



City of Grand Island

Tuesday, September 24, 2019

Council Session

Item E-1

Public Hearing on Request from Amy Jeanene Schutte dba Bella Design & Décor, 110 East 3rd Street for a Class “C” Liquor License

Council action will take place under Consent Agenda item G-7.

Staff Contact: RaNae Edwards

Council Agenda Memo

From: RaNae Edwards, City Clerk

Meeting: September 24, 2019

Subject: Public Hearing on Request from Amy Jeanene Schutte dba Bella Design & Decor, 110 East 3rd Street 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

Amy Jeanene Schutte dba Bella Design & Decor, 110 East 3rd Street 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 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 attached Police Department report.

Staff recommends approval of the liquor license contingent upon final inspections and Ms. Schutte completing 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 Amy Jeanene Schutte dba Bella Design & Decor, 110 East 3rd Street for a Class "C" Liquor License contingent upon final inspections and completion of a state approved alcohol server/seller training program.

09/17/19
12:58

Grand Island Police Department
LAW SUPPLEMENTAL NARRATIVE

450
Page: 1

Incident number : L19091347
Sequence number : 1
Name : Vitera D
Date : 16:27:09 09/15/2019
Narrative : (see below)
318

Grand Island Police Department
Supplemental Report

Date, Time: Sun Sep 15 16:27:22 CDT 2019
Reporting Officer: Vitera
Unit- CID

Bella Design & Decor is applying for a Class C (beer, wine, distilled spirits, on and off sale) Individual Retail Liquor License. The owners are Amy and Michael Schutte. While perusing the application, I learned that: Amy and Michael didn't disclose any criminal convictions, they aren't borrowing any money to establish/operate the business, no one else will share in the business profits, and they've never had a liquor license before. The Schutte's have lived in Juniata, NE for the last twenty-two years. According to the business plan, Bella Design & Decor is a "home furnishings, decor, food and gift items, wine and olive oil tasting and retailing" business. They plan on having the store open Tuesday through Thursday 11:00 AM to 6:00 PM, and Friday and Saturday 11:00 AM to 8:00 PM.

I checked on the Schutte's through Spillman and NCJIS. Each one had an entry in Spillman, but I did not see where either was cited or potentially convicted of a crime. Neither Amy nor Michael had any convictions listed in NCJIS. They each have a valid Nebraska driver's license, and neither one has any outstanding warrants for their arrest. I also checked on the Schutte's through a paid online law enforcement-only database which tends to provide reports on civil issues and personal identifying information. I did not find anything out of the ordinary on either one of them.

Nebraska State Patrol Investigator Joe Hansen and I met with Amy on 9/16/19 at 3:30 PM at her store. Investigator Hansen went through his checklist of questions with no concerns. After listening to Amy talk about her business and how she plans on running it, I don't have any concerns either. Since her application was filled out correctly and accurately, I really didn't have any questions for her.

All in all, after examining the application, reviewing the background of the applicants by checking several sources, and meeting with Amy; everything looks good. The Grand Island Police Department has no objection to Bella Design & Decor receiving a liquor license.

= = = = =

This map shows the area around 106 E 3rd St in St. Louis. The map is centered on a blue star representing 106 E 3rd St. A yellow callout box points to this star with the text "106 E 3rd St". Red dots represent licensed locations, with approximately 15 dots scattered throughout the area. The map is overlaid with a grid of streets. Streets shown include 6TH ST W, 5TH ST W, 4TH ST W, 3RD ST W, 2ND ST W, 1ST ST W, 6TH ST E, 5TH ST E, 4TH ST E, 3RD ST E, 2ND ST E, 1ST ST E, WHEELER AVE N, WHEELER AVE S, LOCUST ST N, LOCUST ST S, SYCAMORE ST N, SYCAMORE ST S, KIMBALL AVE N, KIMBALL AVE S, VINE ST N, VINE ST S, OAK ST N, OAK ST S, PLUM ST N, PLUM ST S, DIVISION ST W, DIVISION ST E, CEDAR ST N, CEDAR ST S, WALNUT ST N, WALNUT ST S, COURT ST E, Koenig St E, and Charles St E. A legend in the bottom right corner identifies the blue star as "106 E 3rd St", the red dot as "Licensed Locations", and the black line as "Roads". A scale bar indicates "1 inch = 400 feet". A north arrow is located in the top right corner, pointing towards the top right of the map.