



Las Vegas

Agenda Item No.: 67.

AGENDA SUMMARY PAGE
CITY COUNCIL MEETING OF: MAY 16, 2007

DEPARTMENT: FINANCE AND BUSINESS SERVICES

DIRECTOR: MARK R. VINCENT

Consent Discussion

SUBJECT:

Discussion and possible action regarding a new Psychic Art and Science License subject to the provisions of the planning and fire codes. NA, Inc., dba Spiritual Insights, 6176 West Charleston Boulevard, Holita, Nevada, 89102, 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 new Psychic Art and Science License.

RECOMMENDATION:

Recommendation to be provided following discussion of this item at the City Council Meeting and subject to the provisions of the planning and fire codes.

BACKUP DOCUMENTATION:

Map

Motion made by LOIS TARKANIAN to Deny the license on Items 67 and 68

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

BRENDA J. WILLIAMS, 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:

Pictures of the inside of a home were shown but copies were not submitted.

The applicants for Items 67 and 68, which were heard together, were present, accompanied by their attorney, MIKE REYNOLDS, with the law office of John Peter Lee.

JIM DiFIORE, Manager of Business Services, indicated that MS. L. EVANS investigation was completed earlier this year; however, she withdrew it from consideration. She is now back before the Council for consideration of her license.

CITY COUNCIL MEETING OF: MAY 16, 2007

ATTORNEY REYNOLDS indicated that MS. L. EVANS admitted to using her child's social security number several years ago in Boston, Massachusetts, as a tactic to get a new identity and evade gangs that were trying to track her down. Her mother, MS. N. EVANS, adamantly denies ever using two social security numbers. She does admit to using the name Adams when she had a common law marriage 40 years ago. She did not think to disclose on the application the two businesses she briefly owned when she was 18. Regarding issues about her lack of income and failure to file income taxes, she has a boyfriend, who is her common law husband, that supports her because she has been sick over the years with kidney problems. Neither one has a criminal record, and they stand by the statements on their application. As gypsies, they go from job to job, and their families help when they need money.

TONI WEEKS, Detective, Las Vegas Metropolitan Police Department (Metro), asserted that MS. L. EVANS deceitfully used her daughter's social security number to obtain a psychic arts license, a driver's license and credit in Massachusetts. It is not a misunderstanding; she did falsify her application, and she has used several aliases. Also, MS. N. EVANS was very evasive during her interview, and she too has used several other names and social security numbers. She too falsified her application, and she has never filed federal income tax.

MR. DiFIORE stated that all applicants are required to swear that the information on their application is true and correct, but they are still given the opportunity to make corrections during the interview with Metro investigators. In this case, the applicants failed to do so, and citizens have the reasonable expectation that those with whom they do business with are going to be honest and forthright. Also, MR. DiFIORE noted that during an inspection of the West Charleston location, it was found that people are living in the shed home, which is in violation of the zoning codes. This matter was turned over to Code Enforcement. He recommended denial.

MS. L. EVANS countered that she did not intend to be deceptive, she has never worked and she has a lot of issues with other gypsies. She stressed that she has never had a driver's license from Massachusetts, only an I.D. MS. N. EVANS insisted that she told the truth during her interview. She said she would be very interested in seeing any proof from Metro of her name coming up to set up utilities. She alleged that she has had a license only in Washington, D.C. She offered to show a newspaper article from Washington, D.C., to prove that she was being harassed by gypsies. She conceded that she and her daughter have bad credit, but they want to be able to do psychic readings, which is protected by free speech, in order to make a living.

COUNCILMAN WOLFSON expressed concern about trying to make an intelligent decision based on the applicant's assertions and Metro's report, which he is inclined to believe is accurate. But he is left to wonder whether he is getting clear answers. DETECTIVE WEEKS stressed that Metro investigators would not include information in a report that cannot be proven. There is documentation to show that the names and social security numbers have been used. Also, the home addresses MS. N. EVANS wrote on her application correspond to the name Reynolds. COUNCILMAN WOLFSON noted that there are just too many unanswered questions.

CITY COUNCIL MEETING OF: MAY 16, 2007

COUNCILMAN BROWN questioned how much money a business has to generate before filing taxes. MARK VINCENT, Director of Finance and Business Services, answered that it depends on whether it is a corporate business or a sole proprietor. There are no filing requirements on a sole proprietorship, if the individual income threshold is not being met.

MS. N. EVANS alleged that during an interview with MR. DiFIORE he mentioned some letters he received on her. She requested the origin of those letters. MAYOR GOODMAN advised her that the letters were not at issue. COUNCILWOMAN TARKANIAN noted that she has received a lot of derogatory mail from anti-psychics. MAYOR GOODMAN interjected that he strongly believes there is a group of people trying to cover the psychic market. DETECTIVE WEEKS pointed out that Metro is aware of it, and that is why only factual information is included in the reports.

COUNCILWOMAN TARKANIAN felt very uncomfortable with the use of multiple social security numbers. She then questioned the Business Readings by Xena and whether it is owned by L. and N. EVANS. DETECTIVE WEEKS replied that the name came up during the investigation as a parent corporation to Readings by Xena, which is a company MS. L. EVANS has admitted to owning. She also received some information on Xena, which she has not had the opportunity to verify that leads her to believe that MS. L. EVANS has been advertising without a license. MS. L. EVANS explained that she started putting some information out on the internet, because she did not know the licensing process was going to take so long.

Regarding the old home on West Charleston, MS. N. EVANS argued that she uses it for storage, but she does not live there. MR. DiFIORE then showed pictures from which COUNCILWOMAN TARKANIAN discerned that the home does look lived in.

COUNCILMEMBERS TARKANIAN and WELSON mentioned that the reports would be clearer if they included backup documentation in chart form. DETECTIVE WEEKS assured the Council that all applicants receive a copy of the report. As far as backup coming from another law enforcement agency, it cannot be disseminated to the applicant or the Council.

COUNCILMAN REESE noted that the main concern to him in these two cases is that the applicants lied. COUNCILWOMAN TARKANIAN concurred.