

# **City of Scottsbluff, Nebraska**

**Monday, August 7, 2017**

**Regular Meeting**

## **Item Pub. Hear.1**

**Council to conduct a public hearing at 6:05 p.m. to consider the Class I Liquor License application for Boozy Brushes, LLC, 2419 Ave. I, Scottsbluff, NE.**

**Staff Contact: Cindy Dickinson, City Clerk**

## Agenda Statement

Item No.

For meeting of: August 7, 2017

**AGENDA TITLE:** Council to hold a public hearing as advertised for this date at 6:05 p.m. for a Class I Liquor License for Boozy Brushes 2419 Ave. I, Scottsbluff, NE.

**SUBMITTED BY DEPARTMENT/ORGANIZATION:** Administration

**PRESENTATION BY:** Applicant

**SUMMARY EXPLANATION:**

**BOARD/COMMISSION RECOMMENDATION:**

**STAFF RECOMMENDATION:** Conduct the public hearing and consider a recommendation to the Nebraska Liquor Commission either approving or denying said application.

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### EXHIBITS

Resolution ☐

Ordinance ☐

Contract ☐

Minutes ☐

Plan/Map ☐

Other (specify) ☐ Application, Memorandums, Exhibits

Exhibit #1 – Application of Boozy Brushes LLC, dba Boozy Brushes,  
2419 Ave. I, Scottsbluff, NE.

Exhibit #2 – City Council Check List for Neb. Rev. Stat. §53-132 Cum Supp 2010

Exhibit #3 – Written Statement of Police Chief

Exhibit #4 – Written Statement of City Clerk

Exhibit #5 – Written Statement of City Planner

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**NOTIFICATION LIST:** Yes ☒ No ☐ Further Instructions ☐

Emily Pugmire, Boozy Brushes

**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

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CONTROL COMMISSION



Hot List: YES / NO

New/Replacing #

Class Type

I

**121753**

Initial

BH

Applicant name Emily Pugmire

Boozy Brushes LLC

Trade name Boozy Brushes, LLC

Previous trade name \_\_\_\_\_

Contact email address boozybrushes@gmail.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.

6/27- MISC Dep

Office use only

PAYMENT TYPE

CK 1000

AMOUNT:

400

Received:

jm



1700008391

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PAGE 1

1. ☒ Fingerprints are required for each person as defined in new application guide, found on our website under "Licensing Tab" in "Guidelines/Brochures". See Form 147 for further information, this form **MUST** be included with your application.
2. ☒ Enclose application fee of \$400 (nonrefundable), check made payable to the Nebraska Liquor Control Commission or you may pay online at PAYPORT.
3. ☒ Enclose the appropriate application forms;
  - 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)
4. ☒ If building is being leased send a copy of signed lease. Be sure the lease reads in the name of the individual(s), corporation or Limited Liability Company (LLC) making application. Lease term must run through the license year being applied for.
5. N/A If building is owned or being purchased send a copy of the deed or purchase agreement in the name of the applicant.
6. N/A If buying the business of a current liquor license holder:
  - a. Provide a copy of the purchase agreement from the seller (must read applicants name)
  - b. Provide a copy of alcohol inventory being purchased (must include brand names and container size)
  - c. Enclose a list of the assets being purchased (furniture, fixtures and equipment)
7. N/A If requesting to operate on current liquor license; enclose Temporary Operating Permit (TOP) (Form 125).
8. N/A Enclose a list of any inventory or property owned by other parties that are on the premises.
9. ☒ For citizenship enclose U.S. birth certificate; U.S. passport or naturalization paper
  - ☒ For residency enclose proof of registered voter in Nebraska
  - b. If permanent resident include Employment Authorization Card or Permanent Resident Card
  - c. See guideline for further assistance
10. ☒ Corporation or Limited Liability Company (LLC) must enclose a copy of articles of incorporation; as filed with the Secretary of State's Office.
11. ☒ Submit a copy of your business plan.

I acknowledge that this application is not a guarantee that a liquor license will be issued to me, and that the average processing period is 60 days. Furthermore, I understand that all the information is truthful and I accept all responsibility for any false documents.

Emily Pugmire  
Signature

4/15/17  
Date

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NEBRASKA LIQUOR  
CONTROL COMMISSION

FORM 100  
REV FEB 2017  
PAGE 2

**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](http://www.lcc.nebraska.gov)

Office Use

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 (must show electronic stamp or barcode receipt by Secretary of States office)

Name of Registered Agent: Emily Pugmire

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

Boozy Brushes, LLC

LLC Address: 2814 Ave H

City: Scottsbluff State: Ne Zip Code: 69361

LLC Phone Number: 970-412-5773 LLC Fax Number \_\_\_\_\_

Name of Managing/Contact Member

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

Last Name: Pugmire First Name: Emily MI: M

Home Address: 2814 Ave H City: Scottsbluff

State: Ne Zip Code: 69361 Home Phone Number: 970-412-5773

Emily Pugmire

Signature of Managing/Contact Member

**ACKNOWLEDGEMENT**

State of Nebraska  
County of ScottsBluff

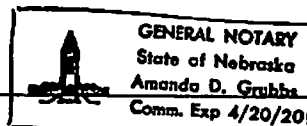
The foregoing instrument was acknowledged before me this

20 June, 2017

by Emily Pugmire  
name of person acknowledge

Date  
Amanda D. Grubbs

Affix Seal



The undersigned applicant(s) hereby consent(s) to an investigation of his/her background and release present and future records of every kind and description including police records, tax records (State and Federal), and bank or lending institution records, and said applicant(s) and spouse(s) waive(s) any right or causes of action that said applicant(s) or spouse(s) may have against the Nebraska Liquor Control Commission, the Nebraska State Patrol, and any other individual disclosing or releasing said information. Any documents or records for the proposed business or for any partner or stockholder that are needed in furtherance of the application investigation of any other investigation shall be supplied immediately upon demand to the Nebraska Liquor Control Commission or the Nebraska State Patrol. The undersigned understand and acknowledge that any license issued, based on the information submitted in this application, is subject to cancellation if the information contained herein is incomplete, inaccurate or fraudulent.

Individual applicants agree to supervise in person the management and operation of the business and that they will operate the business authorized by the license for themselves and not as an agent for any other person or entity. Corporate applicants agree the approved manager will superintend in person the management and operation of the business. Partnership applicants agree one partner shall superintend the management and operation of the business. All applicants agree to operate the licensed business within all applicable laws, rules, regulations, and ordinances and to cooperate fully with any authorized agent of the Nebraska Liquor Control Commission.

**Applicant Notification and Record Challenge:** Your fingerprints will be used to check the criminal history records of the FBI. You have the opportunity to complete or challenge the accuracy of the information contained in FBI identification record. The procedures for obtaining a change, correction, or updating an FBI identification record are set forth in Title 28, CFR, 16.34.

Must be signed in the presence of a notary public by applicant(s) and spouse(s). See guideline for required signatures

Emily Pugmire  
Signature of Applicant

\_\_\_\_\_  
Signature of Spouse

Emily Pugmire  
Print Name

\_\_\_\_\_  
Print Name

\_\_\_\_\_  
Signature of Applicant

\_\_\_\_\_  
Signature of Spouse

\_\_\_\_\_  
Print Name

\_\_\_\_\_  
Print Name

#### ACKNOWLEDGEMENT

State of Nebraska  
County of Scotts Bluff

The foregoing instrument was acknowledged before me this

20 June, 2017 date

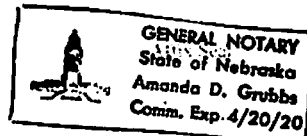
by

Emily Pugmire

name of person(s) acknowledged (individual(s) signing)

Amanda D. Grubbs

Notary Public signature



In compliance with the ADA, this application is available in other formats for persons with disabilities.  
A ten day advance period is required in writing to produce the alternate format.

