



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

**DEPARTMENT: FINANCE AND BUSINESS SERVICES**

**DIRECTOR: MARK R. VINCENT**

Consent  Discussion

**SUBJECT:**

Discussion and possible action regarding a review of a Beer/Wine/Cooler Off-sale License, Sabah Shoshani dba Beer Market, 4044 Owens Avenue, Sabah H. Shoshani, 100% - Ward 5 (Barlow)

**Fiscal Impact**

No Impact

Augmentation Required

Budget Funds Available

**Amount:**

**Funding Source:**

**Dept./Division:**

**PURPOSE/BACKGROUND:**

Discussion and possible action regarding a review of a Beer/Wine/Cooler Off-sale License.

**RECOMMENDATION:**

Recommendation to be provided following the discussion of this item at the City Council Meeting.

**BACKUP DOCUMENTATION:**

None

Motion made by RICKI Y. BARLOW to Approve subject to conditions and adding the following conditions as read for the record: A. There shall be a six-month review.

B. The hours of operation shall be from 7:00 a.m. to 9:00 p.m. Monday through Sunday.

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)

Minutes:

JIM DiFIORE, Manager of Business Services, read into the record the previous conditions that were approved. During the previous six months, there has been a substantial increase in service calls.

In September this year, inspections were done, and there was no security on duty and/or security was inside of the store. In one instance, staff inquired and was informed that the individual was running late. In another, staff observed loitering although not directly in front of the business.

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Staff notified security in the store and the matter was handled. The hours of operation have been consistent without any violations.

ATTORNEY JAY BROWN, 520 South 4th Street, appeared with the applicant, SABAH SHOSHANI. ATTORNEY BROWN agreed that the number of service calls were substantial; however, he pointed out that most of them related to loitering on premises and/or issues outside of the business. The applicant intends to work with staff and Metro to reduce the number of service calls or alleviate the problem. In addition, he felt that the applicant has already made efforts to ensure a safe environment within the business.

MR. DiFIORE believed that part of the problem is due to the lack of visibility of the security on the premises. In addition, the hours of operation could be reduced to deter certain elements.

Due to the activity observed over the past six months, MR. DiFIORE recommended maintaining the existing conditions and adding the additional conditions relating to a) having security more visible and b) reducing the hours of operation.

COUNCILMAN BARLOW noted that the number of service calls were lower when hired security was on the premises rather than MR. SHOSHANI's security on site. He has also seen an increase in loitering, which is a public nuisance. The Councilman agreed with MR. DiFIORE'S recommendations, which is an additional six-month review and decreasing the hours of operation from 7:00 a.m. to 9:00 p.m. Monday through Sunday. Upon review, the Councilman will recommend staff move forward with disciplinary action should there be no improvement.

