



# **City of Grand Island**

**Tuesday, September 25, 2012**

**Council Session**

## **Item E1**

**Public Hearing on Request from Turkey Maes, LLC dba Peacock Lounge, 2430 North Broadwell Avenue for a Class “C” Liquor License**

**Staff Contact: RaNae Edwards**

# **Council Agenda Memo**

**From:** RaNae Edwards, City Clerk

**Meeting:** September 25, 2012

**Subject:** Public Hearing on Request from Turkey Maes, LLC dba Peacock Lounge, 2430 North Broadwell Avenue for a Class “C” 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**

Turkey Maes, LLC dba Peacock Lounge, 2430 North Broadwell Avenue has submitted an application for a Class “C” Liquor License. A Class “C” Liquor License allows for the sale of alcohol on and off sale 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 Lori Bohnart-Maes, 108 West Cedar, Doniphan, 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 Turkey Maes, LLC dba Peacock Lounge, 2430 North Broadwell Avenue for a Class "C" Liquor License contingent upon final inspections and Liquor Manager Designation for Lori Bohnart-Maes, 108 West Cedar, Doniphan, NE contingent upon completion of a state approved alcohol server/seller training program.

09/17/12  
15:34

Grand Island Police Department  
LAW INCIDENT TABLE

450  
Page: 1

City : Grand Island  
Occurred after : 11:16:01 09/06/2012  
Occurred before : 11:16:01 09/06/2012  
When reported : 11:16:01 09/06/2012  
Date disposition declared : 09/06/2012  
Incident number : L12090885  
Primary incident number :  
Incident nature : Liquor Lic Inv Liquor License  
Investigation  
Incident address : 2430 Broadwell Ave N  
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 : 1323  
Long-term call ID :  
Clearance Code : CL Case Closed  
Judicial Status : NCI Non-criminal Incident  
=====

INVOLVEMENTS:

Px	Record #	Date	Description	Relationship
NM	16556	09/13/12	Bohnart, Lori L	Owner/Manager
NM	179536	09/13/12	Peacock Lounge,	Business

Involved

LAW INCIDENT CIRCUMSTANCES:

Se	Circu	Circumstance code	Miscellaneous
1	LT03	Bar/Night Club	

LAW INCIDENT NARRATIVE:

The Peacock Lounge is Applying for a Class C LLC Retail Liquor License, and Lori Bohnart-Maes is Applying to be the Liquor Manager.

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	14:07:17 09/13/2012

Grand Island Police Department  
Supplemental Report

Date, Time: Thu Sep 13 14:07:30 CDT 2012  
Reporting Officer: Vitera  
Unit- CID

I received a copy of a Class C (beer, wine, distilled spirits, on & off sale) LLC Liquor License from Peacock Lounge and a liquor manager application from Lori Bohnart-Maes. The business will be located at 2430 N. Broadwell which is the current location of Wanda's Last Stop.

Upon initial review of the applications, I noticed that Lori will not be seeking a Temporary Operating Permit (TOP). She is borrowing money from Paul Jamson, she is the sole applicant, and it looks like she has lived in Colorado for most of the last ten years. She also disclosed a DUI and said she has some other traffic infractions in the distant past that she would not be able to give accurate information on.

I checked Lori through Spillman and NCJIS. I didn't find anything in Spillman or NCJIS that would indicate undisclosed convictions. Since Lori has recently lived in Colorado, and I can't run out-of-state criminal history checks on liquor license investigations; I searched online and found that Kim, Colorado is in Los Animas County. I called the sheriff's office there and requested a records check on Lori.

While waiting on Colorado authorities, I checked Lori through an online law enforcement-only database. I didn't find anything detrimental to her application. I did a general Internet search and didn't find any information. Lori has a valid driver's license, and she doesn't have any warrants for her arrest. Later on in the day, I received information back from Los Animas County Sheriff's Office saying that they didn't have any arrest records for Lori.

I called Lori on 9/14/12 and received her voicemail. I gave her two phone numbers and asked her to call me. Lori called back and set up an appointment to meet me at the police department on 9/17/12 at 1300 hours.

I met with Lori at our scheduled meeting. We went over her application. I asked her how she named her company (Turkey Maes). Lori said the company name is kind of a tribute to and out of respect for her deceased husband. While they were living in Colorado, they wanted to have an "outfitter" business for hunting. They had a "cold room" under a tree where a bunch of turkey would roost. Lori's husband thought it would be neat to let people gather in that area after a hunt. The outfitter business never materialized, but that was still her rationale for naming her company.

Lori said the only contact she had with law enforcement while she lived in Colorado was after her husband died, and she had problems with his family and the estate. With the exception of one complaint where the in-laws accused her of stealing something (unfounded), she was the complainant.

On the application, Paul Jamson is listed as the landlord in Lori's lease agreement. He is also listed as someone she is borrowing money from. I asked Lori what her relationship with Paul is. Lori said they have been friends for a long time. She advised that she used to help Paul at the Peacock when he became blind. Lori said she needs a little money to update/remodel the kitchen, and that's why she is borrowing money from Paul.

Lori named off at least eight bars she has worked at in Hall County over the years. She also worked at one in Texas. Lori anticipates that the Peacock will be a small "neighborhood" bar and grill. I impressed upon Lori the importance of cooperating with law enforcement. We also discussed some common issues that will cause her problems with her liquor license.

I concluded by giving Lori a telephone number for the NLCC, so she can get a copy of the NLCC's Liquor Control Act and Rules and Regulations book. I also gave her my card and encouraged her to call me with questions or concerns regarding her business.

The Grand Island Police Department has no objection to Lori Bohnart-Maes getting a liquor license or to Lori being the liquor manager at the Peacock.

