

City of Scottsbluff, Nebraska

Monday, March 21, 2016

Regular Meeting

Item Pub. Hear.3

Council to conduct a public hearing at 6:05 p.m. to consider a Class C Liquor License application for the Tangled Tumbleweed LLC, 1823 Avenue A, Scottsbluff, NE.

Minutes:

Exhibit #1 – Application of the Tangled Tumbleweed Class C 116298 Liquor License, 1823 Ave. A, Scottsbluff, NE 69361.

Exhibit #2 – City Council Check List for Neb. Rev. Stat. §53-132 Cum Supp 2002

Exhibit #3 – Written Statement of Police Chief

Exhibit #4 – Written Statement of City Clerk

Exhibit #5 – Written Statement of Planning Administrator

Staff Contact: Cindy Dickinson, City Clerk

**APPLICATION FOR LIQUOR LICENSE
CHECKLIST - RETAIL**

NEBRASKA LIQUOR CONTROL COMMISSION
301 CENTENNIAL MALL SOUTH
PO BOX 95046
LINCOLN, NE 68509-5046
PHONE: (402) 471-2571
FAX: (402) 471-2814
Website: www.lcc.nebraska.gov

RECEIVED		
FEB 09 2016		
NEBRASKA LIQUOR CONTROL COMMISSION		
Hot List: YES <input type="checkbox"/> NO <input checked="" type="checkbox"/>	New/Replacing #	
Class Type <u>C</u>	116298	Initial <u>mp</u>


Applicant name Natasha Koncaba + Ronetta Green

Trade name The Tangled Tumbleweed

Previous trade name _____

Contact email address thetangledtumbleweed@aol.com

Provide all the items requested. Failure to provide any item will cause this application to be returned or placed on hold. All documents must be legible. Any false statement or omission may result in the denial, suspension, cancellation or revocation of your license. If your operation depends on receiving a liquor license, the Nebraska Liquor Control Commission cautions you that if you purchase, remodel, start construction, spend or commit money that you do so at your own risk. Prior to submitting your application review the application carefully to ensure that all sections are complete, and that any omissions or errors have not been made. You may want to check with the city/village or county clerk, where you are making application, to see if any additional requirements must be met before submitting application to the Nebraska Liquor Control Commission.

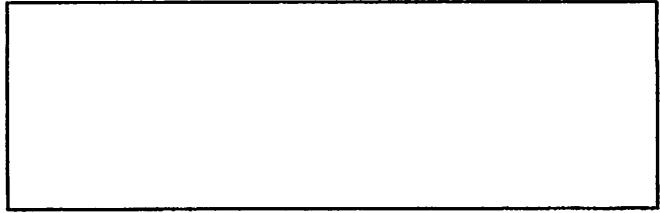
Office use only	
PAYMENT TYPE <u>CR 1006</u>	 1600002608
AMOUNT: <u>\$ 400</u>	
Received: <u>mp</u>	

FORM 100
REV MAY 2015
PAGE 1

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**APPLICATION FOR LIQUOR LICENSE
RETAIL**

NEBRASKA LIQUOR CONTROL COMMISSION
301 CENTENNIAL MALL SOUTH
PO BOX 95046
LINCOLN, NE 68509-5046
PHONE: (402) 471-2571
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**CLASS OF LICENSE FOR WHICH APPLICATION IS MADE AND FEES
CHECK DESIRED CLASS**

- RETAIL LICENSE(S)** Application Fee \$400 (nonrefundable)
- A BEER, ON SALE ONLY
 - B BEER, OFF SALE ONLY
 - C BEER, WINE, DISTILLED SPIRITS, ON AND OFF SALE
 - D BEER, WINE, DISTILLED SPIRITS, OFF SALE ONLY
 - I BEER, WINE, DISTILLED SPIRITS, ON SALE ONLY
 - AB BEER, ON AND OFF SALE
 - AD BEER ON SALE ONLY, BEER, WINE, DISTILLED SPIRITS OFF SALE
 - IB BEER, WINE, DISTILLED SPIRITS ON SALE, BEER OFF SALE ONLY

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Class K Catering license (requires catering application form 106) \$100.00

Additional fees will be assessed at city/village or county level when license is issued

Class C license term runs from November 1 -- October 31
All other licenses run from May 1 -- April 30
Catering license (K) expires same as underlying retail license

CHECK TYPE OF LICENSE FOR WHICH YOU ARE APPLYING

- Individual License (requires insert form 1)
- Partnership License (requires insert form 2)
- Corporate License (requires insert form 3a & 3c)
- Limited Liability Company (LLC) (requires form 3b & 3c)

**NAME OF ATTORNEY OR FIRM ASSISTING WITH APPLICATION (if applicable)
Commission will call this person with any questions we may have on this application**

