



City of Grand Island

Tuesday, April 10, 2012

Council Session

Item E1

**Public Hearing on Request from Chanh Bandasack dba South
Front Reception, 123 East South Front Street for a Class “I”
Liquor License**

Staff Contact: RaNae Edwards

Council Agenda Memo

From: RaNae Edwards, City Clerk

Meeting: April 10, 2012

Subject: Public Hearing on Request from Chanh Bandasack dba South Front Reception, 123 East South Front 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

Chanh Bandasack dba South Front Reception, 123 East South Front 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.

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 Chanh Bandasack dba South Front Reception, 123 East South Front Street for a Class "I" Liquor License contingent upon final inspections and completion of a state approved alcohol server/seller training program.

03/27/12

Grand Island Police Department

450

16:12

LAW INCIDENT TABLE

Page: 1

City : Grand Island

Occurred after : 12:39:17 03/20/2012

Occurred before : 12:39:17 03/20/2012

When reported : 08:30:00 03/20/2012

Date disposition declared : 03/20/2012

Incident number : L12032744

Primary incident number :

Incident nature : Liquor Lic Inv Liquor License Investigation

Incident address : 123 South Front St E

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 :

Geobase address ID : 11235

Long-term call ID :

Clearance Code : O Open Case
Judicial Status : NCI Non-criminal Incident

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INVOLVEMENTS:

Px	Record #	Date	Description	Relationship
NM	62011	03/27/12	Bandasack, Chanh C	Owner
NM	110772	03/27/12	Bandasack, Siphanh	Chanh's Wife
NM	174713	03/27/12	South Front Reception,	Business

LAW INCIDENT CIRCUMSTANCES:

Se	Circu	Circumstance code	Miscellaneous
1	LT03	Bar/Night Club	

LAW INCIDENT NARRATIVE:

I Received a Copy of a Liquor License Application from Chanh Bandasack for South Front Reception.

LAW INCIDENT OFFENSES DETAIL:

Se	Offe	Offense code	Arson Dama
1	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 11:19:46 03/27/2012

Grand Island Police Department

Supplemental Report

Date, Time: Tue Mar 27 11:20:00 CDT 2012

Reporting Officer: Vitera

Unit- CID

Chanh Bandasack is applying for a Class I (beer, wine, distilled spirits, on sale only) Individual Liquor License. He is opening a reception hall at the old

City Limits/Empire building. His business is called South Front Reception.

Chanh is married to Siphanh Bandasack. According to the application, they have

lived in Grand Island since 1985. Chanh and Siphanh did not disclose any criminal convictions. Siphanh did not sign a Spousal Affidavit of Non Participation.

I checked Spillman and found an entry for each of them but did not find anything

that would indicate possible convictions. I also checked NCJIS and did not find

any convictions. I ran them for warrants and driver's history. Neither have any arrest warrants, and they each have a valid driver's license. I checked

through a law enforcement-only Internet database and did not find any signs of

financial trouble or anything else alarming. I could not find a facebook entry for either one of them.

Chanh currently has a liquor license at the Vientiane Oriental Market. I

checked the NLCC's web site and did not find any liquor violations at the

market. I did the liquor license investigation on the market when Chanh applied

in 2009, and I didn't find any problems at that time.

On 3/27/12, I spoke to Chanh at 123 E. South Front where he and a couple other

guys were cleaning. Chanh said the business will probably not be open everyday.

It will not be a bar. He anticipates being open on weekends but will also open

it up if people want to rent it during the week. Chanh doesn't plan on serving

food but said he will keep that option open. He has no specific plans for

security but acknowledged he will have to have some if the building is rented

out to numerous people, and he is serving alcohol. Chanh still has his

Vientiane market and advised if the reception hall causes him problems, he will just sell it.

All in all, Chanh and his wife have absolutely no criminal history in the State

of Nebraska after living here for almost thirty years. Chanh currently has a

liquor license and hasn't had any problems. The Grand Island Police Department

has no objection to Chanh Bandasack receiving a liquor license for South Front Reception.

