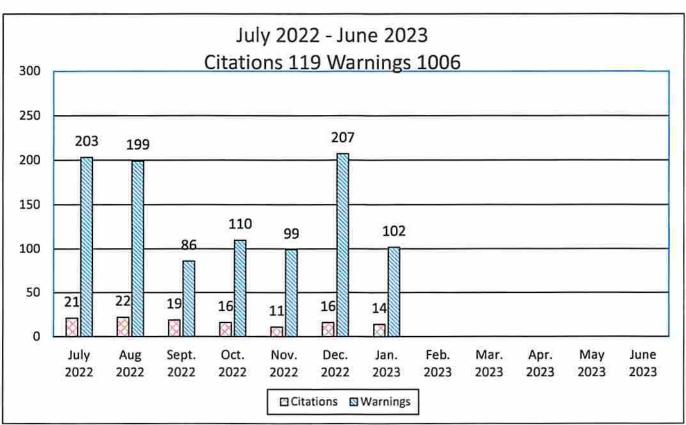
### **Arrest Summary**



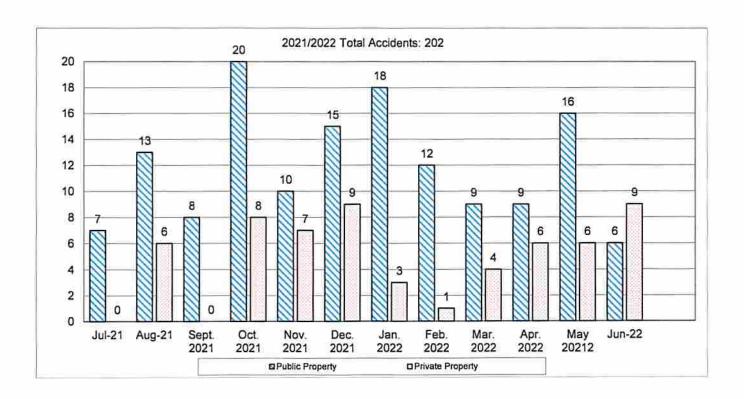


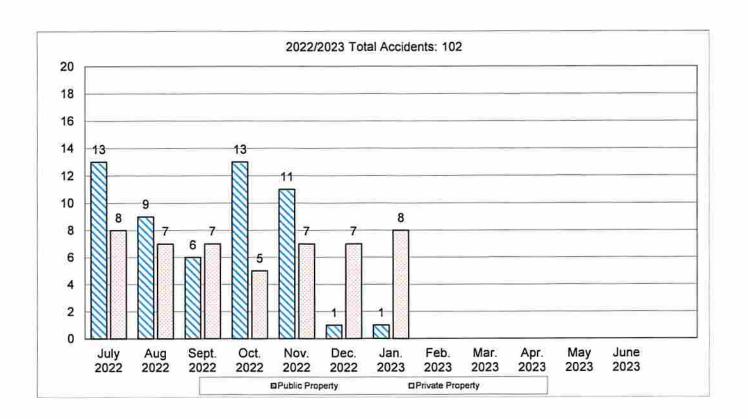
### **Moving Citations Traffic Warnings**