Name Kent Hadenfeldt Phone number: 308-632-3811
Firm Name Olsen-Simmons Law Firm

PREMISES INFORMATION

Trade Name (doing business as) The Tangled Tumbleweed

Street Address #1 1823 Avenue A

Street Address #2 _____

City Scottsbluff County Scotts Bluff Zip Code 69361

Premises Telephone number 308-672-3854

Business e-mail address thetangledtumbleweed@aol.com

Is this location inside the city/village corporate limits: YES X NO FEB 09 2016

Mailing address (where you want to receive mail from the Commission)

Name The Tangled Tumbleweed NEBRASKA LIQUOR CONTROL COMMISSION

Street Address #1 1823 Avenue A

Street Address #2 _____

City Scottsbluff State NE Zip Code 69361

DESCRIPTION AND DIAGRAM OF THE STRUCTURE TO BE LICENSED

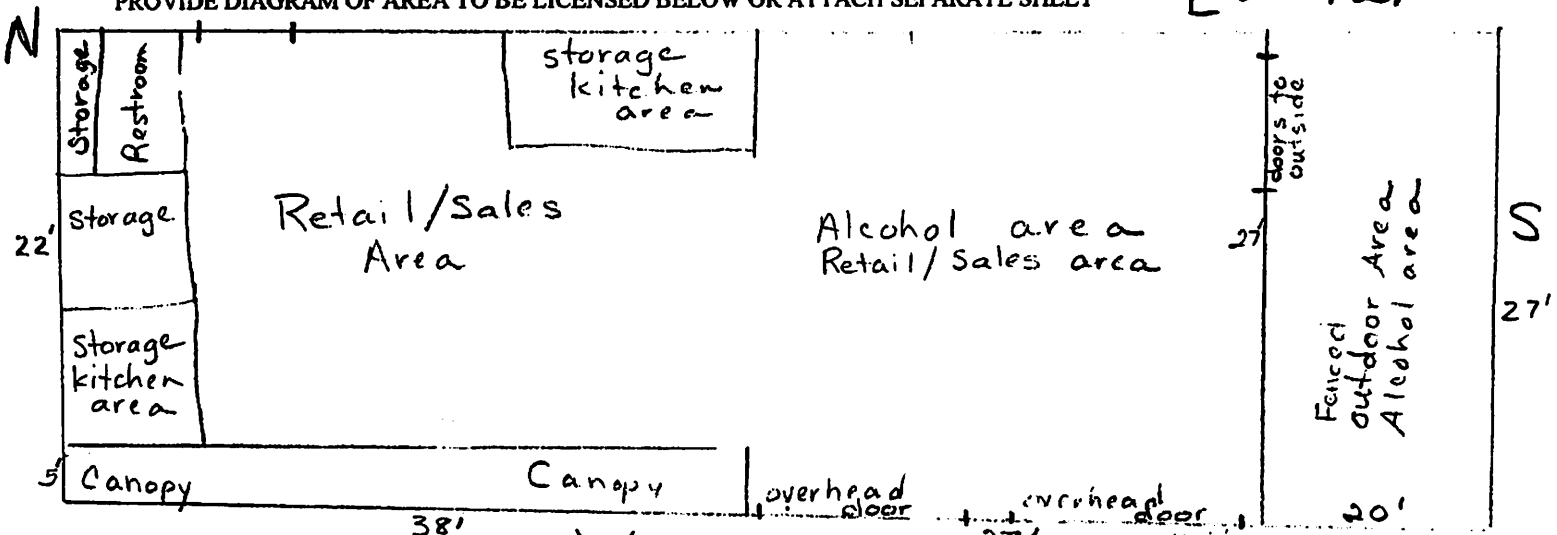
READ CAREFULLY

In the space provided or on an attachment draw the area to be licensed. This should include storage areas, basement, outdoor area, sales areas and areas where consumption or sales of alcohol will take place. If only a portion of the building is to be covered by the license, you must still include dimensions (length x width) of the licensed area as well as the dimensions of the entire building. No blue prints please. Be sure to indicate the direction north and number of floors of the building.

****For on premises consumption liquor licenses minimum standards must be met by providing at least two restrooms** *Per email*

Building: length 65 x width 27 in feet *One story bldg approx 65' x 27' plus outdoor area approx E 20' x 27'*
 Is there a basement? Yes _____ No ✓ If yes, length _____ x width _____ in feet
 Is there an outdoor area? Yes ✓ No _____ If yes, length 20 x width 27 in feet

PROVIDE DIAGRAM OF AREA TO BE LICENSED BELOW OR ATTACH SEPARATE SHEET



Total 65' Building length

FORM 100
REV MAY 2015
PAGE 4

****** Building currently has only one restroom - we will only be updating this one restroom - Asking for an exception to have just one restroom.