FORM 100  
REV FEB 2017  
PAGE 8

Is the applying Limited Liability Company controlled by another corporation/company?

☐ YES

☒ NO

If yes, provide the following:

- 1) Name of corporation \_\_\_\_\_
- 2) Supply an organizational chart of the controlling corporation named above
- 3) Controlling corporation **MUST** be registered with the Nebraska Secretary of State, copy of articles must be submitted with application §53-126

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Indicate the company's tax year with the IRS (Example January through December)

Starting Date: May 2017 Ending Date: December 2017

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Is this a Non Profit Corporation?

☐ YES

☒ NO

If yes, provide the Federal ID #. \_\_\_\_\_

In compliance with the ADA, this corporation insert form 3a is available in other formats for persons with disabilities.  
A ten day advance period is requested in writing to produce the alternate format.

FORM 102  
REV JUNE 2015  
Page 4 of 4

# STATE OF NEBRASKA

United States of America,     } ss.  
State of Nebraska                }

Secretary of State  
State Capitol  
Lincoln, Nebraska

I, John A. Gale, Secretary of State of the  
State of Nebraska, do hereby certify that

## **BOOZY BRUSHES, LLC**

**a Limited Liability Company filed a Certificate of Organization on May 4, 2017.**

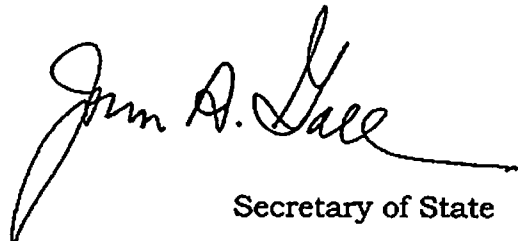
**I further certify that attached is a true and correct copy of the above mentioned Certificate of Organization.**

*This certificate is not to be construed as an endorsement,  
recommendation, or notice of approval of the entity's financial  
condition or business activities and practices.*

In Testimony Whereof,



I have hereunto set my hand and  
affixed the Great Seal of the  
State of Nebraska on this date of  
May 4, 2017

  
Secretary of State



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 (mm/yyyy)	Name of program (attach copy of course completion certificate)
Emily Dignire	06/2017	Nebraska Alcohol Server / Seller Certification

List of NLCC certified training programs

Experience:

Applicant Name/Job Title	Date of Employment:	Name & Location of Business

13. If the property for which this license is sought is owned, submit a copy of the deed, or proof of ownership. If leased, submit a copy of the lease covering the entire license year. Documents must show title or lease held in name of applicant as owner or lessee in the individual(s) or corporate name for which the application is being filed.

☒ Lease: expiration date 07/2019  
☐ Deed  
☐ Purchase Agreement

14. When do you intend to open for business? 9.1.17
15. What will be the main nature of business? conduct group painting lessons while drinking
16. What are the anticipated hours of operation? W/F 530pm-8pm Sa/Su - 11am - 8pm
17. List the principal residence(s) for the past 10 years for all persons required to sign, including spouses.

RESIDENCE FOR THE PAST 10 YEARS, APPLICANT AND SPOUSE, IF APPLICABLE					
APPLICANT: CITY & STATE	YEAR		SPOUSE: CITY & STATE	YEAR	
	FROM	TO		FROM	TO
Scottsbluff, NE	2017				
Aurora, CO	2015	2017			
Castle Rock, CO	2012	2015			
Highlands Ranch, CO	2009	2012			
Englewood, CO	2008	2009			

If necessary attach a separate sheet.

5. Are you borrowing any money from any source, include family or friends, to establish and/or operate the business?

\_\_\_\_ YES ☒ NO

If yes, list the lender(s) \_\_\_\_\_

6. Will any person or entity, other than applicant, be entitled to a share of the profits of this business?

\_\_\_\_ YES ☒ NO

If yes, explain. (all involved persons must be disclosed on application)

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**No silent partners**

7. Will any of the furniture, fixtures and equipment to be used in this business be owned by others?

\_\_\_\_ YES ☒ NO

If yes, list such item(s) and the owner. \_\_\_\_\_

8. Is premises to be licensed within 150 feet of a church, school, hospital, home for the aged or indigent persons or for veterans, their wives, and children, or within 300 feet of a college or university campus?

\_\_\_\_ YES ☒ NO

If yes, provide name and address of such institution and where it is located in relation to the premises (Neb. Rev. Stat. 53-177)(1)

Provide letter of support or opposition, see FORM 134 – church or FORM 135 - campus

9. Is anyone listed on this application a law enforcement officer?

\_\_\_\_ YES ☒ NO

If yes, list the person, the law enforcement agency involved and the person's exact duties.

10. List the primary bank and/or financial institution (branch if applicable) to be utilized by the business.

a) List the individual(s) who will be authorized to write checks and/or withdrawals on accounts at this institution.

First State Bank-Scottsbluff / Emily Pugmire

11. List all past and present liquor licenses held in Nebraska or any other state by any person named in this application. Include license holder name, location of license and license number. Also list reason for termination of any license(s) previously held.

N/A

**1. READ CAREFULLY. ANSWER COMPLETELY AND ACCURATELY §53-125(5)**

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. **Include traffic violations.** Commission must be notified of any arrests and/or convictions that may occur after the date of signing this application.

☒ YES ☐ NO

If yes, please explain below or attach a separate page

Name of Applicant	Date of Conviction (mm/yyyy)	Where Convicted (city & state)	Description of Charge	Disposition
Emily Pugmire	08/2005	Denver, CO	speeding in a school zone	Paid a fine
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**2. Are you buying the business of a current retail liquor license?**

☐ YES ☒ NO

**NEBRASKA LIQUOR  
CONTROL COMMISSION**

If yes, give name of business and liquor license number N/A

- a) Submit a copy of the sales agreement
- b) Include a list of alcohol being purchased, list the name brand, container size and how many
- c) Submit a list of the furniture, fixtures and equipment

