



City of Grand Island

Tuesday, December 18, 2007

Council Session

Item E2

**Public Hearing on Request from Fourth Street Cafe, Inc. dba
Pam's Pub & Grub, 2848 South Locust Street for a Class "C"
Liquor License**

Staff Contact: RaNae Edwards

Council Agenda Memo

From: RaNae Edwards, City Clerk

Meeting: December 18, 2007

Subject: Public Hearing on Request from Fourth Street Café, Inc. dba Pam's Pub & Grub, 2848 South Locust Street for a Class "C" Liquor License

Item #'s: E-2 & 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

Fourth Street Café, Inc. dba Pam's Pub & Grub, 2848 South Locust Street 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.

Also included with the application was a request from Pamela Ehlers, 2170 N. Monitor Road for a Liquor Manager designation.

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 Fourth Street Café, Inc. dba Pam's Pub & Grub, 2848 South Locust Street for a Class "C" Liquor License contingent upon final inspections and the request from Pamela Ehlers, 2170 N. Monitor Road for a Liquor Manager designation, contingent upon Ms. Ehlers completing a state approved alcohol server/seller training program.



**INTEROFFICE
MEMORANDUM**
Police Department

*Working Together for a
Better Tomorrow. Today.*

DATE: December 5, 2007

TO: RaNae Edwards, City Clerk

FROM: Dave Vitera, Sergeant, Police Department

RE: Application for Class "C" Liquor License
for Pam's Pub & Grub, 2848 South Locust Street,
Grand Island, Nebraska; and Application for
Liquor Manager Designation for Pamela Ehlers
of Pam's Pub & Grub

The Grand Island Police Department has received an application from Pam's Pub & Grub, 2848 South Locust Street, Grand Island, Nebraska for a Class "C" Liquor License and a Liquor Manager Designation for Pamela Ehlers for Pam's Pub & Grub.

Pamela Ehlers is the only person listed on the application. Pamela disclosed that she has been convicted of disturbing the peace in 2002. She did not disclose any other violations. When I checked, I learned that Pamela had been cited for a stop sign violation on March 22, 2001. She was also cited for a speeding violation on October 12, 2002 and speeding and no seat belt on December 19, 2004. She pled guilty to all of the violations.

On the application it asks "Has anyone who is a party to this application, or their spouse, ever been convicted of or pled guilty to any charge. Charge means any charge alleging a felony, misdemeanor, violation of a federal or state law, a violation of a local law, ordinance or resolution." Pam's undisclosed traffic citations would fall under the definition of this paragraph.

Pam's undisclosed traffic violations technically make the application false according to the Nebraska Liquor Control Act (Part II Chapter 2 Section 010.01). However, none of her undisclosed violations rise to the level of a Class I Misdemeanor in specified statutes that would automatically exclude her from receiving a liquor license or becoming a liquor manager.

The Police Department has no objection to the issuance of a liquor license to Pam's Pub & Grub and the liquor manager designation for Pamela Ehlers.

Dave Vitera

12/04/07
12:16

Grand Island Police Dept.
LAW INCIDENT TABLE

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City : Grand Island
Occurred after : 11:33:30 12/04/2007
Occurred before : 11:33:30 12/04/2007
When reported : 11:33:30 12/04/2007
Date disposition declared : 12/04/2007
Incident number : L07120350
Primary incident number :
Incident nature : Liquor Lic Inv Liquor License Investigation
Incident address : 2848 Locust St S
State abbreviation : NE
ZIP Code : 68801
Contact or caller :
Complainant name number :
Area location code : PCID Police - CID
Received by : Vitera D
How received : O Officer Report
Agency code : GIPD Grand Island Police Department
Responsible officer : Vitera D
Offense as Taken :
Offense as Observed :
Disposition : CLO Closed Case
Misc. number : printed
Geobase address ID : 14154
Long-term call ID :
Clearance Code :
Judicial Status : NCI Non-criminal Incident

INVOLVEMENTS:

Px	Record #	Date	Description	Relationship
NM	43794	12/04/07	Ehlers, Pamela L	Liquor Manager
NM	130622	12/04/07	Pam's Pub & Grub,	Business

LAW INCIDENT NARRATIVE:

Liquor License Investigation for Pam's Pub & Grub and Liquor Manager
Designation for Pam Ehlers

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	11:56:57 12/04/2007

12/04/07
12:16

Grand Island Police Dept.
LAW INCIDENT TABLE

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Grand Island Police Department
Supplemental Report

I received a copy of an application for a liquor license for Pam's Pub & Grub and a liquor manager designation for Pamela Ehlers. Pamela is the only person listed on the application.

Pamela disclosed that she has been convicted of disturbing the peace in 2002. She did not disclose any other violations. When I checked Spillman, I learned that Pamela had been cited for a stop sign violation on 3/22/01. She was cited for a speeding violation on 10/12/02. She was also cited for speeding and no seat belt on 12/19/04. She plead guilty to all of the violations. I also checked on Pamela through NCJIS. NCJIS confirmed what I found in Spillman. No other violations were discovered.

On the application, it asks "Has anyone who is a party to this application, or their spouse, ever been convicted of or plead guilty to any charge. Charge means any charge alleging a felony, misdemeanor, violation of a federal or state law, a violation of a local law, ordinance or resolution." Pam's undisclosed traffic citations would fall under the definition of this paragraph.

Pam's undisclosed traffic violations technically makes the application false according to the Nebraska Liquor Control Act (Part II Chapter 2 Section 010.01). However, none of her undisclosed violations rise to the level of a Class I Misdemeanor in specified statutes that would automatically exclude her from receiving a liquor license or becoming a liquor manager.

The Police Department has no objection to the issuance of a liquor license to Pam's Pub & Grub and the liquor manager designation for Pamela Ehlers.

Date, Time: Tue Dec 04 12:14:14 CST 2007
Reporting Officer: Vitera
Unit #: 865