



# City of Grand Island

Tuesday, February 28, 2023

Council Session

## Item E-1

**Public Hearing on Request from Simple Kitchen, LLC dba  
Chocolate Bar, 116 West 3rd Street for a Class "CK" 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:** February 28, 2023

**Subject:** Public Hearing on Request from Simple Kitchen, LLC  
dba Chocolate Bar, 116 West 3<sup>rd</sup> Street for a Class “CK”  
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**

Simple Kitchen, LLC dba Chocolate Bar, 116 West 3<sup>rd</sup> Street has submitted an application for a Class “CK” Liquor License. A Class “C” Liquor License allows for the sale of alcohol on and off sale inside the corporate limits of the city. A Class “K” Liquor License allows for catering one day events.

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 Angela Dowd, 2140 2<sup>nd</sup> Avenue, Boelus, Nebraska. Ms. Dowd has not completed a state approved alcohol server/seller training program. Staff recommends approval of the liquor license contingent upon final inspections and liquor manager designation for Angela Dowd, 2140 2<sup>nd</sup> Avenue, Boelus, Nebraska contingent upon completing a state approved alcohol server/seller 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 Simple Kitchen, LLC dba Chocolate Bar, 116 West 3<sup>rd</sup> Street for a Class "CK" Liquor License contingent upon final inspections and Liquor Manager Designation for Angela Dowd, 2140 2<sup>nd</sup> Avenue, Boelus, Nebraska contingent upon completing a state approved alcohol server/seller program.



# Grand Island Police Department

Officer Report for Incident L23021263

**Nature:** Liquor Lic Inv

**Address:** 116 3RD ST W; THE CHOCOLATE  
BAR

**Location:** PAOS

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 02/20/23

**When Reported:** 15:28:17 02/17/23

**Occurred Between:** 15:28:17 02/17/23 and 15:28:17 02/17/23

**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

LT21 LT21 Restaurant

**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:** 15:28:17 02/17/23

**Disposition:** CLO **Date:** 02/20/23

**Judicial Status:**

**Occurred between:** 15:28:17 02/17/23

**Misc Entry:**

**and:** 15:28:17 02/17/23

**Modus Operandi:**

**Description :**

**Method :**

## Involvements

**Date**

**Type**

**Description**

02/20/23

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02/17/23	Name	Dowd, Angela M	owner/manager
02/17/23	Name	Croot, Mark W	spouse
02/17/23	Name	The Chocolate Bar,	location

02/20/23

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## Narrative

309

Liquor License Investigation

Angela Dowd recently purchased The Chocolate Bar. A new LLC, which is wholly owned by Dowd, was formed to operate the business. Simple Kitchen LLC has applied for a Class C; beer, wine and distilled spirits on and off sale, with a Class K endorsement; catering, new liquor license at The Chocolate Bar.

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Responsible LEO:

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Approved by:

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Date

02/20/23

**Supplement**

309

Chocolate Bar

Grand Island Police Department  
Supplemental Report

Date, Time: 2-17-23

Reporting Officer: Sgt Dvorak #309

Unit #: CID

Angela Dowd, through her limited liability corporation Simple Kitchen LLC, has purchased the existing business The Chocolate Bar. Dowd has applied for a new Class C Liquor License; beer wine and distilled spirits on and off sale; with a Class K licensing endorsement for her catering business.

I noted that Dowd has recently held a Nebraska Liquor License, which was granted when she owned and operating Dreisbach's Catering on N Webb. Lieutenant Vitera performed that background check, which found no limiting information, in June 2012. For this background check, I did not go back past that date. Angela Dowd lists her husband as Mark Croot. It appears that Croot has no ownership of the LLC or business, but he did not complete a Spousal Affidavit of non involvement.

I checked local Spillman files, State NCJIS files, and a paid law enforcement only database. Both Dowd and Croot list an address in Boelus, and indicate they have resided in the Grand Island area since 2013.

I first noted that neither Dowd nor Croot have active warrants for their arrest. In local files, I found no entries of concern for either. In State files, I found that Dowd was arrested for a DUI in 2013. This conviction was disclosed on the application, as were other minor traffic violations. I found nothing else of interest in Dowd or Croot's Nebraska background files.

The law enforcement only website generally covers matter of a civil nature, such as bankruptcies liens and civil judgement. Dowd filed for bankruptcy in 2014, but shows that it was taken care of, and discharged, in the same year. I found no other questionable entries for either subject, and no information that would prevent Dowd or Croot from obtaining a liquor license.

NSP Investigator Suchsland and I met with Angela, at The Chocolate Bar, on 2-17-23. Dowd said she plans to continue the concept of the business much as it has been run since open, with alcohol being an additional option for her customers, and not the primary business model. She said there is already some surveillance cameras in the building, and she plans to install more outside in the front al fresco area. Angela and I discussed cooperation with GIPD, and concerns with various violations that are sometimes observed.

I found nothing in my background checks that would prevent Simple Kitchen LLC from obtaining a Class C, with Class K endorsement, for Angela Dowd as the new owner/manager of The Chocolate Bar.

02/20/23

**Liquor License Application:  
Class “CK”: Chocolate Bar**