**3. Was this premise licensed as liquor licensed business within the last two (2) years?**

☐ YES ☒ NO

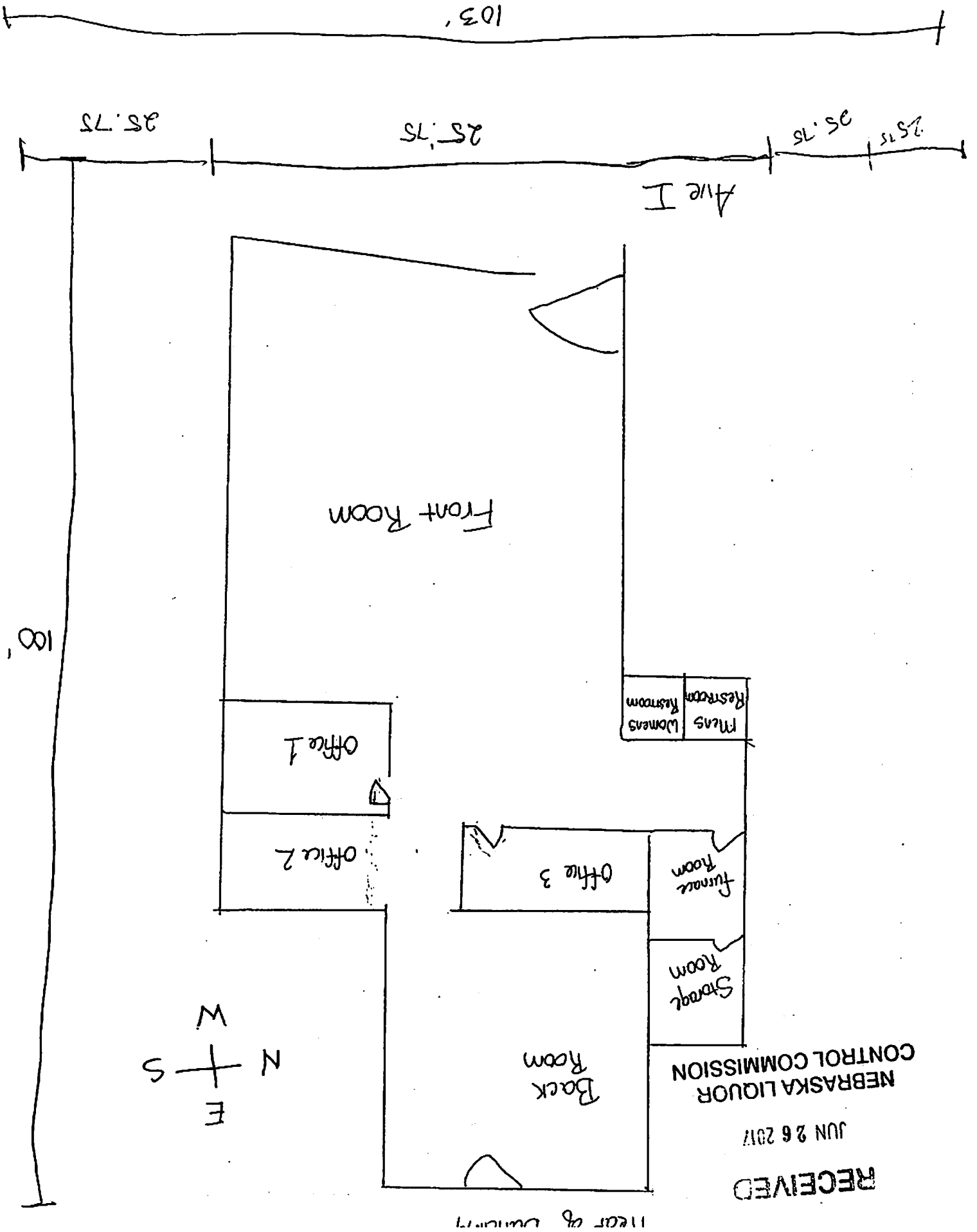
If yes, give name and license number N/A

**4. Are you filing a temporary operating permit (TOP) to operate during the application process?**

☐ YES ☒ NO

If yes:

- a) Attach temporary operating permit (TOP) (Form 125)
- b) TOP will only be accepted at a location that currently holds a valid liquor license.



Trade Name (doing business as) Boozy Brushes, LLC

Street Address #1 2419 Ave I

Street Address #2 \_\_\_\_\_

City Scottsbluff

County Scottsbluff (21)

Zip Code 69361

Premises Telephone number \_\_\_\_\_

Business e-mail address BoozyBrushes@gmail.com

Is this location inside the city/village corporate limits:

YES

X

NO

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

Name Emily Pugmire, DBA Boozy Brushes, LLC

Street Address #1 2814 Ave H

Street Address #2 \_\_\_\_\_

City Scottsbluff

State NE

Zip Code 69361

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

Building: length 34 x width 76 in feet

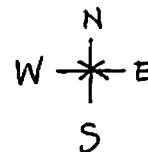
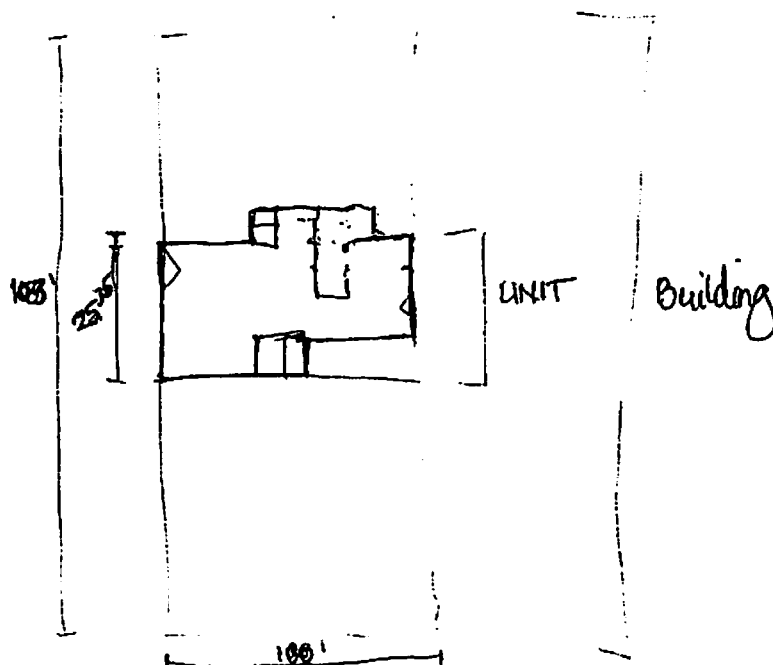
Is there a basement? Yes \_\_\_\_\_ No X

If yes, length \_\_\_\_\_ x width \_\_\_\_\_ in feet

Is there an outdoor area? Yes \_\_\_\_\_ No X

If yes, length \_\_\_\_\_ x width \_\_\_\_\_ in feet

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



**APPLICATION FOR LIQUOR LICENSE  
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/](http://www.lcc.nebraska.gov/)

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**NEBRASKA LIQUOR  
CONTROL COMMISSION**

**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
- ☐ J LIMITED ALCOHOLIC LIQUOR, OFF SALE – MUST INCLUDE SUPPLEMENTAL FORM 120
- ☐ 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

☐ 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 1 FORM 104)
- ☐ Partnership License (requires insert 2 FORM 105)
- ☐ Corporate License (requires insert 3a FORM 101 & 3c FORM 103)
- ☒ Limited Liability Company (LLC) (requires form 3b FORM 102 & 3c FORM 103)

Name \_\_\_\_\_ Phone number: \_\_\_\_\_

Firm Name \_\_\_\_\_

FORM 100  
REV FEB 2017  
PAGE 3

**Certificate of Organization**  
**Boozy Brushes, LLC**

*A Nebraska Limited Liability Company*

**Article 1: Name of Company**

The name of the limited liability company is:

Boozy Brushes, LLC

(Must contain the words "Limited Liability Company" or "Limited Company", or the abbreviation "L.L.C.", "LLC", "L.C.", or "LC". "Limited" may be abbreviated as "Ltd.", and "Company" may be abbreviated as "Co.")

**Article 2: Initial Designated Office**

The street address of the initial designated office is:

2814 Ave H

Scottsbluff, NE 69361

(Must be a street address located in Nebraska. PO Boxes are not allowed).

**Article 3: Initial Agent for Service of Process**

The name of the initial agent for service of process is: Emily Pugmire

The street address of the initial agent for service of process is:

2814 Ave H

Scottsbluff, NE 69361

(Must be a street address located in Nebraska. PO Boxes are not allowed).

**Article 4: Members**

The Company has at least one Member.

**Article 5: Purpose**

The purpose for which the Company is organized is to engage in any and all lawful business for which a limited liability company may be organized under the laws of the State of Nebraska.

**Article 6: Management**

The Company shall be member-managed. The name and address of the initial member (s) is as follows:

Emily Pugmire

2814 Ave H

Scottsbluff, NE 69361

**Article 7: Effective Date of Filing**

This Certificate or Organization shall be effective when filed, unless a delayed effective date is entered:

May 3rd 2017

(A delayed effective date can be no more than 90-days from current date)

IN WITNESS WHEREOF, the undersigned Organizer has executed this Certificate of Organization on the date below.

