



City of Grand Island

Tuesday, January 11, 2011

Council Session

Item E1

Public Hearing on Request from The Chocolate Bar, Inc. dba The Chocolate Bar, 116 West 3rd Street for a Class "T" Liquor License

Staff Contact: RaNae Edwards

Council Agenda Memo

From: RaNae Edwards, City Clerk

Meeting: January 11, 2011

Subject: Public Hearing on Request from The Chocolate Bar, Inc. dba The Chocolate Bar, 116 West 3rd Street for a Class “I” 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

The Chocolate Bar, Inc. dba The Chocolate Bar, 116 West 3rd Street has submitted an application for a Class “I” Liquor License. A Class “I” Liquor License allows for the sale of alcohol on 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 with this application was a Liquor Manger Designation request from Sharena Anson, 4234 Arizona Avenue.

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 The Chocolate Bar, Inc. dba The Chocolate Bar, 116 West 3rd Street for a Class 'I' Liquor License contingent upon final inspections and Liquor Manager designation for Sharena Anson, 4234 Arizona Avenue contingent upon Ms. Anson completing a state approved alcohol server/seller training program.

12/31/10
11:04

Grand Island Police Department
LAW INCIDENT TABLE

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City : Grand Island
 Occurred after : 16:07:15 12/21/2010
 Occurred before : 16:07:15 12/21/2010
 When reported : 16:07:15 12/21/2010
 Date disposition declared : 12/21/2010
 Incident number : L10122636
 Primary incident number :
 Incident nature : Liquor Lic Inv Liquor License Investigation
 Incident address : 116 3rd St W
 State abbreviation : NE
 ZIP Code : 68801
 Contact or caller :
 Complainant name number :
 Area location code : PCID Police - CID
 Received by : Vitera D
 How received : T Telephone
 Agency code : GIPD Grand Island Police Department
 Responsible officer : Vitera D
 Offense as Taken :
 Offense as Observed :
 Disposition : ACT Active
 Misc. number : RaNae
 Geobase address ID : 11327
 Long-term call ID :
 Clearance Code : CL Case Closed
 Judicial Status : NCI Non-criminal Incident

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INVOLVEMENTS:

Px	Record #	Date	Description	Relationship
NM	35658	12/24/10	Anson, Amos C	Sharena's Spouse
NM	111396	12/24/10	Anson, Sharena D	Owner/Manager
NM	162517	12/24/10	The Chocolate Bar,	Business

LAW INCIDENT CIRCUMSTANCES:

Se Circu Circumstance code : Miscellaneous

 1 LT21 Restaurant

LAW INCIDENT NARRATIVE:

I Received a Copy of a Liquor License Application for the Chocolate Bar and a Copy of a Liquor Manager Application from Sharena Anson for the Chocolate Bar.

LAW INCIDENT RESPONDERS DETAIL:

Se Responding offi Unit n Unit number

1 Vitera D 318 Vitera D

12/31/10 Grand Island Police Department
11:04 LAW INCIDENT TABLE

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LAW SUPPLEMENTAL NARRATIVE:

Seq	Name	Date
1	Vitera D	15:24:37 12/24/2010

318

Grand Island Police Department
Supplemental Report

Date, Time: Fri Dec 24 15:24:52 CST 2010
Reporting Officer: Vitera
Unit- CID

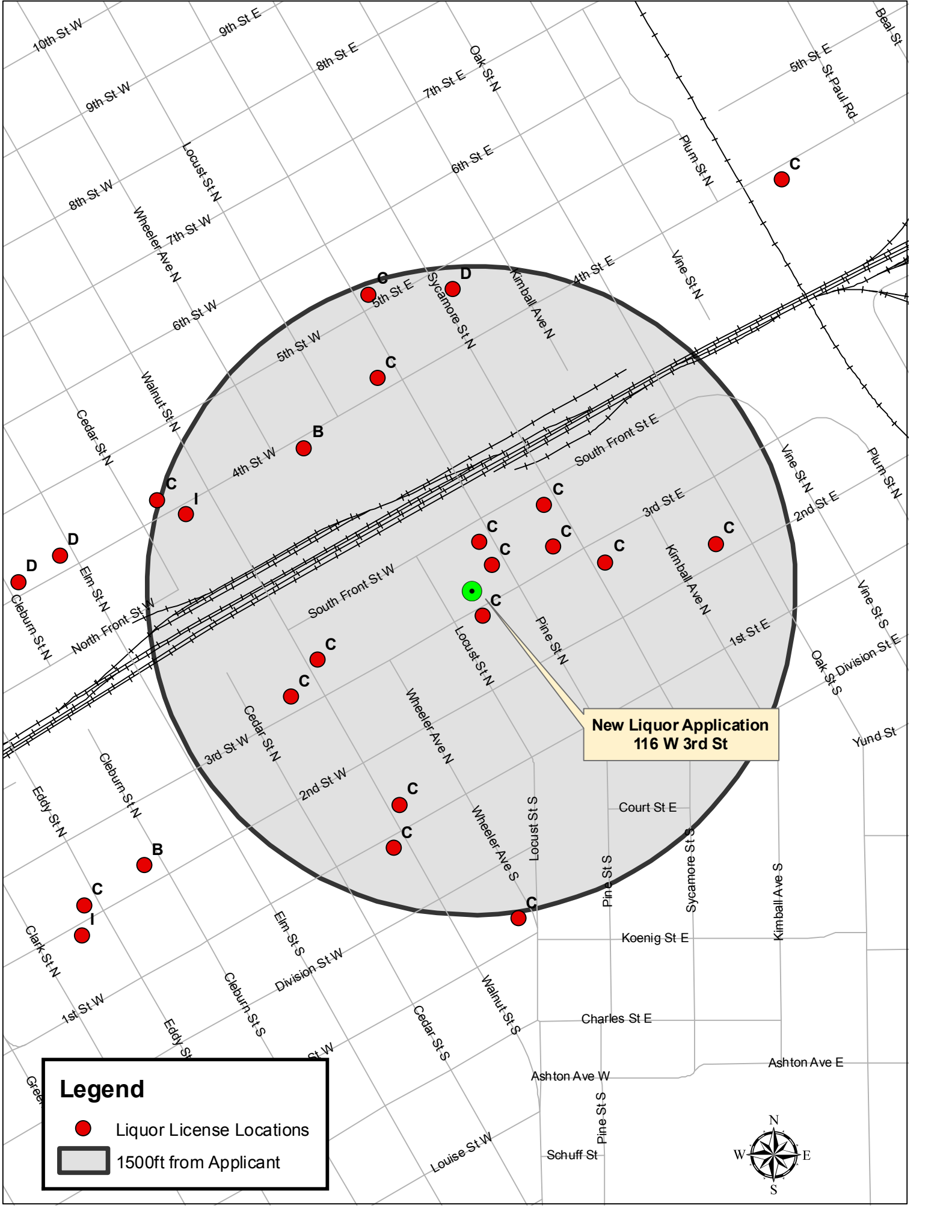
According to the application, The Chocolate Bar's "main nature of business" is "food service" with hours of operation between 0700 and 2300 hours. They are requesting a Class I Liquor License which is for beer, wine, and distilled spirits on sale only. Sharena Anson is listed as the president of the corporation. She is also requesting to be the liquor manager for the business. Sharena's husband is not listed as a member of the corporation, but he did not sign an Spousal Affidavit of Non-Participation.

It appears that Sharena has lived in Nebraska for about 10 out of the last 20 years. Amos has lived in Nebraska for the last 20 years. Sharena didn't disclose any convictions. Amos disclosed some traffic related convictions. I checked them both through Spillman and NCJIS. They didn't have any undisclosed convictions, nor would any of Amos' convictions automatically disqualify Sharena from getting a liquor license.

On 12/31/10, I spoke to Sharena and Amos in person at their home. Sharena advised that the business will serve breakfast and lunch but will not have a full dinner menu to start out with. They plan on being open until 9:00 PM on weekdays and midnight on weekends. They will try to occasionally have entertainment. Sharena and Amos stressed that the Chocolate Bar will not be a "club scene." It will be more like a piano bar. They envision more of an upscale establishment. They plan on having five full time employees (including them) and three part time employees. Amos plans on being the bartender during the evening and nighttime hours.

I stressed cooperation with law enforcement and discussed some of the common problems that I've seen with liquor license holders. They asked a few questions. I left them my contact information and encouraged them to call if they have more questions or concerns. Amos said that he would call me in advance when they plan on opening if they get their liquor license.

The Grand Island Police Department has no objection to the Chocolate Bar receiving a liquor license and to Sharena Anson being the liquor manager.



**New Liquor Application
116 W 3rd St**

Legend

- Liquor License Locations
- 1500ft from Applicant

