



City of Grand Island

Tuesday, June 28, 2022

Council Session

Item E-1

Public Hearing on Request from Ay Mi Madre, LLC dba Ay Mi Madre, 316 East 2nd Street 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 28, 2022

Subject: Public Hearing on Request from Ay Mi Madre, LLC dba Ay Mi Madre, 316 East 2nd Street for a Class "C" Liquor License and Liquor Manager Designation for Ruth Carbajal, 1322 Sheridan Place, 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

Ay Mi Madre, LLC dba Ay Mi Madre, 316 East 2nd Street 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 Ruth Carbajal, 1322 Sheridan Place, Grand Island, Nebraska. Staff recommends approval of the liquor license contingent upon final inspections and liquor manager designation for Ruth Carbajal, 1322 Sheridan Place, 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 Ay Mi Madre, LLC dba Ay Mi Madre, 316 East 2nd Street for a Class "C" Liquor License contingent upon final inspections and Liquor Manager designation for Ruth Carbajal, 1322 Sheridan Place, Grand Island, Nebraska.



Grand Island Police Department

Officer Report for Incident L22060718

Nature: Liquor Lic Inv
Location: PCID

Address: 316 2ND ST E
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 06/23/22	
When Reported: 15:33:22 06/09/22	Occurred Between: 15:33:22 06/09/22 and 15:33:22 06/09/22	

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:
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Circumstances

LT03 LT03 Bar/Night Club

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: 15:33:22 06/09/22	Disposition: CLO Date: 06/23/22
Judicial Status:	Occurred between: 15:33:22 06/09/22
Misc Entry:	and: 15:33:22 06/09/22

Modus Operandi:	Description :	Method :
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Involvements

Date	Type	Description	
06/23/22	Name	Sanchez, Agustin Jr	contact

06/24/22

06/23/22	Name	Ay Mi Madre,	new business
06/09/22	Name	Carbajal, Ruth	owner/applicant
06/09/22	Name	Ritmos Night Club,	location

06/24/22

Narrative

Liquor License Application
Grand Island Police Department

Ruth Carbajal has formed an LLC, Ay Mi Madre LLC (doing business as Ay Mi Madre) has applied for a new liquor license for her bar. The proposed location is 316 E 2nd Street. That location has been a bar for decades, under many different owners and business names. The application is for a Class C license; beer, wine and distilled spirits both on and off sale.

Responsible LEO:

Approved by:

Date

06/24/22

Supplement

309

Ay Mi Madre

Grand Island Police Department
Supplemental Report

Date, Time: 6-22-22

Reporting Officer: Sgt Dvorak #309

Unit #: CID

Ruth Carbajal has applied for a Class C liquor license for a new business venture. Carbajal has established a limited liability company, Ay Mi Madre and proposes to open a new bar at 316 E 2nd. The bar will also be called Ay Mi Madre. That same location has been home to numerous different establishments over the past 30 years.

I noted in the application that Carbajal is the sole owner of the LLC. She does not list a spouse, and advised in the application that she is a widow, and her husband passed away in 2020. Ruth indicated she has resided in Grand Island since 2003. Although she was born in Mexico, Carbajal provided her Naturalization certificate dated May 10, 2013.

I checked Ruth Carbajal's background using our local Spillman database, State records via NCJIS and a paid, law enforcement only database that mainly discloses civil information such as lawsuits, bankruptcies and liens. I noted Ruth has no warrants for her arrest.

There were no entries of concern in Spillman. I found however, that Ruth had one recent speeding conviction that wasn't on her application. But, after comparing the dates, I found that Carbajal filled out the liquor license application prior to the date of the speeding disposition. I found no other convictions. Carbajal did disclose on her application that she was charged with forgery, in Hastings, in 2012. However, the charges were later dropped, and she was never convicted of any crime. Carbajal included a copy of her notice from the Hastings County Attorney, indicating charges were dropped, dated March 21 2013. Although it didn't show on her background check, Ruth also included the copy of an infraction citation she received for Shoplifting, in Grand Island, in 2004. I noted no civil entries of concern in the law enforcement only database.

I was able to meet with Ruth Carbajal at the proposed location on 6-23-22. Also present was Agustin "Guti" Sanchez. Sanchez was the owner/operator, along with his brother Rodrigo Sanchez, when the establishment was known as El Centenario. Guti indicated that he and Rodrigo manage the property for their mother, Maria Sanchez, who still owns the physical building itself, and they will be leasing the property to Carbajal for Ay Mi Madre.

The interior was undergoing complete renovation. Ruth said she will likely not be able to open for business until September. She said her initial plans are to operate only on Thursday, Friday, Saturday and Sunday. Carbajal said she foresees the hours of operation as 1700 until 0100. Ruth said she does not work elsewhere, and will be at the bar whenever it is open. Carbajal has two daughters, ages 22 and 25, who will be her primary employees. Ruth said she wants to employ a DJ and at least one bouncer/door person, but she has not identified them yet. Ruth advised she would like to offer food at some point, but does not plan to have a menu at first.

Carbajal said she wants to keep Ay Mi Madre "low key." She envisions a place

06/24/22

where people can come and enjoy conversation and a couple of drinks, and said she does not want to become a party bar. She knows of other locations that have adverse problems because they focus on dancing and a party atmosphere, and she doesn't want to get a negative reputation. Ruth said she plans to have a business phone installed before opening for business, but for right now it was just her cell phone if anyone needed to reach her.

We discussed cooperation with law enforcement. Ruth said she plans to have security cameras installed. She has taken the SafeServ online training. Ruth was not aware of the requirement to obtain her alcohol from licensed distributors. I advised her that NSP Investigator Suchsland would explain that aspect in detail when he meets with her next week. We talked about handling intoxicated customers and disturbances. We discussed possible compliance checks. I told Ruth that she is responsible for the actions of her staff, and to be careful with minors trying to obtain alcohol.

A couple of representatives from the Health Department arrived while I was there. They inspected the restroom facilities and sinks behind the bar. Because the facility was still under construction, they advised they would return but the renovations were within code thus far. Carbajal said she still anticipated inspections from the Fire Department and Building Department.

Although there is still much renovation to complete, and other departmental inspections, based upon my background check and meeting with Ruth Carbajal, the Grand Island Police Department has no objections to granting Ay Mi Madre LLC, with Ruth Carbajal as owner/manager, a Class C Liquor License for the bar Ay Mi Madre.

06/24/22

Liquor License Application: Class "C": Ay Mi Madre