5-3-2017

Date

Emily Pugmire  
Signature of Organizer

Emily Pugmire  
Printed Name of Organizer

[www.lcuniversity.com](http://www.lcuniversity.com)

# Nebraska Secretary of State

BOOZY BRUSHES, LLC

Thu Jun 29 11:06:23 2017

SOS Account Number

10242935

Status

Active

Principal Office Address

No address on file

Registered Agent and Office Address

EMILY PUGMIRE

2814 AVE H

SCOTTSSBLUFF, NE 69361

Designated Office Address

2814 AVE H

SCOTTSSBLUFF, NE 69361

Nature of Business

Not Available

Entity Type

Domestic LLC

Qualifying State: NE

Date Filed

May 04 2017

## Filed Documents

Filed documents for BOOZY BRUSHES, LLC may be available for purchase and downloading by selecting the Purchase Now button. Your Nebraska.gov account will be charged the indicated amount for each item you view. If no Purchase Now button appears, please contact Secretary of State's office to request document(s).

Code	Document	Date Filed	Price	
CRT0	Certificate of Organization	May 04 2017	\$0.45 = 1 page(s) @ \$0.45 per page	Purchase Now

## Good Standing Documents

\* If you need your Certificate of Good Standing Apostilled or Authenticated, Documents obtained from this site cannot be Apostilled or Authenticated.

Online Certificate of Good Standing with Electronic Validation

\$6.50

This certificate is available for immediate viewing/printing from your desktop. A Verification ID is provided on the certificate to validate authenticity online at the Secretary of State's website.

Purchase Now

Certificate of Good Standing - USPS Mail Delivery

\$10.00

This is a paper certificate mailed to you from the Secretary of State's office within 2-3 business days.

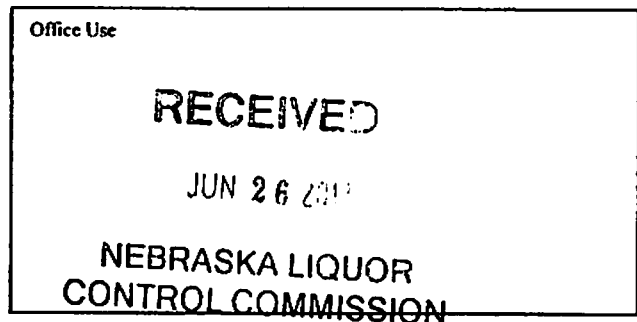
Continue to Order

↓ Back to Top



**MANAGER APPLICATION  
INSERT - FORM 3c**

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](http://www.lcc.nebraska.gov)



**FORM MUST BE COMPLETELY FILLED OUT IN ORDER FOR APPLICATION TO BE PROCESSED**

**MANAGER MUST:**

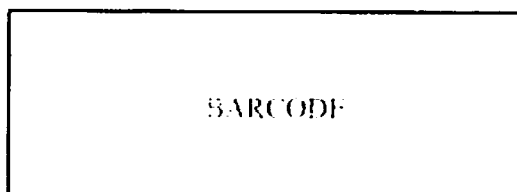
- Complete all sections of the application. Be sure it is signed by a member or corporate officer, corporate officer or member must be an individual on file with the Liquor Control Commission
- Fingerprints are required. See form 147 for further information, read form carefully to avoid delays in processing, this form **MUST** be included with your application.
- Provide a copy of one of the following: US birth certificate, naturalization papers or current US passport (even if you have provided this before)
- Be a registered voter in the State of Nebraska, include a copy of voter card or print document from Secretary of State website with application

Spouse who will not participate in the business, spouse must:

- Complete the Spousal Affidavit of Non Participation Insert (must be notarized). The non-participating spouse completes the top half; the manager completes the bottom half. **Be sure to complete both halves of this form.**
- Need not answer question #1 of the application

Spouse who will participate in the business, the spouse must:

- Sign the application
- Fingerprints are required. See form 147 for further information, read form carefully to avoid delays in processing, this form **MUST** be included with your application.
- Provide a copy of one of the following: birth certificate, naturalization papers or current US passport (even if you have provided this before)
- Be a registered voter in the state of Nebraska, include a copy of voter card with application
- Spousal Affidavit of Non Participation Insert not required



Form 103  
REV AUG 2016  
Page 1 of 6

**MANAGER APPLICATION  
INSERT - FORM 3c**

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](http://www.lcc.nebraska.gov)

Office Use

**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 card or print out document from Secretary of State website
- ✓ Fingerprinted. See form 147 for further information, read form carefully to avoid delays in processing, this form **MUST** be included with your application
- ✓ 21 years of age or older

**Corporation/LLC information**

Name of Corporation/LLC: Boozy brushes, LLC

**Premises information**

Liquor License Number: \_\_\_\_\_ Class Type \_\_\_\_\_ (if new application leave blank)

Premises Trade Name/DBA: Boozy brushes

Premises Street Address: 2419 Ave. I

City: Scottsbluff County: Scottsbluff Zip Code: 69361

Premises Phone Number: 970-412-5773

Premises Email address: boozybrushes@gmail.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. To see authorized officers or members search your license information here.



**SIGNATURE REQUIRED BY CORPORATE OFFICER / MANAGING MEMBER**

(Faxed signatures are acceptable)

**Manager's information must be completed below: PLEASE PRINT CLEARLY**

Last Name: Pugmire First Name: Emily MI: M  
 Home Address: 2814 Ave H  
 City: Scottsbluff County: Scottsbluff Zip Code: 69361  
 Home Phone Number: 970-412-5773  
 Driver's License Number & State: \_\_\_\_\_  
 Social Security Number: \_\_\_\_\_  
 Date Of Birth: 05/10/1986 Place Of Birth: Denver, Colorado  
 Email address: emilypugmire09@gmail.com

**Are you married?** ☒ YES ☐ NO

**Spouse's information:**

Spouses Last Name: Pugmire First Name: Terry MI: L  
 Social Security Number: \_\_\_\_\_  
 Driver's License Number & State: \_\_\_\_\_  
 Date Of Birth: 03-03-1983 Place Of Birth: Scottsbluff, NE

**APPLICANT & SPOUSE MUST RESIDE HERE FOR THE PAST TEN (10) YEARS**

CITY & STATE	YEAR FROM	YEAR TO	CITY & STATE	YEAR FROM	YEAR TO
Scottsbluff, NE	2017	Current	Scottsbluff, NE	2017	Current
Aurora, CO	2015	2017	Aurora, CO	2015	2017
Castle Rock, CO	2012	2015	Castle Rock, CO	2012	2015
Highlands Ranch, CO	2009	2012	Highlands Ranch, CO	2009	2012
Englewood, CO	2008	2009	Scottsbluff, NE	2010	2010
Denver, CO	2008	2006	Lincoln, NE	2006	2010

Form 103  
REV AUG 2016  
Page 3 of 6

**MANAGER'S LAST TWO EMPLOYERS**

YEAR FROM TO		NAME OF EMPLOYER	NAME OF SUPERVISOR	TELEPHONE NUMBER
2004	2017	Safeway	Susan / Stacy	308-635-1232
2010	2012	Acquire Telecom Services	Jack Shives	303-884-8051

**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, **include traffic violations**. Also list any charges pending at the time of this application. If more than one party, please list charges by each individual's name. Commission must be notified of any arrests and/or convictions that may occur after the date of signing this application.

☒ YES      ☐ NO

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

Name of Applicant	Date of Conviction (mm/yyyy)	Where Convicted (City & State)	Description of Charge	Disposition
Emily Pugmice	08/2005	Denver, CO	Speeding in a School zone	Paid a fine

**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

4. List the alcohol related training and/or experience (when and where) of the person making application.

\*NLCC Training Certificate Issued: 06/08/2017 Name on Certificate: Emily Pugmire

Applicant Name	Date (mm/yyyy)	Name of program (attach copy of course completion certificate)
Emily Pugmire	06/2017	Nebraska alcohol Server / Seller Certification

\*For list of NLCC Certified Training Programs see [training](#)

Experience:

Applicant Name / Job Title	Date of Employment:	Name & Location of Business:

5. Have you enclosed form 147 regarding fingerprints?

☒ YES ☐ NO

**PERSONS OATH AND CONSENT TO INVESTIGATION**

The above individual(s), being first duly sworn upon oath, deposes and states that the undersigned is the applicant and/or spouse of applicant who makes the above and foregoing application that said application has been read and that the contents thereof and all statements contained therein are true. If any false statement is made in any part of this application, the applicant(s) shall be deemed guilty of perjury and subject to penalties provided by law. (Sec §53-131.01) Nebraska Liquor Control Act.

