

**CITY COUNCIL MEETING OF**  
*February 21, 2007*  
**VERBATIM TRANSCRIPT ITEM 52**

**Discussion and possible action on a Review of Conditions of a Tavern License and a Gaming License for Scotch 80s Limited, dba Squiggys, 530 South Martin Luther King Boulevard, Danny R. Piper, Dir, Pres, Treas, 50% and Joseph D. Bunch, Dir, Secy, 50% - Ward 5 (Weekly)**

**APPEARANCE LIST:**

OSCAR GOODMAN, Mayor

LARRY BROWN, Councilman

JIM DiFIORE, Manager, Business Services Division

BILL HENRY, Senior Litigation Counsel

BROOKE BOHLKE, Attorney for Danny Piper and Joe Bunch

LOIS TARKANIAN, Councilwoman

LAWRENCE WEEKLY, Councilman

STEVE WOLFSON, Councilman

DANNY PIPER

9 minutes

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**MAYOR GOODMAN**

Okay. Fifty-two is discussion and possible action on a Review of Conditions of a Tavern License and a Gaming License for Scotch 80s Limited, doing business as Squiggys, 530 South Martin Luther King Boulevard in Ward 5.

I think I have to abstain from this; I did last time based on my relationship with Mr. Piper. Its we see each other all the time, were neighbors and I would feel very uncomfortable voting on this.

**COUNCILMAN BROWN**

(Inaudible)

**MAYOR GOODMAN**

Excuse me? Oh, the record is, yes, I read it in. Yes.

**COUNCILMAN BROWN**

Good morning.

**JIM DiFIORE**

Okay. Councilman and members of the Council, today were here to hear a request, I believe, from Mr. Piper and Mr. Bunch for an Extension of Time on their license. As you may recall, in August of two thousand and six, in lieu of proceeding with disciplinary action on the license for Squiggys, the Council voted to add conditions to their license and one of those conditions was to require the applicant or the licensee to sell the business within a six-month period of time. However, there was a caveat and if that did not take place, the licenses would be automatically revoked. There was a caveat to that. If they had a buyer who had his applications submitted, deposit money in escrow, submitted to the office and submitted to the State Gaming Control Board, they could make a request for an extension of that six-month period of time to allow the investigation to go through, to allow the new buyer to come forward for the City Council consideration for approval, and that application has been submitted to our office, and so theyre here today to make a request for an Extension of Time.

**BILL HENRY**

Mayor, may I be heard, please?

**COUNCILMAN BROWN**

Mr. Henry.

**BILL HENRY**

Thank you. Because this matter is in litigation and because an issue in the litigation, the central issue in the litigation is whether or not their, the conditions on their liquor license were changed as a part of the disciplinary item or as a part of the sep, separate agenda item that was before you that day, I, Id like to clarify for the record that having read the transcript that its my understanding that there were two items before you that day. One was the abeyed disciplinary item, which had gone more than 60 days and which you found you no longer had jurisdiction and you did not proceed on that. There was a separate agenda item to add conditions to their license, including the ones that Mr. DiFiore mentioned, and that was the one that you did proceed on and add those conditions to their license. Thank you.

**BROOKE BOHLKE**

Thank you Mr. Mayor and Councilmembers. My name is Brooke Bohlke on behalf of Callister and Reynolds, and along with me are our clients, Danny Piper and Joe Bunch, owners of Scotch 80s Limited dba Squiggys. At this time Scotch 80s Limited has complied with all the conditions

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that had been placed on their license, and specifically are working in order to sell the business within the six-month probationary period that we were given. Specifically, we are currently in escrow and proof has been provided to the City Attorneys Office. The City of Las Vegas application has been provided to the City of Las Vegas Business License Department. Our application has been presented to the State of Nevada Gaming Control. Further, Squiggys continues to maintain hours of operation that you previously set for us, specifically opening at 10 a.m. with the last call at 1 a.m. and closing the doors at 2 a.m. Were currently still, strictly enforcing the ID requirements, which prevents anyone under the age of 25 from entering the premises. And because we have not, been unable to sell the business prior to this time, we would be requesting another six-month conditional extension. We are currently, like I said, we are currently in escrow to sell the business, but its our understanding that for specific licensing reasons, the purchasers need approximately that amount of time in order to finalize the sale.

