

**AGENDA
CITY OF FALLON
55 West Williams Avenue
Fallon, Nevada
October 16, 2018**

PLEASE NOTE CHANGE OF DATE OF REGULAR MEETING

The Honorable City Council will meet in a regularly scheduled meeting on October 16, 2018 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 five 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. Approval of Council meeting minutes for September 4, 2018, September 18, 2018, and October 1, 2018. (For possible action)
5. Approval of Warrants: (For possible action)
 - A) Accounts Payable
 - B) Payroll
 - C) Customer Deposit
6. Consideration and possible approval of application by William Hamilton for a drinking establishment liquor license for Bear Brand Properties LLC dba Woody's on the Beach to be located at 10 State Street Unit B. (For possible action)
7. Consideration and possible approval of election of officers of the Fallon/Churchill Volunteer Fire Department: Fire Chief – Jared Dooley; First Assistant Fire Chief – Randy Sharp; Second Assistant Fire Chief – Christopher Rogne; and Third Assistant Fire Chief – Anthony Myers. (For possible action)
8. Swearing in of new Police Officers, Joshua Schumann and Chad Bernard (For discussion only)

9. Public hearing for discussion of possible projects to be funded through the Community Development Block Grant Program, for fiscal year 2019-2020. (For discussion only)

10. Public Comments (For discussion only)

11. Council and Staff Reports (For discussion only)

12. 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 October 10, 2018 at City Hall, District Court Building, Churchill County Office Complex, Churchill County Public Library and posted to the official website of the State of Nevada (<https://notice.nv.gov/>) in accordance with NRS 241.020 (3) (b).



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 423-5104 in advance so that arrangements may be conveniently made.

Fallon City Council Meeting

October 16, 2018

Agenda Item 4

Approval of Council meeting minutes for September 4, 2018, September 18, 2018, and October 1, 2018. (For possible action)

**MINUTES
CITY OF FALLON
55 West Williams Avenue
Fallon, Nevada
September 4, 2018**

The Honorable City Council met in a regularly scheduled Council meeting on the above date in the Council Chambers, 55 West Williams Avenue, Fallon, Nevada.

Present:

Mayor Pro Tempore, Robert H. Erickson
City Councilman, James D. Richardson
City Councilwoman, Kelly Frost
City Clerk, Gary C. Cordes
City Attorney, Michael F. Mackedon
Deputy Public Works Director, Ryan A. Swirczek
Deputy Public Works Director, Adrian Noriega
Police Chief, Kevin Gehman
Legal & Administrative Director, Robert Erquiaga
Deputy City Clerk, Elsie M. Lee
Public Works Director, Brian A. Byrd
Marketing & Communications Coordinator, Kaitlin Ritchie

The meeting was called to order by Mayor Pro Tempore Erickson at 7:00 p.m.

Mayor Pro Tempore Erickson led the Pledge of Allegiance.

Mayor Pro Tempore Erickson inquired if the agenda had been posted in compliance with NRS requirements.

City Clerk Cordes advised that the agenda was posted in compliance with NRS 241.

Mayor Pro Tempore Erickson advised that Mayor Tedford was not present tonight as he was ill.

Public Comments

Mayor Pro Tempore Erickson 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 public comments were noted.

Approval of Warrants

- A) Accounts Payable
- B) Payroll
- C) Customer Deposit

Mayor Pro Tempore Erickson inquired if there were any comments regarding the accounts payable, payroll and customer deposit warrants.

No comments were noted.

Councilwoman Frost motioned to approve the accounts payable, payroll and customer deposit warrants and authorize the Mayor to sign the same; seconded by Councilman Richardson and approved with a 2-0 vote by the Council.

Consideration and possible approval and adoption of Resolution No. 18-27: A resolution providing for the installation and maintenance of stop signs on the north and south legs of the intersection of Allen Street and "A" Street and for the removal of the stop signs on the east and west legs of the intersection of Allen Street and "A" Street

Legal and Administrative Director Erquiaga explained that this resolution proposes a change in the stop signs at Allen and A Streets. Upon citizen inquiries, he, along with Public Works Director Byrd and Deputy Public Works Director Swirczek, looked at the intersection and felt there were some changes that may be necessary. Lumos & Associates was retained to evaluate the intersection, traffic flow and car counts, at both A Street and Allen Street. They also looked at other stop signs and controls on A Street from Venturacci Lane to Taylor Street as well as from Taylor Street to Maine Street and they put together a recommendation that they believe in essentially swapping the stop signs to stop traffic on Allen Street rather than A Street. This is appropriate and a good change at that intersection. Lumos & Associates also provided a recommendation as to the phasing in of that change. City staff is in agreement with that proposal. It will help educate drivers and people in the area. That phasing would be to add the additional stop signs on Allen Street first, which will make it a four-way stop for a period of time. Lumos & Associates recommended 30-60 days, giving people the ability to get used to the new stop. After that, we would go back and remove the stop signs on A Street. City staff is in full agreement with the recommendation of Lumos & Associates. The goal of the resolution is to give City staff the approval to install the new stop signs on Allen Street and then remove the stop signs on A Street as City staff saw fit, in consultation with Lumos & Associates. So we would not have to come back to the Council again to ask to remove the stop signs on A Street.

Mayor Pro Tempore Erickson inquired if the Council had any comments or questions.

Councilwoman Frost stated that some constituents were concerned about this intersection, they had a few close calls, so she thought this was a great solution. It will make it a much safer intersection. She agreed with the recommendation of City staff and Lumos & Associates.

Mayor Pro Tempore Erickson inquired if there were any public comments or questions.

No comments were noted.

Councilwoman Frost motioned to adopt Resolution No. 18-27: A resolution providing for the installation and maintenance of stop signs on the north and south legs of the intersection of Allen Street and "A" Street and for the removal of the stop signs on the east

and west legs of the intersection of Allen Street and "A" Street; seconded by Councilman Richardson and approved with a 2-0 vote by the Council.

Executive Session

Mayor Pro Tempore Erickson stated that there would not be an Executive Session this evening.

Consideration and possible action to approve negotiated agreement between the City of Fallon and the Operating Engineers Local Union No. 3 to be effective from July 1, 2018 to June 30, 2021. (Pursuant to NRS 288.153, the proposed agreement and any exhibits or other attachments to the proposed agreement are available to the public on the City's website, fallonnevada.gov, and at the City Clerk's Office, 55 West Williams Avenue, Fallon, Nevada.)

Legal and Administrative Director Erquiaga stated that he would ask the Council to pull this agenda item tonight. Our intention was to have an Executive Session to discuss the agreement with the Operating Engineers Local Union No. 3 and to hopefully get Council action. Unfortunately, the agreement was not posted on the City's website. The agenda had been properly posted in compliance with Chapter 241 of the Nevada Revised Statutes (NRS), however, there is a specific provision in NRS Chapter 288.153 that requires the City to post a copy of the agreement that is being considered and could ultimately be acted upon, at least three business days prior to the Council's meeting. We had emailed that agreement to our website administrator and unfortunately, it did not get posted until this afternoon. So, we are in a position, that is actually a pretty easy one at this point, and that is not to have any discussion tonight, not to move forward. We want to absolutely do things correctly, so he recommended that this item be pulled and brought back at the next Council meeting. The agreement is now on the website, so the public will have far in excess of the three business days to review it.

Mayor Pro Tempore Erickson tabled this item and advised that it would be considered during the September 18, 2018 Council meeting.

Presentation of the Police Department Report for July 2018

Chief Gehman presented the July monthly report. He added that the July incidents and activities were primarily in line with previous months with the exception of a homicide in July.

- Staff participated in 80 hours of training.
- Detective Decker provided the indoctrination lecture to newly stationed Navy personnel.
- Police Explorers participated in the July 4th parade at the Fallon Police Department static display.
- Through the welfare assist account, we provided two people with lodging.
- The citizen survey results were positive.

Mayor Pro Tempore Erickson inquired if the Council had any comments or questions. No comments were noted.

Mayor Pro Tempore Erickson thanked Chief Gehman for the report.

Council and Staff Reports

City Attorney Mike Mackedon: Noted that Mayor Tedford was doing well and had offered to hold a special Council meeting to consider the agreement that was tabled tonight.

Mr. Phillip Herring, Business Representative for Operating Engineers Local Union No. 3, advised that they did not have any time constraints, the next regularly scheduled Council meeting would be fine with them.

City Clerk Cordes: No comments were noted.

Chief Gehman: No comments were noted.

Legal and Administrative Director Erquiaga: Advised that the Federal Aviation Administration approved the City's airport grant to reconstruct the center apron and connectors and A&K Earth Movers mobilized today to begin the 49-day contract. This will be another nice improvement to our airport.

Mayor Pro Tempore Erickson asked for a status update on the youth club project.

