



City of Grand Island

Tuesday, April 27, 2021

Council Session

Item E-2

Public Hearing on Request from Leo's Market, LLC dba Leo's Market, 218 S. Wheeler Avenue for a Class "D" Liquor License

Council action will take place under Consent Agenda item G-4.

Staff Contact: RaNae Edwards

Council Agenda Memo

From: RaNae Edwards, City Clerk

Meeting: April 27, 2021

Subject: Public Hearing on Request from Leo’s Market, LLC dba Leo’s Market, 218 S. Wheeler Avenue, for a Class “D” 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

Leo’s Market, LLC dba Leo’s Market, 218 S. Wheeler Avenue has submitted an application for a Class “D” Liquor License. A Class “D” Liquor License allows for the sale of alcohol and distilled spirits 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.

Also submitted was a request for Liquor Manager Designation for Dayrin Ramirez, 1219 Sylvan Street, Grand Island, Nebraska. Ms. Ramirez has completed a state approved alcohol server/seller training program. Staff recommends approval of the liquor license contingent upon final inspections and liquor manager designation for Dayrin Ramirez, 1219 Sylvan Street, Grand Island, Nebraska.

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.

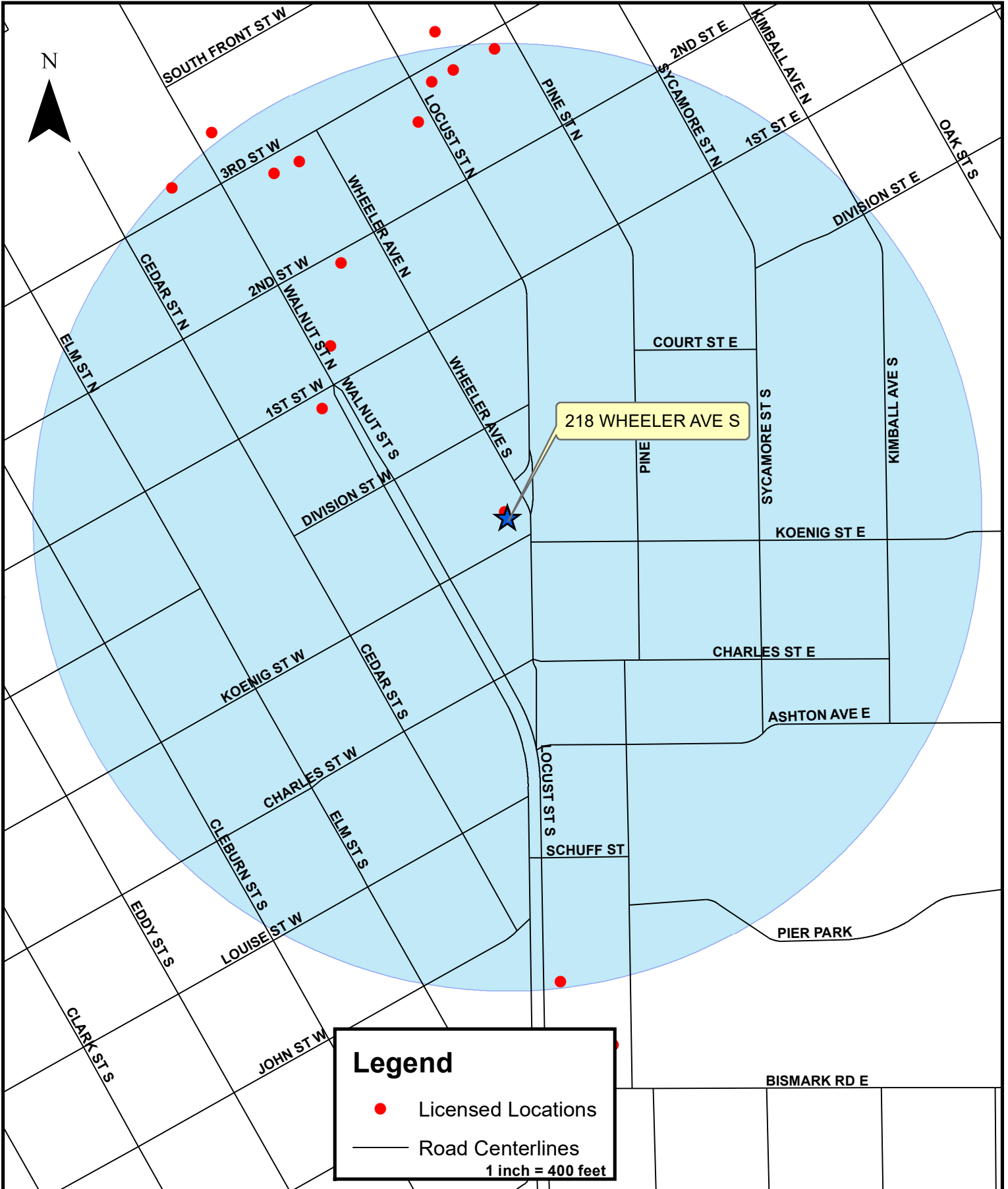
Recommendation

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 Leo's Market, LLC dba Leo's Market, 218 S. Wheeler Avenue for a Class "D" Liquor License contingent upon final inspections and Liquor Manager designation for Dayrin Ramirez, 1219 Sylvan Street, Grand Island, Nebraska.

Liquor License Application: Class "D": Leo's Market





Grand Island Police Department

Officer Report for Incident L20071135

Nature: Liquor Lic Inv

Address: 218 WHEELER AVE S; SANCHEZ
PLAZA RESTAURANT
PANADERIA
Grand Island NE 68801

Location: PCID

Offense Codes:

Received By: Dvorak T	How Received: T	Agency: GIPD
Responding Officers: Dvorak T		