The undersigned applicant hereby consents to an investigation of his/her background including all records of every kind and description including police records, tax records (State and Federal), and bank or lending institution records, and said applicant and spouse waive any rights or causes of action that said applicant or spouse may have against the Nebraska Liquor Control Commission and any other individual disclosing or releasing said information to the Nebraska Liquor Control Commission. If spouse has NO interest directly or indirectly, a spousal affidavit of non-participation may be attached.

The undersigned understand and acknowledge that any license issued, based on the information submitted in this application, is subject to cancellation if the information contained herein is incomplete, inaccurate, or fraudulent.

***Applicant Notification and Record Challenge:*** Your fingerprints will be used to check the criminal history records of the FBI. You have the opportunity to complete or challenge the accuracy of the information contained in FBI identification record. The procedures for obtaining a change, correction, or updating an FBI identification record are set forth in Title 28, CFR, 16.34.

Emily Pugmire  
Signature of Manager Applicant

\_\_\_\_\_  
Signature of Spouse

**ACKNOWLEDGEMENT**

State of Nebraska

County of Scotts Bluff

The foregoing instrument was acknowledged before me this

20, June, 2017  
date

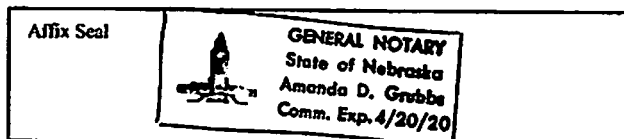
by

Emily Pugmire

NAME OF PERSON BEING ACKNOWLEDGED

Amenda D. Grubbs

Notary Public signature



In compliance with the ADA, this application is available in other formats for persons with disabilities. A ten day advance period is required in writing to produce the alternate format.

## **Boozy Brushes**

### **Executive Summary:**

Boozy Brushes is a paint and sip paint studio in Scottsbluff Nebraska that can accommodate up to 30 painters. It's the first of its kind to open in Scottsbluff.

Boozy Brushes offers teacher guided painting class while sipping beverages including beer and wine. They also offer private parties including kids birthday parties, bachelorette parties, and company parties. Classes are offered 4 days a week and can vary month to month. All supplies are included and will vary in subject matter. Canvas will be the most typical item to paint but will eventually grow to include other subject matter including wine glasses and outdoor signage.

Emily Pugmire, owner of Boozy Brushes, has an art degree in Media Arts and Animation and has been painting for over 15 years. She's a colorado native and looking to bring her passion for the arts to a town that needs a little more.

### **Objective:**

Boozy Brushes plans to accomplish the following in year 1:

- Create a loyal customer base
- Create a successful kids party destination
- Establish a new art community
- Establish a consistent market for schools and local businesses
- Be a top holiday party destination

### **Mission:**

The mission of Boozy Brushes is to bring more creative opportunities to the small town of Scottsbluff. Boozy Brushes would like to create a new art community that the town lacks. Scottsbluff does not have an official paint and sip business, a big established art community, or many kid friendly party destinations and Boozy brushes wants to bring that to the town. Boozy Brushes wants to add another destination for a girls night out that does not include "going to the bar".

### **Summary:**

Boozy Brushes is a paint and sip studio located in Scottsbluff, Nebraska. Owner and class director is Emily Pugmire, Colorado native and Art graduate. Boozy Brushes will be located on Ave I next to a few other businesses. Avenue I is a heavily commuted road and will use this to their advantage. The establishment includes the main room where the parties will be hosted, 3 offices, 2 restrooms, utility room, storage room and back room. Customers are to use main room and restroom and 1 office. Neighboring businesses include a car lot and window blinds sales.

### **Company ownership:**

The sole owner of Boozy Brushes is Emily Pugmire.

**Start up:**

Boozy Brushes is estimated to cost \$8115 to startup.

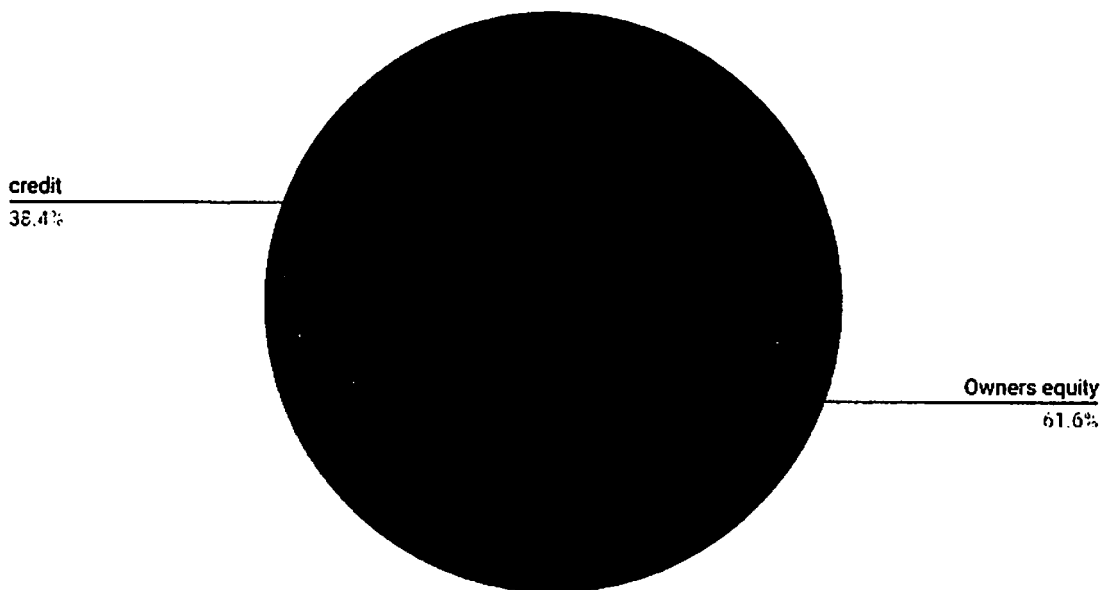
This includes: 5000 in studio setup and supplies

2000 in rent and deposit fees

565 in licensing

550 for signage and marketing

**Startup**



**Products and Services:**

Boozy Brushes offers canvas painting classes at \$35 a person. Private parties are \$30 a person with minimum of 5 people. Parties are to include but not limited to birthdays, bachelorette, holiday, girls night out, school events, and business parties. Kids parties are offered at \$20 a kid and personally customizable. More options will be available later in time including outdoor signs at \$40 a person, wine glasses for \$30 a person and couples specials for \$65 a couple. Available to purchase will be displayed art and crafts. Alcoholic beverages will be offered and will have a variety of beer, liquor, and wine. Non Alcoholic beverages will also be offered including soda, coffee, water, and seasonal changing specialties. The menu will also include snacks. Home made goods from local vendors will eventually be added to the menu. Snacks will include candy, cheeses and crackers, chips, cupcakes and other pastries.

**Market Analysis:**



Scottsbluff county has a population of 36684 and Morrill county has 4875 bringing the population to 41558. My target market is females, ages 18- 61. 51% of Scottsbluff population is female and 10729 people are in the target market.

Scottsbluff does not currently have a full time paint and sip studio. This gives me a good upper hand in grabbing a customer base. With minimal options for kids parties and private parties in the area, this gives Boozy Brushes another target market.

Only 3 other paint and sip classes could be found and are only offered on a sporadic basis.

