

**MINUTES
CITY OF FALLON
55 West Williams Ave
Fallon, Nevada
November 21, 2023**

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

Present:

Mayor Ken Tedford
Councilwoman Kelly Frost
Councilwoman Karla Kent
Councilman Paul Harmon
Chief of Staff Bob Erickson
City Attorney Mike Mackedon
Deputy City Attorney Trent deBraga
Deputy City Attorney Sean Rowe
Chief Ron Wenger
Captain John Riley
Captain Daniel Babiarz
Deputy City Clerk Elsie Lee
Deputy Public Works Kevin Gulley
Engineer Derek Zimney
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.

Deputy City Clerk Elsie Lee advised that the agenda was posted in compliance with the NRS requirements.

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 comments were noted.

Approval of Warrants

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

Councilwoman Kent motioned to approve the accounts payable, payroll and customer deposit warrants; seconded by Councilman Harmon and approved with a 3-0 vote by the Council.

Consideration of application by Nassar White for a drinking establishment (on-premises) liquor license for Minority Holding Group, LLC, dba The Greenwave Sports Bar to be located at 2155 West Williams Avenue.

Deputy City Clerk Elsie Lee stated that Nassar White, owner of Minority Holdings Group, LLC, dba The Greenwave Sports Bar has made an application for a drinking establishment (on-premises) liquor license for The Greenwave Sports Bar to be located at 2155 West Williams Avenue. 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 Captain Daniel Babiarz, Deputy City Clerk Elsie Lee, City Engineer Derek Zimney, and Deputy City Attorney Trent deBraga and has been recommended for approval.

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

Councilwoman Kent inquired if this was just a change in ownership of the bar.

Deputy City Clerk Elsie Lee confirmed Councilwoman Kent's inquiry.

Mayor Tedford inquired if there were any further comments or questions from the Council or public.

No further comments were noted.

Councilwoman Kent motioned to approve the application by Nassar White for a drinking establishment (on-premises) liquor license for Minority Holding Group, LLC, dba The Greenwave Sports Bar to be located at 2155 West Williams Avenue; seconded by Councilwoman Frost and approved with a 3-0 vote by the Council.

Consideration of an application by Nassar White for a cabaret license for Minority Holdings Group, LLC, dba The Greenwave Sports Bar, located at 2155 West Williams Avenue.

Deputy City Clerk Elsie Lee stated that Nassar White, owner of Minority Holdings Group, LLC, dba The Greenwave Sports Bar has made an application for a cabaret license for Minority Holdings Group, LLC, dba The Greenwave Sports Bar, located at 2155 West Williams Avenue. A cabaret license is a privileged license that allows the licensee to provide live entertainment or dancing at the establishment. The application has been reviewed by Police Captain Daniel Babiarz, Deputy City Clerk Elsie Lee, City Engineer Derek Zimney, and Deputy City Attorney Trent deBraga and has been recommended for approval with conditions as follows, any game or gambling game defined by NRS 463, shall be approved by the appropriate regulatory agency.

Mayor Tedford inquired if there were any comments or questions from the Council or

public.

Councilman Harmon stated that he had a question for Nassar White. You have a description for one of the things you are going to do with your cabaret license, and that is midget wrestling. My question to you is, what have you done, or do you have plans for extra security when you have an event like this because of the testosterone levels during events like this? Do you have training for these events and a plan for security?

Nassar White approached the Council. I mostly employ military, who have their military training. We go over safety meetings when we have employee meetings, and we go over what is expected and what we can do to handle different situations.

Councilman Harmon inquired on extra security personnel being present during these types of special events.

Nassar White stated they did.

Councilwoman Frost inquired on the gaming and tabletop listed in the description of the application.

Nassar White stated that this is not gambling. So, it would be like board games, and stuff like that.

Mayor Tedford asked for clarification. It says, "gaming/tabletop, not gambling." What does that mean?

Nassar White stated that it would not be gambling. I have a group of individuals who want to play Dungeons and Dragons. So, they would just hang out and do their own little campaign there.

Mayor Tedford stated that he is speaking to someone who does not understand anything Mr. White mentioned.

Nassar White stated that it is a role-playing game for individuals.

Mayor Tedford asked if it was gambling.

Nassar White stated that it is not gambling. There is no money involved whatsoever.

Mayor Tedford inquired why he listed it as, "gaming/tabletop, not gambling" in the description of his application.

Nassar White stated that he wanted to be sure that he knew it wasn't gambling, and I didn't want to get in trouble for not having something on there.

Mayor Tedford stated that if he has gambling that would be covered by an NRS statute, not one of ours. It just intrigues me that you have, "gaming/tabletop, not gambling" listed. If it is not gambling, why would you write, "gaming/tabletop."

Nassar White stated that he wanted to make it clear that it is not gambling. It would be just tabletop gaming. So, if people want to come in and play chess and checkers, not for money.

Mayor Tedford asked why it says, "gaming."

Nassar White stated that it is a game.

Councilwoman Frost suggested that describing it as board games might be more understandable.

Mayor Tedford stated that would be better or to just list it as, "games." That is what you mean, right? Not gaming? That is what my generation would say, it is just, "games." I get what you're saying now. They are just playing Monopoly, chess, checkers, or similar things to this. Those are games to me, not "gaming." The distinction in our state, the word gaming means something different.

Nassar White stated that is why he stated, "not gambling."

Mayor Tedford stated that he should stay away from the word "gaming," as much as he can.

Nassar White agreed.

Mayor Tedford inquired about the kind of crafts that will be made.

Nassar White stated that he has a friend that does paint nights. I wanted to bundle that all in there. I have a friend that runs the Great Basin Apothecary, and she is making terrariums, and I know that Dandelion Express is making wreaths for Christmas. Just those kinds of crafts.