Responsible Officer: Dvorak T	Disposition: CLO 07/17/20	
When Reported: 10:00:00 07/06/20	Occurred Between: 10:00:00 07/14/20 and 11:00:00 07/14/20	

Assigned To:	Detail:	Date Assigned: **/**/**
Status:	Status Date: **/**/**	Due Date: **/**/**

Complainant:

Last:	First:	Mid:
DOB: **/**/**	Dr Lic:	Address:
Race:	Sex:	Phone:
		City: ,

Offense Codes

Reported:	Observed:
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Circumstances

LT21 LT21 Restaurant

Responding Officers:	Unit :
Dvorak T	309

Responsible Officer: Dvorak T	Agency: GIPD
Received By: Dvorak T	Last Radio Log: **.*** **/**/**
How Received: T Telephone	Clearance: CL CL Case Closed
When Reported: 10:00:00 07/06/20	Disposition: CLO Date: 07/17/20
Judicial Status:	Occurred between: 10:00:00 07/14/20
Misc Entry:	and: 11:00:00 07/14/20

Modus Operandi:	Description :	Method :
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Involvements

Date	Type	Description	
04/23/21	Name	Valencia Segura, Joel A	applicant
07/17/20	Name	Sanchez, Filemon	Mentioned
07/17/20	Name	Sanchez Plaza,	Location
07/17/20	Name	Ramirez-Gonzalez, Dayrin Y	New Owner

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Narrative

Liquor License Investigation

Grand Island Police Department

Date, Time: 7-14-20
Reporting Officer: Dvorak #309
Unit #: CID

Dayrin Ramirez Gonzalez is purchasing Sanchez Plaza from her father, Filemon Sanchez, and has applied for a Class D; Beer, Wine, Distilled Spirits, Off Sale Only, liquor license.

Responsible LEO:

Approved by:

Date

04/23/21

Supplement

309 Sanchez Plaza

Grand Island Police Department
Supplemental Report

Date, Time: 7-17-20

Reporting Officer: Dvorak #309

Unit #: CID

Dayrin Ramirez Gonzalez is purchasing Leo's Market, DBA Sanchez Plaza, and is applying for a class D liquor license. Dayrin is purchasing the business from her father, Filemon Sanchez. Dayrin will be the store owner, as well as the main employee.