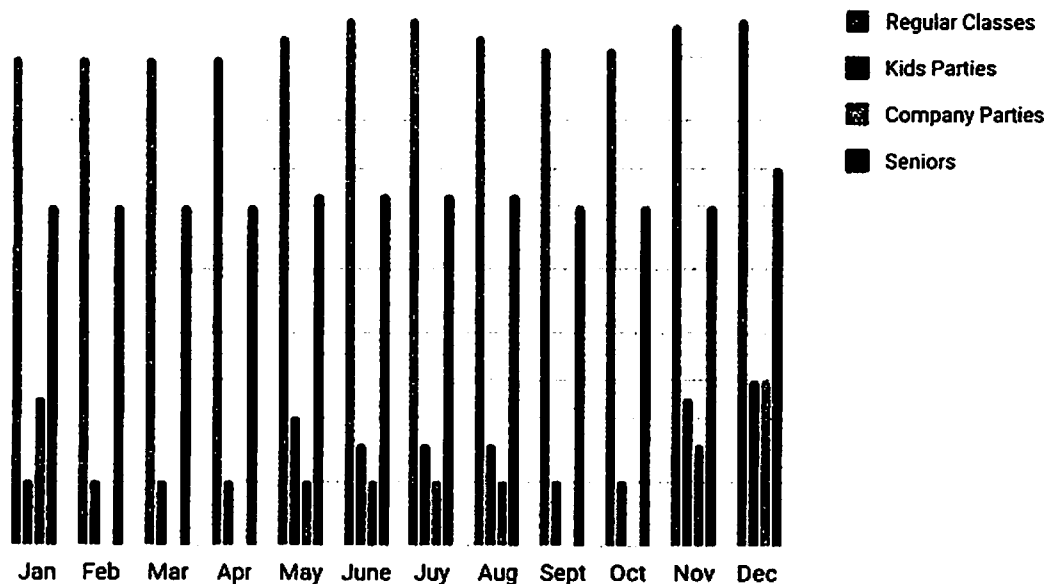
Boozy Brushes will have a calendar that is released the prior month to accommodate schedules for everyone.

### Strategy:

Boozy Brushes will include different targets including: kids, businesses, couples, and seniors.

Marketing to schools and birthday parties will target kids. Company parties will be marketed to businesses in town. Couples night will be offered on a twice a month basis to attract a more male crowd. Sunday brunch classes will be offered to attract seniors. Marketing tools will include fliers, social media including facebook, instagram and twitter, website, and outdoor signage.

### Customers



### Management:

Emily Pugmire will be the manager of Boozy Brushes. Boozy Brushes will need 1 to 2 other people to assist with classes. Only 1 other person is needed on a daily basis but will not be a full time job so a 2nd person might be needed for availability

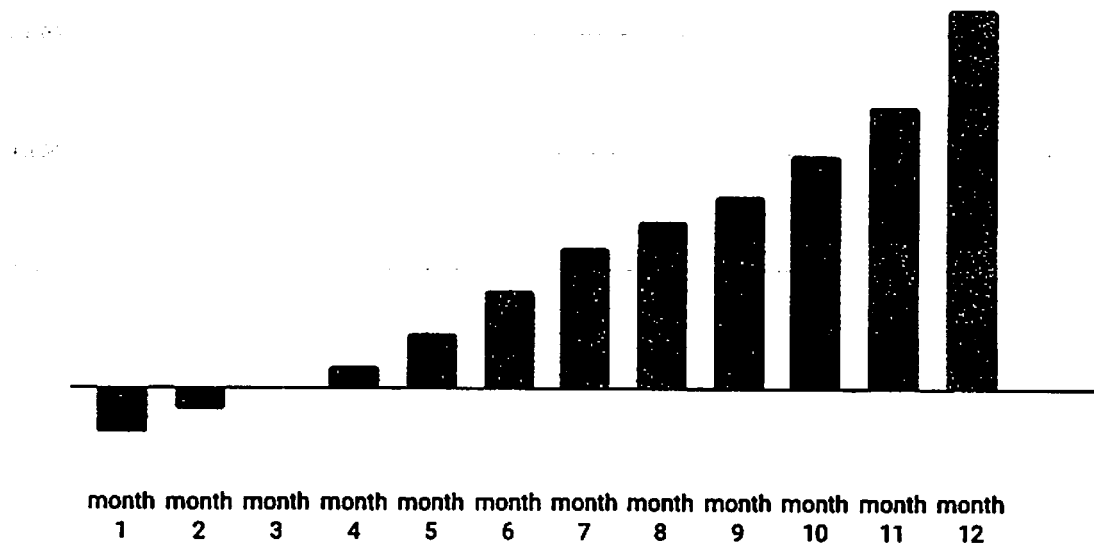
<b>Payroll Projection</b>
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	Year 1	Year 2	Year 3
Manager	34560	40320	46080
Assistant	14976	16128	17280
Total	49536	56448	63360

**Financial Plan:**

Estimated profit for the first year as shown below.

**Profit for first year**



	Jan	Feb	Mar	Apr	May	June	Jul	Aug	Sept	Oct	Nov	Dec	Year
Class and party sales	9,600	9,000	9,000	9,000	11,526	13,125	13,125	11,376	9,700	9,700	12,920	14,850	132,922
Drink sales	1,120	1,040	1,040	1,040	1,488	1,689	1,689	1,467	1,250	1,250	1,669	1,920	16,662

Income	10,720	10,040	10,040	10,040	13,014	14,764	14,764	12,843	10,950	10,950	14,589	16,770	149,484
Rent/utilities/regular expenses	1,260	1,260	1,260	1,260	1,260	1,260	1,260	1,260	1,260	1,260	1,260	1,260	15,120
Payroll for classes	2,880	2,880	2,880	2,880	2,880	2,880	2,880	2,880	2,880	2,880	2,880	2,880	34,560
Parties payroll	688	344	344	344	688	602	602	602	344	344	946	1,290	7,138
Canvas	1,120	1,040	1,040	1,040	1,340	1,520	1,520	1,320	1,120	1,120	1,508	1,740	15,428
Other supplies	226	260	260	260	321	357	357	317	276	276	355	402	3,667
Drinks/food	680	520	520	520	744	844	844	733	625	625	834	960	8,449
Profit	3,866	3,736	3,736	3,736	5,781	7,301	7,301	5,731	4,445	4,445	6,806	8,238	65,122

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:** Brian Wasson, Captain o/b/o, Kevin Spencer, Chief of Police  
**Date:** 8/2/2017  
**Re:** Application for a Class I Liquor License number I-121753, Emily Pugmire, Boozy Brushes LLC, dba "Boozy Brushes," 2419 Avenue I Scottsbluff, NE 69361

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**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:**

Kevin Spencer, Chief of Police, conducted a background check on Emily Pugmire as a means to determine her fitness to hold a liquor license. Emily disclosed one traffic offense and this background confirmed this. Emily was cited for speeding in a school zone in Denver Colorado in August of 2005. No other arrests or citations were found for Ms. Pugmire.

Although Emily has no previous experience in the alcohol industry, I found nothing in Emily's background that would disqualify her or cause me to believe that she is unfit 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.

Emily Pugmire completed Nebraska Alcohol Server / Seller Certification Training in June 2017. Emily reports that she will have two to three additional employees at times when the need is present and that those persons will also complete the Nebraska Server Training prior to their work with Boozy Brushes. Emily states that she will be responsible for the inventory within the business.

Emily said that identifications will be checked at the door when parties enter the establishment. Emily also plans to use colored cups to identify alcoholic beverages and require minors to wear wristbands to identify them as under aged.

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:**

While Emily has no immediate plans for a security system she is interested in security of the premises and alcohol inventory. The room in which the alcohol inventory will be stored is a locked room in which Emily will have the only key to.