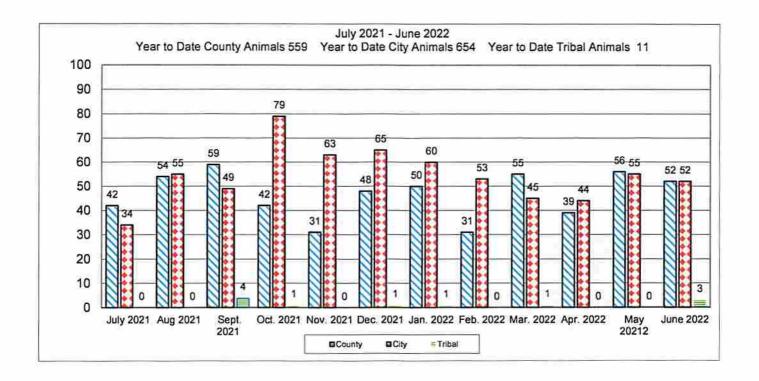


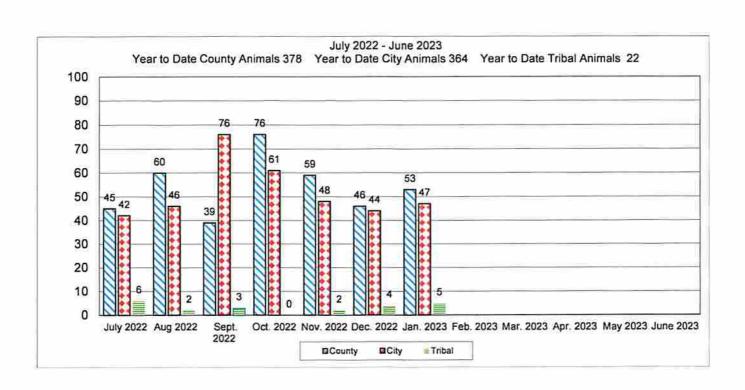
#### **Traffic Accidents**





#### **Animal Shelter Services**





# Fallon Police Department Citizen Survey Results January 2023

When you contacted the Police Department, how satisfied were you with the ability of the dispatcher or employee that assisted you?

VERY SATISFIED	SATISFIED	DISSATISFIED	NO OPINION_
5			

Where you satisfied with the courtesy and concern shown by the dispatcher or employee?

VERY SATISFIED	SATISFIED	DISSATISFIED	NO OPINION
4	1		

Are you satisfied with the Police Department's response time?

VERY SATISFIED	SATISFIED	DISSATISFIED	NO OPINION
5			

Regarding your most recent	contact please rate	the Officer in 1	he following areas:
Regarding your most recent	contact, please rate	: me Omcer m	me tonowing areas.

Officer name (s)_	Ofc. K. Montgomery	
Dispatcher (s)		

	VERY SATISFIED	SATISFIED	DISSATISFIED	NO OPINION
Concern	4			1
Courtesy	4			1
Knowledge	4			1
Problem Solving Ability	4			1
Professional Conduct	4			1

Overall, how satisfied are you with the Fallon Police Department?

VERY SATISFIED	SATISFIED	DISSATISFIED	NO OPINION
5			

# Fallon Police Department January 2023

### **Citizen Survey Comments**

- I would like to thank you for a great morning when I needed a little extra care.
- Concern was handled by officer and issue was resolved. Thank you!
- Thank you for the quick response and excellent follow up. Officer Montgomery's conduct and professionalism were outstanding!

### Fallon Police Department Activities / Special Events January 2023

#### **ASSISTANCE**

During the month January, we provided one (1) bus ticket and one (1) hotel room.

#### **INDOCTRINATION**

During the month of January, there were no (0) indoctrinations at NAS Fallon.

#### **VOLUNTEERS IN POLICE SERVICES**

January 2023 the Fallon Police VIPS volunteered one hundred thirty-seven (137) hours to the agency.

These hours of consisted of assistance with Helping Hands and the Oxygen Survey.

#### **OTHER PUBLIC RELATIONS**

During January officers conducted special detail for the following:

- On January 9th, 2023, officers provided traffic control for a Fountain Dye on Maine St.
- On January 11th, 2023, officers gave a tour of City Hall to a group of kids.

#### **BREAKDOWN OF ARRESTS**

During the month of January, the Police Department had twenty-three (23) total arrests:

- Of the five (5) felony arrests, four (4) were warrant arrests and one (1) was a Parole & Probation arrest.
- Of the four (4) misdemeanor arrests, all four (4) were misdemeanor warrant arrests.

### **BREAKDOWN OF THEFT REPORTS**

During the month of January, the Police Department took ten (10) Theft reports:

- One (1) report of stolen tools
- One (1) report of stolen packages from porch
- One (1) report of a stolen chainsaw
- Two (2) reports of stolen items from CVS
- Four (4) reports of stolen cell phones
- One (1) report of a stolen wheelchair platform from vehicle