In the application, I observed that Dayrin is married to Joel Segura. The application advised that Joel is not participating in the store business, and is not a co-applicant for the liquor license.

I noted on the application that Ramirez Gonzalez disclosed she has been convicted of a traffic violation in/about 2010 and Disturbing the Peace in/about 2012. No other violations were disclosed. Dayrin indicated she has lived in Grand Island for more than ten years, and has been employed at Sanchez Plaza for at least six years.

I checked Ramirez Gonzalez through Spillman and NCJIS. I found nothing noteworthy in Spillman records. Through NCJIS records, I located a citation for speeding in 2017 that was not disclosed. Dayrin has a valid Nebraska Drivers License, and no outstanding warrants for her arrest. I also checked through a paid Law Enforcement Only database, which tends to provide mostly personal information and details about any ongoing civil issues. No concerns were located.

On July 14th, at 1000, NSP Investigator Jeromy McCoy and I met with Dayrin Ramirez Gonzalez at Sanchez Plaza. Dayrin advised that she has worked at the establishment since at least 2012, mostly in a part time fashion. Dayrin explained that she has been handling the day to day operations, as a manager, since about March of this year, in preparation for the purchase.

Inv McCoy had also located the citation from 2017, and asked Dayrin about it. She advised she must have forgotten about it, and acknowledged the incident. McCoy also asked about an NSP contact for no license on person, and Dayrin again said she likely forgot about that incident, and acknowledged the involvement. Daylin said she got into trouble, when she was about 14 or 15 years old, because she was working here at Sanchez Plaza, and sold alcohol to a minor. McCoy indicated that he found that record through the Liquor Commission records, but it was not on Dayrin's criminal history due to her age at that time. Dayrin indicated she has never sold to a minor again, and knows that she would threaten her liquor license should it happen again. Dayrin said she will educate her staff that they must get identification from every customer that purchases alcohol.

Ramirez Gonzalez indicated she plans to work 10 hour days, 12 out of 14 days, and will only take off one day a week. She indicated the business will be open from 0800-2000 daily. Dayrin indicated that the business does not sell lottery, although pickle cards are available in the adjoining restaurant area. Ramirez

04/23/21

Gonzalez said Sanchez Plaza does sell cigarettes, and she demonstration knowledge of tobacco sales procedures, as well as common alcohol violations and wholesale purchase requirements.

Dayrin disclosed that while she has never filed for bankruptcy, she is currently in collections for one minor bill, and has less than \$100 to pay before that matter is dropped. She indicated that she will be leasing the building and equipment, and received financing through Central Nebraska Credit Union. Dayrin indicated that even though she is purchasing the business from her father, she plans to take it very seriously and will not expect any family favors from Filemon. She also indicated that Filemon will continue to help out at the business periodically, and she can always rely on his experience and knowledge if she encounters any issues.

The Grand Island Police Department has no objection to Dayrin Ramirez Gonzalez receiving her Class D liquor license as the new owner, and manager, of Sanchez Plaza.

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Supplement

309

Liquor Investigation

Grand Island Police Department
Supplemental Report

New Information April 2021.

Dayrin Ramirez was investigated and approved for licensing in July 2020. On April 6th 2021, we received a new application due to an LLC change at the business, and the addition of Dayrin's husband, Joel Valencia Segura, as an active partner for the business, Leo's Market.

Because I had previously completed a full background check for Dayrin in July of 2020, I only checked on her since that date. I utilized local Spillman records, Nebraska records, and a paid law enforcement only website. I found no new entries of concern.

I checked on Joel Valencia Segura. I found historical traffic violations, which were reported by Joel in the application. I also found a collections entry for 2019. However, I found that collections matter was taken care of in June of 2020, and is no longer active. I found no other entries of concern.

The Grand Island Police Department does not object to the new conditions of Dayrin and Joel's application for the business at Leo's Market, for a Class D, off sale only, liquor license.

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