Legal and Administrative Director Erquiaga stated that it is really coming along. We have tied in the water line, so the utility portion is moving right along. We may see some concrete poured this week, some curb and gutter.

Deputy City Clerk Lee: No comments were noted.

Marketing & Communications Coordinator Ritchie: No comments were noted.

Deputy Public Works Director Swirczek: No comments were noted.

Public Works Director Byrd: No comments were noted.

Deputy Public Works Director Noriega: No comments were noted.

Councilwoman Frost: No comments were noted.

Councilman Richardson: No comments were noted.

Mayor Pro Tempore Erickson: Thanked the City's public works crew and the police department for their efforts during the Labor Day parade. It is a big job that starts early and runs late, and he noted they did a great job. It was very well orchestrated – resulting in a lot of future work for the dentists in town.

Public Comments

Mayor Pro Tempore Erickson inquired if there were any public comments.
No public comments were noted.

Adjournment

There being no further business to come before the Council, Mayor Pro Tempore Erickson adjourned the meeting at 7:14 p.m.

Mayor Pro Tempore Erickson

Attest: _____
Gary C. Cordes, City Clerk/Treasurer

**MINUTES
CITY OF FALLON
55 West Williams Avenue
Fallon, Nevada
September 18, 2018**

The Honorable City Council met in a regularly scheduled Council meeting on the above date in the Council Chambers, 55 West Williams Avenue, Fallon, Nevada.

Present:

Mayor Ken Tedford
City Councilman, Robert H. Erickson
City Councilman, James D. Richardson
City Councilwoman, Kelly Frost
City Clerk, Gary C. Cordes
City Attorney, Michael F. Mackedon
Deputy Public Works Director, Ryan A. Swirczek
Police Chief, Kevin Gehman
Deputy City Clerk, Elsie M. Lee
Director of Tourism & Special Events, Jane Moon
Public Works Director, Brian A. Byrd
Marketing & Communications Coordinator, Kaitlin Ritchie

The meeting was called to order by Mayor Tedford at 7:00 p.m.

Mayor Tedford led the Pledge of Allegiance.

Mayor Tedford inquired if the agenda had been posted in compliance with NRS requirements.

City Clerk Cordes advised that the agenda was posted in compliance with NRS 241.

Public Comments

Mayor Tedford inquired if there were any public comments. He noted that comments are to be general in nature, not relative to any agenda items. No action may be taken on a matter raised under this item until the matter has been specifically included on an agenda as an item upon which action will be taken.

No public comments were noted.

Approval of Council meeting minutes for May 1, 2018, May 15, 2018, July 17, 2018, August 7, 2018, and August 21, 2018

Mayor Tedford inquired if there were any additions or corrections to the minutes for May 1, 2018, May 15, 2018, July 17, 2018, August 7, 2018, and August 21, 2018.

No additions or corrections were noted.

Councilman Erickson motioned to approve the Council meeting minutes for May 1, 2018, May 15, 2018, July 17, 2018, August 7, 2018, and August 21, 2018 as submitted, seconded by Councilman Richardson and approved with a 3-0 vote by the Council.

Approval of Warrants

- A) Accounts Payable
- B) Payroll
- C) Customer Deposit

Mayor Tedford inquired if there were any comments regarding the accounts payable, payroll and customer deposit warrants.

No comments were noted.

Councilwoman Frost motioned to approve the accounts payable, payroll and customer deposit warrants and authorize the Mayor to sign the same; seconded by Councilman Erickson and approved with a 3-0 vote by the Council.

Consideration and possible approval of an engagement agreement for professional services with the Porter Group, LLC, Government and Business Solutions, for federal consulting services in the amount of Eight Thousand Dollars (\$8,000.00) per month

Mayor Tedford explained that the idea is to employ the Porter Group to help us on Capitol Hill. We have several items that are before us and have been pending for the last several years. We would like to annex Rattlesnake Hill and some of the land surrounding there as well as the City's Municipal Airport; also going east toward our transfer station, down Enterprise Way and part of the properties along Enterprise Way and the possibility of another, larger industrial park, something bigger than the New River Business Park that we have. We have been limited because a lot of that land is federal, and we need some help with land acquisition from the federal government all around that area, including Rattlesnake Hill, which is in Churchill County and is operated by the City. That is Bureau of Land Management (BLM) ground. We also have our landfill at Russell Pass, which in the beginning, we tried to get more acreage out there for operations but were unable to because they said at the time that we did not have enough use for the amount of tonnage that we had coming in. Now we do have enough use to ask for more ground. That is also BLM ground. We need to put that in our name if we can. There is some need for some federal help as we try to expand around the New River Business Park and Water Treatment Plant and Wastewater Treatment Plant, especially where the wastewater treatment ponds are. He

added that the water tanks on Rattlesnake Hill will need to be rebuilt or replaced, those will require federal assistance as well.

Mayor Tedford inquired if the Council had any comments or questions.

Councilman Erickson added that, in light of the changes in the regulatory environment for our electric enterprise and electric company, we will be monitoring that very closely; mostly on a State level, but also on a federal level for any changes coming forth.

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

No comments were noted.

Councilman Erickson noted that Mayor Tedford has worked closely with Major General Herbert when he was a member of Senator Reid's staff. He also noted that he has worked closely with Congressman Porter when he was a Councilman in Boulder City in the early 1980s, and as Mayor of Boulder City after that, then as a State Senator. We have worked closely with these folks for quite some time. Not as consultants to the City, but in other avenues. He has the highest regard for both of them and he thought that they are very capable of getting things done in Washington.

Councilman Erickson motioned to approve an engagement agreement for professional services with the Porter Group, LLC, Government and Business Solutions, for federal consulting services in the amount of Eight Thousand Dollars (\$8,000.00) per month and authorize the Mayor to sign the letter of engagement; seconded by Councilwoman Frost and approved with a 3-0 vote by the Council.

Executive Session

Mayor Tedford closed the meeting to begin an Executive Session at 7:16 p.m. to discuss a negotiated agreement between the City of Fallon and Operating Engineers Local Union No. 3.

Mayor Tedford returned the meeting to an open session at 7:30 p.m.

Consideration and possible action to approve negotiated agreement between the City of Fallon and the Operating Engineers Local Union No. 3 to be effective from July 1, 2018 to June 30, 2021. (Pursuant to NRS 288.153, the proposed agreement and any exhibits or other attachments to the proposed agreement are available to the public on the City's website, fallonnevada.gov, and at the City Clerk's Office, 55 West Williams Avenue, Fallon, Nevada.)

Mayor Tedford read the agenda title into the record. He inquired if the Council had any comments or questions.

No comments were noted.

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

No comments were noted.

Councilman Richardson motioned to approve negotiated agreement between the City of Fallon and the Operating Engineers Local Union No. 3 to be effective from July 1, 2018 to June 30, 2021 subject to the five edits outlined as:

1. Article 10.3: Step 3, change stride to strike

2. Article 11: PERS percentage to reflect “consistent with the Legislative directive”
3. Article 25.1: change fall to full
4. Article 30.1: change lookout to lockout
5. Signature page: change Robert Erquiga to Robert Erquiaga;

this motion was seconded by Councilwoman Frost and approved with a 3-0 vote by the Council.

Council and Staff Reports

City Attorney Mike Mackedon: Congratulated Mayor Tedford and Don Lattin on their induction into the Greenwave Hall of Fame last weekend. He had watched that 1971 team play basketball since they were in the eighth grade.

City Clerk Cordes: No comments were noted.

Chief Gehman: No comments were noted.

Deputy City Clerk Lee: No comments were noted.

Tourism Director Moon: No comments were noted.

Marketing & Communications Coordinator Ritchie: No comments were noted.

Deputy Public Works Director Swirczek: Advised that the new stop signs have been installed on Allen Street at the A Street intersection. He reminded that it is now a 4-way stop for the time being.

Public Works Director Byrd: No comments were noted.

Councilwoman Frost: Thanked City staff and crew for their efforts on the September 11 Ceremony. She received many positive comments and appreciated all the hard work that goes into that event.

Councilman Richardson: No comments were noted.

Councilman Erickson: No comments were noted.

Mayor Tedford: Advised that he was on the mend and cherished the many well wishes he received. He was thankful for the support of everyone and appreciated what everyone does at the City and their good work and dutiful efforts.

Public Comments

Mayor Tedford inquired if there were any public comments.

No public comments were noted.

Adjournment

There being no further business to come before the Council, Mayor Tedford adjourned the meeting at 7:39 p.m.

Mayor Ken Tedford

Attest: _____
Gary C. Cordes, City Clerk/Treasurer

**MINUTES
CITY OF FALLON
55 West Williams Avenue
Fallon, Nevada
October 1, 2018**

The Honorable City Council met in a regularly scheduled Council meeting on the above date in the Council Chambers, 55 West Williams Avenue, Fallon, Nevada.