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Additional building information:

We are requesting for a wavier/exception on the number of restrooms in our facility. The building purchased currently has one restroom and as long as we keep the same footprint and layout of the existing restroom we meet all codes necessary for city approval. The building is constructed of cement blocks and providing an additional restroom would involve major reconstruction. Thank you for your consideration.

Ronetta Green

The outdoor area fencing is six foot wooden fencing.

We have not yet decided on the location of the kitchen and have marked both areas under consideration on the diagram.

The alcohol serving area with be approximately 27' by 27'. This area will have our tables and chairs but will also have retail sales items scattered throughout.

Overhead doors will be operational and will be open during business hours, depending on the weather.

Needs training

12. List the alcohol related training and/or experience (when and where) of the person(s) making application. Those persons required are listed as followed:

- Individual: Applicant and spouse; spouse is exempt if they filed Form 116 – Affidavit of Non-Participation.
- Partnership: All partners and spouses, spouses are exempt if they filed Form 116 – Affidavit of Non-Participation.
- Limited Liability Company: All member of LLC, Manager and all spouses; spouses are exempt if they filed Form 116 – Affidavit of Non-Participation.
- Corporation: President, Stockholders holding 25% or more of shares, Manager and all spouses; spouses are exempt if they filed Form 116 – Affidavit of Non-Participation.

NLCC certified training program completed:

Applicant Name	Date	Name of program (attach copy of course completion certificate)
Ronetta + Rod		
Natasha + Jerad		
For list of NLCC certified training experience: Applicant Name/Job Title of Business		

*will be taking a TIPS seminar on Feb 22.
Ronetta + Natasha will take a NSP training in April.
Will submit affidavits.*

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13. If the property for which the application is being filed is owned by the applicant as owner or co-owner, submit a copy of the lease, deed, or proof of ownership. If leased, show title or lease held in name of applicant as owner or co-owner for which the application is being filed.

Lease: expiration date _____
 Deed
 Purchase Agreement

14. When do you intend to open for business? June 2016
15. What will be the main nature of business? Retail sales, beer/wine sales, tapa sales
16. What are the anticipated hours of operation? 10 Am - 10 pm Wednesday - Saturday
17. List the principal residence(s) for the past 10 years for all persons required to sign, including spouses.

RESIDENCES FOR THE PAST 10 YEARS, APPLICANT AND SPOUSE MUST COMPLETE						
APPLICANT: CITY & STATE	YEAR		SPOUSE: CITY & STATE	YEAR		
	FROM	TO		FROM	TO	
Ronetta Green Gering NE	2006	Current	Rod Green Gering NE	2005	Current	
Natasha Koncaba Henderson NV	2005	2015	Jerad Koncaba Gering NE	2005	Current	
Natasha Koncaba Gering NE	2015	Current				

If necessary attach a separate sheet.

**MANAGER APPLICATION
INSERT - FORM 3c**

NEBRASKA LIQUOR CONTROL COMMISSION
301 CENTENNIAL MALL SOUTH
PO BOX 95046
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** Excuse markings withdrawn app for mgr for Natasko filed for NGLS*

MUST BE:

- ✓ **Citizen of the United States. Include copy of US birth certificate, naturalization paper or current US passport**
- ✓ **Nebraska resident. Include copy of voter registration in the State of Nebraska**
- ✓ **Fingerprinted. See Form 147 for further information, this form **MUST** be included with your application.**
- ✓ **21 years of age or older**

Corporation/LLC information

Name of Corporation/LLC: The Tangled Tumbleweed, LLC

Premise information

Liquor License Number: _____ Class OK _____ (if new application leave blank)

Premise Trade Name/DBA: The Tangled Tumbleweed

Premise Street Address: 1823 Avenue A

City: Scottsbluff County: Scotts Bluff Zip Code: 69361

Premise Phone Number: 308-672-3854

Email address: thetangledtumbleweed@aol.com

The individual whose name is listed as a corporate officer or managing member as reported on insert form 3a or 3b or listed with the Commission. Click on this link to see authorized individuals. http://www.lcc.ne.gov/license_search/licsearch.cgi

Ronetta Green

SIGNATURE REQUIRED BY CORPORATE OFFICER / MANAGING MEMBER
(Faxed signatures are acceptable)

