



City of Grand Island

Tuesday, August 25, 2015

Council Session

Item E-1

**Public Hearing on Request from Bosselman Pump & Pantry, Inc.
dba, Pump & Pantry #2, 821 South Webb Road for a Class “D”
Liquor License**

Council action will take place under Resolutions item I-1.

Staff Contact: RaNae Edwards

Council Agenda Memo

From: RaNae Edwards, City Clerk

Meeting: August 25, 2015

Subject: Public Hearing on Request from Bosselman Pump & Pantry, Inc. dba Pump & Pantry #2, 821 South Webb Road for a Class “D” Liquor License

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

Bosselman Pump & Pantry, Inc. dba Pump & Pantry #2, 821 South Webb Road has submitted an application for a Class “D” Liquor License. A Class “D” Liquor License allows for the sale of alcohol off sale inside the corporate limits of the city. Currently they hold a Class “B” Liquor License which is for beer off sale only and would like to upgrade to a Class “D”.

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. Since it appears that all of the Pump &

Pantry stores in Grand Island are upgrading from a Class B to a Class D license, and the Police Department did the first upgrade investigation less than two weeks ago, they don't plan on doing any other reports as the new requests come in. The only thing to consider is the fact that the liquor manager will be managing over 50 Pump & Pantry stores around the state, but Bosselman's is headquartered in Grand Island and the liquor manager lives in Grand Island.

Also submitted with the application was a request from Brian Fausch, 2009 West Highway 34 for a Liquor Manager Designation. Mr. Fausch has completed a state approved alcohol server/seller training program and is currently the manager at this location.

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 this application.

Sample Motion

Move to approve the application for Bosselman Pump & Pantry, Inc. dba Pump & Pantry #2, 821 South Webb Road for a Class "D" Liquor License contingent upon final inspections and Liquor Manager Designation for Brian Fausch, 2009 West Highway 34.