Present:

Mayor Ken Tedford
City Councilman, Robert H. Erickson
City Councilman, James D. Richardson
City Councilwoman, Kelly Frost
City Clerk, Gary C. Cordes
City Attorney, Michael F. Mackedon
Deputy Public Works Director, Ryan A. Swirczek
Police Captain, Ron Wenger
Deputy City Attorney, Leonard E. Mackedon
Legal & Administrative Director, Robert Erquiaga
Deputy City Clerk, Elsie M. Lee
Director of Tourism & Special Events, Jane Moon
Public Works Director, Brian A. Byrd
Police Captain, Kris Alexander
Emergency Manager, Steve Endacott

The meeting was called to order by Mayor Tedford at 9:00 a.m.

Mayor Tedford led the Pledge of Allegiance.

Mayor Tedford inquired if the agenda had been posted in compliance with NRS requirements.

City Clerk Cordes advised that the agenda was posted in compliance with NRS 241.

Mayor Tedford noted for the record that Councilman Richardson was out of town on business.

Public Comments

Mayor Tedford inquired if there were any public comments. He noted that comments are to be general in nature, not relative to any agenda items. No action may be taken on a matter raised under this item until the matter has been specifically included on an agenda as an item upon which action will be taken.

No public comments were noted.

Approval of Warrants

- A) Accounts Payable
- B) Payroll
- C) Customer Deposit

Mayor Tedford inquired if there were any comments regarding the accounts payable, payroll and customer deposit warrants.

No comments were noted.

Councilwoman Frost motioned to approve the accounts payable, payroll and customer deposit warrants and authorize the Mayor to sign the same; seconded by Councilman Erickson and approved with a 2-0 vote by the Council.

Public hearing on proposed amendment to the Special Use Permit for Ideal Mobile Home Park originally approved on September 1, 2009, regarding designated recreational vehicle spaces within the park and the term of the Special Use Permit

Legal and Administrative Director Erquiaga explained that this is the first of two agenda items dealing with a request by Mr. Douglas Bui for an amendment to his special use permit for Ideal Mobile Home Park (Ideal). Back in September 2009, the Council granted a Special Use Permit in order to allow Mr. Bui to convert up to 25 spaces within his park for Recreational Vehicle (RV) use. There was some discussion at the meeting and quite a bit of discussion between Mr. Bui and Jim Souba, the City Engineer at the time, as to conditions that would be required in order to maintain the character and high quality of the park. All of those conditions did make it into that Special Use Permit and that Special Use Permit has been renewed annually since it was issued in 2009. Mr. Bui has now requested an amendment which was in the form of a letter that was sent to Legal and Administrative Director Erquiaga to trigger his formal request. It provides some good background on the park and on some of the issues and changes in the housing industry that Mr. Bui and others have faced over the recent years. The request boils down to an amendment that would allow the 25 spaces that were previously specifically identified, to remove that requirement, and to instead allow Mr. Bui to have up to 25 spaces within the park on spaces that he saw fit. He is also requesting that the Special Use Permit be renewed every two years instead of annually, which was an initial requirement that was a precaution that may have been thought to have been necessary at the time to keep track and make sure that allowing the RV spots did not become a problem. To our knowledge, it has not; we have not received any complaints. Mr. Bui represents that he has had no complaints since converting some of these spots. Mr. Bui is in attendance today and willing to answer any questions the Council may have about the housing industry, about his specific park, and about why this request is so important to him. He reminded that this is the first of two agenda items, this item is for the public hearing only. He wanted to review the background during this hearing and then allow the Council the opportunity to receive any public comment or input; then the second agenda item immediately following would be for any proposed action the Council may take. There is also a map attached to Mr. Bui's letter, it is color-coded. The orange are the 25 spaces the Council originally designated for potential RV use, and those are the ones that Mr. Bui would like to move throughout the park. The spaces that Mr. Bui has identified in red are

spaces that are currently vacant, so those would be potential places for future RV spaces if approved.

Mayor Tedford inquired if the Council had any questions for Legal and Administrative Director Erquiaga.

No comments were noted.

Mayor Tedford noted that this was a public hearing and inquired if there were any public comments.

No public comments were noted.

Consideration and possible approval of proposed amendment to the Special Use Permit for Ideal Mobile Home Park originally approved on September 1, 2009, regarding designated recreational vehicle spaces within the park and the term of the Special Use Permit

Legal and Administrative Director Erquiaga advised that this is the agenda item that would allow the Council to consider the request and either approve or deny it. As mentioned in the previous agenda item, the request boils down pretty simply to allowing Mr. Bui to disperse the 25 spaces throughout the park and renew the permit every two years instead of annually. All of the other requirements in the original Special Use Permit would remain in place. Mr. Bui has met with City staff and we feel confident that Mr. Bui's request is appropriate and meets the zoning and generally conforms to the requirements of the Fallon Municipal Code and he recommended approval of the amended Special Use Permit.

Mayor Tedford confirmed that the 25 spaces off Wildes Street that the Council thought were appropriate for this type of housing, would go away and the 25 spots in red that are throughout the park would become the 25 spots allowed on the Special Use Permit.

Legal and Administrative Director Erquiaga stated that was correct, Mr. Bui, if approved, would be free to select any of those spots within the park. He has identified the red spaces as currently vacant so those would be at the top of the list as potentials for RV spots.

Mayor Tedford asked if Mr. Bui was limited to those 25 spots or could he place them somewhere else that is vacant.

Legal and Administrative Director Erquiaga clarified that the request is to allow him to put up to 25 RV spots within the park, not limited to those spots that have been identified in red, they can be placed anywhere within the park.

Mayor Tedford inquired as to the vacancy status of spaces 137 through 175, the original area along Wildes Street.

Legal and Administrative Director Erquiaga stated that they were almost entirely occupied. He noted that this may be an appropriate time for Mr. Bui to come forward.

Mr. Douglas Bui stated that, of the 25 units that are currently designated for RV use, 17 have existing homes on the sites. There is only one vacant site left in that area and it is designated as a potential RV site. They are all occupied and in very good condition; it would not be feasible to physically move these homes to other vacant sites in the park to make them available for 17 other RV spaces in that one area.

Mayor Tedford confirmed that Mr. Bui really only has 8 spots to put RVs in that allocated space.

Mr. Bui stated that he is asking for the flexibility, based upon his experience, to be able to have someone bring an RV into the park for lots that are currently vacant or may be vacant later.

He has had people just last week, look at the current site #175, then they drove through the park and asked about other lots within the park and they were not within the currently designated 25 spaces, so we could not accommodate them.

Mayor Tedford noted, of spaces 137 to 175 available and you only have 8 left of those, maybe we should open up those plus these additional ones. He thought there were 193 spots in the park.

Mr. Bui stated that there are 197 spaces in the park and he owns 187 of them.

Mayor Tedford realized the need for RV space in the community. He asked if there was a sentiment to increase the RV space allocation from 25.

Legal and Administrative Director Erquiaga stated that Mr. Bui's request was to keep it at 25 spaces. He thought that made sense, the Council was comfortable with 25 spaces, he has 7 RVs currently – it did not seem to be a bad thing to keep the limit at 25. If Mr. Bui fills 25 anytime in the near future, he can certainly come back to the Council and ask them to take another look. It is trying to find a number that works within the park while not totally becoming an RV park versus a mobile home park and maintaining those standards. The 25 space limit is good to keep. Mr. Bui has a long way to go to fill those 25 spots, with only 7 currently occupied, and if he does, then the Council could certainly reconsider and at that point we could look at a map and get a better feel for how the dispersed spots worked.

Mayor Tedford agreed that maybe that was the best way to look at it right now; because Mr. Bui has an understanding of the nature and flavor of the residents, at least other than the 10 lots that he does not own. As Mr. Bui fills these spots, he can come back to Legal and Administrative Director Erquiaga and tell him that he has filled these spaces and is maxed out of the 25 spaces, we can look at increasing that number from 25 to a higher amount.

Mr. Bui stated that he would be receptive to that; he was happy with 25 spaces right now, particularly because of the one-year lease requirement which he is 100% in favor of.

Mayor Tedford inquired if the Council had any comments or questions.

Councilwoman Frost clarified for the record, along with a one-year lease, when the RV pulls in, they are required to install skirting around the tires and so forth to help it blend in with the community. She wanted to ensure that they are not moving in and out all the time, that they stay in place.

Mr. Bui concurred, skirting is required, and they stay in place the entire year. He has had 9 RVs since this started and 7 are still in place. Many of them stay longer than one year. This is a new form of housing, seen through tiny houses that are now advertised. The entire residential market has changed.

Councilwoman Frost also confirmed that Mr. Bui had very high standards for the type of RV that is allowed into the park as well.

