



City of Grand Island

Tuesday, January 27, 2009

Council Session

Item E1

**Public Hearing on Request from Vientiane Restaurant, LLC dba
Vientiane Restaurant, 523 West 4th Street for a Class “C” Liquor
License**

Staff Contact: RaNae Edwards

Council Agenda Memo

From: RaNae Edwards, City Clerk

Meeting: January 27, 2009

Subject: Public Hearing on Request from Vientiane Restaurant LLC dba Vientiane Restaurant, 523 West 4th Street for a Class “C” Liquor License

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

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

Vientiane Restaurant, LLC dba Vientiane Restaurant, 523 West 4th 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 only inside the corporate limits of the city.

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.

Also submitted was a request from for Chanh Bandasack, 510 North White Street for a Liquor Manager Designation.

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 Vientiane Restaurant, LLC dba Vientiane Restaurant, 523 West 4th Street for a Class "C" Liquor License contingent upon final inspections and the request from Chanh Bandasack, 510 North White Street for a Liquor Manager Designation contingent upon Mr. Bandasack completing a state approved alcohol server/seller training program.

**CITY OF
GRAND ISLAND**



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Better Tomorrow. Today*

TO: RaNae Edwards, City Clerk

FROM: Dave Vitera, Sergeant, Police Department

SUBJECT: Liquor License Application for Vientiane Restaurant, 523
West 4th Street and Liquor Manager Designation for
Chanh Bandasack

The Grand Island Police Department has received an application from Vientiane Restaurant, 523 West 4th Street, Grand Island, Nebraska for a Liquor Manager Designation in the name of Chanh Bandasack.

A copy of the liquor license application for the Vientiane Restaurant and a copy of a liquor manager application for Chanh Bandasack. Chanh and his wife, Siphanh are listed as the owners of the restaurant. A spousal affidavit of non participation is not included in the application.

On the application, it clearly 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." The "No" box was checked.

I checked Spillman for Chanh and Siphanh. I found an entry for each of them, and there are no violations listed. I also checked NCJIS. Each one of them has a driver's license but no criminal history of any kind through Nebraska.

Based solely on Grand Island and Nebraska criminal justice records, I see no reason why a liquor license shouldn't be issued to the Vientiane Restaurant with Chanh Bandasack being the liquor manager.

DV/rk *Dave Vitera*