



City of Grand Island

Tuesday, August 22, 2006

Council Session

Item E2

**Public Hearing on Request of Ruff's Bar, Inc. dba Ed & Net's, 311
North Walnut Street for a Class "C" Liquor License**

Staff Contact: RaNae Edwards

Council Agenda Memo

From: RaNae Edwards, City Clerk

Meeting: August 22, 2006

Subject: Public Hearing on Request of Ruff's Bar, Inc. dba Ed & Net's, 311 North Walnut Street for a Class "C" Liquor License and Request of Jesse Strinz, 2019 N. Park Avenue for Liquor Manager Designation

Item #'s: E-2 & I-1

Presenter(s): RaNae Edwards, City Clerk

Background

Jesse D. Strinz, owner of Ruff's Bar, Inc. dba Ed & Net's, 311 North Walnut Street 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. Attached is the Police Department's background investigation and recommendation.

Also included is the request of Jesse D. Strinz, 2019 N. Park Avenue for a Liquor Manager Designation. Approval is recommended contingent upon Mr. Strinz completing a state approved alcohol server/training 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 the application of Ruff's Bar, Inc. dba Ed & Net's, 311 North Walnut Street for a Class "C" Liquor License and the request of Jesse Strinz, 2019 N. Park Avenue with the stipulation that a state approved alcohol server/seller training program be completed.

Sample Motion

Move to approve the application of Ruff's Bar, Inc. dba Ed & Net's, 311 North Walnut Street for a Class "C" Liquor License and the request of Jesse Strinz, 2019 N. Park Avenue for a Liquor Manager Designation with the stipulation that a state approved alcohol server/seller training program be completed by Mr. Strinz.



**INTEROFFICE
MEMORANDUM**
Police Department

*Working Together for a
Better Tomorrow. Today.*

DATE: August 15, 2006
TO: RaNae Edwards, City Clerk
FROM: Brad Brush, Lieutenant, Police Department
RE: Liquor License Application/Manager Designation Application
Ed & Net's, 311 N Walnut, Grand Island, NE 68801

The Grand Island Police Department has received a liquor license application and a manager's designation for Jesse Strinz for Ruff's Bar Inc. dba Ed & Net's, 311 N Walnut, Grand Island, NE 68801.

It is the Police Department's recommendation to accept this Liquor Manager Designation Application in the name of Jesse D Strinz, as well as the Liquor License application for the business, Ruff's Bar Inc. dba Ed & Net's, 311 N Walnut, Grand Island, NE 68801

BB/rk

A handwritten signature in cursive script that reads "B. Brush".

08/10/06
14:29

Grand Island Police Dept.
LAW INCIDENT TABLE

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City : Grand Island
 Occurred after : 16:32:14 08/01/2006
 Occurred before : 16:32:14 08/01/2006
 When reported : 16:32:14 08/01/2006
 Date disposition declared : 08/04/2006
 Incident number : L06080103
 Primary incident number :
 Incident nature : Liquor Lic Inv Liquor License Investigation
 Incident address : 311 N Walnut
 State abbreviation : NE
 ZIP Code : 68801
 Contact or caller : RaNae Edwards
 Complainant name number :
 Area location code : PCID Police - CID
 Received by : Brush B
 How received : T Telephone
 Agency code : GIPD Grand Island Police Department
 Responsible officer : Brush B
 Offense as Taken :
 Offense as Observed :
 Disposition : CLO Closed Case
 Misc. number :
 Geobase address ID :
 Long-term call ID :
 Clearance Code : CL Case Closed
 Judicial Status :

INVOLVEMENTS:

Px	Record #	Date	Description	Relationship
NM	34248		Clausen, Adam L	mentioned
NM	7366		Meier, Andrew W	ruff's owner
NM	24816		Strinz, Jesse D	liq lic applicant
NM	94559		Ruff's Bar,	mentioned
NM	103644		Miller, Brent Michael	witness/mentioned
NM	107431		Keeshan, Heather D	witnes/mentioned

LAW INCIDENT NARRATIVE:

Request for assessment & recommendation-Liquor Manager Designation Application and Retail Corporation Liquor License.

