

# **City of Scottsbluff, Nebraska**

**Monday, August 21, 2017**

**Regular Meeting**

## **Item Pub. Hear.5**

**Council to conduct a public hearing at 6:05 p.m. to consider the Class D Liquor License application for AMSI LLC, dba Cheema's Gas & Liquor, 2002 Ave. I, Scottsbluff, NE and make a recommendation to the Nebraska Liquor Control Commission.**

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

## Agenda Statement

Item No.

For meeting of: August 21, 2017

**AGENDA TITLE:** Council to hold a public hearing as advertised for this date at 6:05 p.m. for a Class D Liquor License for AMSI, LLC dba Cheema's Gas and Liquor, 2002 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 AMSI, LLC dba Cheema's Gas and Liquor  
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 ☐

Cheema's Gas and Liquor

**APPROVAL FOR SUBMITTAL:** \_\_\_\_\_  
City Manager

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# 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



<div style="text-align: center;"> <p>NO TOP</p> <p>RECEIVED</p> <p>JUL 20 2017</p> </div>		NEBRASKA LIQUOR	
		CONTROL COMMISSION	
Hot List: YES <input checked="" type="radio"/> NO <input type="radio"/>	Not Replaced		Initial <input checked="" type="checkbox"/>
Class Type <u>D</u>	121876		Initial <u>BH</u>

Applicant name AMSI, LLC

Trade name Cheema's Gas & Liquor

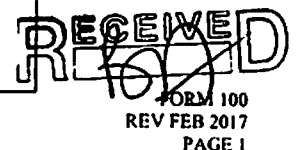
Previous trade name Cheema's Gas & Liquor

Contact email address chesterb13@hotmail.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.

7/21 - Misc Dep

PAYMENT TYPE <u>CK 11659</u> AMOUNT <u>400</u> Received <u>jm</u>
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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. ☒ 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. ☐ If requesting to operate on current liquor license; enclose Temporary Operating Permit (TOP) (Form 125).
8. ☐ 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
  - a. 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.

Signature Anol Singh

Date 7.18.2017

**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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JUL 20 2017

**NEBRASKA LIQUOR  
CONTROL COMMISSION**

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

Name John K. Sorensen Phone number: (308) 632-5111

Firm Name Sorensen Hahn & Browning, P.C.

FORM 100  
REV FEB 2017  
PAGE 3

**PREMISES INFORMATION**Trade Name (doing business as) Cheema's Gas & LiquorStreet Address #1 2002 Avenue I

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

City ScottsbluffCounty Scotts BluffZip Code 69361Premises Telephone number (308) 632-5741Business e-mail address chesterb13@hotmail.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 Carol SinghStreet Address #1 3115 Primrose Drive

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

City ScottsbluffState NebraskaZip 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**

