



City of Grand Island

Tuesday, September 11, 2012

Council Session

Item E2

**Public Hearing on Request from La Isla Bar, Inc. dba La Isla Bar,
106 East 3rd Street for a Class “CK” Liquor License**

Staff Contact: RaNae Edwards

Council Agenda Memo

From: RaNae Edwards, City Clerk

Meeting: September 11, 2012

Subject: Public Hearing on Request from La Isla Bar, Inc. dba La Isla Bar, 106 East 3rd Street for a Class “CK” Liquor License

Item #'s: E-2 & I-2

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

La Isla Bar, Inc. dba La Isla Bar, 106 East 3rd Street has submitted an application for a Class “CK” Liquor License. A Class “CK” Liquor License allows for the sale of alcohol on and off sale inside the corporate limits of the city including catering.

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 Tommy Edwards, 1019 N. Burlington Avenue, Hastings, 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 La Isla Bar, Inc. dba La Isla Bar, 106 East 3rd Street for a Class "CK" Liquor License contingent upon final inspections and Liquor Manager Designation for Tommy Edwards, 1019 N. Burlington Avenue, Hastings, NE contingent upon completion of a state approved alcohol server/seller training program.

09/06/12
14:30

Grand Island Police Department
LAW INCIDENT TABLE

450
Page: 1

City : Grand Island
Occurred after : 10:25:13 08/30/2012
Occurred before : 10:25:13 08/30/2012
When reported : 08:00:00 08/29/2012
Date disposition declared : 08/30/2012
Incident number : L12084409
Primary incident number :
Incident nature : Liquor Lic Inv Liquor License
Investigation
Incident address : 106 3rd 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 : RaNae
Geobase address ID : 17961
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	55991	09/04/12	Edwards, Tommy D	Owner
NM	179269	09/04/12	La Isla Bar,	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 for La Isla Bar and a Copy of a Liquor Manager Application from Tommy Edwards.

LAW INCIDENT OFFENSES DETAIL:

Se Offe	Offense code	Arson Dama
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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	12:29:01 09/04/2012

Grand Island Police Department
Supplemental Report

Date, Time: Tue Sep 04 12:29:13 CDT 2012
Reporting Officer: Vitera
Unit- CID

La Isla Bar is applying for a Class CK (on and off sale beer, wine & distilled spirits along with a catering license) Corporate liquor license in the former Club 69 building. Tommy Edwards is applying to be the liquor manager. He is the sole owner of La Isla, and it appears that he also owns the building where the bar will be.

While reviewing the application, I noticed that Tommy Edwards is the only person listed on the applications, he did not disclose any convictions, and he is borrowing money from a bank in Grand Island. Tommy lived in Grand Island for thirty-five years and recently moved to Hastings in 2010.

I checked Tommy through Spillman and NCJIS. Tommy has numerous entries in Spillman due to him being the owner of Tommy's Restaurant and Travel Lodge. Nothing in Spillman indicates any convictions. Tommy didn't have any convictions in NCJIS either. I also checked Tommy for warrants and license status. His license is valid, and he doesn't have any warrants for his arrest. I used an online law enforcement-only database to find information about Tommy. Nothing detrimental to the application was located. I did a general Internet search as well and didn't find anything negative.

The only issue with this application is the area where the proposed bar will be is saturated with liquor licenses. I contacted City Clerk RaNae Edwards who arranged for a map to be made which illustrates the number of liquor licenses in the area.

According to the map, there are twenty-six liquor licenses in an area between 4th Street on the north, Clark on the west, Anna/Bismark on the south, and Sycamore on the east. Three more liquor licenses are also within a block of that area. In the immediate vicinity of where La Isla would be, there are six liquor licenses. The Chicken Coop is within the

same block and to the east. Balz Banquet & Reception Hall is one block southeast. South Front Reception is one block northeast. . Alfred Prufrock's and Nathan Detroit's are one block northwest, and The Chocolate Bar is one block west.

Parking could be another issue. The parking lot directly south of where the bar would be is usually full on weekends with customers from the Chicken Coop and Balz if there is an event going on.

If the Council doesn't feel that the concentration of liquor licenses in the area is a concern, the Grand Island Police Department has no other objections to La Isla Bar getting a liquor license or to Tommy Edwards being the liquor manager.

