



City of Grand Island

Tuesday, June 25, 2013

Council Session

Item E-3

**Public Hearing on Request from Roebuck Investments, LLC dba
Flippin' Chicken, 3404 West 13th Street, Unit C60 for a Class "I"
Liquor License**

Staff Contact: RaNae Edwards

Council Agenda Memo

From: RaNae Edwards, City Clerk

Meeting: June 25, 2013

Subject: Public Hearing on Request from Roebuck Investments, LLC dba Flippin' Chicken, 3404 West 13th Street, Unit C60 for a Class "I" Liquor License

Item #'s: E-3 & I-3

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

Roebuck Investments, LLC dba Flippin' Chicken, 3404 West 13th Street, Unit C60 has submitted an application for a Class "I" Liquor License. A Class "I" Liquor License allows for the sale of alcohol 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.

Also submitted with the application was a request from Larry Roebuck, 1003 NE Hwy 2, Phillips, NE for a Liquor Manager Designation.

Alternatives

It appears that the Council has the following alternatives concerning the issue at hand. The Council may:

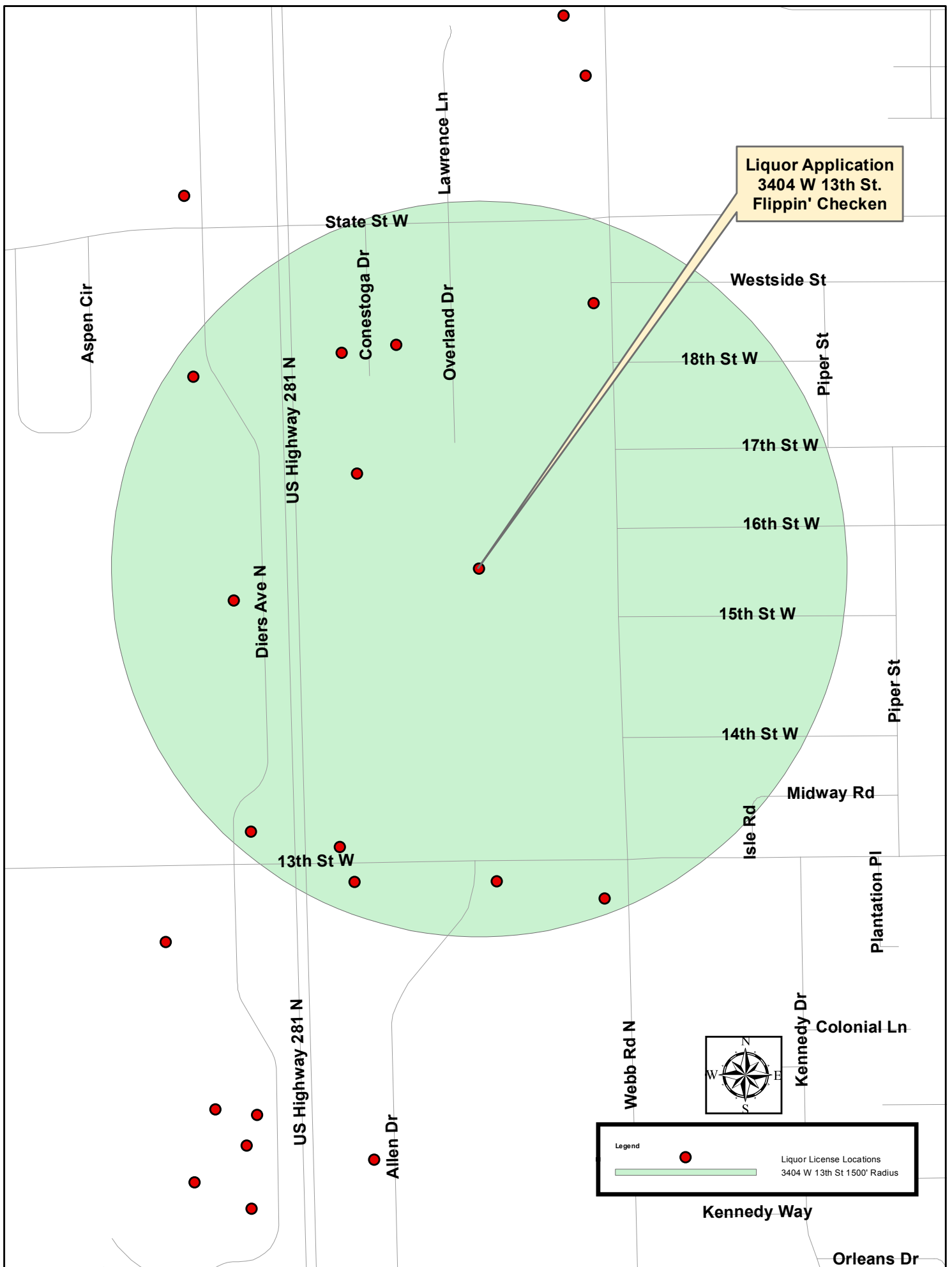
1. Approve the application.
2. Forward to the Nebraska Liquor Control Commission with no recommendation.
3. Forward to the Nebraska Liquor Control Commission with recommendations.
4. Deny the application.