Mr. Bui replied affirmatively, the RVs must be in good condition. He stated that they are not accepting 30-year old RVs.

Mayor Tedford added that there are some stringent State requirements that must be adhered to as well.

Mr. Bui agreed.

Councilman Erickson complimented Mr. Bui on the park that he runs. He had received nothing but good comments from residents. In the park, there is an owner-occupied rule for the mobile homes; they are not allowed to rent. He asked if the park owns certain mobile homes and rents them out within the park.

Mr. Bui said that the park does not own any homes. He has owned homes that have come out of foreclosure or estate sales and he had spent money to refurbish them and put them back on the market for sale. He has done at least 29 homes that way and they have all been sold and occupied by those buyers.

Councilman Erickson confirmed that there are no rentals in the park.

Mr. Bui said there are zero rentals in the park.

Councilman Erickson stated that most Special Use Permits within the City expire upon any change of ownership or title to the property. He asked Mr. Bui if he would have an objection to that if the Council put that codicil in the agreement; he asked if there was a reason he would object to that.

Mr. Bui said that if the property were to be sold, it would be a limitation and would affect the value. The thing about having the Special Use Permit expiring, if it does not work out and the City is not satisfied, the City can revoke it. The permit also does not allow a new owner to turn around and rent homes out, which would change the character of the park.

Councilman Erickson confirmed that Mr. Bui would prefer to live with the two-year review and not have the Special Use Permit expire upon transfer of ownership.

Mr. Bui said yes.

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

No comments were noted.

Mayor Tedford stated that Councilman Erickson was right, it is a park that we always point out that is how others should run their park. You should be proud of that Mr. Bui. He thanked him for his testimony.

Councilman Erickson motioned to approve the proposed amendment to the Special Use Permit for Ideal Mobile Home Park originally approved on September 1, 2009, to provide that the recreational vehicle spaces can be located anywhere within the park, up to 25 spaces, and require renewal of the amended Special Use Permit every two years; seconded by Councilwoman Frost and approved with a 2-0 vote by the Council.

Consideration and possible action to approve a design contract with Lumos & Associates of Fallon, Nevada, in order to provide engineering services for Phase 4 of the Downtown Streetscape Enhancements Project, in the amount of Ninety-Five Thousand Nine Hundred and Twenty-Five Dollars (\$95,925)

Public Works Director Byrd explained that the approval of a contract to Lumos & Associates (Lumos) would allow for the design, planning, and engineering associated with the reconstruction and enhancement of approximately 1,000 linear feet of Maine Street. The scope consists of a full roadway reconstruct that will include on-street parking, striping, site lighting, curb, gutter, sidewalk, and other ancillary improvements associated with extending Maine Street from Front Street to Tolas. The City of Fallon received a Notice to Proceed from the Nevada Department of Transportation (NDOT) on June 5, 2018, indicating that approval from the State of Nevada had been granted for the City to award and administer a contract for the previously described Maine Street enhancements. On July 4, 2018, a Request for Statement of Qualifications was advertised in the Lahontan Valley News in accordance with NRS 332. One Statement of Qualifications was received and evaluated by our internal evaluation committee. Lumos represented themselves as a highly qualified engineering firm with an extensive background in civil design. The project end date, for the Design Phase, has been established at

February 1, 2019. This end date represents the last opportunity for the City to apply for reimbursement of any design fees associated with the project.

Mayor Tedford noted that Phase 4 will take this project to Tolas Place. That was the end. He has been asked many times if the project would extend all the way to the 'Y' at Maine Street where it meets Taylor Street, Wildes Road, and Sheckler Road. There was not a plan for a Phase 5, as much of that area lies in Churchill County, outside of the City. The State always liked this project because we did it in phases.

Mayor Tedford inquired if the Council had any comments or questions.

Councilwoman Frost inquired as to when the project would begin – the actual moving of dirt.

Public Works Director Byrd said the design phase will be complete at the end of February 2019 and NDOT anticipated Spring 2020 for actual construction.

Councilman Erickson asked if he was confident that the design work could be completed by February 2019.

Public Works Director Byrd said he was. He was in communication with NDOT regarding the extent of the environmental review that was going to have to be completed for the project and they have indicated that it would be categorically excluded from some of the portions of an environmental review that take a significant amount of time. It will be hard, but Lumos is ready to handle it and they will push hard to ensure that it happens. A lot of the long lead design items are kind of historical preservation related and environmental assessment related so we have a good jump on it. This is about as late as we want to push it. There is some language inside the agreement through NDOT that indicates an extension could potentially be granted but that is kind of a last resort. We can go hard enough where we can get it done.

Councilwoman Frost stated that this is going to be a great project and really improve the downtown area, especially around the William N. Pennington Life Center.

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

No comments were noted.

Councilwoman Frost motioned to approve a design contract with Lumos & Associates of Fallon, Nevada, in order to provide engineering services for Phase 4 of the Downtown Streetscape Enhancements Project, in the amount of Ninety-Five Thousand Nine Hundred and Twenty-Five Dollars (\$95,925); seconded by Councilman Erickson and approved with a 2-0 vote by the Council.

Consideration and possible action to approve a design contract with Lumos & Associates of Fallon, Nevada, in order to provide engineering and construction services for the reconstruction and enhancement of portions of Front, Esmeralda, and Douglas Street, in the amount of Three Hundred Sixty-Five Thousand Three Hundred Dollars (\$365,300)

Public Works Director Byrd explained that the approval of a contract to Lumos & Associates (Lumos) would allow for design, planning, engineering, and construction services associated with the reconstruction of portions of Front, Esmeralda, and Douglas Street. The reconstruction includes approximately 125,000 square feet of paving, 20,259 square feet of sidewalk, and 5,250 linear feet of curb and gutter. The scope consists of a full design to include paving, striping, street lighting, curb, gutter, sidewalk, water lines, electrical improvements, retaining walls and other ancillary improvements associated with the project. A preliminary engineer's estimate as well as a conceptual plan have been included. Lumos developed these

documents utilizing input from City staff. If approved, a full set of plans and construction documents would be available February of 2019.

Mayor Tedford inquired as to the start date for this project.

Public Works Director Byrd stated that it would be dependent on the funding source as well as if Lumos is able to wrap the design up as quickly as they think they can.

Mayor Tedford noted that this is a very important project for the citizens of Fallon. This is the last place that those citizens have not had a street, have not had curb, gutter, sidewalk and, in some places, really have dirt. At one time, City Clerk Cordes told him that we had spent \$11 million in the southeast portion of the City but because this is such a difficult project, we have not done this portion. But it is one that is necessary. He encouraged Public Works Director Byrd to know that those citizens really need us to help them get these streets done, including Esmeralda Street. It is one that is very heartfelt by him and probably by the Council too, Esmeralda Street just needs to get done. He knew it was on the edge of this project, but he just felt for the people that live on that street. He also knows that this is right on the boundary of what we can afford but we somehow have to afford it and the sooner, the better.

Mayor Tedford inquired if the Council had any comments or questions.

Councilman Erickson advised that we had been looking for a number of years now to provide for the financing to enable us to do this major project and it is definitely achievable. He agreed with Mayor Tedford that it just needs to move forward.

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

No comments were noted.

Councilman Erickson motioned to approve a design contract with Lumos & Associates of Fallon, Nevada, in order to provide engineering and construction services for the reconstruction and enhancement of portions of Front, Esmeralda, and Douglas Street, in the amount of Three Hundred Sixty-Five Thousand Three Hundred Dollars (\$365,300); seconded by Councilwoman Frost and approved with a 2-0 vote by the Council.