Emily states she will have a zero-tolerance policy for employee violations of the liquor control act. Emily plans to maintain a relatively small inventory and secure it in a locked cabinet. Emily will have sole control over the inventory. Emily estimated her inventory to be between 30-60 bottles.

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:**

Boozy Brushes plans to be opened four days a week for conducting painting classes. The establishment will also be opened as parties and activities are booked as well. The establishment caters to privately booked parties of not more than 30 people at one time. The establishment does have plans in their model for youth birthday parties as well.

Oversight and accountability will be a priority for the applicant 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:**

Emily Pugmire appeared before the Liquor License Holders Investigatory Board on July 20<sup>th</sup>, 2017. At that time no protests were made by members of the public nor are any known protests in existence. The board interviewed Ms. Pugmire and voted to forward a favorable recommendation to the council.

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

The business is located at 2419 Ave I Scottsbluff, NE. It is located within a small strip type building with other businesses on either side. The business is located on a heavily used corridor for vehicular traffic within the community. Its location is easily accessible and convenient for customers. I would not 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 no other businesses in the immediate area with a liquor license.

**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 14,602 calls for service, not including traffic citations during 2016. 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.

**EXHIBIT IV**

# Memo

**Date:** August 7, 2017  
**To:** Honorable Mayor Meininger and Members of the City Council  
**From:** Cindy Dickinson, City Clerk  
**CC:** Nathan Johnson, City Manager  
**Re:** Boozy Brushes, LLC dba Boozy Brushes, 2419 Ave. I, Scottsbluff, NE  
Class I -121753 License

The city clerk is required by ordinance to report specific information to the city council whenever a liquor license application hearing is held.

Following are the existing licenses, their class, address and proximity to other licensed premises:

**Class of License**

Class A Beer only, for consumption on premises  
Class B Beer only, for consumption off premises  
Class C Alcoholic liquors, for consumption on and off premises  
Class D Alcoholic liquors, including beer, for consumption off premises  
Class I Alcoholic liquors, for consumption on the premises  
Class W Wholesale beer  
Catering Alcohol permitted by licensee's retail license, sold or served at events covered by special designated licenses

**Class A Licenses**

**Restaurants**

Pizza Hut of Scottsbluff, Inc.  
Mast Enterprises, Inc. dba Godfather Pizza

726 West 27<sup>th</sup> Street  
2203-07 Broadway

**Total Class A Licenses** 2

**Class B Licenses**

**Convenience Stores**



**Total Class B Licenses** 0

**Class C Licenses**

**Restaurants**

El Charrito Restaurant & Lounge, Inc .  
Tangled Tumbleweed  
MJ's Restaurant  
Las VII Americas Tortilleria  
16<sup>th</sup> Empire

802 21<sup>st</sup> Avenue  
1823 Ave. A  
2615 5<sup>th</sup> Ave.  
1619 East Overland  
1605 Ave. A

**Hotel/Motel**

Holiday Inn Express  
Candlelight Inn & Lounge

1821 Frontage Rd.  
1822 East 20<sup>th</sup> 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 18<sup>th</sup> Street  
1901-B 21<sup>st</sup> Ave.  
1722 Broadway  
1907 Broadway  
1001 Avenue I  
1402 East 20<sup>th</sup> St.- Suite B

**Retail**

Racks (Catering)  
Panhandle Cooperative Assn. (Catering)  
Kelley's Liquor (Catering)  
A Lil Bit of Everything

1402 East 20<sup>th</sup> St.- Suite A  
401 S. Bellline Hwy West  
817 West 27<sup>th</sup> Street  
1610 Broadway

**Clubs**

Elks BPO Lodge 1367 (Catering)

1614 1<sup>st</sup> Avenue

**Bowling Alleys**

Valley Bowl Fun Center

1702 17<sup>th</sup> Ave.

**TOTAL CLASS C LICENSES** 19

**Class D Licenses**

**Grocery Stores**

Safeway of Western Nebraska  
Panhandle Coop Assn.

601 Broadway  
3302 Ave. B

**Convenience Stores**

5<sup>th</sup> & O Eastco  
Scottsbluff Watering Hole  
Big Bats  
Git N Split  
Cheema's Gas & Liquor (PENDING)  
Route 26 Mart  
Maverik Stores Inc.,  
Walgreens

503 East Overland  
121 W 27<sup>th</sup> Street  
902 West Overland  
506 West 27<sup>th</sup> Street  
2002 Avenue I  
1722 E 20<sup>th</sup> Street  
920 West 36<sup>th</sup> St.,  
205 West 27<sup>th</sup> Street

**Liquor Stores**

Dermer's  
Cigarette Chain

1311 E Overland Dr.  
323 East Overland

**Discount/Grocery Stores**

Target (PENDING)  
Wal-Mart Supercenter #867

1401 Frontage Rd.  
3322 Avenue I

**TOTAL CLASS D LICENSES 14 (Two pending applications)**

**CLASS I LICENSES****Restaurants**

Applebees  
Rosita's  
Chili's Grill & Bar  
Wonderful House Restaurant  
Taco de Oro  
Whiskey Creek Steakhouse  
Ole, LLC  
Emporium Coffeehouse & Cafe  
San Pedro Mexican Restaurant  
Sam & Louie's Pizzeria  
Taco Town  
Prime Cut  
The Shed

2302 Frontage Rd.  
1205 East Overland  
826 West 36<sup>th</sup> St.  
829 Ferdinand Plaza  
2601 Avenue I  
1802 E 20<sup>th</sup> Place  
1901 East 20<sup>th</sup> Street  
1818 1<sup>st</sup> Avenue  
23 West 27<sup>th</sup> St.  
1522 Broadway  
1007 West 27<sup>th</sup> St.  
305 West 27<sup>th</sup> St.  
18 West 16<sup>th</sup> St.

**Art Studio**

Boozy Brushes (New Application)

2419 Ave. I

**Hotel/Motel**

Hampton Inn & Suites

301 W Hwy 26

**TOTAL CLASS I LICENSES 15 (One pending application)**

**Class W Licenses****Wholesale**

High Plains Budweiser

2810 Ave M

**TOTAL CLASS W LICENSES 1**

**TOTAL LICENSES**

Class A	2
Class B	0
Class C	19
Class D	14 (2 Pending Applications)
Class I	15 (1 New Application)
Class W	1

**TOTAL LICENSES 51 (1 NEW APPLICATION –  
2 Pending)**



# Memo

**Date:** July 14, 2017  
**To:** Honorable Mayor and City Council  
**From:** Staff, Development Services  
**CC:** Nathan Johnson  
**Re:** Class "I" Liquor License Application  
Boozy Brushes  
2419 Ave. I  
Scottsbluff, NE 69361

**Action:**

---

The owners of Boozy Brushes have applied for a new license in the name of Emily Pugmire.

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 2419 Avenue I is situated in a C-2 (Neighborhood and Retail Commercial) zoning district where a restaurant/bar/tavern are allowed by right pursuant to the City's Zoning Ordinance, Chapter 25, of the City's Municipal Code of Ordinances. The property to the south is zoned O & P (Office and Professional), the property to the east is zoned R-1a (Single Family), and the properties to the North and West are zoned C-3 (Heavy Commercial).
- (2) The off street parking requirements are 1 space for every 500 square feet of building space is required for general commercial use. The building is 2257 square feet. The occupancy has access to at least 5 off street parking spaces as required by ordinance. This requirement is found in 25-5-1 (18) of the City's Municipal Code of Ordinances.
- (3) The use of this property is consistent with the surrounding neighborhood, which is generally business retail and commercial in nature, except for the residential area to the east. The hours of operation for this business are unknown to city staff.
- (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.

