

**MINUTES
CITY OF FALLON
55 West Williams Avenue
Fallon, Nevada
May 11, 2010**

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

Present:

Mayor Ken Tedford, Jr.
City Councilman, Robert Erickson
City Councilwoman, Rachel Dahl
City Councilman, James Richardson
City Engineer, James Souba
Police Chief, Kevin Gehman
City Clerk, Gary Cordes
City Attorney, Mike Mackedon

The meeting was called to order by Mayor Tedford at 11:00 a.m.

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

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

Request by Diane Christensen for an off-premises/unrestricted liquor license for JS Best Discount Liquor, located at 189 West Williams Avenue

City Clerk Cordes explained that the applicant is in the audience today. Ms. Diane Christensen is requesting an off-premises/unrestricted liquor license. All alcohol is to be consumed off the premises. The location is properly zoned and a liquor license has been in place at the location for several years. He recommended approval of this request.

Chief Gehman advised that he met with Ms. Christensen and discussed the liquor ordinance. She plans to send her employees to Carson City for alcohol sales training. He was confident in her ability to operate this establishment in a proper manner.

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

No comments were noted.

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

Ms. Christensen stated that she is a part of this community and wants to protect children so she was committed to no underage alcohol sales.

Councilman Erickson motioned to approve the request by Diane Christensen for an off-premises/unrestricted liquor license for JS Best Discount Liquor, located at 189 West Williams Avenue; seconded by Councilwoman Dahl and approved with a 3-0 vote by the Council.

Request by Jack Mackay for a cabaret license for Cea's Soap & Suds, located at 385 West Front Street

City Clerk Cordes explained that Mr. Jack Mackay is a first time applicant for a cabaret license at this location. There is currently an on-premises/unrestricted liquor license in place at this location. The applicant has met with the Chief of Police, the Building Inspector and the Fire Marshal and they have all reviewed and approved the application. He recommended approval of this request.

Chief Gehman advised that the cabaret operating hours are 6:00 p.m. to 10:00 p.m. Mr. Mackay has been a responsible bar owner and he was confident in his operation.

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

Councilman Richardson inquired if this event would take place outside.

Mayor Tedford confirmed that the outdoor site is located between Corky's Video Village and Cea's Soap & Suds.

Councilwoman Dahl asked if this cabaret license was just for this event.

Mr. Mackay stated that he hoped this "1st Annual" event would occur next year but he may utilize the cabaret license for karaoke before he comes back next year to request the license again.

Mayor Tedford inquired if he planned to hold karaoke outdoors.

Mr. Mackay replied that karaoke would take place inside Cea's Soap & Suds.

Mayor Tedford explained that cabaret licenses, as issued, do not require permission for each event. If there is a "2nd Annual" event he would not be required to come before the Council again.

City Attorney Mackedon explained that a cabaret license is issued for the address and since the building is located at the address it would be permissible to have karaoke inside.

Mayor Tedford reminded that requirements for a cabaret license include approval of a floor plan. There is not a floor plan for the inside of the building in this agenda packet.

City Attorney Mackedon referred to Fallon Municipal Code 5.12.050(b) requiring that the location of the premises and the particular room for which the license is desired be included in the application.

Mr. Mackay stated that the building only has one room.

City Attorney Mackedon noted that since the one-room building is on the submitted drawing it is included in the request.

Mayor Tedford clarified that Mr. Mackay is requesting a cabaret license to hold an event outside. We must go through a cabaret application because we do not currently have a special event ordinance. In lieu of a special event license, a cabaret license is the type of license that would be issued if this request is approved.

Mr. Mackay inquired if this license would allow him to hold events every night until 10:00 p.m.

Mayor Tedford noted that some neighborhoods are okay with an outdoor event every once in a while but not every night.

Mr. Mackay asked if nightly events would be allowed if he ensured that they would end by 10:00 p.m.

Mayor Tedford replied that there is no magic hour; some residents may feel that 7:00 p.m. is too late while others may feel that 10:00 p.m. is too late.

City Attorney Mackedon noted that Mr. Mackay did not come before the Council seeking a continuous license; he thought that he had to return to the Council next May and request it again. He suggested the Council consider a condition on the license directing that any outside events must be approved by the Chief of Police.

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

No comments were noted.

Councilwoman Dahl motioned to approve the request by Jack Mackay for a cabaret license for Cea's Soap & Suds, located at 385 West Front Street with a special condition that outdoor events must be approved by the Chief of Police on a case by case basis; seconded by Councilman Richardson and approved with a 3-0 vote by the Council.

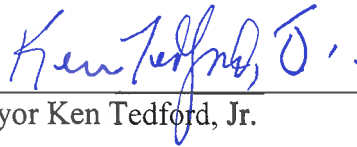
Public Comments

Mayor Tedford inquired if there were any public comments.

No comments were noted.

Adjournment

There being no further business to come before Council, Mayor Tedford adjourned the meeting at 11:23 a.m.



Mayor Ken Tedford, Jr.

Attest:



Gary C. Cordes
City Clerk Treasurer