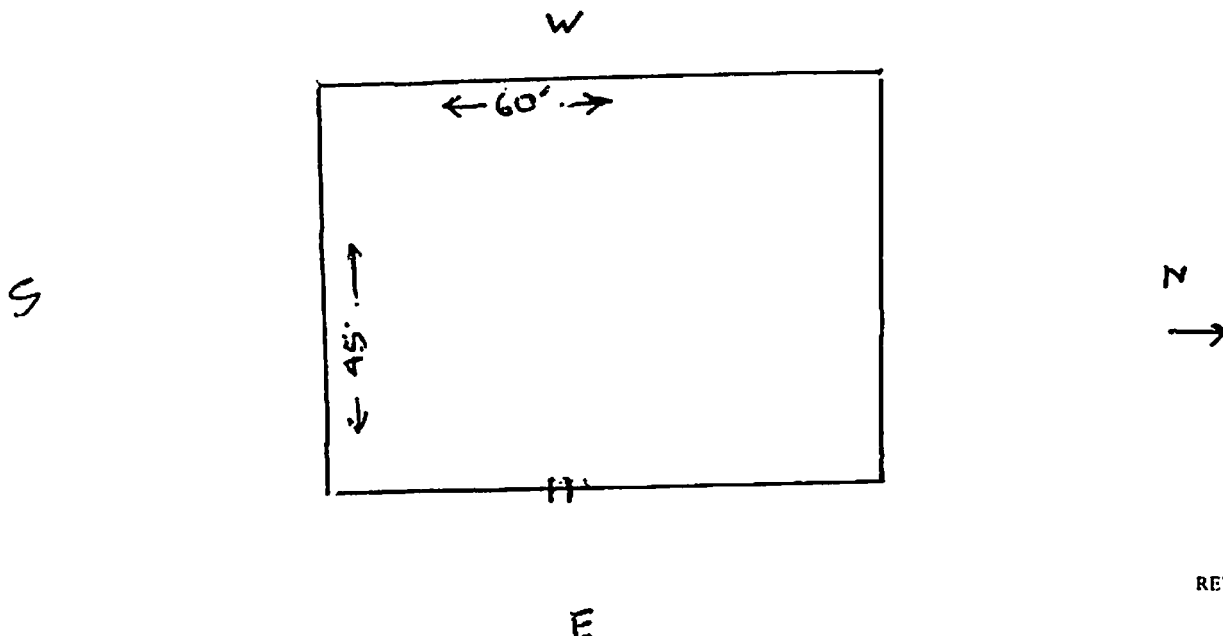
Building: length 60 feet x width 45 feet in feetIs there a basement? Yes \_\_\_\_\_ No x

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

FORM 100  
REV FEB 2017  
PAGE 4

**APPLICANT INFORMATION****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
Carol Singh	1/14/2002	Scotts Bluff County	Speeding	waiver, guilty, \$75.00 fine
Carol Singh	9/27/2006	Scotts Bluff County	Child restraint violation	guilty, \$25.00 fine
Carol Singh	unknown, 1980's	Denver Colorado	Driving under influence	guilty, fine
Carol Singh	08/20/2000	Scotts Bluff County	False Reporting	no contest, \$100.00 fine

**2. Are you buying the business of a current retail liquor license?**

☒ YES ☐ NO

If yes, give name of business and liquor license number Cheema Capital, LLC 043400

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 Cheema Capital, LLC 043400

**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.

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. Cheema Investments, LLC, the pumps, tanks and fuel dispensing equipment.

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

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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.

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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.

Platte Valley Bank, Scottsbluff, Nebraska (a) Carol Singh

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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.

None

See ID-D43400, ID-121645



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)
Carol Singh	06/17/2016	Nebraska Liquor Control Commission

List of NLCC certified training programs

Experience:

Applicant Name/Job Title	Date of Employment:	Name & Location of Business
Carol Singh-clerk	1994-1999	U-Save Convenience Store, Morrill, Nebraska
Carol Singh-clerk	1999-2001	Cheema's Gas & Liquor, Scottsbluff, Nebraska
Carol Singh-clerk	2002-Present	Cheema's Gas & Liquor, Scottsbluff, Nebraska

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 2022. The term of lease commences on receipt of Liquor License, and for 60 months thereafter, with 5 year renewal term.  
☐ Deed  
☒ Purchase Agreement

14. When do you intend to open for business? on the day liquor license is received

15. What will be the main nature of business? Convenience store and gas station

16. What are the anticipated hours of operation? 6 AM to 10 PM

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 FROM TO		SPOUSE: CITY & STATE	YEAR FROM TO	
Carol Singh	2001	present			
3115 Primrose Drive, Scottsbluff, Nebraska 69361					

If necessary attach a separate sheet.

