



City of Grand Island

Tuesday, November 27, 2007

Council Session

Item E5

**Public Hearing Concerning Request of Munoz R. Rodriguez, Inc.
dba Zona Rosa Nightclub, 611 East 4th Street for a Class "C"
Liquor License**

Staff Contact: RaNae Edwards

Council Agenda Memo

From: RaNae Edwards, City Clerk

Meeting: November 27, 2007

Subject: Public Hearing on Request from Munoz R. Rodriguez, Inc. dba Zona Rosa Nightclub, 611 East 4th Street for a Class “C” Liquor License

Item #'s: E-5 & I-2

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

Munoz R. Rodriguez, Inc. dba Zona Rosa Nightclub, 611 East 4th Street submitted an application for a Class “C” Liquor License at the November 13, 2007 City Council Meeting. A Class “C” Liquor License allows for the sale of alcohol on and off sale inside the corporate limits of the city. Bill Francis, Attorney for the applicant withdrew the request at the November 13, 2007 council meeting. On November 15, 2007 the City Clerk received an amended application which included the information omitted from the previous application.

Also included with the application was a request from Elsy Ramos, 243 South Sycamore for a Liquor Manager Application. Ms. Ramos has completed the required state approved alcohol server/seller training program through the Nebraska State Patrol.

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.

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.

Sample Motion

Move to approve the application of Munoz R. Rodriguez, Inc. dba Zona Rosa Nightclub, 611 East 4th Street for a Class "C" Liquor License and the request from Elsy Ramos, 243 South Sycamore for a Liquor Manager designation.

Nov. 15. 2007 12:04PM CUNNINGHAM LAW

No. 9282 P. 1

LAW OFFICES OF
**CUNNINGHAM, BLACKBURN, FRANCIS,
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November 14, 2007

Nebraska Liquor Control Commission
 Attn: Mary, Licensing
 P.O. Box 95046
 Lincoln, NE 68509-5046



RE: **Munoz R. Rodriguez, Inc. d/b/a Zona Rosa Nightclub
 Amendment to Application**

Dear Mary:

I am enclosing herewith an additional page that needs to be made part of the application for Munoz R. Rodriguez, Inc. As I mentioned to you in our phone conversation, Elsy Ramos discovered just before the City Council meeting on November 13, 2007, that Question #1 of the applicant information previously submitted contained sum errors. The enclosed attachment sets forth an amended response to Question #1 regarding Elsy Ramos, president and manager applicant. This new information contains additional traffic infractions that had been omitted from her first report. The attachment also sets forth an additional disclosure regarding her husband, Angel; however, since he has filed an affidavit of non-participation, I assume this disclosure will have no effect.

Lastly, we have set forth a disclosure regarding a non-officer, director, shareholder, who does not own at least 25% of the stock. On the initial application there was no disclosure regarding Juan Munoz because he does not own at least 25% of the stock. The attached amendment shows his violations that had not been included in the original application.

I would appreciate it if you would make this enclosed attachment part of the application.

