



City of Grand Island

Tuesday, June 14, 2022

Council Session

Item E-1

Public Hearing on Request from Henry J's, LLC, dba Henry J's, 118 West 2nd Street, Suite 4A 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: June 14, 2022

Subject: Public Hearing on Request from Heny J's LLC dba Henry J's, 118 West 2nd Street, Suite 4A for a Class "C" Liquor License and Liquor Manager Designation for Cathryn Sack, 3122 Brentwood Drive, 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

Heny J's LLC dba Henry J's, 118 West 2nd Street, Suite 4A has submitted an application for a Class "C" Liquor License. A Class "C" Liquor License allows for the sale of alcohol and distilled spirits 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 Cathryn Sack, 3122 Brentwood Drive, Grand Island, Nebraska. Staff recommends approval of the liquor license contingent upon final inspections and liquor manager designation for Cathryn Sack, 3122 Brentwood Drive, Grand Island, Nebraska contingent upon taking and passing a state approved alcohol server/seller training course.

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 Heny J's LLC dba Henry J's, 118 West 2nd Street, Suite 4A for a Class "C" Liquor License contingent upon final inspections and Liquor Manager designation for Cathryn Sack, 3122 Brentwood Drive, Grand Island, Nebraska contingent upon taking and passing a state approved alcohol server/seller training course.



Grand Island Police Department

Officer Report for Incident L22051576

Nature: Liquor Lic Inv
Location: PAOS

Address: 118 2nd St W; Suite 2A
Grand Island NE 68801

Offense Codes:

Received By: Dvorak T **How Received:** T **Agency:** GIPD
Responding Officers: Dvorak T
Responsible Officer: Dvorak T **Disposition:** CLO 06/01/22
When Reported: 14:24:03 05/20/22 **Occurred Between:** 14:24:03 05/20/22 and 14:24:03 05/20/22

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

LT17 LT17 Liquor 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: 14:24:03 05/20/22 **Disposition:** CLO **Date:** 06/01/22
Judicial Status: **Occurred between:** 14:24:03 05/20/22
Misc Entry: **and:** 14:24:03 05/20/22

Modus Operandi: **Description :** **Method :**

Involvements

Date	Type	Description
06/01/22	Name	Coin, Gabriel Mark mentioned

06/02/22

06/01/22	Name	Sack, Brian V	mentioned
05/27/22	Name	Henry J's,	location
05/20/22	Name	Sack, Cathryn A	owner/manager

06/02/22

Narrative

Liquor License Investigation

Offense Narrative

Grand Island Police Department

Cathryn Sack has petitioned to open a new bar in the Bartenbach building at 207 N Locust. She applied for an LLC ownership. The LLC is called Henry J's LLC.

The establishment will be called Henry J's. Sack has applied for a Class C liquor license, beer/wine/liquor on and off sale. Sack will be the owner and liquor manager of the business. The actual address will be listed as 118 W 2nd Street, suite 2A and the entrance/access will be through the alley on the east side of the building.

Responsible LEO:

Approved by:

Date

06/02/22

Supplement

Liquor License Investigation Henry J's

Date, Time: 5-25-22
Reporting Officer: Sgt Dvorak #309
Unit #: CID

Catherine "Catey" Sack is planning to open a new establishment in Grand Island. Sack has applied for/formed an LLC and a new Class C Liquor License for the proposed new bar, which will be called Henry J's. The proposed site is currently undergoing extensive renovation. It is located in the old Bartenbach building, in the 200 block of N Locust Street. The historic building has been divided into 4 separate addresses for new business opportunities.

Sack provided her application and supporting LLC documents. She had initially applied for a Class I license; Beer, Wine and Liquor on-sale only. However, before I started this approval investigation I was advised that Sack had altered her request to a Class C license; Beer, Wine and Liquor on and off-sale.

I checked Sack's history through our local database; State NCJIS database, and NCIC/NCIS. I noted no outstanding warrants. I noted arrests/citations for Driving During Suspension, but the most recent was approximately 15 years ago. Catey did disclose those violations on her application. She has also been contacted for moving violations, most recent in 2016. No other entries of concern were noted.

I also utilized a paid, Law Enforcement Only database that discloses information of a civil nature, mainly bankruptcies, liens and collections.

No recent issues/items were located. Catey noted in her application that she has been in the process of a divorce from Brian Sack for over two years, and that process has no disposition, and is still pending in Howard County Court. An attachment to the licensing application, from Catey's lawyer, indicates that Brian Sack has refused to execute his portion of the "spousal affidavit of non-participation."

On May 25th NSP Investigator Suchsland and I met with Catey Sack at the proposed location of Henry J's. It had been noted that the address would be registered as 207 N Locust, however Catey explained that the entrance to her establishment will actually be through the alley, so Henry J's physical address will actually be 118 W 2nd Street, suite 2A.

The structure was originally built in 1883. While on site, workers were busy building the dividing wall between spaces. The site is narrow and long, and at the time of our appointment, completely undergoing renovations. Catey admitted she hoped for a fall opening, approximately September or October. Sack said she is planning on being an "upscale" lounge that is utilized by couples before and/or after dining elsewhere. She plans no food service. She had unique visions for what the space would entail, including moving the current elevator to be incorporated as an entryway from the east. Sack said the bar name comes from the original building owner, Henry J Bartenbach. She liked the nod to the history of the building and Grand Island.

Suchsland discussed NSP and Commission concerns. Sack indicated that she will have a mortgage, and lease payments of approximately \$1,500 per month. She plans

06/02/22

on having two or three employees, but said she will work the bar basically full time herself. She does not foresee having gaming machines or tobacco sales. Catey said Henry J's will have an intimate setting, with top shelf alcohol and craft beer sales. She does not plan to install kegs for tap beer. Sack plans to have a capacity of around 50 people. While she has never owned a bar, Catey said she worked at Old Chicago in Lincoln for several years, and has been the owner, or part owner, of three other businesses.

I discussed local law enforcement concerns. Sack plans to have surveillance and security systems installed. She will have one employee that will act as a "bouncer" and will perform ID checks of anyone appearing underage, but told us that she does not believe she will have much of the "20's crowd" as patrons.

I asked Catey about the situation surrounding her divorce. Sack said she filed in May of 2020 for divorce from Brian Sack, but said the proceedings have been "messy" and are still in litigation. She said she hopes to receive a disposition at their next court hearing, scheduled for July 29th. She also advised that she owns the building with her current boyfriend, but he will have no interest in Henry J's.

Sack said she plans to be open five or six days a week, and for certain will be closed on Sundays. Her plans are to operate between the hours of four pm and midnight, but might stay open until 0100 on Fridays and Saturdays.

While recognizing that Sack still has a long process before the new establishment will be open for business, the Grand Island Police Department has no objections in the issuance of a Class C Liquor License; Beer, Wine and Liquor on and off-sale for Henry J's.

06/02/22

Liquor License Application: Class "C": Henry J's

