



Las Vegas

Agenda Item No.: 50.

AGENDA SUMMARY PAGE
CITY COUNCIL MEETING OF: DECEMBER 16, 2009

DEPARTMENT: FINANCE AND BUSINESS SERVICES

DIRECTOR: MARK R. VINCENT

☐ Consent ☒ Discussion

SUBJECT:

Discussion and possible action regarding a Ninety Day Review of a Tavern License, Dominic L. Laino, dba Club 2100, 2100 Fremont Street, Dominic L. Laino, Owner, 100% - Ward 3 (Reese)

Fiscal Impact

☐

No Impact

☐ Augmentation Required

☐

Budget Funds Available

Amount:

Funding Source:

Dept./Division:

PURPOSE/BACKGROUND:

Discussion and possible action regarding a Ninety Day Review of a Tavern License.

RECOMMENDATION:

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

BACKUP DOCUMENTATION:

None

Motion made by GARY REESE to Approve subject to the following added conditions:

- A. An executable document, approved by the City Attorneys Office, will hold the current licensee liable for full payment of the \$10,000 fine.
- B. The license may not be sold or transferred until the \$10,000 fine has been paid.
- C. This transaction must be completed within sixty (60) days from the date of this meeting.

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, Manager, Business Services, explained that on 9/21/2009, a special meeting was held to hear a disciplinary complaint filed against DOMINIC LAINO dba Club 2100. A conditional license was issued at that point with a \$10,000 fine assessed to be paid by the first

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review and a review every three months on the permanent license. Other conditions included live entertainment to be restricted to Saturday nights between 10 p.m. and 4 a.m. and the business may be closed by the Manager of Business Services should any violations be found.

On 11/4/2009, it was verified that the business license is paid and up to date, although it is inactive as the business was closed and the premises vacated. Staff believes that MR. LAINO intends to sell the license, which he may attempt to do without paying the fine. MR. DiFIORE recommended Council consider some type of disciplinary action because of the non-compliance of the condition.

MR. LAINO requested an extension of time in order to pay the fine and agreed not to sell the license until the fine is paid in full. In response to MAYOR GOODMAN, MR. LAINO stated he would get back to MR. DiFIORE after the first of the year as to when payment will be made.

MR. DiFIORE stated the request is highly unusual and he felt that allowing time to pay the fine would justify another review in thirty days and a condition that the license not be sold during that period of time until the fine is paid in full. Further, the business shall remain closed.

In response to COUNCILMAN WOLFSON, MR. DiFIORE stated that a tavern license can be sold for \$60,000 at today's rates and it may actually be worth about \$75,000 because the origination fee has increased. COUNCILMAN WOLFSON asked whether the sale could be conditioned in order to allow MR. LAINO to proceed with sale of the license.

CITY ATTORNEY BRAD JERBIC offered several options such as an agreement that MR. LAINO would agree on a payment schedule or placing an additional condition that the license could not be sold until the fine is paid. Another suggestion would be to request earnest money today as a good faith payment.