Manager's information must be completed below PLEASE PRINT CLEARLY

Last Name: Green First Name: Ronetta MI: M

Home Address (include PO Box if applicable): 2300 Saddle Drive

City: Gering County: Scotts Bluff Zip Code: 69341

Home Phone Number: 308-672-3854 Business Phone Number: 308-672-3854

Social Security Number: _____ Drivers License Number & State: _____

Date Of Birth: 11-08-1954 Place Of Birth: Scottsbluff, NE

Email address: _____

Are you married? If yes, complete spouse's information (Even if a spousal affidavit has been submitted)

YES

NO

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Spouse's information

NEBRASKA LIQUOR CONTROL COMMISSION

Spouses Last Name: Green First Name: Rodney MI: R

Social Security Number: _____ Drivers License Number & State: _____

Date Of Birth: 09-22-1952 Place Of Birth: Scottsbluff, NE

APPLICANT & SPOUSE MUST LIST RESIDENCE(S) FOR THE PAST TEN (10) YEARS
 APPLICANT SPOUSE

CITY & STATE	YEAR FROM	YEAR TO	CITY & STATE	YEAR FROM	YEAR TO
Gering NE	1983	Present	Gering NE	1983	Present

MANAGER'S LAST TWO EMPLOYERS

YEAR FROM TO		NAME OF EMPLOYER	NAME OF SUPERVISOR	TELEPHONE NUMBER
1991	2015	Scottsbluff Public Schools	Current Rick Miles	308-635-6200
1988	1991	Self employed		

1. READ CAREFULLY. ANSWER COMPLETELY AND ACCURATELY.

Must be completed by both applicant and spouse, unless spouse has filed an affidavit of non-participation.

Has anyone who is a party to this application, or their spouse, EVER been convicted of or plead guilty to any charge. Charge means any charge alleging a felony, misdemeanor, violation of a federal or state law; a violation of a local law, ordinance or resolution. List the nature of the charge, where the charge occurred and the year and month of the conviction or plea. Also list any charges pending at the time of this application. If more than one party, please list charges by each individual's name.

YES NO

If yes, please explain below or attach a separate page.

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Name of Applicant	Date of Conviction (mm/yyyy)	Where Convicted (City & State)	Description of Charge	Disposition

2. Have you or your spouse ever been approved or made application for a liquor license in Nebraska or any other state?

YES NO

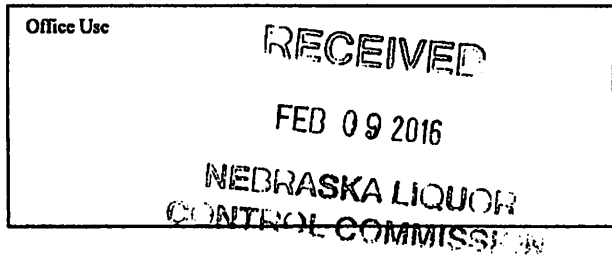
IF YES, list the name of the premise(s):

3. Do you, as a manager, qualify under Nebraska Liquor Control Act (§53-131.01) and do you intend to supervise, in person, the management of the business?

YES NO

**APPLICATION FOR LIQUOR LICENSE
LIMITED LIABILITY COMPANY (LLC)
INSERT - FORM 3b**

NEBRASKA LIQUOR CONTROL COMMISSION
301 CENTENNIAL MALL SOUTH
PO BOX 95046
LINCOLN, NE 68509-5046
PHONE: (402) 471-2571
FAX: (402) 471-2814
Website: www.lcc.nebraska.gov



All members including spouse(s), are required to adhere to the following requirements:

- 1) All members spouse(s) must be listed
- 2) Managing/Contact member and all members holding over 25% interest and their spouse(s) (if applicable) must submit fingerprints. See Form 147 for further information, this form MUST be included with your application.
- 3) Managing/Contact member and all members holding over 25 % shares of stock and their spouse (if applicable) must sign the signature page of the Application for License form 100 (even if a spousal affidavit has been submitted)

Attach copy of Articles of Organization

Name of Registered Agent: Kent Hadenfeldt - Simmons Olsen Law Firm

Name of Limited Liability Company that will hold license as listed on the Articles of Organization

The Tangled Tumbleweed, LLC #10219426

LLC Address: 1823 Avenue A

City: Scottsbluff State: NE Zip Code: 69361

LLC Phone Number: 308-672-3854 LLC Fax Number _____

Name of Managing/Contact Member

Name and information of contact member must be listed on following page

Last Name: Green First Name: Ronetta MI: M

Home Address: 2300 Saddle Drive City: Gering

State: NE Zip Code: 69341 Home Phone Number: 308-672-3854

Ronetta Green

Signature of Managing/Contact Member

ACKNOWLEDGEMENT

State of Nebraska
County of Scotts Bluff

The foregoing instrument was acknowledged before me this

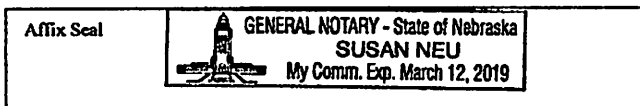
January 27, 2016

Date

by Ronetta Green

name of person acknowledge

Susan Neu



List names of all members and their spouses (even if a spousal affidavit has been submitted)