Consideration and possible approval of the Master Firm Power Supply Agreement Transaction Schedule between UAMPS, the City of Fallon, and Heber Light and Power, for the scheduling and delivery of energy from the Patua geothermal and solar plant located in Churchill County, Nevada pursuant to the terms and conditions of the Renewable Power Purchase and Sale Agreement between Patua Acquisitions Company, LLC and UAMPS

Legal and Administrative Director Erquiaga explained that this is the culmination of a lot of hard work, especially by the Mayor. We had been in discussions with Cyrq Energy, which owns and operates the Patua plant as well as the Soda Lake plant. For many weeks, the Mayor made a lot of calls and inroads at UAMPS for Cyrq as they attempted to totally refire their Soda Lake plant and were looking to sell the output. We were quite a ways down the path with them at working an agreement and having some participation from other UAMPS members but UAMPS was not able to take all of the output of the plant. Cyrq ultimately went and made an arrangement with the University of Utah, and they will buy all of the output of that refired Soda Lake plant. We were a little disappointed but certainly understood that in order to get the financing and refire the plant, Cyrq certainly had to do what they had to do. Things got quiet for a few months after that and then this opportunity was presented, first to Heber Light & Power in Utah, another UAMPS member, and then quickly, the City of Fallon was included in the

discussion. Essentially, what Cyrq is marketing at their Patua plant is excess output. They have installed a very large solar field that works in conjunction with the existing geothermal plant and with some additional cooling technology that Cyrq intends to undertake in the next couple of months, they anticipate that they will have up to 12 megawatts of solar and geothermal energy to sell. Heber Light & Power was really interested in obtaining that and started the process. UAMPS ultimately signed the agreement that is referenced in the agenda item directly with Cyrq to take that output. This agenda item and this transaction schedule is the City's opportunity to get some of the output of that plant. We are recommending 1 megawatt. If approved, we think it will fit nicely in the City's portfolio. This will include both the green energy renewable energy credits (RECs) for the geothermal and/or solar that is produced. The term of the agreement is 15 years with a \$50 set price per megawatt. That is very competitive with what we have received on the market in a series of 5-year transactions that we have made in the past couple of years. We are very excited to get that rate for green energy that includes the RECs; and to do it for a 15-year term with no escalator is really a good deal. There will be some new issues that the City will face through UAMPS if we add this resource. We have, through UAMPS, put some of the risk of Cyrq not meeting the schedule of this plant back on Cyrq; in that master agreement between UAMPS and Cyrq, they will pay any additional costs that come from their inability to meet their schedule. That is really important because the energy imbalance market is complicated, it is hard to understand, it is hard to follow; and the ability to put this back on them was really important to us and to Heber Light & Power, and UAMPS. There is also some general language in this transaction schedule that Heber Light & Power will pay their share of any additional costs that the City of Fallon incurs based on imbalance market charges. Again, those are pretty hard to quantify due to the complexity of that market and really the lack of transparency that we have in how that market works. He knew Heber Light & Power's intention is to pay its way. That is represented generally in the agreement and with those two safeguards, this is a can't miss proposition for the City. If this transaction schedule is approved, it would allow scheduling the resource starting November 1, 2018 and he knew Heber Light & Power was anxious to get moving, as was UAMPS.

Mayor Tedford explained that UAMPS is the Utah Association of Municipal Power Systems and the City of Fallon buys power through them. It is comprised of 46 cities in Utah plus Truckee-Donner in Truckee, CA. We buy our power through UAMPS so the Cyrq agreement had to go through UAMPS and that was a difficult thing in itself.

Mayor Tedford inquired if the Council had any comments or questions.

No comments were noted.

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

No comments were noted.

Councilman Erickson stated that this enhances our renewable portfolio in light of the current political environment and he was very much in favor of it.

Councilman Erickson motioned to approve the Master Firm Power Supply Agreement Transaction Schedule between UAMPS, the City of Fallon, and Heber Light and Power, for the scheduling and delivery of energy from the Patua geothermal and solar plant located in Churchill County, Nevada pursuant to the terms and conditions of the Renewable Power Purchase and Sale Agreement between Patua Acquisitions Company, LLC and UAMPS; seconded by Councilwoman Frost and approved with a 2-0 vote by the Council.

Mayor Tedford called a meeting recess at 9:42 a.m.

Mayor Tedford returned the meeting to an open session at 9:50 a.m.

Appointment and possible confirmation of Trent deBraga as Deputy City Attorney

Mayor Tedford stated that it was his honor to offer the appointment of Trent deBraga as Deputy City Attorney for Council confirmation. The City Attorney is Mike Mackedon and there is currently one Deputy City Attorney, Leonard Mackedon. He noted that it was truly a pleasure to appoint someone who has a long history in Fallon that actually knows something about what we do here. They have knowledge of our culture and our values and the morals of the City and the community. Trent's grandfather is Ted deBraga and his grandmother was Lois deBraga, who passed away, now it is Barbara deBraga. His great-uncle is Frank Guisti, Lois' brother, and they lived on First and Allen Streets, right here in the City. Frank was his basketball coach in 9th grade and his advisor on the telephone for three years after that. He was a longtime friend. He tells these things to give some knowledge of the depth of which this family has lived here. Ted deBraga served on the TCID Board for many, many years. He has two sons, Lester and Teddy. Lester serves in a variety of different organizations and ball clubs and serves on the TCID Board now himself. Lester married Angela and she came from Sparks when she was a little girl and went through Churchill County High School, so she has knowledge of our community also. Their sons are Trevor, Trent, and Frank and they all grew up in our community, so they all know how we are and what we do and how we think. That is important to me when we are making decisions in how we think here in Fallon. Trevor has returned to Fallon and is married to Taylor and that is a great thing. Frank is working on his PhD somewhere far from here right now. Now about Trent. He grew up here and went through Fallon schools. He went to Colorado Mesa University and studied criminal justice and took law classes, then he attended Boyd School of Law in Las Vegas. He interned at the Attorney General's Office during his senior year. There he made a lot of contacts which help in the legal field in Nevada. It is a way to have tentacles in the State of Nevada. Then we went to practice law, working for two different firms in which he helped defend physicians and health care professionals and defended police officers and helped people that were injured. All of those things work for us and when Mayor Tedford heard the fact that Trent wanted to come home he thought that was a great thing. He looks around the community and sees these young couples who have returned home. Some are professionals and some just come home to work. He thought of when he grew up, a lot of people moved away. What we are trying to do is create jobs, so people can come back to the town that they grew up in. When he heard Trent wanted to come home, he thought this was an opportunity for a firm like Mike and Lem's to hire a lawyer and then an opportunity for us to have a Deputy City Attorney. Trent married his high school sweetheart Courtney and they have a young daughter, Brighton. It is kind of cool to come home and be able to start teaching your child t-ball and throwing the ball; when you get in a bigger city, those things are not available to you. Trent will be able to do that, and he wants to do that. These are some of the things that he talked to Trent about. He talked to him about the difficulty of coming back to your hometown because there are some difficulties in doing that and he is ready for that. One of the things when you are in the City Attorney's Office, you are under the senior attorney in that law firm but when you are a Deputy City Attorney, or even a City Attorney, you work for the Mayor – so the Mayor assigns tasks as far as the City is concerned. The City Attorney works for the Mayor too – and he assigns him tasks. It is kind of like running on an edge sometimes. Mike has done a very good job of it since 1993 and is the Mayor's close counselor and his consigliere. Mayor spoke with

Trent about that and he understands that and understands how the Mayor is and how he believes in morals, character, and value. That is how he leads the City and that is what he requires of the people that work for him and he knew Trent would be a good fit. The law degree is second, it is all about character, values, and morals and he believes that strongly in Trent. He offered his appointment of Trent deBraga as Deputy City Attorney for Council confirmation.

Mayor Tedford opened up questioning to the City Council. They each have had an earlier opportunity to meet with Trent and ask him questions.

Councilman Erickson stated that he had a nice meeting with Trent and got to know him and has known his family for a number of years. In coming back to the City of Fallon, a lot of people, when they look at a municipality, have a certain idea of what the functions of that municipality are. Fallon is quite different than most municipalities in the State of Nevada and in some respects, different than all of them in the services that we offer to our citizens in what we call our enterprises, which we provide more of those services than probably any municipality in the State. In some respects, the enterprises are businesses and operating those businesses you are almost like a corporate lawyer more than a public City Attorney and as today's agenda shows, the majority of the items on the agenda were providing for the operations of our enterprises and providing the services that those enterprises do. He asked Trent if he could outline any corporate type of experience he has had in his practice of law or what his thoughts on that are.

Mr. deBraga stated that one of his passions was working in the Attorney General's Office and working with law enforcement. As far as corporate, he was excited to further the goals of the City and understood the importance of the enterprise funds.

Councilman Erickson asked if he had ever been a prosecutor for the State, he assumed he was on the civil side of the Attorney General's Office, he asked about the prosecutor side.

Mr. deBraga confirmed that his work was on the civil side and he did not participate in the prosecutorial side. He did make numerous court experiences, not prosecuting but defending the Las Vegas Metropolitan Police Department. Those skills acquired in Las Vegas will definitely help him in a prosecutorial role as well.

Councilman Erickson asked which type of work he preferred.

Mr. deBraga said that he had enjoyed everything that he had done. He represented medical professionals for well over a year and that entailed work with some of the most renown experts in the healthcare field, like taking phone calls from the head of pediatrics at Stanford, you have to be on your A game. He enjoyed the medical aspect because it was always a challenge but at the same time he also enjoyed representing the police department in Las Vegas. He could not pick or choose because he has enjoyed everything he has done.

Councilman Erickson agreed with the Mayor, we take a great deal of pride and satisfaction when we see an accomplished professional like yourself coming back to the community and wanting to raise their family in Fallon and Churchill County.