Councilman Harmon stated that he is providing a space for people to do crafts.

Nassar White confirmed.

Mayor Tedford stated that they will also drink alcohol at the bar.

Nassar White confirmed. We have soda too.

Mayor Tedford stated that they don't have any concern with the soda being served.

Councilwoman Kent stated she had a question regarding the board games. Does that need to be under a cabaret license? If a person plays board games?

Mayor Tedford stated that would be a question for the City Attorney.

City Attorney Mike Mackedon stated that he does not believe those type of activities requires a cabaret license.

Mayor Tedford stated that, with the cabaret license, the City is normally concerned about a stage, mud wrestling, or similar activities. And when you mix 18-year-olds with 21-year-olds, which he is not, we would have more concern about those activities. You have to have a defined area with a defined entrance, that is usually where we are getting involved in cabaret licenses.

Councilwoman Kent stated she would like to ask a general question not pertinent to Mr. White. I thought that we didn't allow Elks Lodge to have a midget wrestling event.

Mayor Tedford stated that it wasn't necessarily an event we didn't allow them to have. We were trying to ask what the venue looked like on the map. You have to list what events you are going to have on your application and show us where it is happening on the map. They had just listed a broad layer of activities. We need to know what those activities are going to be. Mr. White listed the activities he will be doing on his application. We were trying to work out an agreement with Elks Lodge, to come back to the application board, where they could okay their activities, and they wouldn't have to bring it to the Council every time. That is where we ended up that day because it was very confusing as to where their activities were taking place in their venue. If you go back historically, to a cabaret license, we are talking about years ago. You have a bar, and you showed a stage area where they would have their band, and an area where the dancing took place, and that was your cabaret license. If you go back even further, the cabaret could only be in a certain area of downtown. It couldn't be outside of the downtown area, and then we changed it so it could be in other areas. So, the cabaret license has been evolving with what the Council has decided to do with it. Are there any further questions from the Council or public?

No further comments were noted.

Councilwoman Frost motioned to approve the application by Nassar White for a cabaret license for Minority Holdings Group, LLC, dba The Greenwave Sports Bar, located at 2155 West Williams Avenue; seconded by Councilman Harmon and approved with a 3-0 vote by the Council.

Consideration of an application by Charles Fulks for a cabaret license for Big Horn Saloon to be located at 1720 West Williams Avenue.

Deputy City Clerk Elsie Lee stated that Charles Fulks, owner of Big Horn Saloon has made an application for a cabaret license for Big Horn Saloon, located at 1720 West Williams Avenue. A cabaret license is a privileged license that allows the licensee to provide live entertainment or dancing at the establishment. The application has been reviewed by Police

Captain Daniel Babiarz, Deputy City Clerk Elsie Lee, City Engineer Derek Zimney, and Deputy City Attorney Trent deBraga and has been recommended for approval with conditions as follows, any event held, with the exception of karaoke and live music, must be approved by the City 14 days prior to the event.

Mayor Tedford stated that in this case, there is a map in the agenda, and on page 19 it shows the floorplan. A couple of things on this one that we really won't be considering are events that are happening outside of the building because that really isn't our prerogative. We are only here to issue a cabaret license inside the building. So, what they do in the parking lot isn't up to us to decide. Charles listed 1, 2, and 4 for his live entertainment, and what they can do in that 100 square foot space that he has listed on the map. What the application committee has asked for is that any event, other than karaoke and live music, happening inside the building must be submitted to them 14 days prior to the event, to get the okay.

Councilwoman Frost stated that she has a question for Mr. Fulks. On the map that was provided, where are you planning to have your karaoke or your stage for your entertainer?

Charles Fulks approached the Council. Karaoke could take place anywhere in that building, they can walk around and sing anywhere. We don't really have bands because it is a small area. We might have like one person like, Steve Christie, Gomes, or something like that. It is usually right there by my beer closet.

Councilwoman Frost inquired if the beer closet is what is marked as, "storage."

Charles Fulk agreed.

Mayor Tedford inquired if Mr. Fulks understood the conditions that were set for his business.

Charles Fulks stated he understood.

Mayor Tedford inquired if there were any further comments or questions from the Council or public.

No further comments were noted.

Councilman Harmon motioned to approve the application by Charles Fulks for a cabaret license for Big Horn Saloon to be located at 1720 West Williams Avenue; seconded by Councilwoman Frost and approved with a 3-0 vote by the Council.

Public Comments

Mayor Tedford inquired if there were any public comments.

No comments were noted.

Council and Staff Reports

Mayor Tedford inquired if there were any Council or staff reports.

Councilwoman Frost stated that she is excited about the ice rink. It seems like there are many people that are going out and enjoying the ice rink. I would like to thank the staff and the public works crew that helped get this up and going.

Mayor Tedford thanked Councilwoman Frost. I agree and think that the ice rink is a good thing. It exceeded my expectations when I saw all the smiles on the faces of the kids and adults on Saturday and Sunday. It was a lot of hard work and I appreciate everyone that is working there to get it to where it is today. We have a few weeks left to skate, and I appreciate you passing that on to the people that are working on that. It is very nice for the community and hopefully it helps in bringing other people from other communities here, and they have a lot of fun with it too. Happy Thanksgiving to everyone and thank you for coming today, we

appreciate it.

No further reports were noted.

Executive Session

Mayor Tedford tabled the executive session, as it was not needed at this time.

Adjournment

There being no further business to come before the Council, Mayor Tedford adjourned the meeting at 9:23 a.m.

Mayor Tedford

Attest: _____
Sean C. Richardson, City Clerk-Treasurer

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