



*Las Vegas*

Agenda Item No.: 30.

**AGENDA SUMMARY PAGE**  
**CITY COUNCIL MEETING ON: OCTOBER 1, 2008**

**DEPARTMENT: FINANCE AND BUSINESS SERVICES**

**DIRECTOR: MARK R. VINCENT**

**Consent**    **Discussion**

**SUBJECT:**

Approval of a Change of Location for a Martial Arts Instruction License subject to the provisions of the fire codes, Team Martin ATF, LLC, dba Team Martin Black Belt Academy, From: 3211 North Tenaya Way, To: 3950 North Tenaya Way, Suite 140, Glenn D Martin, Mmbr, Mgr, 34%, Jacqueline L. Malatti, Mmbr, Mgr, 33%, Jenifer I. Martin, Mmbr, Mgr, 33% - Ward 4 (Brown)

**Fiscal Impact**

**No Impact**    **Augmentation Required**  
 **Budget Funds Available**

**Amount:**

**Funding Source:**

**Dept./Division:**

**PURPOSE/BACKGROUND:**

Approval of a Change of Location for a Martial Arts Instruction License.

**RECOMMENDATION:**

Recommend approval subject to the provisions of the fire codes.

**BACKUP DOCUMENTATION:**

None

Motion made by LARRY BROWN to Approve as recommended

Passed For: 7; Against: 0; Abstain: 0; Did Not Vote: 0; Excused: 0

RICKI Y. BARLOW, LOIS TARKANIAN, LARRY BROWN, OSCAR B. GOODMAN, GARY REESE, STEVE WOLFSON, STEVEN D. ROSS; (Against-None); (Abstain-None); (Did Not Vote-None); (Excused-None)

NOTE: A motion was made by COUNCILMAN REESE to Rescind a previous Motion for Approval of Item 30. Subsequent to the vote, it was discovered that Item 30 had not been approved as part of the Consent Motion but had been pulled for discussion.

Minutes:

JIM BUTTMAN, Attorney, appeared on behalf of ALAN MALATTI, previous owner of the Martial Arts School, who was also present. ATTORNEY BUTTMAN explained that the new owners, the MARTINS, purchased the school from MR. MALATTI but failed to make payments. Subsequently, they removed all of the trade fixtures, furniture and personal effects from the subject property and moved them to the new location. As a result, the building owner filed criminal charges and MR. MALATTI also filed a civil lawsuit. In the interim, the

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MARTINS have filed for bankruptcy. ATTORNEY BUTTMAN asked that the applicants request for approval be denied.

COUNCILMAN BROWN asked CITY ATTORNEY BRAD JERBIC whether the Council could move forward, hearing that there are pending lawsuits. CITY ATTORNEY JERBIC suggested holding the item for two weeks out of an abundance of caution.

MAYOR GOODMAN remarked that all parties would be welcome to speak but that there could possibly be a motion to hold the item in abeyance for two weeks.

COUNCILMAN BROWN questioned whether holding the item for two weeks would have an impact on the applicant. With regard to the lawsuits and bankruptcy, SHELLY KROHN, Counsel for GLENN and JACKIE MARTIN, felt this was not the proper venue for any discussion. She confirmed that an abeyance would prevent the MARTINS from continuing the operation of their business.

JIM DiFIORE, Manager, Business Services Division, agreed with COUNCILMAN BROWN that the business at hand deals specifically with approval of a new location. He added that if there is a future need to come back to the City Council for a disciplinary complaint, he would meet with the City Attorney for further consideration. CITY ATTORNEY JERBIC concurred.

