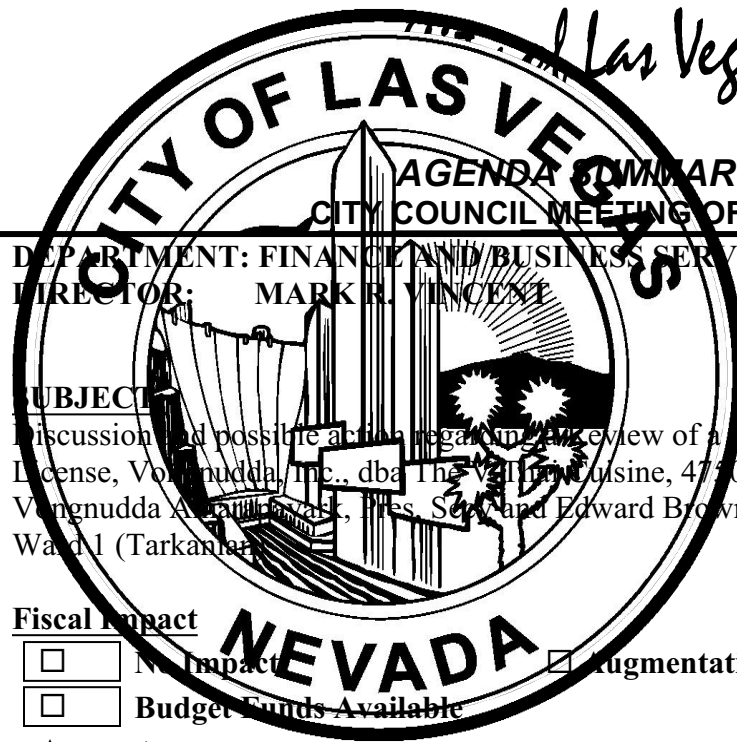




AGENDA SUMMARY PAGE
CITY COUNCIL MEETING OF: JULY 1, 2009

DEPARTMENT: FINANCE AND BUSINESS SERVICES

DIRECTOR: MARK R. VINCENT

☐ Consent ☒ Discussion

SUBJECT:

Discussion and possible action regarding a review of a suspended Temporary Supper Club License, Vongnudda, Inc., dba The V Thai Cuisine, 4750 West Sahara Avenue, Suite 25, Vongnudda Amarapayark, Pres. Seward Edward Brown Sr., Treas, 100% jointly with spouse - Ward 1 (Tarkanian)

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 Suspended Temporary Supper Club License.

RECOMMENDATION:

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

BACKUP DOCUMENTATION:

None

Motion made by LOIS TARKANIAN to Deny

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

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

Minutes:

JIM DiFIORE, Business Services Manager, stated that in August 2008, a temporary Supper Club License had previously been approved for The V Thai Cuisine, owned and operated by VONGNUDDA AMARAPAYARK and EDWARD BROWN, SR. Another temporary license had been approved by the City Council in February 2009 with a six-month review.

MR. DiFIORE explained that recent events at The V Thai Cuisine necessitated reviewing this license at this time. He noted that on May 17th, a shooting took place in a parking lot adjacent to

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the business and police officers had observed that the business appeared to be operating as a nightclub. On May 27th, police officers arrested MR. BROWN on outstanding warrants and MS. AMARAPAYARK was cited for not having a health card. Also, MR. DiFIORE noted that the Las Vegas Metropolitan Police (Metro) investigative background report on MR. BROWN and MS. AMARAPAYARK had been provided to the Council and indicated several areas of concern. MR. BROWN had received a copy of the report.

MR. BROWN and MS. AMARAPAYARK were present. MR. BROWN stated that the restaurant had been closed since May 27th. He pointed out that he had requested his license be placed on inactive status on June 1st and the City's website had indicated the license was inactive on June 12th. He questioned the decision to suspend his license after he had requested that it be placed on inactive status. Regarding the arrests, he explained the warrants were for bad checks because he had bounced several checks due to the failure of the restaurant and the recession. He explained that his only asset was the liquor license which he needed to sell to an interested buyer and settle his debts. Regarding the shooting, MR. BROWN stated that he had not operated his business as a nightclub that evening and that the shooting was not related to the restaurant. He added that MR. DiFIORE had supported granting his business a permanent license at the February 2009 hearing. MR. DiFIORE clarified that he had misspoken at that hearing and should not have recommended approval of a permanent license at that time because the Metro report had not yet been stated.

MR. DiFIORE confirmed for COUNCILMAN ANTTARKANIAN that MR. BROWN had requested that the license be inactive before the suspension process could be completed. MR. DiFIORE noted that no other businesses could have been involved in the shootings because they were not in close proximity to that location. The Supper Club license does not permit renting the location for private parties and the activities related to the private party should have been disclosed to Business Licensing so the Council and Metro could have been informed. He also noted that MR. BROWN had left out information regarding previous arrests in five different instances on his application.

In response to MAYOR GOODMANS question, MR. DiFIORE stated that action can be taken on an active or inactive license at any time during the temporary period. He explained that inactive status is formally recognized in a letter from the City to the applicant and that letter was not sent to the applicant in this case. CITY ATTORNEY BRAD JERBIC observed that issues do not typically arise from licenses in inactive status, but pointed out that if there are material omissions on a license application that might have led to that application being denied, the City has the ability to revoke that license at any time, regardless of its status.

MR. DiFIORE informed COUNCILMAN BARLOW that the license was under investigation when MR. BROWN requested that it be placed in inactive status.

MR. BROWN stated that he spent \$40,000 to obtain the license and he wanted to sell it, emphasizing that he would not be operating the business. LAURA ANDERSON, Metro Investigative Specialist, stated that CHAIWAT SAENG had provided 100 percent of the funding for this license and the business to MR. BROWN and MS. AMARAPAYARK.

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COUNCILWOMAN TARKANIAN noted the information contained in the report supported the denial of this license. The Supper Club License is a privileged license which is given out after careful consideration and licensees are expected to abide by the City's rules and regulations.