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

Carol D. Singh  
Signature of Applicant

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

Carol D. Singh  
\_\_\_\_\_  
Print Name

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

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

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

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

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

#### ACKNOWLEDGEMENT

State of Nebraska  
County of Scotts Bluff

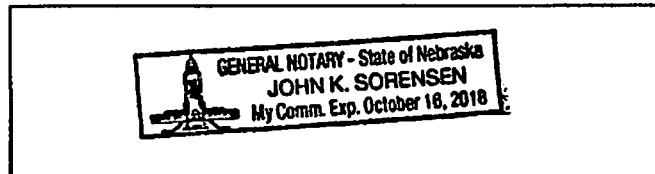
The foregoing instrument was acknowledged before me this

7/18/2017  
date

by Carol D. Singh

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

[Signature]  
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

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)

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NEBRASKA LIQUOR  
CONTROL COMMISSION

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: Carol D. Singh

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

LLC Address: 3115 Primrose Drive

City: Scottsbluff State: NE Zip Code: 69361

LLC Phone Number: \_\_\_\_\_ LLC Fax Number: \_\_\_\_\_

Name of Managing/Contact Member

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

Last Name: Singh First Name: Carol MI: D

Home Address: 3115 Primrose Drive City: Scottsbluff

State: NE Zip Code: 69361 Home Phone Number: \_\_\_\_\_

Carol Singh

Signature of Managing/Contact Member

ACKNOWLEDGEMENT

State of Nebraska

County of Scotts Bluff

The foregoing instrument was acknowledged before me this

July 26, 2017

Date

by Carol D Singh

name of person acknowledge

Affix Seal




Page 1

NE Sec of State John A. Gale CORP - CRYPTO  
9000306694 - Page 1 of 1  
AMSI, LLC  
Filed: 07/12/2017 10:02:27 AM

**Certificate of Organization  
of  
AMSI, LLC  
A Limited Liability Company**

1. **NAME.** The name of the Company shall be: AMSI, LLC ("the Company").
2. **DESIGNATED OFFICE AND REGISTERED AGENT.** The street and mailing address of the initial designated office of the Company is 3115 Primrose Drive, Scottsbluff, NE 69361. The name and address of the initial agent for service of process is Carol Singh, her address is 3115 Primrose Drive, Scottsbluff, NE 69361.

Dated this 11<sup>th</sup> day of July 2017.

  
\_\_\_\_\_  
Carol Singh, Organizer

# Nebraska Secretary of State

AMSI, LLC

Tue Jul 25 10:42:58 2017

**SOS Account Number**

10246093

**Status**

Active

**Principal Office Address**

No address on file

**Registered Agent and Office Address**

CAROL SINGH

3115 PRIMROSE DRIVE

SCOTTSDLUFF, NE 69361

**Designated Office Address**

3115 PRIMROSE DRIVE

SCOTTSDLUFF, NE 69361

**Nature of Business**

Not Available

**Entity Type**

Domestic LLC

Qualifying State: NE

**Date Filed**

Jul 12 2017

**Filed Documents**

Filed documents for AMSI, 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	Jul 12 2017	\$0.45 = 1 page(s) @ \$0.45 per page	<a href="#">Purchase Now</a>

**Good Standing Documents**

- If you need your Certificate of Good Standing Apostilled or Authenticated for use in another country, you must contact the Nebraska Secretary of State's office directly for information and instructions. 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)

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NEBRASKA LIQUOR  
CONTROL COMMISSION

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

**MANAGER MUST:**

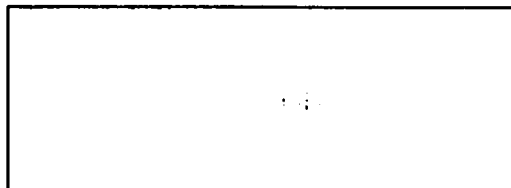
- Complete all sections of the application. Be sure it is signed by a member or corporate officer, corporate officer or member must be an individual on file with the Liquor Control Commission
- Fingerprints are required. See form 147 for further information, read form carefully to avoid delays in processing, 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: AMSI, LLC

**Premises information**

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

Premises Trade Name/DBA: Cheema Gas & Liquor

Premises Street Address: 2002 Avenue I

City: Scottsbluff County: Nebraska Zip Code: 69361

Premises Phone Number: 308 632-5741

Premises Email address: \_\_\_\_\_

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.

