



City of Grand Island

Tuesday, November 10, 2015

Council Session

Item E-1

Public Hearing on Request from 2nd Street Stop, Inc. dba Pam's 1 Stop C Store and Value Inn Motel, 2105 West 2nd Street 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: November 10, 2015

Subject: Public Hearing on Request from 2nd Street Stop, Inc. dba Pam's 1 Stop C Store and Value Inn Motel, 2105 West 2nd Street 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

2nd Street Stop, Inc. dba Pam's 1 Stop C Store and Value Inn Motel, 2105 West 2nd Street 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.

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 with the application was a request from Pamela Ehlers, 2170 N. Monitor Road 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 this application.

Sample Motion

Move to approve the application for 2nd Street Stop, Inc. dba Pam's 1 Stop C Store and Value Inn Motel, 2105 West 2nd Street for a Class "D" Liquor License contingent upon final inspections and Manager Designation for Pamela Ehlers, 2170 N. Monitor Road contingent upon completion of a state approved alcohol server/seller training program.

11/03/15
15:30

Grand Island Police Department
LAW INCIDENT TABLE

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City : Grand Island
Occurred after : 08:00:00 10/21/2015
Occurred before : 08:00:00 10/21/2015
When reported : 08:00:00 10/21/2015
Date disposition declared : 10/30/2015
Incident number : L15102864
Primary incident number :
Incident nature : Liquor Lic Inv Liquor Lic Inv
Incident address : 2105 2nd St W
State abbreviation : NE
ZIP Code : 68803
Contact or caller :
Complainant name number :
Area location code : PCID Police - CID
Received by : Vitera D
How received :
Agency code : GIPD GIPD Grand Island Police Dept
Responsible officer : Vitera D
Offense as Taken :
Offense as Observed :
Disposition : ACT Active
Misc. number : RaNae
Geobase address ID : 3212
Long-term call ID :
Clearance Code : CL CL Case Closed
Judicial Status :

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INVOLVEMENTS:

Px	Record #	Date	Description	Relationship
NM	43794	10/29/15	Ehlers, Pamela L	Owner/Manager
NM	204068	10/29/15	Pam's C Store,	Business Involved

LAW INCIDENT CIRCUMSTANCES:

Se	Circu	Circumstance code	Miscellaneous
1	LT07	LT07 Convenience Store	

IMAGE CODES FOR INCIDENT:

Seq	Imag	Image code for a users description field
1	DOC	DOCUMENT mobile report

LAW INCIDENT NARRATIVE:

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LAW INCIDENT TABLE

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Liquor License Investigation

Pamela Ehlers is applying for a Class D Liquor License for Pam's 1 Stop C Store and Vaule Inn Motel. She is also applying to be the liquor manager.

cw
~~----- (lwmain13463910292015)~~

LAW INCIDENT OFFENSES DETAIL:

Se	Offe	Offense code	Arson	Dama
1	AOFF	AOFF Alcohol Offense		0.00

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	13:58:09 10/29/2015

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Grand Island Police Department
Supplemental Report

Date, Time: Thu Oct 29 13:58:20 CDT 2015
Reporting Officer: Vitera
Unit- CID

Pamela Ehlers is applying for a Class D (beer, wine, distilled spirits off sale only) Retail Corporate Liquor License for Pam's 1 Stop C Store and Value Inn Motel. Pamela is also applying to be the liquor manager. No other people are listed on the application. According to Pamela's application, she has lived in Grand Island since at least 2002, and she currently has a liquor license at Pam's Pub & Grub located at 2848 S. Locust in Grand Island. According to the Nebraska Liquor Control Commission's (NLCC) web site, Pam's Pub & Grub has had a liquor license for almost eight years, and there are no violations listed.

On this application, Pamela disclosed a disturbing the peace conviction from 2002 along with six traffic convictions. I searched Pamela through Spillman and NCJIS. Spillman shows some of the disclosed traffic convictions along with an arrest for 3rd degree assault in 2002 and an arrest for theft in 2007. Pamela also has several contacts in Spillman for code violations on three different pieces of property that she apparently owns in Grand Island. It looks like she was fairly responsive and compliant in addressing and rectifying the code violations which consisted of either tall grass and weeds and/or an accumulation of litter. According to NCJIS, Pamela's assault arrest was plead down to the disturbing the peace conviction that she disclosed. I did not see in NCJIS where the theft arrest ever resulted in a conviction. I didn't find any undisclosed convictions in NCJIS.

I checked Pamela for arrest warrants along with the status of her driver's license and found that she doesn't have any outstanding warrants, and she has a valid driver's license. I also checked her through an paid online law enforcement-only database and didn't find anything shocking or detrimental to the application. I did a general Internet search and found a public face book page for Pamela which consisted mostly of what appeared to be photographs of grandchildren, dogs, and nature photographs.

I called Pamela on 11/2/15 and set up a meeting with her and NSP Investigator Fiala for 1400 hours. Investigator Fiala started the meeting by asking Pamela about the number of full and part time employees, whether she's going to have gambling and tobacco sales, and what kind of training her employees will receive. I didn't really have many questions for Pamela. Investigator Fiala and I just expressed our concerns with the location of the liquor license and the amount of problems and crime that have taken place in the immediate vicinity in the recent past. Pamela assured us that first and foremost, any employee selling to a minor will be immediately terminated. She also said that she has upgraded the camera system in and around the convenience store and motel. Pamela emphasized her desire and commitment to cooperate with the police department to prevent and respond to problems with her convenience store and motel.

In summary, I didn't see anything in Pamela's application that would preclude her from receiving a liquor license. She is a current liquor license holder at a Pam's Pub & Grub and has had a liquor license there for eight years with no violations. Add in her pledged level of cooperation with law enforcement, the

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Grand Island Police Department has no objection to Pam's 1 Stop C Store and Value Inn Motel receiving a liquor license or to Pamela Ehlers becoming the liquor manager.

