

CARSON CITY LIQUOR AND ENTERTAINMENT BOARD

Minutes of the September 1, 2011 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, September 1, 2011 in the Community Center Sierra Room, 851 East William Street, Carson City, Nevada.

PRESENT: Chairperson Robert Crowell
Member Karen Abowd
Member Shelly Aldean
Member Ken Furlong
Member John McKenna
Member Molly Walt

STAFF: Larry Werner, City Manager
Randal Munn, Chief Deputy District Attorney
Kathleen King, Deputy Clerk / 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 part of the public record. These materials are on file in the Clerk's Office, and available for review during regular business hours.

11. CALL TO ORDER AND ROLL CALL (8:44:01) - Chairperson Crowell called the meeting to order at 8:44 a.m. Roll was called; a quorum was present, including Member Furlong.

12. POSSIBLE ACTION ON APPROVAL OF MINUTES - August 4, 2011 (8:44:24) - Member Aldean moved to approve the minutes, as presented. Member Abowd seconded the motion. Motion carried 6-0.

13. PUBLIC WORKS DEPARTMENT, BUSINESS LICENSE DIVISION

13(A) POSSIBLE ACTION TO APPROVE STACY REUTZEL AS THE LIQUOR MANAGER FOR SMITH'S FOOD AND DRUG STORE, LIQUOR LICENSE NO. 11-4042, LOCATED AT 599 EAST WILLIAM STREET, CARSON CITY - Withdrawn.

13(B) POSSIBLE ACTION TO ADOPT, ON SECOND READING, BILL NO. 107, AN ORDINANCE AMENDING THE CARSON CITY MUNICIPAL CODE, TITLE 4, LICENSES AND BUSINESS REGULATIONS, CHAPTER 13, LIQUOR BOARD AND LIQUOR LICENSING AND SALES, BY AMENDING SECTION 4.13.125, ISSUANCE OR DENIAL OF A LICENSE, ADDING THAT A CARSON CITY EMPLOYEE WHO OVERSEES OR ENFORCES THE RULES AND REGULATIONS OF LIQUOR LICENSES MAY NOT HAVE ANY INVOLVEMENT IN AN ESTABLISHMENT THAT SERVES, SELLS, OR DISPENSES ALCOHOL, SECTION 4.13.220, DEFINITIONS, CHANGING THE SHORT-TERM PERMITS TO SPECIAL EVENT LIQUOR PERMITS, SECTION 4.13.240, APPLICATION FOR A SPECIAL EVENT LIQUOR PERMIT, CLARIFYING WHEN A SPECIAL EVENT LIQUOR PERMIT IS REQUIRED AND THE APPLICATION PROCESS (8:44:53) - Chairperson Crowell introduced this item, and Principal Planner Jennifer Pruitt introduced Senior Permit Technician Lena Tripp. Ms. Pruitt referred the board members to Section 4.13.125(e) of the proposed ordinance included in the agenda materials. Member Furlong suggested changing the language of subsection e to prohibit a liquor license being issued to members of the board or law enforcement personnel. In response to a question, he expressed the opinion that the

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existing “mechanisms ... are very, very good. We receive a substantial amount of information on a background investigation. All of those persons who come before the board that are receiving a liquor license must get a face-to-face approval for that activity such as we would have done today. ... In that background investigation, it’s always going to contain information whether or not there is a conflict.” In response to a question, Mr. Munn suggested revising the language of subsection e, as follows: “Except any elected Carson City officer or any member of the Carson City Board of Supervisors, a Carson City employee who oversees or enforces the rules and regulations of liquor licenses shall not individually possess a liquor license.” He noted that the exception for the Board of Supervisors would continue so that an individual who owns a business and perhaps doesn’t have a spouse can still run for office. Member Furlong expressed approval of the revised language, noting its consistency with “our counterparts in gaming.” At Chairperson Crowell’s request, Mr. Munn re-read the suggested revision to Section 4.13.125(e). Discussion followed.