The Liquor Manager Designation Applicant's name is Jesse D Strinz
Business-Ruff's Bar Inc. dba Ed & Net's, 311 N Walnut, GI, NE 68801

A check of the Nebraska Criminal Justice Information System (NCJIS) found the following conviction not declared by Jesse D Strinz;

*Issue bad check when no funds available; Hall County, Class 2 Misdemeanor
Offense Date is 05/05/1999, plea is Guilty/Admit, finding is Guilty

In the applicant's application, there is a declaration of a conviction of

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"Assault-August 27, 1999 unplanned altercation over minor dispute."
A check of the Nebraska Criminal Justice Information System (NCJIS) found the following conviction:
Class I Misdemeanor, Assault-3rd degree; Class 1 Misdemeanor, Buffalo County AMENDED TO...Attempt of a class 1 misdemeanor, Offense Date is 08/28/1999, Plea is No Contest, Finding is Guilty

The applicant plead no contest and was found guilty of Attempted Assault in the 3rd Degree, which is a II Misdemeanor. If the applicant would have been convicted of the 3rd degree assault, he would have been disqualified from obtaining a liquor license in Nebraska.

A National Crime Intelligence Center (NCIC) search reflected no other convictions.

Failure to declare the above conviction of issuing a bad check causes the application to be false.

The application for the Liquor manager and for the Retail Corporation Liquor License is technically inaccurate, thus a false application. However, even if the conviction had been declared it would not have risen to the level of a Class I Misdemeanor, thus disqualifying the applicant.

- While Jesse D Strinz was reportedly to be a "Co-owner of Ruff's Bar", the following incidents of concern occurred;
- 10-30-05 L05104009, Multiple patrons allowed to remain in bar after hours. Jesse D Strinz was reportedly a "Co-owner of Ruff's Bar" by employee Heather Keeshan on 10-30-05.
 - 01-07-06 L06010920, Argument, attempted assault w/ a vehicle and criminal mischief occurred in parking lot just across the alley north of Ruff's bar building, between subjects who had just left the bar. This escalated into a chase and gun shots fired.
 - 01-16-06 L06012178, Patrons in bar after hours, "Owner Andrew Meier" referred to city attorney.
 - 05-13-06 L06052416, Disorderly Report, large group of people involved in fight that started inside Ruff's bar and ended up outside of the bar.

In summation;
It is the police department's recommendation to accept this Liquor Manager Designation Application in the name of Jesse D Strinz, as well as the Liquor License application for the business, Jesse D Strinz dba Ruff's Bar Inc. dba Ed & Net's, 311 N Walnut, GI, NE 68801

LAW SUPPLEMENTAL NARRATIVE:

Seq	Name	Date
1	Brush B	11:30:29 08/07/2006

208, 080106 incident of concern
Grand Island Police Department
Supplemental Report

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Date, Time: 080106
Reporting Officer: Lieutenant Brush
Unit #: cid
excerpt from L06071588

Miller was interviewed in referrance his involvment in a reported theft of money and alcoholic beverages from Ruff's Bar. Miller admitted stealing money, but denied any involvment in or knowledge of theft of alcoholic beverages. Hed did state, "...though Jesse Strinz may have gave this alcohol away. Miller explained that he has been in the bar when Jesse got drunk and gave away cases of beer to customers."

I conferred w/ NSP #405, Lorri Rogers and determined it is not a violation for owner/employees to drink in the establishment, nor to give free alcoholic beverages away.

excerpt from L06080701

"Adam Clausen found in bar after hours claimed to work there. I arrived on scene and there were approximately 30 people outside the bar. There were several males who were extremely agitated. There were numerous subjects involved that appeared to be extremely intoxicated as well.