Last Name: Green First Name: Ronetta MI: m *Printed*
Social Security Number: _____ Date of Birth: 11-08-1954
Spouse Full Name (indicate N/A if single): Rodney R. Green *Printed*
Spouse Social Security Number: _____ Date of Birth: 09-22-1952
Percentage of member ownership 50%

Last Name: Koncaba First Name: Natasha MI: A *Printed*
Social Security Number: _____ Date of Birth: 6-28-78
Spouse Full Name (indicate N/A if single): Jerad Koncaba *Printed*
Spouse Social Security Number: _____ Date of Birth: 11-16-82
Percentage of member ownership 50%

Last Name: _____ First Name: _____ MI: _____
Social Security Number: _____ Date of Birth: FEB 09 2016
Spouse Full Name (indicate N/A if single): _____
Spouse Social Security Number: _____ Date of Birth: _____
Percentage of member ownership _____

Last Name: _____ First Name: _____ MI: _____
Social Security Number: _____ Date of Birth: _____
Spouse Full Name (indicate N/A if single): _____
Spouse Social Security Number: _____ Date of Birth: _____
Percentage of member ownership _____

CERTIFICATE OF ORGANIZATION
OF
THE TANGLED TUMBLEWEED, LLC


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1. **Name:** The name of the company shall be The Tangled Tumbleweed, LLC
2. **Initial Designated Office:** The street and mailing address of the initial designated office of the company shall be:

1823 Avenue A
Scottsbluff, NE 69361
3. **Initial Agent for Service of Process:** The name, street and mailing address of the initial agent for service of process of the company is:

Simmons Olsen Law Firm, P.C.
1502 2nd Avenue
Scottsbluff, NE 69361

Dated: January 6, 2016.



Natasha Koncaba, Organizer



Ronetta Green, Organizer

Business Plan

The Tangled Tumbleweed
1823 Avenue A
Scottsbluff, Nebraska

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NEBRASKA LIQUOR
CONTROL COMMISSION

- **Executive Summary**

The Tangled Tumbleweed is a new business starting in Scottsbluff, Nebraska by Ronetta Green and Natasha Koncaba. Ronetta and Natasha have a love of wonderful and different things for their homes. They both love to shop and are always on the lookout for just the right thing to put in just the right place in their homes. They both strive to create homes that are warm, inviting, and comfortable. Both love to entertain and always seem to have a houseful of family and friends. Combining all of these passions has led Natasha and Ronetta to create,

The Tangled Tumbleweed

We want our business to be filled with shopping adventures and treasures. A place, right here in Scottsbluff, to find those perfect unique pieces to finish a room. A place to stop by for a friendly cup of coffee or a glass of wine. A place you just have to check out with family and friends. A place that you must visit time and time again. This is our vision for The Tangled Tumbleweed.

- **Company Description**

The Tangled Tumbleweed will fill a niche for high end home goods and gifts, along with a variety of antiques, farmhouse repurposed goods and furniture, including a wide variety of vintage décor items. We will also be carrying a line of women's jackets/sweaters/tops, fashion accessories and skin products. We want our customers to shop right here in Scottsbluff for those items you usually travel to the Front Range to find. We will also be offering consignment sales for a few local artisans who want to share their high quality goods with the public. The Tangled Tumbleweed will enhance their retail sales with a cozy place to sit and enjoy a cup of coffee, a glass of wine or a craft beer while sampling the various homemade tapas and desserts. We hope to provide a unique shopping experience with an atmosphere that is comfortable, inviting, friendly, and inspiring.

- **Market Analysis**

The Tangled Tumbleweed will seek to meet the needs of a regional population with their décor and retail offerings and fill a need in the area for different high end products. Not only will we provide a new place to shop for items usually found only in a larger demographic area but The Tangled Tumbleweed is also going to provide an open air concept to enjoy a beverage and small plate offerings. Tangled Tumbleweed will be located in a building that has two large overhead garage doors and a fenced in outdoor courtyard. The garage doors and courtyard will be open throughout the seasons to provide a unique relaxing open air experience.

The Tangled Tumbleweed hopes to offer specials throughout the year to specific organizations and occupations that serve our community. Our facility also lends itself to provide a location for small private functions, such as birthday parties, painting parties, bridal and baby showers, and small group meetings.