Councilwoman Frost stated that she spoke with Trent and felt very comfortable with his experience and what he can bring to the City of Fallon and, as a former educator in Churchill County, she was excited and loved to see young people come back home and work here and make Fallon a better place. She looked forward to working with Trent.

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

No comments were noted.

Councilwoman Frost motioned to confirm Mayor Tedford's appointment of Trent deBraga as Deputy City Attorney; seconded by Councilman Erickson and approved with a 2-0 vote by the Council.

At this time, Mayor Tedford administered the Oath of Office to Deputy City Attorney Trent deBraga.

Consideration and possible action to establish the salary of Trent deBraga as Deputy City Attorney at Ninety-Five Thousand Dollars (\$95,000.00) per year

Mayor Tedford stated that he would like to establish the salary of Trent deBraga as Deputy City Attorney at \$95,000 per year.

Mayor Tedford inquired if the Council had any comments or questions.

No comments were noted.

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

No comments were noted.

Councilman Erickson motioned to establish the salary of Trent deBraga as Deputy City Attorney at Ninety-Five Thousand Dollars (\$95,000.00) per year; seconded by Councilwoman Frost and approved with a 2-0 vote by the Council.

Presentation of the Police Department Report for August 2018

Captain Wenger presented the August monthly report. He added that the August incidents and activities were primarily in line with previous months with no exceptional variances.

- Staff participated in several hours of training.
- Detective Decker provided the indoctrination lecture to newly stationed Navy personnel.
- The citizen survey results were positive.

Mayor Tedford inquired if the Council had any comments or questions.

No comments were noted.

Mayor Tedford thanked Captain Wenger for the report.

Public Comments

Mayor Tedford inquired if there were any public comments.

No public comments were noted.

Council and Staff Reports

City Attorney Mike Mackedon: It is very good for Fallon to see many young people that have been raised in Fallon return, whether they are professionals or working; he sees more of this than when he did when he was younger. Many of his classmates did not return to Fallon and that is a shame. He sees Robert and Lem, many others, and now Trent return and that is a good thing. The City and the whole community are revitalized when these people return. It strengthens our town.

Deputy City Attorney Leonard Mackedon: No comments were noted.

City Clerk Cordes: No comments were noted.

Captain Wenger: Noted that the Explorer program is important. There are two explorers that were in the program that were hired for law enforcement, Zachary Bowman and Chad Brownley.

Legal and Administrative Director Erquiaga: Excited about youth center site development and the airport project; should see paving at both places this week.

Deputy City Clerk Lee: No comments were noted.

Tourism Director Moon: No comments were noted.

Deputy Public Works Director Swirczek: No comments were noted.

Public Works Director Byrd: No comments were noted.

Captain Alexander: No comments were noted.

Emergency Manager Endacott: No comments were noted.

Councilwoman Frost: No comments were noted.

Councilman Richardson: No comments were noted.

Councilman Erickson: No comments 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 10:20 a.m.

Mayor Ken Tedford

Attest: _____
Gary C. Cordes, City Clerk/Treasurer

Fallon City Council Meeting

October 16, 2018

Agenda Item 6

Consideration and possible approval of application by William Hamilton for a drinking establishment liquor license for Bear Brand Properties LLC dba Woody's on the Beach to be located at 10 State Street Unit B. (For possible action)

**CITY OF FALLON
REQUEST FOR COUNCIL ACTION**

Agenda Item No. 6

DATE SUBMITTED: October 9, 2018

AGENDA DATE REQUESTED: October 16, 2018

TO: The Honorable City Council

FROM: Elsie Lee, Deputy City Clerk

SUBJECT TITLE: Consideration of application by William Hamilton for a drinking establishment liquor license for Bear Brand Properties LLC dba Woody's on the Beach to be located at 10 State Street Unit B. (For possible action)

TYPE OF ACTION REQUESTED: (Check One)

☐ Resolution

☐ Ordinance

☒ Formal Action/Motion

☐ Other

RECOMMENDED COUNCIL ACTION: Motion to approve application and to issue a drinking establishment liquor license to William Hamilton for Bear Brand Properties LLC dba Woody's on the Beach to be located at 10 State Street Unit B.

DISCUSSION: William Hamilton, owner of Bear Brand Properties LLC dba Woody's on the Beach has made application for a drinking establishment liquor license for Bear Brand Properties LLC dba Woody's on the Beach to be located at 10 State Street Unit B. A drinking establishment liquor license is a privileged license that allows the licensee to sell alcoholic beverages from a fixed and definite place of business for consumption upon the premises only.

The application has been reviewed by Police Chief Kevin Gehman, Deputy City Clerk Elsie Lee and Legal and Administrative Director Robert Erquiaga and has been recommended for approval.

FISCAL IMPACT: Annual drinking establishment liquor license fee revenue.

FUNDING SOURCE: N/A.

PREPARED BY: Elsie Lee, Deputy City Clerk

DATE: October 9, 2018

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



CITY OF FALLON CLERK'S OFFICE

55 West Williams Avenue, Fallon, Nevada 89406

Phone: (775) 423-5104

Fax: (775) 423-8874



LIQUOR LICENSE APPLICATION

Application Type: ☒ New ☐ Owner Change ☐ Manager Change ☐ Location Change

Applicant's Name: Hamilton William L Application Date: 09/13/2018

Last First MI

Title: Owner Phone: (775) 217-2375

Date of Birth: 04/17/1959

Social Security Number: _____

Driver's License Number: _____

Driver's License State: Nevada

Sex: Male Height: 5'7 Weight: 190

List all addresses in which you have resided at for the past five (5) years.

Begin/End	Physical Address	City	State	Zip
1999 - Present	125 N Lavern Street	Fallon	nv	89406

Business Entity Type: ☐ Sole Proprietor ☐ Partnership ☐ Limited Liability Company ☒ DBA
☐ Corporation ☐ Association ☐ Other: _____

Business Name: Bear Brand Properties LLC DBA Woody's On The Beach

Business Owner(s):

Name	Address	Title
William L Hamilton	125 N Laverne Street Fallon, NV 89406	Owner

Business Address: 10 State Street Unit B, Fallon, NV 89406

City State Zip

Provide a brief description of the portion to be occupied by the establishment for which the license is sought:

10 State Street Unit B, Fallon, NV 89406

Is the premises to be licensed leased by the applicant? ☐ Yes ☒ No

Name of the owner of the premises: William L Hamilton

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

What type of license for which the application is made: ☐ Retail (Off Premises) ☒ Drinking Establishment (On Premises)

Have you owned or managed any other business? ☒ Yes ☐ No



CITY OF FALLON CLERK'S OFFICE

55 West Williams Avenue, Fallon, Nevada 89406

Phone: (775) 423-5104

Fax: (775) 423-8874

If Yes, list the business(es) you have owned or managed.

Begin/End	Name	Address	City	State	Zip
03/2017	Stone Cabin Coffee	480 E Williams Avenue	Fallon	nv	89406

Have you ever been issued a business or a liquor license?

☒ Yes

☐ No

If Yes, when? 2017

What Agency?

Bear Brand Prop Stone Cabin Coffee

Have you ever had a business or liquor license revoked?

☐ Yes

☒ No

If Yes, when?

What Agency?

Have you ever been denied a business or liquor license?

☐ Yes

☒ No

If Yes, when?

What Agency?

Have you received any specialized training for serving alcoholic beverages?

☐ Yes

☒ No

If Yes, explain:

Have you ever been arrested?

☒ Yes

No

If Yes, provide the following information:

Date	Charge	Arresting Agency	Disposition
05-06	UNLAWFUL/UNWILLFUL TRAFFIC	CCSO	
	PUBLIC NUISANCE		
1977	TRAFFIC VIOLATION	WESTMINSTER, CA.	

List five (5) references not related to you with daytime phone numbers:

Name	Phone	Relationship
Bruce Homer	7752945647	Friend
Kenny Hilzer	6236988387	Friend
Lisa Favstritsky	7752174325	Friend
Justin Judd	7754271372	Co-worker/friend
Cory Plazer Duane Carnahan	7754235265 775 217-4050	Previous Employer

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;
2. 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
3. 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



CITY OF FALLON CLERK'S OFFICE

55 West Williams Avenue, Fallon, Nevada 89406

Phone: (775) 423-5104

Fax: (775) 423-8874

AUTHORIZATION AND RELEASE

I, Hamilton William L, 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 City Council in public documents and/or discussion at a public meeting.


