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CARSON CITY LIQUOR AND ENTERTAINMENT BOARD

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Minute of the December 6, 2007, Meeting

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A meeting of the Carson City Liquor and Entertainment Board was held during the regularly scheduled Board of Supervisors session on Thursday, December 6, 2007, at the Community Center Sierra Room, 851 East William Street, Carson City, Nevada, that began at 8:30 a.m.

PRESENT: Chairperson Marv Teixeira, Vice Chairperson Richard S. Staub, and Board Members Robin Williamson, Shelly Aldean, Pete Livermore, and Steve Schutte

STAFF PRESENT: Linda Ritter City Manager
Sue Johnson Internal Auditor
Larry Werner Development Services Director
Walter Sullivan Community Development Director
Kevin Gettis Chief Building Official
Melanie Bruketta Chief Deputy District Attorney
Nick Providenti Senior Accounting Manager
Cheryl Adams Purchasing and Contracts Manager
Juan Guzman Open Space Manager
Steve Schutte Chief Deputy Sheriff
Katherine McLaughlin Recording Secretary
(BOS 12/6/07 Recording 8:42:47)

NOTE: Unless otherwise indicated, each item was introduced by staff's reading/outlining/clarifying the Agenda Report and/or supporting documentation. Staff members making the presentation are listed after the Department's heading. A recording of these proceedings is on file in the Clerk-Recorder's office. It is available for review and inspection during normal business hours.

Mayor Teixeira recessed the Board's of Supervisors session and immediately convened the Liquor and Entertainment Board. A quorum is present, including Sheriff's Representative Steve Schutte. For Minutes of the Board of Supervisors, see its folder for this date.

ACTION ON APPROVAL OF MINUTES - None.

DEVELOPMENT SERVICES - PLANNING - Director Walter Sullivan

A. ACTION TO APPROVE A FULL BAR LIQUOR LICENSE, A DINING ROOM WITH FULL LIQUOR LICENSE, A DINING ROOM W/BEER AND WINE LIQUOR LICENSE, A MANUFACTURERS LIQUOR LICENSE, AND A COMBO PACKAGED AND ON-PREMISE LIQUOR LICENSE FOR FOOD MANAGEMENT SERVICES, INC., DBA DOPPELGANGERS, LOCATED AT 302 NORTH CARSON STREET, AND APPROVAL OF ITS LIQUOR MANAGER

(8:43:14) - Liquor Manager John Sieben, Deputy Sheriff Jarrad Adams, Sam Dehne, Development Services Director Larry Werner - Doppelgangers is open for business. Mr. Sieben explained that he represents Alan Adams who is an owner. Chairperson Teixeira advised that Doppelgangers had been

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caught in a sting for serving a minor. Mr. Sieben explained they do not yet have a training program. He apologized for the incident. The bartender thought the young lady was 30 years old. Doppelgangers' policy requires carding anyone under 40. They have full time security on Thursday, Friday, and Saturday nights. They have had a lot of juveniles attempting to enter the establishment. Steps have been taken to avoid being caught in another sting. Member Schutte did not have any comments regarding the citation. He felt that it is disheartening for the Sheriff's Department to just complete a background check and have an incident at the same time. The investigation did not show any derogatory information. Discussion also indicated that the food service and smoking issue have been addressed. There are ongoing server training, monthly bar manager meetings, and employee meetings. An "entity" is going to be coming to the establishment to provide specific training on identification and carding. Deputy Adams advised that, after issuing the citation regarding the incident, he had left a letter advising of the server training classes provided by the Department and contact information about it. The next class is on January 11. Mr. Sieben indicated an intent to take advantage of this class. Discussion also indicated that there are two serving areas—a bar and a restaurant. Beer and wine are included in the full bar license. Failure to pass a second sting would be brought to the Board's attention at the next Board meeting after the incident. Discussion between the Board and Deputy Adams explained for the record that 11 businesses were checked during the sting. Four failed to pass the November 20 compliance check. Chairperson Teixeira suggested that something be done so that businesses know the Board is serious about such incidents. Deputy Adams advised that he and Mr. Werner had rewritten the Code. If adopted, it will include graduated penalties and mandatory server training. A server's current court sentence for individuals caught in a sting includes mandatory server training. As the matter was not agendized, additional discussion was terminated. Comments were solicited.