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 Roebuck Investments, LLC dba Flippin' Chicken, 3404 West 13th Street, Unit C60 for a Class "I" Liquor License contingent upon final inspections and Manager Designation for Larry Roebuck, 1003 NE Hwy 2, Phillips, NE contingent upon completion of a state approved alcohol server/seller training program.



06/19/13
11:00

Grand Island Police Department
LAW INCIDENT TABLE

450
Page: 1

City : Grand Island
Occurred after : 15:27:15 06/13/2013
Occurred before : 15:27:15 06/13/2013
When reported : 15:27:15 06/13/2013
Date disposition declared : 06/13/2013
Incident number : L13061754
Primary incident number :
Incident nature : Liquor Lic Inv Liquor License
Investigation
Incident address : 3404 13th St W
State abbreviation : NE
ZIP Code : 68803
Contact or caller :
Complainant name number :
Area location code : PCID Police - CID
Received by : Vitera D
How received : T Telephone
Agency code : GIPD Grand Island Police Department
Responsible officer : Vitera D
Offense as Taken :
Offense as Observed :
Disposition : ACT Active
Misc. number : RaNae
Geobase address ID : 4961
Long-term call ID :
Clearance Code : CL Case Closed
Judicial Status : NCI Non-criminal Incident
= = = = =

INVOLVEMENTS:

Px	Record #	Date	Description	Relationship
NM	30267	06/17/13	Roebuck, Larry R Jr	Applicant
NM	120853	06/17/13	Roebuck, Kristen R	Larry's Wife

LAW INCIDENT CIRCUMSTANCES:

Se	Circu	Circumstance code	Miscellaneous
1	LT21	Restaurant	

LAW INCIDENT NARRATIVE:

I Received a Copy of a Liquor License Application from "Flippin' Chicken" and a Liquor Manager Application from Larry Roebuck.

LAW INCIDENT OFFENSES DETAIL:

Se	Offe	Offense code	Arson Dama
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1 AOFF Alcohol Offense 0.00

LAW INCIDENT RESPONDERS DETAIL:

Se Responding offi Unit n Unit number

1 Vitera D 318 Vitera D

LAW SUPPLEMENTAL NARRATIVE:

Seq	Name	Date
1	Vitera D	14:31:19 06/17/2013

318

Grand Island Police Department
Supplemental Report

Date, Time: Mon Jun 17 14:31:33 CDT 2013
Reporting Officer: Vitera
Unit- CID

Larry Roebuck is applying for a Class I (Beer, wine, distilled spirits, on sale only) LLC liquor license for Flippin' Chicken. He is also applying to be the liquor manager. Larry is married to Kristen Roebuck. I just completed a liquor license investigation about a year ago on Larry when he requested a Class I license for Sam and Louie's. The GIPD recommended that the Council approve the license and Larry as the manager. The council and the NLCC approved the license.

I checked Larry and Kristen again through Spillman and NCJIS. Kristen still doesn't have any convictions, and it looks like Larry has a speeding conviction about the same time I did the investigation last year or shortly thereafter. I also searched the NLCC's web site and didn't find any alcohol violations at Sam & Louie's.

With the approval of a liquor license application last year for Larry and really no new criminal convictions, I don't see any problems with this application. However, one issue that might have to be considered is the fact that no one else inside the Conestoga Mall has a liquor license, and this establishment is small with access to food court seating. If I'm looking at the diagram in the application correctly, Larry's request for a liquor license doesn't extend out into the food court area. I will confirm this with Larry and ask him how he plans on keeping the alcoholic beverages inside the restaurant.

I met with Larry at the proposed location on 6/18/13 at 1430 hours. Larry confirmed that the license he is requesting will not include the food court area. He also showed me how there will only be one way in and out of the restaurant that will be covered by an employee. The northwest corner of the restaurant is not entirely enclosed, but there is a half wall there. I suggested to Larry that he not let customers stand there and drink or let them set there drinks down there. Larry acknowledged the

concern and said that he had looked at enclosing the northwest corner, but it would be totally his responsibility and is cost prohibitive. If it becomes a problem, he will address it at that time.

All in all, since Larry recently obtained a liquor license under similar circumstances and hasn't had any problems since then, the Grand Island Police Department has no objection to Flippin' Chicken receiving a liquor license or to Larry Roebuck becoming the liquor manager.