

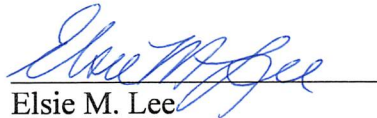
**AGENDA
CITY OF FALLON – CITY COUNCIL
55 West Williams Avenue
Fallon, Nevada
January 4, 2021 – 9:00 a.m.**

The Honorable City Council will meet in a regularly scheduled meeting on January 4, 2021 at 9:00 a.m. in the City Council Chambers, 55 West Williams Avenue, Fallon, Nevada.

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

1. Pledge of Allegiance to the Flag.
2. Certification of Compliance with Posting Requirements.
3. Public Comments: General in nature, not relative to any agenda items.
No action may be taken on a matter raised under this item until the matter has been specifically included on an agenda as an item upon which action will be taken. **(For discussion only)**
4. Consideration and approval of Council meeting minutes for December 21, 2020. **(For possible action)**
5. Approval of Warrants: **(For possible action)**
 - A) Accounts Payable
 - B) Payroll
 - C) Customer Deposit
6. Consideration and possible approval of an application by Gregg and Laura Malkovich for a drinking establishment liquor license for Malkos' LLC dba Jo's Stillwater Tea Room to be located at 85 South Maine Street. **(For possible action)**
7. Public Comments **(For discussion only)**
8. Council and Staff Reports **(For discussion only)**
9. 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)**

Pursuant to Governor Sisolak's Declaration of Emergency Directive 006 entered on March 22, 2020, and extended by Emergency Directive 016 entered on April 29, 2020, by Emergency Directive 018 entered on May 7, 2020, by Emergency Directive 021 entered on May 28, 2020, by Emergency Directive 026 entered on June 29, 2020 and by Emergency Directive 029 entered on July 31, 2020, this agenda has been posted on or before 9:00 a.m. on December 29, 2020 at City Hall, to the City's website (<https://fallonnevada.gov>) and to 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, at (775) 423-5104 or elee@fallonnevada.gov. 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.

January 4, 2021

Agenda Item 4

Consideration and approval of Council meeting minutes for December 21, 2020. **(For possible action)**

**MINUTES
CITY OF FALLON
55 West Williams Avenue
Fallon, Nevada
December 21, 2020**

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 James D. Richardson
City Councilwoman Kelly Frost
City Councilwoman Karla Kent
Police Captain, Kris Alexander
Chief of Staff Robert Erquiaga

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.

Chief of Staff Erquiaga advised that the agenda was posted in compliance with Governor Sisolak's Emergency Directives, the agenda and the supporting materials were posted at City Hall, on the City's website, and the State of Nevada's public notice website on or before 9:00 a.m. on December 16, 2020.

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.

Mr. Geoff Knell of 261 Serpa Place stated that Jesus Christ was alive and calls on us to love one another. He stated that he loved everyone present today and did not hold a grudge. He stated that he would provide truth and facts. We are supposed to honor God in this nation. We will go through trials and tribulations as we encounter one another. He had often encountered the Police Department, which he loved. The officers are gracious and kind, but they need to come to Christ. He thanked the Mayor and Council individually. He invited them to come back to Jesus Christ. Our nation is divided. There are 17 different churches in Fallon, and they do not come together. Many churches have become a religious crutch, in that they are limiting the word of God. Many people are unskilled in righteousness and leadership restricts the Word of God. God is angry with the wicked every day. Thank you.

Mayor Tedford thanked Mr. Knell.

Approval of Council meeting minutes for December 7, 2020

Mayor Tedford inquired if there were any additions or corrections to the minutes for December 7, 2020.

No additions or corrections were noted.

Councilwoman Frost motioned to approve the Council meeting minutes for December 7, 2020 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 Kent motioned to approve the accounts payable, payroll and customer deposit warrants and authorize the Mayor to sign the same; seconded by Councilwoman Frost and approved with a 3-0 vote by the Council.

Presentation of the Police Department Report for November 2020

Captain Alexander presented the November monthly report. He referred to page 2 of the report, noting overall calls for service were down compared to last year. He believed it was indicative of the current times with the COVID-19 virus. Officers are trying to have as much limited contact with the public as they can by taking care of most calls via telephone or in open air space, outside of confined areas. This is for officer safety as well as the safety of citizens. On page 4, arrests were also down compared to last year. Officers are trying to handle situations via citation to limit the jail population to keep everybody safe. On page 6, traffic accidents were about the same as last year. Animal shelter numbers were on page 7, they are slightly down from last year. We are encouraging people to make appointments with animal control staff to limit contact. One citizen survey was returned last month and was marked as *very satisfied* in all categories. Officer Jacobs volunteered his time with our Police Explorers in assisting Fallon Daily Bread at Epworth United Church serving meals to the community. Detective Goodrick completed the indoctrination training with NAS Fallon servicemembers.

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

Councilwoman Kent noted that the solar speed panel installed near Laura Mills Park should do a good job of slowing people down in that area.

Mayor Tedford thanked Captain Alexander for the report.

Public Comments

Mayor Tedford inquired if there were any public comments.

Mr. Geoff Knell of 261 Serpa Place read verses from 1 Peter and Titus. He relayed a story from when he was in the US Navy and his ship changed command and the improvements that came with the new command, including three battle efficiency awards. He asked this government to think wisely and honor God in decisions they make in the future. Thank you.

Mayor Tedford thanked Mr. Knell.

Council and Staff Reports

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

Councilwoman Frost thanked the Fallon Churchill Fire Department for escorting Santa through the community to bring Christmas joy. Many kids did not have the chance to see Santa this year. It was a cold night with the crew, and she thanked them for their service.

