



City of Grand Island

Tuesday, November 08, 2005

Council Session

Item E1

**Public Hearing on Request of Jeff D. Leo dba Bud's Roadhouse,
2710 Diers Avenue for a Class "C" Liquor License**

Staff Contact: RaNae Edwards

Council Agenda Memo

From: RaNae Edwards, City Clerk

Meeting: November 8, 2005

Subject: Public Hearing on Request of Jeff D. Leo dba Bud's Roadhouse, 2710 Diers Avenue for a Class "C" Liquor License

Item #'s: E-1 & H-1

Presenter(s): RaNae Edwards, City Clerk

Background

Jeff D. Leo dba Bud's Roadhouse, 2710 Diers Avenue has submitted an application for a Class "C" Liquor License. A Class "C" Liquor License allows for the sale of alcohol on and off sale inside the corporate limits of the city.

Discussion

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. After reviewing the application by city staff it is recommended that the City Council deny the request for the following reasons:

1. The applicant provided false information on this application, leaving out several important convictions.
2. The applicant pleaded guilty and was found guilty of a Class 1 Misdemeanor.
3. Convictions for driving under suspensions, disorderly conduct, carrying a concealed weapon, and violation of exploitation of human nudity do not indicate that the applicant is of good character and reputation.
4. The applicant's record indicates a pattern of behavior of disregard of the law.

(See attached memo from the Police Department)

Alternatives

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

1. Approve the request.
2. Deny the request.
3. Forward to the Nebraska Liquor Control Commission with no recommendation.
4. Take no action on the issue.

Recommendation

City Administration recommends that the Council deny this request.

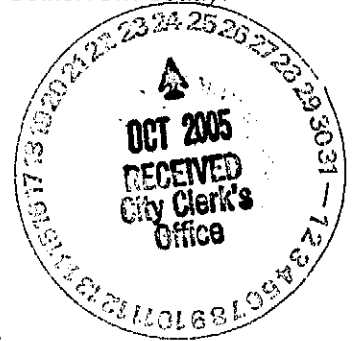
Sample Motion

Move to deny the request of Jeff D. Leo dba Bud's Roadhouse, 2710 Diers Avenue for a Class "C" Liquor License because of false information on the liquor application and numerous violations.



Police Department
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DATE: October 24, 2005
TO: RaNae Edwards, City Clerk
FROM: Robert Falldorf, Police Captain *Robert E. Falldorf*
RE: Application for Class C Liquor License: Bud's Roadhouse

The Grand Island Police Department has received the application from Jeff D. Leo, dba Bud's Roadhouse for a Class C Liquor License.

We have an objection to the issuance of the Class C Liquor License because of the false information included in the application on Page 3, Question 1 pertaining to criminal convictions. Mr. Leo indicated on the application that he has never been convicted of or plead guilty to any charge, which includes a felony, misdemeanor, violation of a federal or state law, violation of local law (which would include infractions, ordinances, and resolutions). A criminal background check on Jeff D. Leo shows the following convictions or guilty pleas:

Offense Date 8-9-97, Driving Under Suspension (Dakota County), Class 3 Misdemeanor, and Speeding 11-15 MPH (Dakota County), Infraction, Plea was Not Guilty, Finding was Guilty on both counts.

Offense Date 7-30-01, Disorderly Conduct-Fighting (Madison County), Infraction, Plea was Guilty/Admit, Finding was Guilty.

Offense Date 11-3-01, Speeding 6-10 MPH (Nance County), Infraction, Plea was Guilty/Admit, Finding was Guilty.

Offense Date 12-18-02, Driving Under Suspension (Pierce County), Class 3 Misdemeanor, No Proof of Insurance (Pierce County), Class 2 Misdemeanor, and Carry Concealed Weapon (Pierce County), Class 1 Misdemeanor, Plea was Guilty, Finding was Guilty on all three counts.

Offense Date 1-30-03, Violation of Exploitation of Human Nudity (Pierce County), Infraction, Plea was Guilty/Admit, Finding was Guilty.

Offense Date 2-1-03, Violation of Exploitation of Human Nudity (Pierce County), Infraction, Plea was No Contest, Finding was Guilty.

Offense Date 5-24-03, Speeding 11-15 MPH (Platte County), Infraction, Plea was Guilty/Admit, Finding was Guilty.




**INTEROFFICE
MEMORANDUM**
Building Department

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DATE: November 1, 2005

TO: RaNae Edwards -- City Clerk

FROM: Craig Lewis -- Building Department 

RE: Liquor License request for Bud's Roadhouse at 2710 Diers Ave.

Mr. Leo called today to request an inspection of the proposed facility he is considering for a liquor establishment, however at the present time the space is simply a vacant unfinished tenant space in the building. Any approvals should be contingent upon the space being finished and a certificate of occupancy being issued. At this time no plans have been submitted nor have any permits been issued for remodeling the space.

Please let me know if you need any other information.