



# City of Grand Island

Tuesday, November 22, 2011

Council Session

## Item E1

**Public Hearing on Request from Texas Roadhouse Holdings, LLC  
dba Texas Roadhouse, 232 Wilmar Avenue for a Class "IK"  
Liquor License**

Staff Contact: RaNae Edwards

# Council Agenda Memo

**From:** RaNae Edwards, City Clerk

**Meeting:** November 22, 2011

**Subject:** Public Hearing on Request from Texas Roadhouse Holdings, LLC dba Texas Roadhouse, 232 Wilmar Avenue for a Class “IK” 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

Public Hearing on Request from Texas Roadhouse Holdings, LLC dba Texas Roadhouse, 232 Wilmar Avenue has submitted an application for a Class “IK” Liquor License. A Class “I” Liquor License allows for the sale of alcohol on sale only inside the corporate limits of the city. The “K” designates a catering license.

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 Douglas Schliefert, 5808 Avenue O Place, Kearney, Nebraska 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 Texas Roadhouse Holdings, LLC dba Texas Roadhouse, 232 Wilmar Avenue for a Class "IK" Liquor License contingent upon final inspections and Liquor Manager designation for Douglas Schliefert, 5808 Avenue O Place, Kearney, Nebraska contingent upon Mr. Schliefert completing a state approve alcohol server/seller training program.

11/14/11  
450

Grand Island Police Department

15:21  
1

LAW INCIDENT TABLE

Page:

City : Grand Island

Occurred after : 11:53:01 11/04/2011

Occurred before : 11:53:01 11/04/2011

When reported : 10:00:00 11/04/2011

Date disposition declared : 11/04/2011

Incident number : L11110399

Primary incident number :

Incident nature : Liquor Lic Inv Liquor License  
Investigation

Incident address : 232 Wilmar Ave

State abbreviation : NE

ZIP Code : 68803

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 : 20358  
 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	84152	11/14/11	Schliefert, Douglas	Liquor Manager
NM	171428	11/14/11	Texas Roadhouse,	Business
NM	171431	11/14/11	Schliefert, Jodene	Doug's Spouse

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 Texas Roadhouse and a Liquor Manager Application from Douglas Schliefert.

LAW INCIDENT RESPONDERS DETAIL:

Se Responding offi Unit n Unit number

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1 Vitera D 318 Vitera D

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Grand Island Police Department

15:21  
2

LAW INCIDENT TABLE

Page:

LAW SUPPLEMENTAL NARRATIVE:

Seq Name Date

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1 Vitera D 13:39:11 11/14/2011

318

Grand Island Police Department

Supplemental Report

Date, Time: Mon Nov 14 13:39:26 CST 2011

Reporting Officer: Vitera

Unit- CID

I received a copy of a Class IK LLC liquor license application for the Texas

Roadhouse and a copy of a liquor manager application from Douglas Schliefert.

The Class I part of the license is for beer, wine, and distilled spirits on sale

only. The Class K license is a catering license.

The Texas Roadhouse is a restaurant chain that has over 350 restaurants in 43

states. On the LLC application, there are six members listed. They are all

from Kentucky and Colorado. I checked all six of them through Spillman and

NCJIS and didn't find any entries in either data base.

Since I can't run criminal history checks for liquor license investigations, and

all of the applicants live out of state, this investigation will have to rely on

the fingerprint submissions, NSP investigation, and the NLCC decision. Since

there are numerous other Texas Roadhouse Restaurants around the U.S. that sell

alcoholic beverages, I would assume that the applicants are qualified to hold a

liquor license.

The liquor manager application lists two people who reside in Kearney, NE.

Douglas Schliefert has applied to be the liquor manager. His wife is Jodene

"Jodi" Schliefert, and she signed a Spousal Affidavit of Non-Participation form.

From reading the application, it appears that the Schliefert's have been in

Nebraska for several years. Jodi was born in Grand Island, and Douglas was

convicted of DUI back in 1983 in Kearney County Nebraska. I checked Spillman

and NCJIS for Douglas and Jodi. Douglas has an entry in Spillman but nothing of

interest was found. Douglas just has the DUI conviction in NCJIS which he

disclosed on the application. Jodi doesn't have an entry in Spillman, and she

just has a driver's license entry in NCJIS.

Assuming the application doesn't hit any roadblocks at the state level, the

Grand Island Police Department doesn't have any objections to the Texas

Roadhouse obtaining a liquor license, nor do we have any objections to Douglas

Schliefert being the liquor manager.