Sincerely Yours,

William A. Francis
 WAF/jas

Enclosures

Nov. 15. 2007 12:04PM CUNNINGHAM LAW

No. 9282 P. 2

ATTACHMENT TO MUNOZ R. RODRIGUEZ, INC. LIQUOR LICENSE APPLICATION

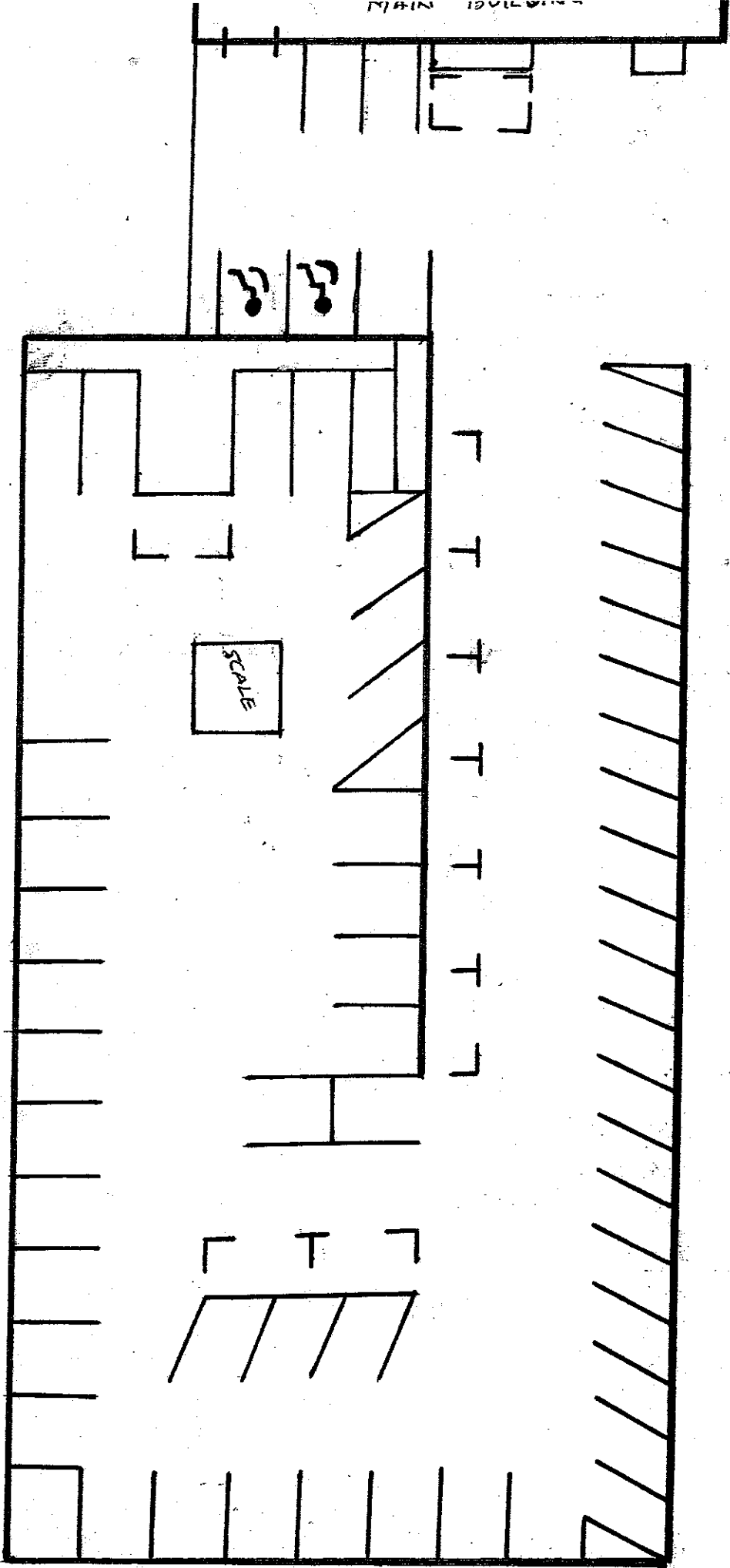
- (1) **Applicant Information:** The Applicant, Elsy R. Ramos, her husband, Angel E. Ramos, and shareholder, Juan Munoz, report the following convictions or pleas of guilty:

Elsy R. Ramos - Speeding, Hamilton County, Nebraska, July 2007; Speeding, No Operator's License and no proof of insurance, Hall County, Nebraska, March 2000; No Operator's License, Hall County, Nebraska, September 2003; No Operator's License, Hall County, Nebraska, October 1998.

Angel E. Ramos - Driving Under the Influence and refusal to test, Hall County, Nebraska, January 2004; Disturbing the Peace, Attempted Assault, Hall County, Nebraska, (July 1999).

Juan Munoz - Driving Under Suspension, Hall County, Nebraska, January 2003; No valid registration, Hall County, Nebraska, October 2000; Speeding, Fictitious license plates, hall County, Nebraska, March 2002.

LA ZONA ROSA NIGHTCLUB



TOTAL 75 PARKING SPACES.

11/20/07
10:52

Grand Island Police Dept.
LAW SUPPLEMENTAL NARRATIVE

Incident number : L07102783
Sequence number : 2
Name : Vitera D
Date : 10:46:22 11/20/2007
Narrative : (see below)

Information from Amended Application
Grand Island Police Department
Supplemental Report

The Grand Island Police Department received an "amended application" from Zona Rosa Nightclub. An attachment is included which includes the undisclosed violations by Elsy Ramos, Angel Ramos, and Juan Munoz. With no other unresolved issues on the application, the Police Department has no objection to the liquor license and the liquor manager designation.

Date, Time: Tue Nov 20 10:51:44 CST 2007
Reporting Officer: Vitera
Unit #: 865

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