



Las Vegas

Agenda Item No.: **44.**

AGENDA SUMMARY PAGE
CITY COUNCIL MEETING OF: JANUARY 6, 2010

DEPARTMENT: FINANCE AND BUSINESS SERVICES

DIRECTOR: MARK R. VINCENT

☐ Consent ☒ Discussion

SUBJECT:

Discussion and possible action regarding a review of a Temporary Tavern License, Stoneys North Forty, LLC, dba Stoneys North Forty, 4949 North Rancho Drive, Harold Gray, Mgr, 49%, Christopher Lowden, Mgr, 49%, and Dean Kajioka, Mgr, 2% - Ward 6 (Ross)

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 Temporary Tavern License.

RECOMMENDATION:

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

BACKUP DOCUMENTATION:

None

Motion made by STEVEN D. ROSS to Approve a permanent conditional license for Items 44 and 45 subject to the following conditions as read for the record:

A. Stoneys shall operate and advertise a restaurant/tavern with the venue of Country/Western theme as described in the business license application.

B. The applicant shall work with Metro Special Investigations to resolve any pending issues relative to Metro's suitability investigation before the first review.

C. There shall be a six and 12-month review of the tavern license unless incidents occur that rise to the level that the Manager of Business Services deems necessary to bring back sooner for City Council review.

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)

CITY COUNCIL MEETING OF: JANUARY 6, 2010

Minutes:

Regarding Item 44, JIM DiFIORE, Manager of Business Services, stated that it has reached the expiration date of the second temporary license for Stoneys North Forty, and by Code, the City Council cannot grant another extension of a temporary license. Today the applicant is up for consideration of a permanent license.

The background report has some areas of concern for Stoneys that have occurred over the last several months. The events that took place have subsided and since that time there has only been one call for service at that location. Another issue is the concern with regards to financial investment. The licensees have presented a purchase and asset agreement and it has been forwarded to Metro Special Investigation.

DEAN KAJIOKA and HAROLD GRAY, Stoneys North Forty, LLC, were present. MR. KAJIOKA stated they met with MR. DiFIORE and the issues raised were addressed, more specifically, the issue with what was being promoted for a short period of time as a dance night. A certain genre of music format was being promoted jointly with the Santa Fe Hotel and Casino, but the Las Vegas Metropolitan Police Department (Metro) banned this attracted gang members. Once the issue was raised, the event ceased to be promoted and the termination of such an event satisfied Metro.

Regarding the financial issue, they provided the binding purchasing sales agreement with the owners and operators of the location they are looking to transfer the license to, that being the Roadrunner at Centennial Center Boulevard. The only other issue is the financing for the transition from the Santa Fe to the Roadrunner location. They have aligned a Small Business Administration loan and as soon as they receive the documentation, they will provide it to MR. DiFIORE.

MR. Di FIORE recommended a conditional permanent license with the following recommended conditions: 1) that Stoneys operate and advertise the restaurant/tavern with the venue of Country Western theme as described in the business license application; 2) work with Metro Special Investigations to resolve any pending issues relative to Metro's suitability investigation before the first review and 3) a six and 12-month review on the tavern license, unless incidents occur that rise to the level, that the Manager of Business Services deems necessary to bring back sooner for City Council review.

MR. KAJIOKA pointed out that the club is intended to be a country/western theme restaurant and night club. In the country/western music format played during the dance hours, there is a mix of top 40 type of music. He wanted to clarify there would be no issues if the music does not relate to country music. MAYOR GOODMAN stated that the issue was hip-hop music. MR. KAJIOKA replied they have no intention of promoting anything that would be considered a hip-hop night or a dance night, but intermixed in the country/western music format, sometimes patrons request what would be considered top 40 music. MR. DiFiore added there is a type of music that attracts a crowd that brings problems to the location and that is why he asked for two reviews.

CITY COUNCIL MEETING OF: JANUARY 6, 2010

CITY ATTORNEY BRAD JERBIC recommended that the condition remain as stated. The issue is conduct and if they are held to a country/western dance club and alternative music is played that is not consistently going to draw the problems they have had in the past, there will not be a problem with the condition. The problem would be if that line is crossed and it turns out that that music draws problems, the applicant will be back before the City Council to have the license revoked.

COUNCILMAN WOLFSON understood the reason to limit the type of behavior that certain music might cause, but he asked if the Council has the legal right to regulate the type of music played at a particular establishment. CITY ATTORNEY JERBIC replied that if government were to try to impose content-oriented music, it would pose a legal issue. However, in this case, the owners have proposed to promote a country/western bar, and the City and the owners have mutually agreed to that as a condition of the license.

COUNCILMAN REESE felt that if an applicant is given a license for country/western music, the Council can request that it be country/western music. If they want to play a different type of music, they should apply as such.

COUNCILMAN ROSS indicated he is familiar with what occurred at one of the establishments. MR. KAJIOKA pointed out they would desire to have that situation occur again, and he agreed with the conditions as recommended by the DJ.

COUNCILMAN ROSS stated that the North Forty has been a great addition to the northwest. Working with Metro and with the applicant's commitment to adhere to the imposed conditions is sufficient to make the establishment successful.

STONEY HAROLD GRAY, Managing Partner and co-owner of Stoneys, explained that they program their music in-house and the DJ's are trained individually. All the line dances are subject to a variety of different type of music, jazz, pop, rock or country. At midnight they play 14 minutes of non-country music. At 2:00 a.m., they play another 14 minutes, and so on.

COUNCILMAN ROSS thanked MR. GRAY for the clarification, and commended him on a great job.