**COUNCILMAN BROWN**

Comments or questions from the Board?

**COUNCILWOMAN TARKANIAN**

I just like to know how Jim feels about this.

**JIM DiFIORE**

Well, I know that one of the conditions was, on the Extension of Time, was that they would come back to the City Council within 30, in 30-day increments to see just where the investigation and the buyer is at that point in time. I think the six months might be a little too much period of time down the road. I would probably suggest to the Council more on the term of 60 days so that we can find out where we are with the sale and the close of escrow and as well as giving you an update as to where the investigation is on the new buyer.

**BROOKE BOHLKE**

And we would be more than happy to comply with a 60-day status check as well.

**COUNCILMAN BROWN**

Councilman Weekly?

**COUNCILMAN WEEKLY**

No questions?

**COUNCILMAN WOLFSON**

Yes. Im sorry. Councilman Brown, thank you. Maybe a missed something, I was in the back room for just a minute, but Jim, are they in compliance with everything that is listed as it states in this agenda item that they could appeal to the Council for an extension if they have a signed sales agreement with the deposit in escrow. They have that?

**JIM DiFIORE**

Yes, they have.

**COUNCILMAN WOLFSON**

Okay. An application for transfer of ownership filed with Business Services and a new gaming application filed with State Gaming and Business Services. They have all of those things in place?

**JIM DiFIORE**

They have those all submitted.

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**COUNCILMAN WOLFSON**

Thank you.

**JIM DiFIORE**

I would add that, given the 60-day period of time, I would add that the conditions that were imposed by the City C

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**BROOKE BOHLKE**

Oh, and City Councilmen person, Mr. Mayor, wed also like reconsideration of two of those items. Number one is the age restriction. Currently, were having problems with Gaming Control Board, and unfortunately I dont have a copy of the letter to show you today, but Gaming Control Board has advised us that it is a violation of NRS Statutes to refrain from allowing people under 25 years of age into an establishment where there is gaming. They specifically stated that the law allows for all members of the public age 21 and over for entrance into an establishment with gaming control. So, that would be the reason why wed be humbly asking you to reconsider that restriction. Number two, wed also ask that you reconsider the restriction forcing us to close our doors at 2 a.m. Gaming establishments, although they dont require that the doors be open 24 hours, they do recommend it, and weve been in numerous negotiations with the Gaming Control Board trying to explain why these conditions were in place against our license and why weve been transacting the business the way we have been.

**COUNCILMAN WEEKLY**

Is that it? Okay. All right. First of all, Id like to thank you, Mr. Piper. I spoke with Mr. Piper a couple of weeks ago. I appreciate you filling me in on what was going on with you all and I appreciate the communications.

As it relates to the recommendations by staff, **Ill move for that recommendation for the 60 days. Attorney Bohlke, as it relates to the age restriction, I can delete that one. I dont have a problem with that. But I do have a problem with the time. Id like to leave that in place until we see what happens after the 60 days.**

**DANNY PIPER**

Thats great.

**COUNCILMAN WEEKLY**

Okay. Thatll be my motion, please.

**BROOKE BOHLKE**

Thank you, Councilman

**COUNCILMAN WEEKLY**

Youre welcome.

**BROOKE BOHLKE**

Weekly.

**COUNCILMAN WEEKLY**

Thank you all very much.

**COUNCILMAN BROWN**

And notwithstanding those changes, also including those that were approved on August 16th, two thousand

**COUNCILMAN WEEKLY**

Yes, Sir.

**COUNCILMAN BROWN**

and six?

**COUNCILMAN WEEKLY**

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Yes, Sir.

**COUNCILMAN BROWN**

Motion on the floor. Please cast your vote. Post. Motion carries. **(Motion carried unanimously with GOODMAN abstaining and REESE excused)**

**DANNY PIPER**

Thank you very much.

**BROOKE BOHLKE**

Thank you very much.

**COUNCILMAN BROWN**

April 18th. Thank you.

**(END OF DISCUSSION)**

/ac;yy