



# City of Grand Island

Tuesday, August 23, 2022

Council Session

## Item E-1

**Public Hearing on Request from Stripe Zone, LLC dba Blazin Wings N More, 1023 West 2nd Street for a Class "C" Liquor License**

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

Staff Contact: RaNae Edwards

# Council Agenda Memo

**From:** RaNae Edwards, City Clerk

**Meeting:** August 23, 2022

**Subject:** Public Hearing on Request from Stripe Zone LLC dba Blazin Wings N More, 1023 West 2<sup>nd</sup> Street for a Class "C" Liquor License and Liquor Manager Designation for Ernesto Franco, 8930 Chukar Circle, 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

Stripe Zone LLC dba Blazin Wings N More, 1023 West 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 Ernesto Franco, 8930 Chukar Circle, Grand Island, Nebraska. Staff recommends approval of the liquor license contingent upon final inspections and liquor manager designation for Ernesto Franco, 8930 Chukar Circle, Grand Island, Nebraska contingent upon passing a state approved alcohol/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 Stripe Zone LLC dba Blazin Wings N More, 1023 West 2nd Street for a Class "C" Liquor License contingent upon final inspections and Liquor Manager designation for Ernesto Franco, 8930 Chukar Circle, Grand Island, Nebraska contingent upon passing a state approved alcohol/seller training course.



07/28/22	Name	Franco, Ernesto Rene	owner
07/28/22	Name	Blazin Wings N More,	business

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**Narrative**

Liquor License Investigation  
Grand Island Police Department

Stripe Zone LLC; DBA Blazin Wings N More, will be located at the site of the former Pizza hut Delivery location; 1023 W 2nd Street. Owner Ernesto Franco has applied for a new Class C; Beer, Wine, Distilled Spirits on and off sale, liquor license for the business.

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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: 8-11-22

Reporting Officer: Sgt Dvorak #309

Unit #: CID

Stripe Zone LLC; doing business as Blazin Wings N More; has applied for a Class C Liquor License; beer, wine and spirits on and off sale. Ernesto Franco is the owner of the LLC and the new business. The site of Blazin Wings N More is the old Pizza Hut delivery center, located at 1023 W 2nd. The application lists Karen Franco as Ernesto's spouse. I am aware that Blazin Wings N More already has a location in Aurora. Ernesto Franco is the License Holder there, with permit number #124720.

I first checked, and found neither of the Francos have any active warrants for their arrest. Both Francos report they have resided in Grand Island for many years. I then utilized our local Spillman database, State of NE records through NCJIS, and a paid, law enforcement only database to perform background checks.

Locally I found that Ernesto was recently involved in two separate incidents where he was labeled as a suspect. Upon review, I noted that the first disturbance involved Ernesto and Karen's teenage daughter, and the other involved a civil issue surrounding work completed on this location for Blazin Wings N More. I also noted that Ernesto was the reporting party for several incidents involving local establishments in the past.

In checking State of Nebraska files, I found that Ernesto only had one recent traffic contact, which he had disclosed on the application. Karen had several listed contacts, none of which were more recent than approximately four or five years ago. All contacts for minor infractions. None of these entries concern me.

I next consulted the paid, law enforcement only database. This source typically covers items of a civil nature, such as bankruptcies, judgments, liens etc. I noted no bankruptcies or liens. I found three (3) civil judgments, none currently pending, with the most recent over ten years ago. Nothing of concern or disqualifying was noted.

I arranged to meet with Ernesto at the former Pizza Hut Delivery building on 8-4-22. The building was still undergoing renovations, but the seating, kitchen and storage areas were recognizable. Franco explained that he was the manager at Amigos here in Grand Island for many years. He then partnered with Junior Roebuck to open the Blazin Wings N More in Aurora. He has operated that business for almost a year, but wanted to get back to Grand Island, When this building became available, Ernesto said he became determined to go into business for himself. Franco said his wife is involved in the new Stripe Zone LLC, but not on the proposed liquor license.

Franco said he is still hoping for a September 15th opening, but recent events have put that date in question. Franco said he only found out last week that the current commercial vent hood was not sufficient for chicken fryers, and he now has to replace the current hood, at considerable cost. Franco said that eat in dining will be under 50 person capacity, and he hopes to derive much of his

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business in drive thru and take out orders.

Ernesto said his sit down hours of operation will be Sunday through Thursday from 1100-2300, while Friday and Saturday he will remain open until 0200 in the drive thru only to capitalize on the "after bar" crowd. Franco said he intends to put a dent in McDonald's sales of that demographic. Franco said he will be working much of the time, but plans to have around ten other employees. He said he will only offer bottle and canned beer, along with margaritas. He does not intend to offer a mixed drink option on the menu.

We discussed licensing concerns, distributor options, and age requirements for his employees that serve alcohol. Franco said he is familiar with his responsibilities from his work at the location in Aurora. Franco told me that one of his employees in Aurora sold to a minor earlier this year, and he knows he will need to be diligent at this new location due to (he hopes) increased customers and sales. Ernesto said he will have surveillance cameras installed before opening for business. I told Franco that GIPD asks for, and expects, cooperation with any on site issues he might encounter.

Ernesto gave me a tour of the facility, I left a business card for future contacts, and I departed.

The Grand Island Police Department does not object to Stripe Zone LLC, DBA Blazin Wings N More, and Ernesto Franco manager, being issued a Class C Liquor License for the new business.

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# Liquor License Application: Class "C": Stripe Zone, LLC dba Blazin Wings N More