FEB 02 2016

- **Organization and Management**

The Tangled Tumbleweed, LLC is a partnership between Ronetta Green and Natasha Koncaba. Ronetta is Natasha's aunt, so this is a family business. Ronetta taught in the Scottsbluff Public Schools for 25 years and is now retired from education. Ronetta has several years of experience designing and making furniture from repurposed windows and doors. Her furniture has been sold throughout the area at various art and craft fairs. Ronetta's furniture will be one of the consignments items available at The Tangled Tumbleweed. Natasha has over twelve years business experience having been an owner/operator of a salon and spa in Henderson, Nevada. Along with the retail sales, we felt our business needed to be a bit more diversified, so we came up with the idea to cater to the wine and craft beer enthusiasts. We will be offering wine, including local and regional wines, and craft beers which can be paired with our small plate tapas. We feel our building and location is the perfect place to meet all of our needs and can't wait to get things going in this new business adventure. As our business grows, three to five additional employees will be added to The Tangled Tumbleweed family. All employees will be trained to provide high quality customer service in both the retail and food service areas.

NEBRASKA LIQUOR
CONTROL COMMISSION

- **Service and Product Line**

The Tangled Tumbleweed will be diligent about showing and providing top notch items that one can usually find only in The Front Range shopping venues. We will have high quality items at average/high-moderate pricing. We have several consignment experts that will be providing The Tangled Tumbleweed with high quality, one of a kind unique items. Our consignment experts come from various backgrounds and we are looking forward to their very different products enhancing the offerings at The Tangled Tumbleweed. The Tangled Tumbleweed will also be offering several lines of skin care products, along with a line of women's apparel and fashion accessories that will be new to the panhandle. The Tangled Tumbleweed will be the store that you have to visit, just to see what's new.

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- **Marketing and Sales**

The Tangled Tumbleweed will reach out to their customers with email, Facebook, book, and website. The Tangled Tumbleweed will offer special events to customers and special groups throughout the year and will host various events throughout the year to enhance our customers shopping experience. Advertising will be throughout the panhandle and The Tangled Tumbleweed will be involved in the happenings of downtown Scottsbluff. We will also be developing some key marketing strategies for out of town visitors and tourists and key into special tourist events happening around the valley. Our location lends itself to growth and has building expansion potential. We hope to grow on our success each year.

- **Financial Projections**

The Tangled Tumbleweed is being funded with personal investments from both Ronetta and Natasha. We have also been very fortunate to connect with Platte Valley Bank for additional funding. We are projecting a monthly income of approximately \$13,000.00 and monthly expenses of approximately \$10,000.00. We are anticipating a successful business by offering personal friendly service, comfortable surroundings, with excellent products and unique items for our customers.

CHECK LIST**Neb. Rev. Stat. §53-132 (Reissue 2010)**

Council should determine the propensity of whether or not to grant the liquor license that has been requested. In that regard, suitability and fitness and the following four criteria are most important:

- (2)(a) Applicant is fit, willing and able to provide the service proposed.
- (2)(b) Applicant can conform to all laws.
- (2)(c) Applicant has demonstrated that the type of management and control exercised over the licensed premises will be sufficient to ensure conformance with law.
- (2)(d) Issuance of the license is or will be required by the present or future public convenience and necessity.

In making its determination Council may also consider as the Nebraska Liquor Control Commission will consider, the following. The Council should not base its recommendation on any of the following criteria, but may chose to comment to the Commission about one or more of the criteria:

- (3)(b) Citizen's protest.
- (3)(c) Existing population/growth.
- (3)(d) The nature of the neighborhood around the location.
- (3)(e) Existence of other licenses.
- (3)(f) Existing motor vehicle and pedestrian traffic in the vicinity.
- (3)(g) Adequacy of existing law enforcement.
- (3)(h) Zoning restrictions.
- (3)(i) Sanitary conditions.
- (3)(j) Whether the type of business or activity proposed will be consistent with the public interest.

*OTHER COUNCIL CONCERNS

Memorandum

To: THE HONORABLE MAYOR AND MEMBERS OF THE CITY COUNCIL
From: Kevin Spencer, Chief of Police
Date: 3/18/2016
Re: Application for a Class C Liquor License number C-116298, The Tangled Tumbleweed LLC dba The Tangle Tumbleweed, 1823 Ave A Scottsbluff, NE

AUTHORITY: The Scottsbluff Police Department reports specific information to the City Council whenever a liquor license application is presented. The information furnished by the Police Department conforms to Chapter 53, Reissue Revised Statutes of Nebraska 1943, and Section 53-132, which outlines the factors which the Commission may consider in granting a liquor license.

COMMENTARY

53-132: Section 2

(A) The applicant is fit, willing and able to properly provide the service proposed within the city where the premises described in the application are located:

The Tangled Tumbleweed LLC has made application to obtain a liquor license for the Tangled Tumbleweed 1823 Ave A in Scottsbluff.