Applicant's Signature

OFFICIAL USE ONLY

10 Print Card _____

Photo _____

Local records _____

NCJIS _____

Municipal Code _____

Fee \$ _____

Spillman Entry _____


Recommended by Chief of Police or Designee

Not Recommended by Chief of Police or Designee

REVIEWED BY:

City of Fallon Engineering/Building Department n/a

City of Fallon Chief of Police [Signature]

City of Fallon/Churchill County Fire Dept. [Signature]

City of Fallon Attorney's Office [Signature]

Date: _____

Date: 10-10-18

Date: 10-10-18

Date: 10/10/18

OFFICIAL USE ONLY:

Account No. _____

License No. _____

Payment Received By: _____

FALLON POLICE DEPARTMENT

55 West Williams Avenue
Fallon, Nevada 89406-2941
(775) 423-2111
(Fax) 423-6527

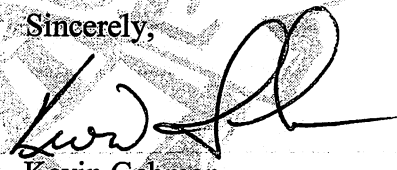
Kevin Gehman
Chief of Police

October 8, 2018

This letter certifies that **William Hamilton**, owner of **Woody's on the Beach** located at **10 State St. Unit B**, has completed and passed his background check for a liquor license.

Additionally, I have previously met with the applicant regarding components of the Fallon Municipal Code concerning alcoholic beverage sales as well as his responsibilities for management of the store.

Sincerely,



Kevin Gehman
Chief of Police

KG/lnh

October 8, 2018

Liquor License Application

Bear Brand Properties LLC DBA Woody's On The Beach

10 State Street Unit B

Fallon, NV 89406

Chief Kevin Gehman

Fallon Police Department

55 W Williams Ave

Fallon, NV 89406

Personal Reference Check for:

Mr. William L. Hamilton (Owner)

Dear Chief Gehman,

On October 8, 2018, I completed the reference check for Mr. William L. Hamilton by contacting the personal references he had listed on his Liquor License Application. Listed below are their responses:

Kenny Hilzer

Friend

Mr. Hilzer has been a longtime friend to Mr. Hamilton, since 1986. They have worked together and are very good friends. Mr. Hilzer stated that Mr. Hamilton's other business is ran very professionally. He does not question Mr. Hamilton's reputation for honesty, trustworthiness or good character. Mr. Hilzer believes Mr. Hamilton will adhere to all the rules and regulations that come with issuing of a liquor license.

Lisa Favstritsky

Friend

Ms. Favstritsky has known Mr. Hamilton since she was 7 years old, for 26 years. He is her best friend's father and she now works for Mr. Hamilton. She said Mr. Hamilton is a good guy and has absolutely no concerns with Mr. Hamilton's honesty, trustworthiness or character, that he is amazing. Ms. Favstritsky said Mr. Hamilton's other business is ran very well, it is organized, and all the staff get along well together.

Justin Judd

Friend/ Co-worker

Mr. Judd has known Mr. Hamilton for 10 years, through work. Mr. Judd said Mr. Hamilton is a very good guy and thinks he will absolutely adhere to all the laws, regulations and responsibilities of having a liquor license. He has been in Mr. Hamilton's other establishment many times and stated that it is run very well and professional. Mr. Judd can think of no reason why we should not issue Mr. Hamilton a liquor license.

Duane Carnahan

Friend

Mr. Carnahan has known Mr. Hamilton for 28 years. Mr. Carnahan worked for Mr. Hamilton in the roofing business. Mr. Carnahan stated he does not question Mr. Hamilton's reputation for honesty, trustworthiness or good character. He has total confidence in Mr. Hamilton's ability to adhere to all legal constraints involved in the issuing of a liquor license. He has been to a business managed and owned by Mr. Hamilton and says they were very clean, rules were followed, and he has a great crew. Mr. Carnahan went on to state that Mr. Hamilton is a great person to work for.

All the above subjects were confident that Mr. William L. Hamilton would not have any issues if he was approved for a Liquor License in the City of Fallon.

Thank you,

A handwritten signature in black ink, appearing to read "Melissa Fecht". The signature is fluid and cursive, with a large initial "M" and a stylized "F".

PSA Melissa Fecht, 9024

THIS LICENSE IS NOT TRANSFERABLE

CITY OF FALLON

55 W. Williams Avenue
Fallon, NV 89406

ACCOUNT NO: 1114706

LICENSE NO.: 55324

DATE ISSUED: 10/03/2018

BUSINESS LICENSE

The below named person or firm is hereby granted a license to do business as stated below in Fallon, NV subject to the provisions of Chapter 5.04 of the Fallon Municipal Code and is hereby licensed to conduct that business at the address shown for the period

NAME: BEAR BRAND PROPERTIES LLC. dba
WOODY'S ON THE BEACH

TO: BEAR BRAND PROPERTIES LLC. dba WOODY'S
125 NORTH LA VERNE STREET
FALLON NV 89406

LICENSE PERIOD:

10/03/2018 through 12/31/2018

BUSINESS LOCATION:

10 STATE STREET UNIT B
FALLON NV 89406

MAYOR

CITY CLERK



CITY OF FALLON CLERK'S OFFICE

55 West Williams Avenue, Fallon, Nevada 89406

Phone: (775) 423-5104

Fax: (775) 423-8874

BUSINESS LICENSE APPLICATION

Date of Application:	09/13/2018		
Application Type:	<input checked="" type="checkbox"/> New <input type="checkbox"/> Owner Change <input type="checkbox"/> Manager Change <input type="checkbox"/> Name Change <input type="checkbox"/> Location Change		
Applicant's Name:	Hamilton William L	Title:	Owner
Home Address:	125 N Laverne Street Fallon, NV 89406		
Business Entity Type:	<input type="checkbox"/> Sole Proprietor <input type="checkbox"/> Partnership <input type="checkbox"/> Limited Liability Company <input checked="" type="checkbox"/> DBA <input type="checkbox"/> Corporation <input type="checkbox"/> Association <input type="checkbox"/> Other:		
Business Name:	Bear Brand Properties LLC DBA Woody's On The Beach		
Business Owner(s):	William L Hamilton	Phone:	(775) 217-2375
Business Manager:	Tiffany L Hamilton	Phone:	(775) 291-9633
Business Address:	10 State Street Unit B, Fallon, NV 89406		
Mailing Address:	125 N Laverne Street, Fallon, NV 89406		
Is this a Home Based Business:	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No If "Yes", you will be subject to the City's small commercial electric rates.		
Business Phone Number:	(775) 217-2375	Business Fax Number:	
Email Address:	w.hamiltonjr@yahoo.com		
Federal Tax ID:	82-0850356	NV Business License Number:	NV20171176344
Nevada Taxation Number:	1035502860-001	Nevada Contractor Number:	
County Number:			
Nature of Business:	Restaurant		

I certify that the business stated above, anticipates annual gross sales of:

	Annual Gross Receipts	License Fee
<input type="checkbox"/>	Between \$0.00 and \$24,999.00	\$50.00
<input checked="" type="checkbox"/>	Between \$25,000.00 and \$99,999.00	\$100.00
<input type="checkbox"/>	Between \$100,000.00 and \$249,999.00	\$150.00
<input type="checkbox"/>	Between \$250,000.00 and \$499,999.00	\$200.00
<input type="checkbox"/>	Between \$500,000.00 and \$749,999.00	\$250.00
<input type="checkbox"/>	Between \$750,000.00 and \$999,999.00	\$300.00
<input type="checkbox"/>	Over \$1,000,000.00. For each additional \$500,000 of gross receipts, the fee shall be increased by \$125 (Example: \$1,768,593.00 = \$550.00 License Fee)	
TOTAL LICENSE FEE		100.00

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

- That I have read and reviewed a copy of Chapter 5.04 of the Fallon Municipal Code – Business Licenses;
- That upon approval of a Business 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



CITY OF FALLON CLERK'S OFFICE

55 West Williams Avenue, Fallon, Nevada 89406

Phone: (775) 423-5104

Fax: (775) 423-8874

CHILD SUPPORT COMPLIANCE STATEMENT

In compliance with State and Federal law, applicants applying for a Business License are required to complete and submit this Child Support Information Statement with their Business License Application. Failure to complete this form will be an automatic denial of any license, certificate or permit that you are applying for.

- ☒ 1. I am not subject to a court order for the support of a child.
- ☐ 2. I am subject to a court order for the support of one or more children and in compliance with the order or in compliance with a plan approved by the District Attorney or other public agency enforcing the order for the repayment of the amount owed pursuant to the order.
- ☐ 3. I am subject to a court order for the support of one or more children and **NOT** in compliance with the order or a plan approved by the District Attorney or other public agency enforcing the order for the repayment of the amount owed pursuant to the order. *** Note: If you have marked this response you should contact the District Attorney or other public agency enforcing the order to determine the actions that you may take to satisfy the Order.*

I certify, under penalty of perjury to the truth and accuracy of all statements contained herein.

