



City of Grand Island

Tuesday, May 24, 2022

Council Session

Item E-3

Public Hearing on Request from Boulder Flatts, LLC dba Boulder Flatts, 4058 Enterprise Avenue for a Class "I" Liquor License and Liquor Manager Designation for Mckenzie Brown, 2510 South North Road, Grand Island, Nebraska

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 24, 2022

Subject: Public Hearing on Request from Boulder Flatts, LLC dba Boulder Flatts, 4058 Enterprise Avenue for a Class "I" Liquor License and Liquor Manager Designation for Mckenzie Brown, 2510 South North Road, Grand Island, Nebraska

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

Boulder Flatts, LLC dba Boulder Flatts, 4058 Enterprise Avenue has submitted an application for a Class "I" Liquor License. A Class "I" Liquor License allows for the sale of alcohol and distilled spirits 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 attached Police Department report.

Also submitted was a request for Liquor Manager Designation for Mckenzie Brown, 2510 South North Road, Grand Island, Nebraska. Staff recommends approval of the liquor license contingent upon final inspections and liquor manager designation for Mckenzie Brown, 2510 South North Road, 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 Boulder Flatts, LLC dba Boulder Flatts, 4058 Enterprise Avenue for a Class "I" Liquor License contingent upon final inspections and Liquor Manager designation for Mckenzie Brown, 2510 South North Road, Grand Island, Nebraska.



Grand Island Police Department

Officer Report for Incident L22050891

Nature: Liquor Lic Inv
Location: PAOS

Address: 4058 ENTERPRISE AVE
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 05/19/22
When Reported: 14:44:15 05/12/22 Occurred Between: 14:44:15 05/12/22 and 14:44:15 05/12/22

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

LT25 LT25 Other/Unknown Location

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: 14:44:15 05/12/22 Disposition: CLO Date: 05/19/22
Judicial Status: Occurred between: 14:44:15 05/12/22
Misc Entry: and: 14:44:15 05/12/22

Modus Operandi: Description : Method :

Involvements

Date	Type	Description
05/12/22	Name	Bear-Brown, Lori J owner

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05/12/22	Name	Brown, Joseph M	owner
05/12/22	Name	Brown, McKenzie J	proposed manager
05/12/22	Name	Boulder Flatts,	business

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Narrative

Liquor License
Grand Island Police Department

Joseph "Mick" Brown and his wife Lori Bear-Brown, along with their daughter McKenzie Brown have applied for a Class I (on sale only) Liquor License for their new reception hall, Boulder Flatts. The enterprise will be owned by Boulder Flatts LLC, and newly minted organization. McKenzie has applied to be the Liquor Manager for the operation.

The reception hall, which is still under construction, is located on the west side of the Browns' First Holiday Tour and Travel/Holiday Express business at 2510 S North Road.

Responsible LEO:

Approved by:

Date

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Supplement

309

Boulder Flatts Liquor License

I received a new business liquor license application for Boulder Flatts LLC, doing business as Boulder Flatts, which is a reception hall under construction at 4058 Enterprise Avenue. The LLC ownership consists of Holiday Tour and Travel/Holiday Express owners Joseph "Mick" Brown and his wife Lori Bear-Brown. The Browns list that their daughter, McKenzie Brown, will manage the business and be the liquor manager for Boulder Flatts Reception Hall.

The proposed reception hall is located on the far west side of the Holiday Express/Holiday Tour and Travel property. The building is still under construction.

I am familiar with Joseph "Mick" Brown, and the Holiday businesses. I know the Browns to have lived in local Grand Island for some time, and I know that their business is successful and has expanded substantially since its inception. I noted that McKenzie does not list a spouse.

I checked the backgrounds of all three Browns to be involved Boulder Flatts. I perused local files through Spillman. I checked State files for any criminal history. I also utilized a paid Law Enforcement Only website that deals with civil matters and bankruptcies. I noted there were no active warrants for any of the three.

Lori Bear Brown has three warnings for traffic violations, one each in 2008, 2011 and 2015. Joseph "Mick" Brown has historical convictions (30+ years ago) for driving during suspension, and two more recent contacts for motor vehicle violations. McKenzie Brown has one local speeding conviction from five years ago. No other entries of concern were noted.

The Law Enforcement Only information usually covers any outstanding and historical bankruptcies, judgements and liens. I noted nothing current, only one judgement, regarding Joseph Brown historically, and nothing out of the ordinary for any of the three.

On May 12th I met with Mick and McKenzie Brown at the construction site. NSP Investigator Todd Suchsland also met us there. The building has walls up, and work is beginning inside, but the building is not "enclosed" yet, and still has a lot of work to be done in finishing the interior. No work has yet started on the paving or fencing for patios or parking lots.

Suchsland covered State licensing concerns and related questions. McKenzie Brown advised that she will manage the business and be the liquor manager. Mick advised that he will employ four other family members as much as possible, but may bring in outside security for select events. McKenzie said they plan to be available for contract rental any day of the week, and will contract to close at midnight regardless of the event or day of the week. She said she believes she will have to have 3-4 security personnel, 4 bartenders, and 2 custodial employees present for most events.

Suchsland covered the online training that must occur for anyone serving alcohol, and I explained some of the issues with underage drinking at weddings and quinceañeras. I recommended the use of wristbands, and strict ID procedures. Mick advised that they will have security cameras in place by the time they

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open, and assured us that they will have a good relationship with GIPD for any issues that are encountered.

I noted that the business, while located on Holiday property, is in the direct vicinity of the Good Samaritan Village, which is Senior Citizen housing that incorporates independent living in townhouses and apartments, and also an assisted living care facility. Enterprise road is very narrow, and has no shoulders. I noted that the parking lot will be on the east and west sides of their facility, and the fenced outdoor patio area will be on the north side, so it will hopefully not incur any noise complaints from Good Samaritan residents. However, depending on the attendance for large weddings and some quinceaneras, overflow parking on Enterprise might become an issue.

Other than these potential minor concerns, the overall project appears to be well planned, and the Browns are aware of their liability and duties with regards to running a large reception hall.

The Grand Island Police Department has no objections to granting Boulder Flatts LLC, and McKenzie Brown a class I Liquor license.

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Liquor License Application: Class "I": Boulder Flatts, LLC

