



City of Grand Island

Tuesday, May 8, 2012

Council Session

Item E1

**Public Hearing on Request from Roebuck Investments LLC dba
Sam & Louies, 928 Concord Avenue for a “I” Liquor License**

Staff Contact: RaNae Edwards

Council Agenda Memo

From: RaNae Edwards, City Clerk

Meeting: May 8, 2012

Subject: Public Hearing on Request from Roebuck Investments LLC dba Sam & Louies, 928 Concord Avenue 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

Roebuck Investments LLC dba Sam & Louies, 928 Concord Avenue 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 the application was a request from Larry Roebuck, 1003 NE Hwy 2, Phillips, NE 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 Roebuck Investments LLC dba Sam & Louies, 928 Concord Avenue for a Class "I" Liquor License contingent upon final inspections and Liquor Manager Designation for Larry Roebuck, 1003 NE Hwy 2, Phillips, NE contingent upon completion of a state approved alcohol server/seller training program.

05/02/12

Grand Island Police Department

450

16:20

LAW INCIDENT TABLE

Page: 1

City : Grand Island

Occurred after : 16:46:30 04/18/2012

Occurred before : 16:46:30 04/18/2012

When reported : 16:46:30 04/18/2012

Date disposition declared : 04/18/2012

Incident number : L12042434

Primary incident number :

Incident nature : Liquor Lic Inv Liquor License
Investigation

Incident address : 928 Concord 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 : P In Person

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 : 34984

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	30267	04/26/12	Roebuck, Larry R Jr	Owner/Manager
NM	120853	04/26/12	Roebuck, Kristen R	Larry's Spouse
NM	161877	04/26/12	Sam & Louie's NYP, Involved	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 Sam & Louie's NYP and a

Copy of a Liquor Manager Application from Larry Roebuck.

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 16:01:20 04/26/2012

318

Grand Island Police Department

Supplemental Report

Date, Time: Thu Apr 26 16:01:32 CDT 2012

Reporting Officer: Vitera

Unit- CID

Larry Roebuck bought Sam & Louie's NYP and is applying for a Class I (beer,

wine, distilled spirits, on sale only) LLC liquor license. He is also applying

to be the liquor manager. Larry is married to Kristen Roebuck. They have lived

in the Grand Island area since at least 2001.

Where the application asks if anyone who is a party to the application has ever

been convicted of any charge, Larry listed speeding, following too closely,

criminal mischief, MIP, and several non-alcohol related traffic tickets that he

can't remember the dates. Nothing is attributed to Kristen.

I checked the Roebuck's in Spillman and NCJIS. While checking Spillman, I found

that Larry was referred to the county attorney for a felony theft back in

2006. It also looks like he has a couple of traffic citations. Kristen didn't

have any indications of convictions in Spillman, and no convictions were located

in NCJIS. According to NCJIS, some of Larry's traffic convictions that he couldn't remember include a couple of speeding tickets, failing to obey a traffic sign/signal, not having splash aprons, and reckless driving that had

been plead down from willful reckless driving. I also discovered that the criminal mischief he disclosed had originally been charged as a felony theft but

was plead down to a misdemeanor criminal mischief. I checked the Roebuck's for

warrants. They don't have any warrants, and they each have a valid driver's license.

I checked the Roebuck's through a law enforcement-only Internet database that

includes lots of personal, business, and non-criminal information. I did not

find anything that would adversely affect their application.

I met with Larry Roebuck on 5/2/12 at Sam & Louie's. He provided a plausible

explanation for the felony theft that was plead down to a misdemeanor criminal

mischief. He also gave an acceptable explanation as to why he has some traffic

tickets that he couldn't remember the dates. I didn't really have many

questions for him about his application. I told him about the importance of

cooperating with the law enforcement and discussed some situations that would

cause him problems with a keeping a liquor license. Larry didn't have many

questions for me. Larry is part owner of the South Locust Sonic. He seems like

a hard-working, knowledgeable, responsible businessman.

The Grand Island Police Department has no objection to Sam & Louie's having a

liquor license or to Larry Roebuck being the liquor manager.

