

AGENDA
CITY OF FALLON – CITY COUNCIL
55 West Williams Avenue
Fallon, Nevada
December 12, 2018 – 9:00 a.m.


The Honorable City Council will meet in a special meeting on December 12, 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. Consideration of application by Ana Hardy, owner of the Ana's Cafe LLC, for a drinking establishment (on premise) liquor license for events within the City of Fallon. **(For possible action)**
5. Public Comments **(For discussion only)**
6. Council and Staff Reports **(For discussion only)**
7. 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 December 7, 2018 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 423-5104 in advance so that arrangements may be conveniently made.

December 12, 2018

Agenda Item 4

Consideration of application by Ana Hardy, owner of the Ana's Cafe LLC, for a drinking establishment (on premise) liquor license for events within the City of Fallon. **(For possible action)**

Incorporated 1908

**CITY OF FALLON
REQUEST FOR COUNCIL ACTION**

Agenda Item No. 4

DATE SUBMITTED: December 5, 2018

AGENDA DATE REQUESTED: December 12, 2018

TO: The Honorable City Council

FROM: Elsie Lee, Deputy City Clerk

SUBJECT TITLE: Consideration of application by Ana Hardy, owner of the Ana's Cafe LLC, for a drinking establishment (on premise) liquor license for events within the City of Fallon. (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 Ana Hardy, for Ana's Cafe LLC, in order to sell alcohol at events within the City of Fallon.

DISCUSSION: Ana Hardy, owner of Ana's Cafe LLC, located at 2055 Trento Lane, has made application for a drinking establishment liquor license to sell alcohol at to be determined events within the City of Fallon, beginning with the Fallon Ford Toyota Christmas Party on December 15, 2018 at the Convention Center 100 Campus Way. 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: December 5, 2018

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

FALLON POLICE DEPARTMENT

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

Kevin Gehman
Chief of Police

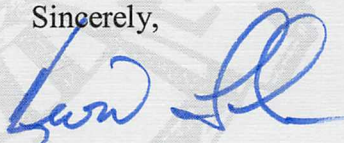
December 3, 2018

This letter certifies that **Ana Hardy**, owner of **Ana's Café** located at **2055 Trento Lane**, has completed and passed her 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 her responsibilities as manager/owner of the store.

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

Sincerely,



Kevin Gehman
Chief of Police

KG/lnh



CITY OF FALLON CLERK'S OFFICE

55 West Williams Avenue, Fallon, Nevada 89406

Phone: (775) 423-5104

Fax: (775) 423-8874



LIQUOR LICENSE APPLICATION

Bus Lic # 55309

Application Type: <input checked="" type="checkbox"/> New <input type="checkbox"/> Owner Change <input type="checkbox"/> Manager Change <input type="checkbox"/> Location Change				
Applicant's Name: <u>HARDY ANA M.</u>			Application Date: <u>11/15/2018</u>	
Last First MI				
Title: <u>OWNER</u>			Phone: <u>775-427-6674</u>	
Date of Birth: <u>08/18/1969</u>			Social Security Number: _____	
Driver's License Number: <u>1300294418</u>			Driver's License State: <u>1300294418 NV</u>	
Sex: <u>FEMALE</u>			Height: <u>5'8"</u> Weight: <u>185</u>	
List all addresses in which you have resided at for the past five (5) years.				
Begin/End	Physical Address	City	State	Zip
<u>5/2008 - Present</u>	<u>1105 PENELOPE DRIVE</u>	<u>FALLON</u>	<u>NV</u>	<u>89406</u>
Business Entity Type: <input type="checkbox"/> Sole Proprietor <input type="checkbox"/> Partnership <input checked="" type="checkbox"/> Limited Liability Company <input type="checkbox"/> DBA				
<input type="checkbox"/> Corporation <input type="checkbox"/> Association <input type="checkbox"/> Other: _____				
Business Name: <u>ANA'S CAFE L.L.C.</u>				
Business Owner(s):				
Name	Address	Title		
<u>ANA HARDY</u>	<u>1105 PENELOPE DR</u>	<u>OWNER</u>		
<u>DENNIS HARDY</u>	<u>1105 PENELOPE DR</u>	<u>OWNER</u>		
Business Address: <u>2055 TRENTO LANE</u> <u>FALLON</u> <u>NV</u> <u>89406</u>				
City State Zip				
Provide a brief description of the portion to be occupied by the establishment for which the license is sought:				
<u>CATERING IN CITY</u>				
Is the premises to be licensed leased by the applicant? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No				
Name of the owner of the premises: <u>TO BE DETERMINED</u> <u>(CATERING)</u>				
Name of the owner's authorized agent, if any: <u>N/A</u>				
What type of license for which the application is made: <input type="checkbox"/> Retail (Off Premises) <input checked="" type="checkbox"/> Drinking Establishment (On Premises)				
Have you owned or managed any other business? <input checked="" type="checkbox"/> Yes <input type="checkbox"/> 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
	HARDY CONSULTING	1105 PENELOPE DR	FALLON	NV	89406
Have you ever been issued a business or a liquor license? <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No					
If Yes, when? 4/2018		What Agency? CHURCHILL COUNTY			
Have you ever had a business or liquor license revoked? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No					
If Yes, when?		What Agency?			
Have you ever been denied a business or liquor license? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No					
If Yes, when?		What Agency?			
Have you received any specialized training for serving alcoholic beverages? <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No					
If Yes, explain: TRAINING FOR MACAYO'S VEGAS					
Have you ever been arrested? <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No					
If Yes, provide the following information:					
Date	Charge	Arresting Agency	Disposition		
1/1988	MENDRIN CONSUMPTION	CITY OF FALLON	FINE		
1993	LEAVING SCENE OF ACCIDENT	CCSD	FINE		
1996	PASSING CHECKS INSUFFICIENT	FALLON PD	PROBATION		
1996	ABSTAINING	FALLON PROBATION	PRISON		
List five (5) references not related to you with daytime phone numbers:					
Name	Phone	Relationship			
JESUS MARRAZCURRENA	775-217-0918	BROTHER			
DAN FITCH	(714) 309-4945	PASTOR			
DEBBIE STRANGE	(775) 770-4274	FRIEND			
ANA WRIGHT	(775) 813-8098	FRIEND			
JESSICA BEYERS	(775) 741-1320	FRIEND			
ANGELA ROWAN					