# City of Scottsbluff

## Liquor Licenses

### Legend

#### New Applicant

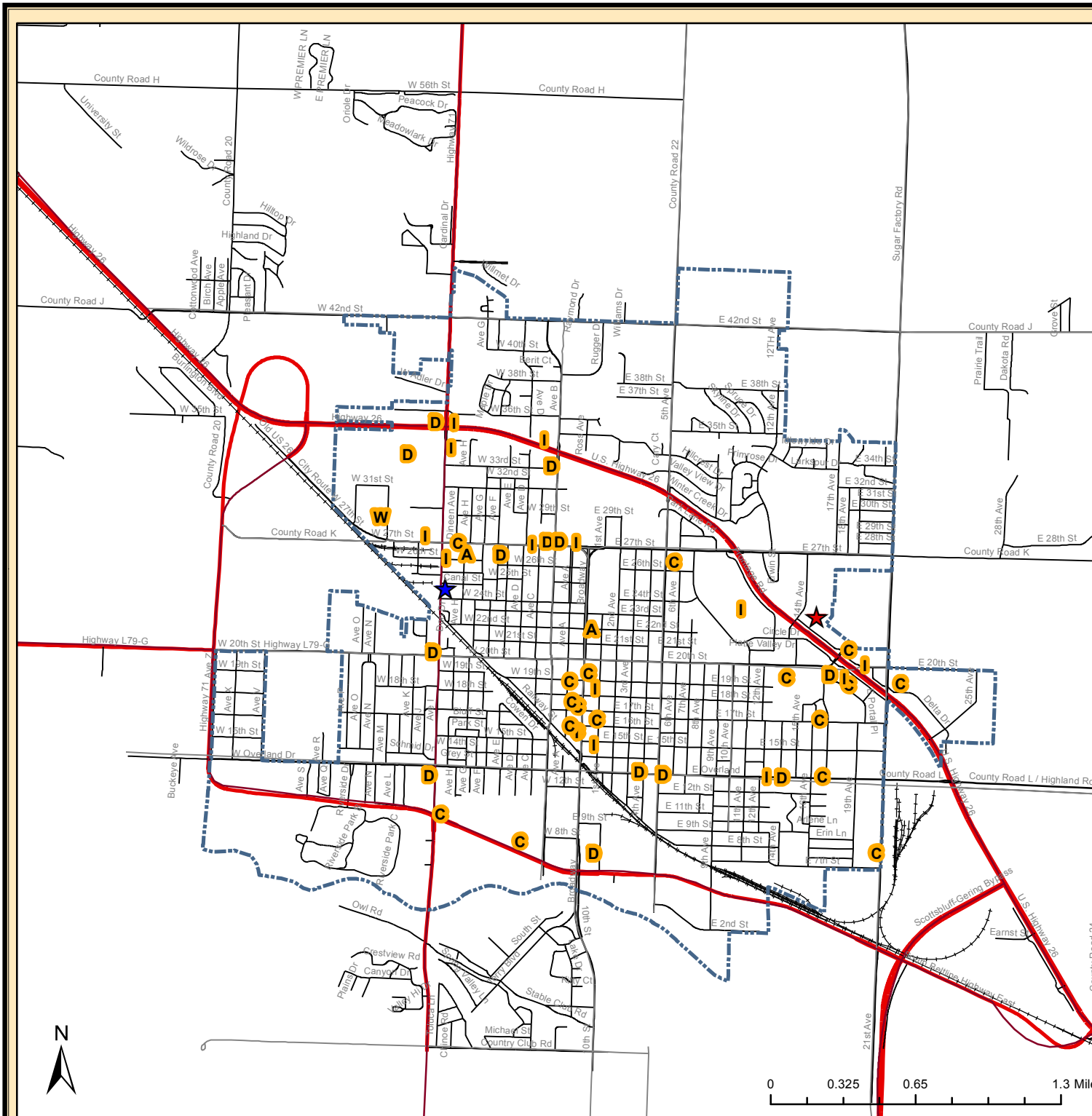
- ★ Target, Class D
- ★ Boozy Brushes, Class I
- ~ Railroad Track
- Highway
- Main Road
- Residential

- Class A Beer only, for consumption on premises
- Class B Beer only, for consumption off premises
- Class C Alcoholic liquors, for consumption on and off premises
- Class D Alcoholic liquors, including beer, for consumption off premises
- Class I Alcoholic liquors, for consumption on the premises
- Class W Wholesale beer
- Catering Alcohol permitted by licensee's retail license, sold or served at events covered by special designated licenses

July 31, 2017

J. Reiter - City of Scottsbluff  
Coordinate System:  
NAD 1983 StatePlane Nebraska FIPS 2600 Feet  
Lambert Conformal Conic

The City makes no representation or warranty as to the accuracy, timeliness, or completeness, and in particular, its accuracy in labeling or displaying dimensions, contours, property boundaries, or placement or location of any map features thereon.



City of Scottsbluff  
Liquor License Holders Investigatory Board  
Regular Meeting  
July 20, 2017 - 4:00 p.m.

The City of Scottsbluff Liquor License Holders Investigatory Board met in a regular meeting on Thursday, July 20, 2017 at 4:00 p.m. in the Meeting Room of City Hall, 2525 Circle Drive, Scottsbluff. A notice of the meeting had been published on July 16, 2017 in the Star Herald, a newspaper published and of general circulation in the city. The notice stated the date, hour and place of the meeting, that the meeting would be open to the public. That anyone with a disability desiring reasonable accommodation to attend the meeting should contact the city clerk's office, and that an agenda of the meeting kept continuously current was available for public inspection at the office of the city clerk in City Hall; provided, the committee could modify the agenda at the meeting if it determined that an emergency so required. A similar notice, together with a copy of the agenda, also had been delivered to each committee member.

1. Roll Call - The following Board Members were present: Bob Scriptor, Racks; Mike Halley, Scottsbluff Public Schools; Libby Stobel, City Attorney; Police Chief Kevin Spencer; Cindy Dickinson, City Clerk. Absent: Nathan Johnson, City Manager, Russ Knight, Dietrich Distributing; Kelli Larson, Panhandle Prevention Coalition; Schavalla Rivers, WNCC.
2. Open Meeting Act – Acting Chairman Dickinson welcomed everyone in attendance and informed those in attendance that a copy of the Nebraska Open Meetings Act is posted on the west wall for the public's review.
3. Call Meeting to Order - The meeting was called to order and Dickinson recorded the proceedings.
4. There were no changes to the agenda.
5. Minutes of the June 15, 2017 meeting - Motion by Spencer, second by Stobel, "to approve the June 15, 2017 Minutes," motion passed unanimously.
6. New Liquor License applications:
  - a) Class I Liquor License Application for Boozy Brushes, LLC., 2419 Ave. I, Scottsbluff, NE.

Emily Pugmire, owner of Boozy Brushes, LLC, explained that her business will be a "paint and sip" offering painting lessons and a beer and wine bar with occasional specialty drinks. She does not have previous experience serving alcohol, but is willing to learn and follow all laws pertaining to the sale of alcohol.

She will have two different color serving glasses to distinguish drinks containing alcohol. In addition, she will check ID's and use wrist bands. Ms. Pugmire added that all employees will receive the responsible alcohol server training, and her employee manual includes a "no tolerance" policy. She will hire 2 – 3 employees.

Ms. Pugmire will store the alcohol in a locked cabinet and she will be the only one with access. Her inventory will be small, with only about 30-60 bottles. She will check with Budweiser to obtain a clock and calendar with the "born on" date.

Chief Kevin Spencer will arrange another interview with Ms. Pugmire prior to the public hearing with the City Council on August 7, 2017.

Moved by Halley, seconded by Scriptor, “to forward a favorable recommendation to the City Council regarding the Class I liquor license for Boozy Brushes, LLC, 2419 Ave. I, Scottsbluff, NE” motion passed unanimously.

Moved by Spencer, seconded by Stobel, “to adjourn the meeting at 4:32 p.m.,” motion passed unanimously.

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Chairperson

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Cindy Dickinson, Secretary