Councilman Richardson echoed Councilwoman Frost's comments. It was pretty surprising to hear all the sirens and then see Santa on the fire truck. It was neat to see the kids come out of their houses. Social media was also busy with updates on Santa's location. These are different times we are living in regarding COVID and social media.

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 9:16 a.m.

Mayor Ken Tedford

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

January 4, 2021

Agenda Item 6

Consideration and possible approval of an application by Gregg and Laura Malkovich for a drinking establishment liquor license for Malkos' LLC dba Jo's Stillwater Tea Room to be located at 85 South Maine Street. **(For possible action)**

**CITY OF FALLON
REQUEST FOR COUNCIL ACTION**

Agenda Item No. 6

DATE SUBMITTED: December 28, 2020

AGENDA DATE REQUESTED: January 4, 2021

TO: The Honorable City Council

FROM: Elsie Lee, Deputy City Clerk

SUBJECT TITLE: Consideration and possible approval of an application by Gregg and Laura Malkovich for a drinking establishment liquor license for Malkos' LLC dba Jo's Stillwater Tea Room to be located at 85 South Maine Street. (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 application and to issue a drinking establishment liquor license to Gregg and Laura Malkovich for Malkos' LLC dba Jo's Stillwater Tea Room to be located at 85 South Maine Street.

DISCUSSION: Gregg and Laura Malkovich, owners of Malkos' LLC, have made an application for a drinking establishment liquor license for Malkos' LLC dba Jo's Stillwater Tea Room to be located at 85 South Maine Street. 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 Captain Kris Alexander, City Engineer Derek Zimney, Deputy City Clerk Elsie Lee and Chief of Staff 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 28, 2020

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

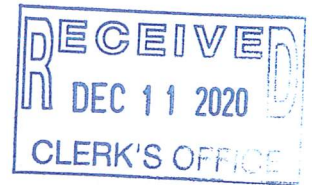


CITY OF FALLON CLERK'S OFFICE

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 Name: Malkovich, Laura A Application Date: _____
Last First MI

Title: Manager(s) Malkos LLC Phone: 775.426.9617
L-0402452473

Date of Birth: 11.25.1968 3.29.1968 Driver's License Number: G-0400947887
State: Nevada

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

Begin/End	Physical Address	City	State	Zip
<u>11/2010 - Present</u> <u>#120</u>	<u>4250 Santa Fe Dr</u>	<u>Fallon</u>	<u>NV</u>	<u>89406</u>

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

Business Name: Jo's Stillwater Tea Room

Business Owner(s):

Name	Address	Title
<u>Malkos LLC</u>	<u>4250 Santa Fe Dr</u>	<u>Owner</u>

Business Address: 85 S. Maine St 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;

Jo's Stillwater Tea Room is a small downtown bar/lounge

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

Name of the owner of the premises: Malkos LLC

Name of the owner's authorized agent, if any: Laura Malkovich / Gregg Malkovich

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

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

Begin/End	Name	Address	City	State	Zip

Have you ever been issued a business or a liquor license? ☐ Yes ☒ No

If Yes, when? _____ What Agency? _____

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: part time employment as bartender

Have you ever been arrested? ☐ Yes ☒ No

If Yes, provide the following information:

Date	Charge	Arresting Agency	Disposition

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

Name	Phone	Relationship
<u>Jo Petteruti</u>	<u>775-217-9516</u>	<u>business owner</u>
<u>Keith Boone</u>	<u>775-426-8375</u>	<u>friend</u>
<u>Paul Picotte</u>	<u>757-537-2589</u>	<u>employer</u>
<u>Shawn Purrell</u>	<u>775-217-1260</u>	<u>friend</u>
<u>Darcie Spero</u>	<u>775-741-9780</u>	<u>business owner</u>

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



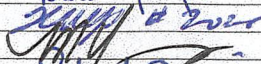


Fax: (775) 423-8874

Laura Malkovich

AUTHORIZATION AND RELEASE

I, Gregg Malkovich, 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	_____	 #2025 Recommended by Chief of Police or Designee
Photo	_____	
Local records	_____	
NCJIS	_____	
Municipal Code	_____	Not Recommended by Chief of Police or Designee
Fee	\$ _____	
REVIEWED BY:		
City of Fallon Engineering/Building Department		Date: <u>12/28/2020</u>
City of Fallon Chief of Police		Date: <u>12/24/2020</u>
City of Fallon/Churchill County Fire Dept.		Date: <u>12-28-20</u>
City of Fallon Attorney's Office		Date: <u>12/23/2020</u>

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

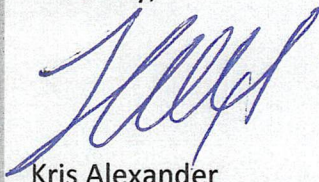
December 24, 2020

This letter certifies that Gregg and Laura Malkovich, the proprietors of Jo's Stillwater Tea Room (Malkos LLC) located at 85 South Maine Street, Fallon, Nevada 89406, have completed and passed their background checks for a liquor license.

Additionally, I have met with the applicants regarding components of the Fallon Municipal Code concerning alcoholic beverage sales as well as their responsibilities as managers/proprietors of the business.

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

Sincerely,



Kris Alexander

Support Services Division Captain

FALLON POLICE DEPARTMENT

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

Kevin Gehman
Chief of Police

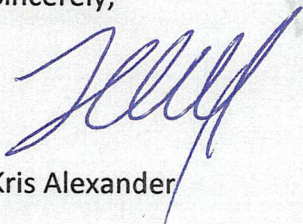
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Kris Alexander

Support Services Division Captain