



City of Grand Island

Tuesday, April 26, 2016

Council Session

Item E-3

Public Hearing on Request from Azteca Market, LLC dba Azteca Banquet Hall, 103 West 3rd Street for a Class “I” Liquor License

Council action will take place under Resolutions item I-4.

Staff Contact: RaNae Edwards

Council Agenda Memo

From: RaNae Edwards, City Clerk

Meeting: April 26, 2016

Subject: Public Hearing on Request from Azteca Market, LLC
dba Azteca Banquet Hall, 103 West 3rd Street for a Class
“I” Liquor License

Presenter(s): RaNae Edwards, City Clerk

Background

Section 4-2 of the Grand Island City Code declares the intent of the City Council regarding liquor licenses and the sale of alcohol.

Declared Legislative Intent

- It is hereby declared to be the intent and purpose of the city council in adopting and administering the provisions of this chapter:
- (A) To express the community sentiment that the control of availability of alcoholic liquor to the public in general and to minors in particular promotes the public health, safety, and welfare;
 - (B) To encourage temperance in the consumption of alcoholic liquor by sound and careful control and regulation of the sale and distribution thereof; and
 - (C) To ensure that the number of retail outlets and the manner in which they are operated is such that they can be adequately policed by local law enforcement agencies so that the abuse of alcohol and the occurrence of alcohol-related crimes and offenses is kept to a minimum.

Discussion

Azteca Market, LLC dba Azteca Banquet Hall, 103 West 3rd Street has submitted an application for a Class “I” Liquor License. A Class “I” Liquor License allows for the sale of alcohol on sale only inside the corporate limits of the city.

City Council action is required and forwarded to the Nebraska Liquor Control Commission for issuance of all licenses. This application has been reviewed by the Clerk, Building, Fire, Health, and Police Departments. (See Police Report attached to The Brick House application).

Also submitted with the application was a request from Maria Garcia, 644 East Meves for a Liquor Manager Designation. Ms. Garcia has completed a state approved alcohol server/seller training program.

The Grand Island Police Department will remain neutral in their recommendation concerning Azteca Banquet Hall. If the Council votes to deny the license, it can be done under Nebraska State Statute 53-125 (2) & (13b); 53-132 (2a), (2b), & (2c); and 010.01 under the Nebraska Liquor Control Commissions Rules and Regulations.

Alternatives

It appears that the Council has the following alternatives concerning the issue at hand. The Council may:

1. Approve the application.
2. Forward to the Nebraska Liquor Control Commission with no recommendation.
3. Forward to the Nebraska Liquor Control Commission with recommendations.
4. Deny the application.

Recommendation

Based on the Nebraska Liquor Control Commission's criteria for the approval of Liquor Licenses, City Administration recommends that the Council take into consideration the Police Department Report when making their decision on this application.

Sample Motion

Move to either approve or deny the application for Azteca Market, LLC dba Azteca Banquet Hall, 103 West 3rd Street for a Class "T" Liquor License contingent upon final inspections and Liquor Manager Designation for Maria Garcia, 644 East Meves.