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

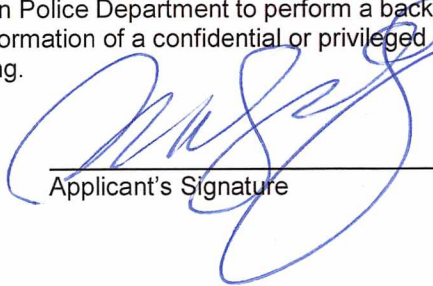
55 West Williams Avenue, Fallon, Nevada 89406

Phone: (775) 423-5104

Fax: (775) 423-8874

AUTHORIZATION AND RELEASE

I, ANA HARVEY, 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. N/A

City of Fallon Attorney's Office Robert Eisinger

Date: 12/5/18

Date: 12/5/18

Date: 12/5/18

Date: 12/5/18

OFFICIAL USE ONLY:

Account No. _____

License No. _____

Payment Received By: _____

Liquor License Application Interview Supplement

APPLICANT Ana Hardy

DATE 12/04/2018

BUSINESS NAME – Ana's Cafe, 2055 Trento Lane, Fallon, NV

I (will) be the on-site supervisor.

If not, on-site supervisor will be _____

I understand that if the on-site supervisor changes, I am responsible to notify the City Clerk's Office. Initials AS

I acknowledge that as the license holder, I am personally responsible for what is sold at the store. Initials AS

I further acknowledge that as the license holder, I am responsible for alcohol sales from the business and may be held personally responsible for alcohol sales that violate any law or ordinance. Initials AS

I have received, read and understand the Liquor and Business License requirements within the Fallon Municipal Code and agree to abide by those requirements. Initials AS

November 27, 2018

Liquor License Application

Ana's Café

2055 Trento Lane

Fallon, NV 89406

Chief Kevin Gehman

Fallon Police Department

55 W Williams Ave

Fallon, NV 89406

Personal Reference Check for:

Mrs. Ana Hardy (Owner)

Dear Chief Gehman,

On November 27, 2018, I completed the reference check for Mrs. Ana Hardy by contacting the personal references she had listed on her Liquor License Application. Listed below are their responses:

Mary Fitch

Pastor Wife

Mrs. Fitch has known Mrs. Hardy for 17 years. Mrs. Hardy is a member of the church that Mrs. Fitch serves at. Mrs. Fitch says that Mrs. Hardy is trustworthy and honest. She believes that she will adhere to the legal constraints of having a liquor license. Mrs. Fitch is not aware of any issues that should preclude the applicant from being allowed to operate a business that serves alcohol. Mrs. Fitch has been into Ana's Cafe, which is owned by Mrs. Hardy and says she does a great job, is very responsible and has great customer service skills. Mrs. Fitch added that Mrs. Hardy wants to run a good business and be an asset to the community.

Debbie Strange

Friend

Ms. Strange and Mrs. Hardy have been friends for the last five years. They know each other from working at Jerry's Restaurant together. Ms. Strange does not question Mrs. Hardy's honesty, trustworthiness or good character. She believes Mrs. Hardy will follow all rules and regulations, as she is a real stickler about following rules. Ms. Strange has been into a business operated by Mrs. Hardy and says that she is very fair, honest and straight forward.

Jessica Beyers

Friend

Ms. Beyers and Mrs. Hardy have worked together and been friends for 2 years. She said she has no concerns with Mrs. Hardy's honesty, trustworthiness and character. She believes Ms. Hardy will adhere to all the laws, regulations and responsibilities that accompany the issuing of a liquor license. Ms. Beyers stated that Mrs. Hardy runs a very affective business, has great customer service and will be wonderful for our community.

Angela Rowan**Friends**

Ms. Rowan has known Mrs. Hardy for roughly 20 years. She is certain she will follow all the regulations and laws. She informed me that Mrs. Hardy has been running the business very professional. Ms. Rowan stated that Mrs. Hardy is a good character and can think of no reason why we should not issue her a liquor license.

Ana Wright**Friends**

Ms. Wright has known Mrs. Hardy for the last 40 years. Ms. Wright feels that Mrs. Hardy is very forthright and honest and that we could not find a better person to issue a liquor license to. She is confident she will adhere to all the legal constraints of having a liquor license. Ms. Wright stated that the business Mrs. Hardy owns is ran very affectively, friendly and repeatably. She is very excited that Mrs. Hardy is doing this.

All the above subjects were confident that Mrs. Ana Hardy would not have any issues if she was approved for a Liquor License in the City of Fallon.

Thank you,

PSA Melissa Fecht, 9024