

CARSON CITY LIQUOR AND ENTERTAINMENT BOARD

Minutes of the May 7, 2009 Meeting

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A meeting of the Carson City Liquor and Entertainment Board was held during the regularly scheduled Board of Supervisors meeting on Thursday, May 7, 2009 in the Community Center Sierra Room, 851 East William Street, Carson City, Nevada.

PRESENT: Chairperson Robert Crowell
Member Shelly Aldean
Member Pete Livermore
Member Ray Saylo
Member Molly Walt
Member Robin Williamson

STAFF: Larry Werner, City Manager
Alan Glover, Clerk - Recorder
Neil Rombardo, District Attorney
Kathleen King, Recording Secretary

NOTE: A recording of these proceedings, the board's agenda materials, and any written comments or documentation provided to the Clerk during the meeting are public record. These materials are on file in the Clerk-Recorder's Office, and available for review during regular business hours.

11. CALL TO ORDER, DETERMINATION OF QUORUM (9:10:45) - Chairperson Crowell called the meeting to order at 9:10 a.m. Roll was called; a quorum was present including Member Ray Saylo.

12. ACTION ON APPROVAL OF MINUTES - None.

13. PUBLIC WORKS BUSINESS LICENSE

13(A) ACTION TO APPROVE SUSAN MELVIN AS THE LIQUOR MANAGER FOR JIMMY G'S CIGAR BAR, FULL BAR LIQUOR LICENSE NO. 09-26251, LOCATED AT 301 NORTH CARSON STREET, CARSON CITY (9:11:18) - Chairperson Crowell introduced this item. Principal Planner Jennifer Pruitt read the title of the agenda item into the record, referred to the agenda materials, and noted staff's recommendation of approval.

(9:11:57) Susan Melvin introduced herself and her daughter, Nicole, for the record. Ms. Melvin acknowledged having applied for a gaming license. In response to a question, she reviewed policies and procedures at her Minden establishment for preventing the sale of alcohol to minors. She acknowledged never having been cited for serving alcohol to a minor.

Member Williamson thanked Ms. Melvin for her investment in downtown Carson City. At her request, Ms. Melvin described the location and nature of Jimmy G's Cigar Bar. She anticipates opening by June 1st, and acknowledged an intent to utilize the back patio.

Chairperson Crowell opened this item to public comment and, when none was forthcoming, entertained a motion. **Member Williamson moved to approve Susan Melvin as the liquor manager for Jimmy G's Cigar Bar, full bar liquor license 09-2651, located at 301 North Carson Street, Carson City. Member Livermore seconded the motion. Motion carried 6-0.**

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13(B) DISCIPLINARY ACTION AGAINST LIQUOR LICENSE NO. 09-17819, HELD BY GOEL VENTURES LIMITED, SANGEET GOEL DBA ARCO AM / PM #82341, LOCATED AT 4190 SOUTH CARSON STREET, CARSON CITY, NEVADA, PURSUANT TO CCMC 4.13.150; THIS DISCIPLINARY ACTION IS BASED ON THE ISSUANCE OF A CITATION FOR A SECOND OFFENSE CRIMINAL STATUTE VIOLATION WITHIN SIX MONTHS OF THE FIRST CITATION ISSUANCE, RELATED TO THE SALE OF LIQUOR AT THE LICENSED PREMISES; THIS ACTION MAY INCLUDE THE IMPOSITION OF A FINE OF UP TO \$500.00 ON THE LICENSEE AND THE REQUIREMENT THAT THE LICENSEE AND ALL EMPLOYEES SELLING, DISPENSING, OR SERVING LIQUOR ATTEND THE SHERIFF'S OFFICE ALCOHOL SERVERS TRAINING PROGRAM WITHIN THREE MONTHS OF THIS HEARING; IF THE LICENSEE AND RELEVANT EMPLOYEES ARE REQUIRED TO ATTEND THE ALCOHOL SERVERS TRAINING PROGRAM, THE LICENSEE WILL BE REQUIRED TO SUBMIT A LIST OF ALL EMPLOYEES SELLING, DISPENSING, OR SERVING LIQUOR TO THE PUBLIC WORKS DEPARTMENT BUSINESS LICENSE DIVISION NO LATER THAN SEVEN DAYS FROM THE COMPLETION OF THE TRAINING; IF THE LICENSEE FAILS TO SUBMIT THE LIST OF EMPLOYEES WITHIN SEVEN DAYS, THIS MATTER WILL BE RESCHEDULED FOR THE NEXT CARSON CITY LIQUOR BOARD MEETING TO SHOW CAUSE AS TO WHY FURTHER DISCIPLINARY ACTION SHOULD NOT BE IMPOSED