Clarification for Mr. Dehne explained that 11 businesses had been checked. Four failed. Mr. Dehne felt that a sting is different, in his mind, than a policeman walking into an establishment and seeing something happening. If the individual looked to be 30 years old and was only 17, something is going on in the makeup department. Chairperson Teixeira explained that the sting is a method of checking procedures. If in doubt, the identification should always be checked. Mr. Dehne advised that he was not trying to negate or belittle any of that. He personally knew that Doppelgangers has done a good job of fixing the place up. It looks really nice. It is very, very comfortable in there. He also knew that they were fairly new at the establishment. The establishment had been known as the Lucky Spur and Stews. He hoped that the Board will give Doppelgangers another chance.

Mr. Werner indicated that he understood Mr. Dehne's comments. There is no subterfuge involved in the compliance checks. The juveniles look like "kids". They dress like "kids". They talk like "kids". They are "kids". Both Mr. Werner and Mr. Sullivan have observed the stings and seen the juveniles. They are teenagers who look like teenagers. He was concerned about the remark that the youth looked 30 years old. The ones that they have observed looked like teenagers. Deputy Adams explained his procedures and instructions to the "decoys" is that they must dress like they normally do. They are not to lie about their age if asked. If the server perceives the decoy to be 30, that is his/her opinion. The decoys are not to use makeup to make themselves look older.

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Member Livermore moved to approve a full bar liquor license, a dining room with full liquor license, a dining room with beer and wine liquor license, a manufacturer's liquor license and a combo packaged and on-premise liquor license for Food Management Services, Inc., dba Doppelgangers, located at 302 North Carson Street, and approval of its Liquor Manager John F. Sieben, including the nonrefundable investigation fee of \$500; the original application fee of \$1,000, and the liquor license per quarter fee of \$200; additionally all sellers or servers of liquor must attend the Sheriff's Office Servers Education Class within three months of the business opening. Member Williamson seconded the motion. Motion carried 6-0. Chairperson Teixeira expressed his belief that the issue will be addressed and wished Mr. Sieben success. Mr. Sieben thanked the Board for its action.

B. ACTION TO APPROVE A FULL BAR LIQUOR SALES LICENSE FOR 4 PINTS TAVERN AND GRILL, LOCATED AT 3198 NORTH DEER RUN ROAD, CARSON CITY, NV, AND APPROVAL OF THE MANAGER, KEVIN M. KELLY (8:53:26) - Chairperson Teixeira noted that Mr. Kelly had purchased the establishment and had invested \$80,000 in the business. He reminded Mr. Kelly that having a liquor license is considered a privilege in Carson City. Mr. Kelly indicated that it is an honor. Chairperson Teixeira cautioned him against serving minors. Mr. Kelly responded that he understood the Board/City's concern. The previous discussion had created red flags. He will, therefore, be checking everyone's identification including the regulars. He also advised that he will be on premises the majority of the time. His current employee is a cook. He plans to hire a second cook and a bartender. Both he and the bartender will attend server's training. Smoking will not be allowed in the bar as it is a full service restaurant. Member Schutte advised that the Sheriff's investigation had been completed. The Department recommends approval of the application. Comments were solicited but none were given. Member Aldean moved to approve a full bar liquor sales license for Four Pints Tavern and Grill located at 3198 North Deer Run Road, Carson City, Nevada, including a nonrefundable investigation fee of \$500, the original new application fee of \$1,000, and the liquor license per quarter fee of \$200, and approval of the Manager Kevin M. Kelly, additionally all sellers or servers of liquor must attend the Sheriff's Office Servers Education Class within three months of the business opening. Member Williamson seconded the motion. Motion carried 6-0.

There being no other matters for consideration by the Liquor and Entertainment Board, Chairperson Teixeira adjourned the Liquor and Entertainment Board session.

The Minutes of the December 6, 2007, Carson City Liquor and Entertainment Board meeting

ATTEST:

ARE SO APPROVED ON _____, 2008.

Alan Glover, Clerk-Recorder

Marv Teixeira, Mayor