Jesse Strinz was not very cooperative. He would not respond to questions asked about what started the fight and who were involved. I entered the bar because one of the participants indicated the offender was still inside. When I walked in, there were three people in the bar; Brooks Wells, Adam Clausen, Heather Miller. Wells and Miller were working. Clausen was standing in the middle of the room talking to Miller. When he saw me, he quickly started looking around for something to do. I asked Miller if he worked there. Clausen quickly spoke up and said that he did. I asked for his ID.

He didn't have his ID with him. Strinz came in the bar and I asked if Clausen worked there. Strinz said he did. I said that it would be easy to verify through time cards/payroll/taxes information. I followed Clausen out to his vehicle to get his ID. I asked him how long he worked there. He said two years, off and on. I later asked Strinz how long Clausen had worked there. Strinz then said that it was Clausen's first night. I remarked that was funny because Clausen told me he had worked there for two years. Strinz replied that Clausen did not work there steady. It appeared both were lying about Clausen being employed there. I obtained the ID of the three who were in the bar. See related information."

2 Brush B 12:41:29 08/10/2006

208, 080906 Strinz inter

Grand Island Police Department
Supplemental Report

Date, Time: 080906
Reporting Officer: Lieutenant Brush

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Unit #: CID

Strinz was interviewed, in a non-custodial fashion, in GIPD conference room by Inv Kottwitz and I, during which we learned the following in reference to this incident as well as other concerns;

- *Strinz has been affiliated w/ Ruff's approx 7 years; he started as a bartender.
- *Approx 2 years ago Strinz promoted to manager by Andrew Meier.
- *Meier & Strinz verbally agreed to a 10% yearly bonus, which caused Strinz to feel he was more than a manager.
- *Strinz has referred to himself as "Part or Co-Owner of Ruff's Bar" since that time.
- *Strinz contractually entered into an agreement to buy Ruff's, on 05-18-06, contingent upon Strinz obtaining a liquor license in his name.
- *Heather Miller married Jason Keeshan, but they have since divorced; she took back her maiden name.
- *He indicated Heather would have heard him refer to himself as Part or Co-Owner of Ruff's Bar.
- *Reference L06010920, 010706, Strinz did not feel responsible for activity that occurs in the parking lot north of the bar, which is across the city's alley.
- *Reference L06012178, 011606, Strinz advised he was present during the incident, a belated Christmas party and those in attendance were employees and their significant others. 75% of the employees in attendance were employees of Bandit's Bar, owned by Andrew Meier. Strinz & Heather Miller left before officer(s) contacted Meier reference patron's after hours.
- *Reference L06052416, 051306, Strinz advised he was present during the incident, as was Heather Miller & Casey Johnson. Strinz believed Miller called 911, and was sure one of the girls did call 911 at Strinz' direction. The incident started outside, the bar was closed and locked. Strinz advised he did go outside and to attempt to get between the parties to break it up.
- *Reference L06080701, 080506, Strinz advised he was not sure who Sgt Dubbs had been referring to when asked, "How long has he worked here?" Strinz thought he was asking about Brooks Wells when he told Sgt Dubbs, "It is his first night." When Strinz realized it was Clausen Sgt Dubbs was asking about, he told Sgt Dubbs, Clausen had worked there for two years, but not steady. Strinz advised Clausen is not on the payroll, but is called upon on spot situations to help out. To make things right w/ Clausen, Strinz will take him out for dinner, give him drinks, take him to games in Lincoln and other types of activities and Strinz will pick up the tab. Strinz went to school w/ Clausen and they are old friends. Clausen farms south of Grand Island.
- *Since Strinz contractually entered into an agreement to buy Ruff's, on 051806, contingent upon Strinz obtaining a liquor license in his name, Strinz has been having someone on the weekends, usually Clausen, checking IDs at the door and making sure patrons aren't taking drinks out of the bar and or stealing glasses from the bar.

After the interview, I checked L06052416's call Id# 227959 and determined that the incident was called out by an officer.

I also checked L06080701's call Id# 241497 and determined that the incident was called in, "Fight breaking out." No gender or name of caller.