



# City of Grand Island

Tuesday, July 13, 2021

Council Session

## Item E-1

### **Public Hearing on Request from Wine Beer & Spirits, LLC dba Wine Beer & Spirits, 1111 Allen Drive for a Class "C" Liquor License**

*Council action will take place under Consent Agenda item G-2.*

Staff Contact: RaNae Edwards

# **Council Agenda Memo**

**From:** RaNae Edwards, City Clerk

**Meeting:** July 13, 2021

**Subject:** Public Hearing on Request from Wine Beer & Spirits, LLC dba Wine Beer & Spirits, 1111 Allen Drive 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**

Wine Beer & Spirits, LLC dba Wine Beer & Spirits, 1111 Allen Drive 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.

Also submitted was a request for Liquor Manager Designation for Beau Starkel, 15361 Orchard Avenue, Omaha, Nebraska. Staff recommends approval of the liquor license contingent upon final inspections and liquor manager designation for Beau Starkel, 15361 Orchard Avenue, Omaha, Nebraska contingent upon 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 Wine Beer & Spirits, LLC dba Wine Beer & Spirits, 1111 Allen Drive for a Class "C" Liquor License contingent upon final inspections and Liquor Manager designation for Beau Starkel, 15361 Orchard Avenue, Omaha, Nebraska contingent upon completion of a state approved alcohol server/seller training program.



# Grand Island Police Department

Officer Report for Incident L21061405

**Nature:** Liquor Lic Inv  
**Location:** PAON

**Address:** 1111 ALLEN DR  
Grand Island NE 68803

## Offense Codes:

**Received By:** Dvorak T      **How Received:** T      **Agency:** GIPD  
**Responding Officers:** Dvorak T  
**Responsible Officer:** Dvorak T      **Disposition:** CLO 07/06/21  
**When Reported:** 09:01:15 06/16/21      **Occurred Between:** 09:01:15 06/16/21 and 09:01:15 06/16/21

**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:**

## Circumstances

LT24 LT24 Specialty Store

## 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:** 09:01:15 06/16/21

**Disposition:** CLO **Date:** 07/06/21

**Judicial Status:**

**Occurred between:** 09:01:15 06/16/21

**Misc Entry:**

**and:** 09:01:15 06/16/21

## Modus Operandi:

**Description :**

**Method :**

## Involvements

| Date     | Type | Description      | Owner/Manager |
|----------|------|------------------|---------------|
| 06/16/21 | Name | Starkel, Beau HG |               |

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|          |      |                      |          |
|----------|------|----------------------|----------|
| 06/16/21 | Name | Heiliger, Jordan M   | Spouse   |
| 06/16/21 | Name | Wine Beer & Spirits, | Location |

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**Narrative**

Liquor License Investigation

Grand Island Police Department

Wine, Beer and Spirits LLC has applied for a Class C, beer; wine; distilled spirits on and off sale, liquor license for a new store to be located at 1111 Allen Drive, the site of the old Gordmans.

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Responsible LEO:

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Approved by:

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Date

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**Supplement**

309

Liquor License Investigation

Grand Island Police Department  
Supplemental Report

Date, Time: 6-20-21

Reporting Officer: Dvorak #309

Unit #: CID

I received an application for a new liquor license to be located at 1111 Allen Drive, the site where Gordmans used to be. Wine Beer & Spirits LLC is applying for a Class C license, to sell beer, wine, and distilled spirits, on and off sale.

I observed that Wine Beer and Spirits LLC already has stores in Omaha and Lincoln. The owner/manager is listed as Beau Starkel, of Omaha. In the application paperwork, it also advises that Beau is married, to Jordan Heiliger, and Jordan is listed on the LLC as a partner, but Heileiger completed a "spousal non-participation" form. There are 12 other, minor, partners listed for the LLC. I did not perform full background checks for every one of those individuals. I did check all associated names for current arrest warrants, and found no one is wanted.

I utilized our local Spillman database, NCJIS and NCIC/NCIS for Beau and his wife Jordan. I found no entries of concern for either, and no Nebraska criminal history of note. Neither Jordan nor Beau disclosed any traffic convictions, and I did not note any. I also utilized a paid, law enforcement only, database that generally discloses civil issues, lawsuits and bankruptcies. I did not find any concerning entries for either of them.

I contacted Starkel by phone, to set up a meeting at the proposed location, 1111 Allen Drive. Starkel said he would be in Grand Island by 1100, and suggested we meet at the new store. The location is a storefront in the strip mall directly north of Home Depot.

Starkel advised that he is the majority owner, and managing partner of the LLC. Starkel also acts as his own Liquor Manager for his locations. He said he has a successful marketing plan, with stores currently open in the Omaha and Lincoln markets, this one soon to open in Grand Island, and one property already purchased for a 4th store in Iowa. Starkel also advised that he is a minority owner of the Thunderhead Brewing Company.

As we entered the location, I observed that there were still many racks and displays left over from Gordmans. Starkel indicated that some will be incorporated in the new business, but most would not. Beau explained that his sales model prioritizes volume, both in available product and in sales. He said he will have pallet displays throughout the cavernous store. Beau said his marketing plan is low key, and recognizes that the majority of customers would rather pay less for a good product, than pay more for fancy displays.

Starkel showed me his plans for a "tasting" area. Another portion of the store will be set up as a "laid back" lounge area. Beau said he envisions working folks stopping by for a couple of quick, quiet drinks or beers after work, but advised he definitely does not want to, nor intend to, become more of a bar than a liquor store. Starkel explained that he wants to have top shelf merchandise,

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but focuses more on having a large selection and volume sales at reasonable prices.

Starkel explained his "forced flow" floor lay out. He also advised he will incorporate state of the art surveillance equipment, and will only have one public ingress/entry. Starkel said he plans to be open 7 days a week. He said he will not have the store open late. Beau envisions Mon-Thurs 9am to 8pm. Fri-Sat open from 9am to 9 or 10pm, and Sundays open from Noon to 8pm.

Beau said he is negotiating with two individuals to manage this location for him. He said both "Charlie from HyVee" and Stacy Williams have previous retail alcohol sales experience. Starkel said, if sales proceed as he forecasts, he will actually purchase the property in 2022, but as of now is leasing the space from the current owners. Starkel said, if approved, he plans to open the weekend of July 23rd/24th.

As we toured the area, Beau said he really wants his store to become the "go to" location in Grand Island. He said he plans to have tailgate supply service every Husker Saturday, and is looking at joining forces with local restaurants and food trucks to get his name out there.

We discussed enforcement related concerns, mandatory training for employees and compliance testing procedures. Starkel said he plans to leverage his businesses into State level management or even politics, so he really wants to show Grand Island what can be done by business owners with the proper community outlook.

The Grand Island Police Department found no concerns with Starkel or his purposed facility, and recommend approval for the issuance of a Class C Liquor license for Wine Beer and Spirits LLC.

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# Liquor License Application: Class "C": Wine Beer & Spirits