I conducted background investigations on four individuals Ronetta Green and Natasha Koncaba, the owners and applicants, as well as their spouses Rod Green and Jared Koncaba. Ronetta and Rod Green reported having no criminal convictions nor did I find any. Natasha Koncaba reported having a Driving under the influence in Henderson Nevada June of 2007. I did not find any further criminal history for Natasha. Initially Jared Koncaba did not report any criminal convictions the applicants explained that they did not realize it was required of spouses. Jared then reported a DUI Zero Tolerance in June of 2002, Minor in possession, Misuse of Learner's Permit, Possession or use of Drug Paraphernalia, all December of 2002. I did not find any further history

On Tuesday March 15th at 1600 hours the City of Scottsbluff Liquor License Holders Investigatory Board convened to meet with the applicants Ronetta Green and Natasha Koncaba to discuss their liquor license application. Ronetta reported that she did not have any experience in the alcohol industry. Natasha reported having at least 2 years of experience serving alcohol and tending bar. After answering several questions from the Liquor License Holders Investigatory Board, members approved a positive recommendation to council for the Tangled Tumbleweed.

After completing this background investigation and giving careful review I have concluded that all applicants are fit to hold a liquor license.

(B) The applicant can conform to all provisions, requirements, rules and regulations provided for in the Nebraska Liquor Control Act:

Any operator must adhere to the existing laws while doing business in the community and adhere to acceptable business practices.

Although Ronetta has no experience in the restaurant/alcohol industry Natasha has at least two years. Ronetta and Natasha reported taking the TIPS training on February 22nd adding that they will be taking the Nebraska State Patrol training in April. Ronetta stated that they hope to open mid to late June and will serve wine and craft beer as well as Tapas. Ronetta reported that they will have home décor items on sale adding that the alcohol and tapas will be just part of the business.

Ronetta and Natasha reported that they will both be responsible for alcohol inventory and ordering. They stated that the excess wine and beer will be locked in a room near the kitchen. They said they do not expect to attract a bar type crowd.

The applicant appears to have the ability and willingness to conform to language within the Nebraska Liquor Control Act.

(C) The applicant has demonstrated that the type of management and control exercised over the licensed premises will be sufficient to insure that the licensed business can conform to all provisions, requirements, rules and regulations provided for in the Nebraska Liquor Control Act:

Ronetta said that the business will have an intrusion alarm for after hours. Ronetta said that their policy will be to check identifications of any customer ordering alcohol that appears to be under 40 years of age. The business will have a "born on or before" calendar to aid in determining customer's ages. Natasha said that any employee who would sell to a minor would be terminated. They reported that in the beginning they will not have any employees and that Rod and Jared will only help as necessary.

The applicant appears committed to complying with all provisions, requirements, rules and regulations provided for in the Nebraska Liquor Control Act.

(D) The issuance of the license is or will be required by the present or future public convenience and necessity:

The business will be opened Wednesday thru Saturday 11:00 am to 10:00 pm. Tapas will be served during business hours.

Oversight and accountability will be a priority for the applicants as it relates to the sale of alcoholic beverages.

SPECIFIC ISSUES COMMISSION MAY CONSIDER

(E) The existence of a citizen's protest made in accordance with Section 53-133:

There have been no known citizen protests of this business.

(F) The nature of the neighborhood or community of the location of the proposed licensed premises:

The business is located at 1823 Ave A Scottsbluff, NE. It is a Home Décor business that will attract customers all hours when opened. Its location is easily accessible and convenient for customers. I would not anticipate large crowds gathering at this type of business nor would I anticipate any issues with location.

(G) The existence or absence of other retail licenses or bottle club licenses with similar privilege within the neighborhood or community of the location or the proposed licensed premises.

There are three other businesses in the area with liquor licenses that allow for offsite sales.

The existing motor vehicle and pedestrian traffic flow in the vicinity of the proposed licensed premises:

Although no recent traffic studies have been completed regarding motor vehicle traffic of the general area, the traffic flow is not of concern at this time nor is pedestrian traffic.

(H) The adequacy of existing law enforcement:

The Scottsbluff Police Department is allowed 31 full time officers in the department and handled approximately 13,550 calls for service, not including traffic citations during 2015. The number of liquor licenses within the jurisdictional boundaries of the Police Department, regardless of the class, continues to be a concern to the Police Department and even routine monitoring of their business practices is difficult. Compliance checks continue to remain a concern to those businesses that sell alcohol to minors. The Nebraska State Patrol has assumed liquor law enforcement duties and their wide jurisdiction generally precludes any particular focus in the city.