In response to a question, Ms. Pruitt advised that Planning Division and Business License Division staff met with Parks and Recreation Department staff regarding their special event permitting process. She further advised that the two processes will continue to be separate. “... we basically clarified that Parks and Rec has their process. The Business License Division has their process and Parks and Rec will continue to regulate their process as they’ve been doing for their permitting. So there was no need for a cross reference.” Member Aldean discussed the importance of designating a separate process “because there was some confusion expressed ... about whether they come to [the Business License Division] or go to Parks and Rec when they want to hold an event in a City park.” She suggested a footnote relative to rental of parks facilities. Planning Division Director Lee Plemel expressed concern over codifying a process which might be further revised in the future. “The requirements to get a temporary liquor license are in there and that’s regardless of whether you’re doing it in a park or somewhere else ...” Mr. Plemel assured the board that both processes are consistent with the requirements, and reiterated concern over codifying the same. Discussion followed, and Member Aldean suggested providing information at the front desks of the Business License Division and the Parks and Recreation Department. Ms. Pruitt advised of a meeting scheduled with Parks and Recreation Department staff to ensure no duplication of effort and “that the process runs smoother.”

In response to a question, Mr. Munn explained the purpose of the word “Except” at the beginning of Section 4.13.125(e). Discussion followed, and Member Aldean suggested indicating the exception at the end of the subsection rather than at the beginning.

Chairperson Crowell entertained public comment. (9:01:51) Maurice White inquired as to whether the proposed language would preclude City employees and officers from participating in liquor licensed establishments outside the jurisdiction of Carson City. At Chairperson Crowell’s request, Mr. Munn read the revised language into the record, as follows: “A Carson City employee who oversees or enforces the rules and regulations of liquor licenses shall not individually possess a liquor license, except any elected Carson City officer or a member of the Carson City Board of Supervisors.” Mr. Munn acknowledged that the language does not preclude a City employee or officer from participating in a liquor licensed established in another jurisdiction. At Member Aldean’s suggestion, Mr. Munn added the language “... possess a liquor license *in Carson City* ...”

Chairperson Crowell entertained additional public comment and, when none was forthcoming, a motion. **Member Abowd moved to adopt, on second reading, Bill No. 107, as amended, an ordinance**

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amending the Carson City Municipal Code, Title 4, Licenses and Business Regulations, Chapter 13, Liquor Board and Liquor Licensing and Sales, by amending Section 4.13.125, Issuance or Denial of a License, adding that a Carson City employee who oversees or enforces the rules and regulations of liquor licenses may not have any involvement in an establishment that serves, sells, or dispenses alcohol; Section 4.13.220, Definitions, changing short-term permits to special events liquor permits; Section 4.13.240, Application for a Special Event Liquor Permit, clarifying when a special event liquor permit is required and the application process. Member McKenna seconded the motion. Mr. Werner noted the Ordinance No. 2011-7, and Member Abowd so amended her motion. Member McKenna continued his second. In response to a question, Mr. Munn suggested that the motion should include the amended language at Section 4.13.125(e). In response to a further question, Member Abowd moved to adopt, on second reading, Bill No. 107, an ordinance, Ordinance 2011-7, amending the Carson City Municipal Code, Title 4, Licenses and Business Regulations, Chapter 13, Liquor Board and Liquor Licensing and Sales, by amending Section 4.13.125, Issuance or Denial of a License, adding a Carson City employee who oversees or enforces the rules and regulations of liquor licenses shall not individually possess a liquor license in Carson City, except any elected Carson City officer or any member of the Carson City Board of Supervisors; Section 4.13.220, Definitions, changing short-term permits to special events liquor permits; and Section 4.13.240, Application for a Special Event Liquor Permit, clarifying when a special event liquor permit is required and the application process. Member McKenna seconded the motion. Chairperson Crowell deemed the original motion withdrawn, and entertained discussion. When none was forthcoming, he called for a vote on the pending motion. **Motion carried 6-0.**

14. ACTION TO ADJOURN LIQUOR AND ENTERTAINMENT BOARD (9:09:23) - Chairperson Crowell adjourned the meeting at 9:09 a.m.

The Minutes of the September 1, 2011 Carson City Liquor and Entertainment Board meeting are so approved this ____ day of October, 2011.

ATTEST:

ROBERT L. CROWELL, Chair

ALAN GLOVER, Clerk - Recorder