(9:14:36) - Chairperson Crowell introduced this item. Ms. Pruitt read the title of the agenda item into the record, and introduced Senior Permit Technician Lena Tripp. (9:16:42) AM / PM #82341 Store Manager Jimmy Jones advised that he was representing the license holder, Sangeet Goel, whose absence he explained as being out of the state. Mr. Jones acknowledged sales of alcohol to a minor in November 2008 and again in April 2009. In response to a question, he displayed a photograph of the minor to whom alcohol was sold in November 2008. He explained that the store clerk mistook the minor for an adult and, therefore, did not request identification. He explained the circumstances giving rise to the April 2009 incident. He displayed the AM / PM employees training manual which provides extensive information with regard to preventing the sale of alcohol to minors. He described details of ongoing employee training, including a daily commitment to prevent the sale of alcohol to minors. He related a personal experience involving a drunk driver. He described Sheriff Furlong's personal involvement in ensuring proper alcohol sales training of the subject AM / PM store employees, and expressed appreciation for Sheriff Furlong's commitment to the community. He discussed new measures implemented to foster a "team effort" at the subject AM / PM store to prevent the future sale of alcohol to a minor.

Member Aldean expressed appreciation for Mr. Jones' expression of sincere regret over the incidents giving rise to the subject hearing. She expressed understanding for the difficulties associated with store owners and managers being held accountable for the actions of their employees. She strongly encouraged purchase of an IDVisor for the AM / PM store. Mr. Jones thanked Member Aldean for the suggestion, and advised that Mr. Goel was out of state attending a meeting with an Arco vice president to discuss installation of new cash registers. The new registers will have ID scanning capability and will "lock up" to prevent the sale of alcohol and tobacco to minors. Member Livermore advised of having recently accompanied Sheriff's Office representatives on an alcohol sting operation. He discussed the importance of checking the identification of every person under the age of forty years. He advised Mr. Jones of the possibility of the subject liquor license being revoked in the event of a third violation. He commended Mr. Jones' representation of Mr. Goel, but expressed disappointment over Mr. Goel's absence in consideration of the seriousness of the issue. Mr. Jones explained that Mr. Goel's absence was unavoidable.

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Chairperson Crowell opened this item to public comment and, when none was forthcoming, entertained a motion. Member Williamson commended Mr. Jones' representation of his employer and the AM / PM store. **Member Williamson moved to impose disciplinary action against liquor license 09-17819, held by Goel Ventures Limited, Sangeet Goel, doing business as Arco AM / PM #82341, located at 4190 South Carson Street, Carson City, Nevada, pursuant to Carson City Municipal Code 4.13.150; this disciplinary action is based upon the issuance of a citation for a second offense criminal statute violation within six months of the first citation issuance related to the sale of liquor at the licensed premises; this action includes imposition of a \$500 fine on the licensee and the requirement that the licensee and all the employees selling, dispensing, or serving liquor attend the Sheriff's Office alcohol servers training program within three months of this hearing; if the licensee and relevant employees are required to attend the alcohol servers training program, the licensee will be required to submit a list of all employees selling, dispensing, or serving liquor to the Public Works Department Business License Division no later than seven days from completion of training; if the licensee fails to submit the list of employees within seven days, this matter will be rescheduled for the next Carson City Liquor Board meeting to show cause as to why further disciplinary action should not be imposed. Member Livermore seconded the motion. Motion carried 6-0.** Mr. Jones acknowledged he would convey the board members' comments to Mr. Goel.

14. ACTION TO ADJOURN THE LIQUOR AND ENTERTAINMENT BOARD (9:36:19) -
Chairperson Crowell adjourned the meeting at 9:36 a.m.

The Minutes of the May 7, 2009 Carson City Liquor and Entertainment Board meeting are so approved this _____ day of June, 2009.

ROBERT L. CROWELL, Chair

ATTEST:

ALAN GLOVER, Clerk - Recorder