(I) Whether the type of business or activity proposed to be operated in conjunction with the proposed license is and will be consistent with the public interest:

The Police Department would reserve making any statement which would indicate that the sale of alcohol is consistent with the public interest.

Adequate staffing and training, as well as close supervision of patrons are important. Cooperation with the Police Department by management will help to eliminate or diminish potential problems with violations.

Class C Licenses

Restaurants

El Charrito Restaurant & Lounge, Inc .
Tangled Tumbleweed (pending)

802 21st Avenue
1823 Ave. A

Hotel/Motel

Holiday Inn Express
Candlelight Inn & Lounge

1821 Frontage Rd.
1822 East 20th Place

Taverns/Lounges

Hight's Tavern
Silver Saddle Lounge
Shots Bar and Grill
Bob's Garage & Bar
Lucky Keno LLC dba FrontSide
Backaracks Bar & Grille

20 West 18th Street
1901-B 21st Ave.
1722 Broadway
1907 Broadway
1001 Avenue I
1402 East 20th St.- Suite B

Retail

Racks (Catering)
Panhandle Cooperative Assn. (Catering)

1402 East 20th St.- Suite A
401 S. Beltline Hwy West

Clubs

Elks BPO Lodge 1367

1614 1st Avenue

Bowling Alleys

Valley Bowl Fun Center

1702 17th Ave.

TOTAL CLASS C LICENSES 14

Class D Licenses

Grocery Stores

Safeway of Western Nebraska

601 Broadway

Convenience Stores

5th & O Eastco
Scottsbluff Watering Hole
Big Bats
Panhandle Coop Assn.
Git N Split
Cheema's Gas & Liquor
Route 26 Mart
Maverik Stores Inc.,
La Bamba
Walgreens

503 East Overland
121 W 27th Street
902 West Overland
3302 Ave. B
506 West 27th Street
2002 Avenue I
1722 E 20th Street
920 West 36th St.,
721 East Overland
205 West 27th Street

Liquor Stores

Dermer's
Liquor Cabinet (Catering)
Cigarette Chain

1311 E Overland Dr.
817 West 27th Street
323 East Overland

Discount/Grocery Stores

Big Kmart #7024
Wal-Mart Supercenter #867

802 East 27th Street
3322 Avenue I

TOTAL CLASS D LICENSES 16

CLASS I LICENSES

Restaurants

Rosita's	1205 East Overland
Chili's Grill & Bar	826 West 36 th St.
Applebee's Neighborhood Grill & Bar	2621 5 th Avenue
Wonderful House Restaurant	829 Ferdinand Plaza
Taco de Oro	2601 Avenue I
Whiskey Creek Steakhouse	1802 E 20 th Place
Ole, LLC	1901 East 20 th Street
Oriental House	1502 E. 20 th St.
Emporium Coffeehouse & Cafe	1818 1 st Avenue
San Pedro Mexican Restaurant (new application pending)	23 West 27 th St.
Sam & Louie's Pizzeria	1522 Broadway
Taco Town	1007 West 27 th St.
Prime Cut	305 West 27 th St.
The Shed	18 West 16 th St.

Theater

Hotel/Motel

Hampton Inn & Suites	301 W Hwy 26
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TOTAL CLASS I LICENSES 15

Class W Licenses

Wholesale

High Plains Budweiser	2810 Ave M
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TOTAL CLASS W LICENSES 1

TOTAL LICENSES

Class A	2
Class B	0
Class C	14 (1 pending)
Class D	16
Class I	15 (1 pending)
Class W	1
TOTAL LICENSES	48 (2 pending)

Memo

Date: March 21, 2016
To: Honorable Mayor and City Council
From: Staff, Development Services
CC: Rick Kuckkahn
Re: Class "C" Liquor License Application
The Tangled Tumbleweed
1823 Avenue A
Scottsbluff, NE 69361

Action:

The Development Services Department is required by Article 1, Chapter 11 of the Scottsbluff Municipal Code to report specific information to the Mayor and City Council whenever a liquor license application hearing is held. In accordance with that directive the following information is offered:

- (1) The property at 1823 Avenue A is situated in a C-1 (Central Business District) zoning district where restaurant/bar/taverns are allowed by right pursuant to the City's Zoning Ordinance, Chapter 25, of the City's Municipal Code of Ordinances.
- (2) In a C-1 Zone (Central Business District) no off-street parking spaces are required. (25-5-1*)
- (3) The use of this property is consistent with the surrounding neighborhood, which is generally commercial in nature. (Broadway, Avenue A, & 1st Avenue)
- (4) There are no churches, schools, or other similar institutions within 300 feet of the subject property.
- (5) The existing population of Scottsbluff is approximately 15,039.