Signature: _____

Printed Name: _____

Hamilton William L

Social Security Number: _____

Date: _____

09/13/2018



CITY OF FALLON CLERK'S OFFICE

55 West Williams Avenue, Fallon, Nevada 89406

Phone: (775) 423-5104

Fax: (775) 423-8874

BUSINESS LICENSE LOCATION APPROVAL FORM

The following signatures indicating compliance with applicable health, safety zones, and building standards must be secured by the applicant before a City of Fallon business license can be issued.

Business Name: Bear Brand Properties LLC DBA Woody's On The Beach

Business Address: 10 State Street Unit B, Fallon, NV 89406

Applicant's Name: Hamilton William L

(24 HOUR NOTICE MAY BE REQUIRED)

City of Fallon Building Department

~~Dave Munoz~~, Building Inspector Gary
55 West Williams Avenue, Fallon, Nevada 89406

Office: 775-423-5107

Cell: 775-217-5967

Approved By: 

Date: 9-13-18

City of Fallon Engineering Department

~~Michael Miller~~, Engineer Ryan Swirczek DAWD
55 West Williams Avenue, Fallon, Nevada 89406

Office: 775-423-9863

Cell: 775-217-5962 426-9306

Approved By: 

Date: 9/24/18

City of Fallon/Churchill County Fire Department

Mitch Young, Fire Marshall
20 North Carson Street, Fallon, Nevada 89406

Office: 775-423-0665

Cell: 775-427-7911

Approved By: 

Date: 9-24-18

SALE OF CONSUMABLE ITEMS, MUST BE APPROVED BY THE HEALTH DEPARTMENT

Consumer Health Division

155 North Taylor Street, Suite 103, Fallon, Nevada 89406

775-423-2281

775-687-7571

775-687-7539

Approved By: 

Date: Min 10-2-18

OFFICIAL USE ONLY:

Account No. 1114706

License No. 55324

Zone: C-2

Reviewed By: _____

Payment Received By: 

BEAR BRAND PROPERTIES, LLC

Business Entity Information

Status:	Default	File Date:	3/17/2017
Type:	Domestic Limited-Liability Company	Entity Number:	E0129462017-1
Qualifying State:	NV	List of Officers Due:	3/31/2018
Managed By:	Managers	Expiration Date:	
NV Business ID:	NV20171176344	Business License Exp:	3/31/2018

Additional Information

Central Index Key:	
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Registered Agent Information

Name:	WILLIAM HAMILTON	Address 1:	125 NORTH LAVERNE STREET
Address 2:		City:	FALLON
State:	NV	Zip Code:	89406
Phone:		Fax:	
Mailing Address 1:		Mailing Address 2:	
Mailing City:		Mailing State:	
Mailing Zip Code:			
Agent Type:	Noncommercial Registered Agent		

Financial Information

No Par Share Count:	0	Capital Amount:	\$ 0
No stock records found for this company			

☒ Officers

☐ Include Inactive Officers

Manager - WILLIAM HAMILTON			
Address 1:	125 NORTH LAVERNE STREET	Address 2:	
City:	FALLON	State:	NV
Zip Code:	89406	Country:	USA
Status:	Active	Email:	

☒ Actions\Amendments

Action Type:	Articles of Organization		
Document Number:	20170116316-38	# of Pages:	5
File Date:	3/17/2017	Effective Date:	
(No notes for this action)			
Action Type:	Initial List		
Document Number:	20170116317-49	# of Pages:	1

File Date: 3/17/2017

Effective Date:

(No notes for this action)

Fallon City Council Meeting

October 16, 2018

Agenda Item 7

Consideration and possible approval of election of officers of the Fallon/Churchill Volunteer Fire Department: Fire Chief – Jared Dooley; First Assistant Fire Chief – Randy Sharp; Second Assistant Fire Chief – Christopher Rogne; and Third Assistant Fire Chief – Anthony Myers. (For possible action)

**CITY OF FALLON
REQUEST FOR COUNCIL ACTION**

Agenda Item No. 7

DATE SUBMITTED: October 2, 2018

AGENDA DATE REQUESTED: October 16, 2018

TO: The Honorable City Council

FROM: Robert Erquiaga, Legal and Administrative Director

SUBJECT TITLE: Consideration and possible approval of election of officers of the Fallon/Churchill Volunteer Fire Department: Fire Chief – Jared Dooley; First Assistant Fire Chief – Randy Sharp; Second Assistant Fire Chief – Christopher Rogne; and Third Assistant Fire Chief – Anthony Myers. (For possible action)

TYPE OF ACTION REQUESTED: (Check One)

<input type="checkbox"/> Resolution	<input type="checkbox"/> Ordinance
<input checked="" type="checkbox"/> Formal Action/Motion	<input type="checkbox"/> Other

RECOMMENDED COUNCIL ACTION: Motion to approve the election of officers of the Fallon/Churchill Volunteer Fire Department: Fire Chief – Jared Dooley; First Assistant Fire Chief – Randy Sharp; Second Assistant Fire Chief – Christopher Rogne; and Third Assistant Fire Chief – Anthony Myers.

DISCUSSION: Pursuant to Fallon Municipal Code Section 2.16.050, the Fire Chief, First Assistant Fire Chief, Second Assistant Fire Chief and Third Assistant Fire Chief of the Fallon/Churchill Volunteer Fire Department are to be elected by the Fire Department and approved by the City Council. Fire Department elections were held in September 2018 with the following results: Fire Chief – Jared Dooley; First Assistant Fire Chief – Randy Sharp; Second Assistant Fire Chief – Christopher Rogne; and Third Assistant Fire Chief – Anthony Myers. The election results are now before the City Council for consideration and possible approval.

FISCAL IMPACT: N/A

FUNDING SOURCE: N/A

PREPARED BY: Robert Erquiaga, Legal and Administrative Director

Fallon City Council Meeting

October 16, 2018

Agenda Item 8

Swearing in of new Police
Officers, Joshua Schumann and
Chad Bernard (For discussion
only)

CITY OF FALLON
REQUEST FOR COUNCIL ACTION
AGENDA ITEM NO. 8

DATE SUBMITTED: 10-09-18

AGENDA DATE REQUESTED: 10-16-18

TO: Mayor and Council

FROM: Kevin Gehman, Chief of Police

SUBJECT: Swearing in of Police Officers

TYPE OF ACTION REQUESTED: (Check One)

☐ Resolution

☐ Ordinance

☐ Formal Action/Motion

☒ Other (Specify) Discussion Only

RECOMMENDED COUNCIL ACTION:

For discussion only

DISCUSSION/ANALYSIS: (Attachment, if necessary)

Joshua Schumann and Chad Bernard to be formally sworn in as police officers.

Joshua Schumann joins us from Walker River Tribal Police, where he has gained ten years of law enforcement experience. He is married to his wife, Corey, and they have three children: a son named Gabriel, and new twin girls, Hallie and Adalee.

Chad Bernard comes to our department from Parole & Probation. He has been in the criminal justice field for approximately ten years as well. He is married to Desarae, and they have three children: a son, Declan, and two daughters, Mackenzie and Whitney.

FISCAL IMPACT: None

FUNDING SOURCE:

EXPLANATION OF IMPACT:

ALTERNATIVES:

Prepared By: Lindsey Hildebrand

Reviewed By: Chief Kevin Gehman

K. Alexander 

Date 10/9/18

Presented by: Kevin Gehman

Fallon City Council Meeting

October 16, 2018

Agenda Item 9

Public hearing for discussion of possible projects to be funded through the Community Development Block Grant Program, for fiscal year 2019-2020. (For discussion only)

CITY OF FALLON
REQUEST FOR COUNCIL ACTION

Agenda Item No. 9

DATE SUBMITTED: October 9, 2018

AGENDA DATE REQUESTED: October 16, 2018

TO: The Honorable City Council

FROM: Brian Byrd

SUBJECT TITLE: Public hearing for discussion of possible projects to be funded through the Community Development Block Grant Program, for fiscal year 2019-2020. (For Discussion Only)

() Resolution () Ordinance
() Formal Action/Motion (X) Other

DESCRIPTION: The purpose of this public hearing is to give citizens an opportunity to discuss the proposed projects submitted to date and to suggest further ideas. The projects listed will be heard at a third and final hearing, which will be held to discuss, approve and rank applications prior to submittal to the State.

BACKGROUND: 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 Program 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 2019 allocations at \$2,621,876 for rural Nevada. The projects discussed during this public hearing could be eligible for evaluation and ranking by the City Council during the third and final CDBG hearing. A Public Hearing Notice, which was posted on October 2, 2018, included the Front Street Reconstruction project. To date, the Front Street Reconstruction is the only project listed as a priority for application.

FISCAL IMPACT: N/A

FUNDING SOURCE: N/A

PREPARED BY: Brian Byrd, Public Works Director

DATE: October 9, 2018

TO BE PRESENTED TO THE COUNCIL BY: Brian Byrd