



City of Grand Island

Tuesday, May 8, 2018

Council Session

Item E-2

**Public Hearing on Request from Westside Bowling, LLC dba
Westside Lanes, 112 Kaufman Avenue for a Class “C” Liquor
License**

Council action will take place under Consent Agenda item G-5.

Staff Contact: RaNae Edwards

Council Agenda Memo

From: RaNae Edwards, City Clerk

Meeting: May 8, 2018

Subject: Public Hearing on Request from Westside Bowling, LLC dba Westside Lanes, 112 Kaufman Avenue for a Class “C” 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

Westside Bowling, LLC dba Westside Lanes, 112 Kaufman Avenue has submitted an application for a Class “C” Liquor License. A Class “C” Liquor License allows for the sale of alcohol on and off sale 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 attached Police Department report.

Also submitted was a request for Liquor Manager Designation for Jerry Pomplun, 43571 Riverbend Road, Oconto, Nebraska. Staff recommends approval contingent upon final inspections and completion of a state approved alcohol server/seller training program.

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 approve this application.

Sample Motion

Move to approve the application for Westside Bowling, LLC dba Westside Lanes, 112 Kaufman Avenue for a Class "C" Liquor License contingent upon final inspections and Liquor Manager Designation for Jerry Pomplun, 43571 Riverbend Road, Oconto, Nebraska contingent upon completion of a state approved alcohol server/seller training program.

Grand Island Police Department
Supplemental Report

Date, Time: Fri Apr 20 10:51:18 CDT 2018

Reporting Officer: Vitera

Unit- CID

Jerry Pomplun and Dennis Keas are buying Westside Lanes and applying for a Class C (beer, wine, distilled spirits on and off sale) LLC Retail Liquor License. Jerry Pomplun is applying to become the manager.

While perusing the application, I noticed that Jerry Pomplun is married to Kelli Pomplun, and they have lived in Broken Bow or Oconto, Nebraska since 1990. Kelli signed a Spousal Affidavit of Non-Participation form. Dennis Keas is married to Lois Keas, and they have lived in Alda since 1980. The company applied for and was granted a Temporary Operating Permit (TOP). Jerry disclosed a couple of traffic convictions in 2001 and 2004. Dennis disclosed a traffic conviction from 2011, and Lois disclosed a traffic conviction from 2017.

I checked all of the applicants through Spillman and NCJIS. I didn't find anything out of the ordinary in Spillman, and the only undisclosed conviction I found in NCJIS is a DUI from 1975 for Dennis. All of the applicants have a valid Nebraska driver's license, and none of them have any outstanding warrants for their arrest. I also checked the applicants through a paid law enforcement-only database which tends to provide mostly personal identifying information and information about civil issues. No issues were found.

I didn't locate a personal telephone number for any of the applicants, so I called the attorney (Julianna Jenkins) who assisted with the application and asked for a number for Jerry. I was able to get in touch with Jerry and set up a meeting at Westside Lanes on 5/1/18 at 1100 hours.

Nebraska State Patrol Investigator Joe Hansen and I met with Jerry at the agreed upon time and place. Jerry gave us some history about himself and his experience with bowling alleys, showed us around Westside Lanes, and told us what his plans are for updating, remodeling, and adding to the business are. Jerry said he plans on updating the video surveillance system. He also demonstrated his cognizance of the potential negative relationship between alcohol sales and having an arcade frequented by minors. Jerry said he will probably spend 60-70 hours a week at the bowling alley the first couple of years and then hopefully scale it back to around 40 hours per week after that.

The Grand Island Police Department has no objection to the "new" Westside Lanes receiving a liquor license or to Jerry Pomplun becoming the liquor manager.

Class "C" Liquor License Application: Westside Lanes

