



City of Grand Island

Tuesday, February 12, 2008

Council Session

Item E3

**Public Hearing on Request from Hy-Vee, Inc. dba Hy-Vee Gas
#1221, 118 Wilmer Avenue for a Class "D" Liquor License**

Staff Contact: RaNae Edwards

Council Agenda Memo

From: RaNae Edwards, City Clerk

Meeting: February 12, 2008

Subject: Public Hearing on Request from Hy-Vee, Inc. dba Hy-Vee Gas #1221, 118 Wilmer Avenue for a Class “D” 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

Hy-Vee, Inc. dba Hy-Vee Gas #1221, 118 Wilmer Avenue has submitted an application for a Class “D” Liquor License. A Class “D” Liquor License allows for the sale of alcohol off sale only inside the corporate limits of the city.

Also included with the application was a request from Nicholas Steinbach, 21938 Trailridge Blvd, Elk Horn, Nebraska 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 Hy-Vee, Inc. dba Hy-Vee Gas #1221, 118 Wilmer Avenue for a Class "D" Liquor License contingent upon final inspections and the request from Nicholas Steinbach, 21938 Trailridge Blvd., Elk Horn, Nebraska for Liquor Manager designation contingent upon Mr. Steinbach completing a state approved alcohol server/seller training program.