

CARSON CITY LIQUOR AND ENTERTAINMENT BOARD

Minutes of the August 4, 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, August 4, 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 John McKenna
Member Molly Walt

STAFF: Larry Werner, City Manager
Alan Glover, Clerk - Recorder
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.

10. CALL TO ORDER AND ROLL CALL (8:35:02) - Chairperson Crowell called the meeting to order at 8:35 a.m. Mr. Glover called the roll; a quorum was present. Member Furlong was absent.

11. POSSIBLE ACTION ON APPROVAL OF MINUTES - July 7, 2011 (8:35:40) - Member Abowd moved to approve the minutes. Member Walt seconded the motion. Motion carried 5-0.

12. PUBLIC WORKS DEPARTMENT BUSINESS LICENSE DIVISION - POSSIBLE ACTION TO INTRODUCE, ON FIRST READING, 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 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 (8:36:02) - Chairperson Crowell introduced this item, and Principal Planner Jennifer Pruitt reviewed the agenda materials. In response to a question, she provided background information on the subject item and advised of having met, together with Senior Business License Technician Lena Tripp, with several business owners in the community. In response to a question, Ms. Tripp read into the record Section 4.13.240(5). Chairperson Crowell provided clarification of the three-tier system, pursuant to NRS 369, and a brief discussion ensued. In response to a further question, Ms. Tripp provided additional background information on the subject item. At Member Aldean's request, Ms. Tripp reviewed the proposed amendments which were included in the agenda materials. Ms. Tripp responded to questions of clarification, and extensive discussion ensued, regarding special events.

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Chairperson Crowell entertained public comment. (8:57:21) In response to a question, Ms. Tripp advised Carol Howell that events held in City parks are permitted by the Parks and Recreation Department, which requires a temporary liquor permit in order to serve alcohol. Mr. Werner and Chairperson Crowell provided additional clarification and background information.

Following a brief discussion regarding the proposed amendments, Chairperson Crowell entertained a motion. **Member Aldean moved to introduce, on first 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 short-term permits to special event liquor permits; Section 4.13.240, Application for a Special Event Permit, clarifying when a special event liquor permit is required and the application process, subject to the following amendments: In Section 4.13.125, Issuance or Denial of License, subparagraph 9(E), the language will be amended to read, as follows: "Any Carson City employee who oversees or enforces the rules and regulations of liquor licenses shall not have any involvement with, interest in, or management of any establishment that possesses a liquor license;" that provision will be clarified to exempt members of the Liquor and Entertainment Board; however, there will be a requirement that a member of the board disclose the fact that they hold a liquor license; under Section 4.13.240, Application for a Special Event Liquor Permit, subsection 4, shall be reworded to read: "That all liquor sold, served, or dispensed at a special event must be purchased and invoiced from a State of Nevada licensed liquor wholesaler, pursuant to NRS 369.487; subparagraph 5 will be amended to read: "A special event liquor permit is not required when a business or resident is serving, selling, or dispensing liquor within the footprint of their building as a complimentary service to their customers and is not the primary nature of their business; the ordinance, as amended, will include a cross reference to the regulations pertaining to the use of parks within the City, pursuant to the current rules enforced by the Parks and Recreation Department. Member Walt seconded the motion.** In response to a question, Mr. Munn expressed the opinion that the proposed amendments were sufficiently clear as to be transferred into second reading of the ordinance. "It stays within the notice of the bill and is not inconsistent with what has been noticed that we're considering today." Chairperson Crowell entertained additional discussion and, when none was forthcoming, called for a vote on the pending motion. **Motion carried 5-0.**

13. ACTION TO ADJOURN (9:09:54) - Chairperson Crowell adjourned the meeting at 9:09 a.m.

The Minutes of the August 4, 2011 Carson City Liquor and Entertainment Board meeting are so approved this 1st day of September, 2011.

ATTEST:

ROBERT L. CROWELL, Chair

ALAN GLOVER, Clerk - Recorder