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

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

\*NLCC Training Certificate Issued: 6/17/2016 Name on Certificate: Carol Singh

Applicant Name	Date (mm/yyyy)	Name of program (attach copy of course completion certificate)

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

**Experience:**

Applicant Name / Job Title	Date of Employment:	Name & Location of Business:
Carol Singh- Clerk	1994-1999	U-Save Convenience Store, Morrill, Ne
Carol Singh-Clerk	1999 to 2001	Cheema's Gas & Liquor, Scottsbluff, NE
Carol Singh-Clerk	2002 to present	Cheema's Gas & Liquor, Scottsbluff, Nebraska

5. Have you enclosed [form 147](#) regarding fingerprints?

☒ YES ☐ NO



## PERSONAL OATH AND CONSENT OF 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.

Carol Singh  
Signature of Manager Applicant

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

### ACKNOWLEDGEMENT

State of Nebraska  
County of SCOTTS BLUFF

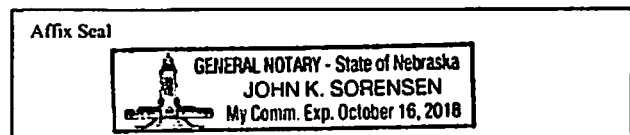
The foregoing instrument was acknowledged before me this

July 17, 2017  
date

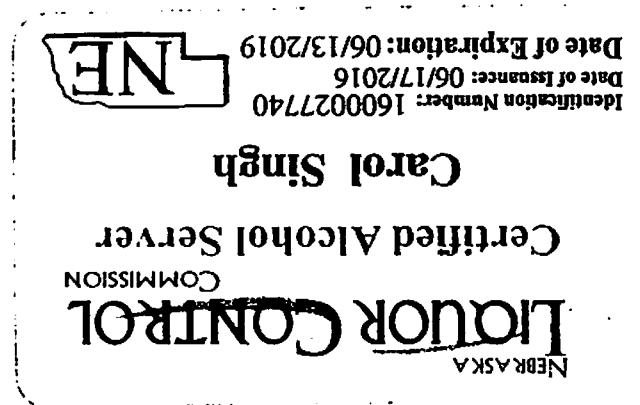
by Carol D. Singh

NAME OF PERSON BEING ACKNOWLEDGED

[Signature]  
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.



**INITIAL BUSINESS PLAN**  
**7/17/2017**  
**CAROL SINGH**

The applicant has entered into a lease agreement with Cheema Investments, LLC. The lease includes the real estate (licensed premises), fuel tanks, pumps and dispensing equipment. Applicant has entered into a purchase agreement to purchase the business, convenience store inventory of alcoholic and non alcoholic beverages and other convenience store inventory, all the shelving, register, computer software and personal property located in the building (licensed premises). The first objective of the applicant is to qualify for and obtain the Nebraska liquor license and commence business operations.

Carol Singh shall be the owner, manager having primary responsibility for the operation and management of the convenience store. She has worked in convenience stores selling alcoholic beverages, tobacco products, and fuel since 1994.

Applicant will market both gasoline and fuel to passenger and commercial vehicles, liquor, tobacco products, and other convenience store items. The marketing plan that is in development will include local advertising, pricing, inventory management, public relations, and analysis of trade area. The applicant will continually evaluate and track sales and pricing of competitors to offer the best pricing of its products in the Scottsbluff, Nebraska area, and to achieve profitability through sales volume, keeping, however, as an integral part of its business plan, strict compliance with the laws governing the sale of alcoholic beverages to the public.

**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.

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**\*OTHER COUNCIL CONCERNS**



## Memorandum

**To:** THE HONORABLE MAYOR AND MEMBERS OF THE CITY COUNCIL  
**From:** Kevin Spencer, Chief of Police  
**Date:** 8/18/2017  
**Re:** Application for a Class D Liquor License number D - 121876, AMSI LLC dba "Cheema's Gas & Liquor," 2002 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:**

I conducted a background check on Carol D Singh as a means to determine her fitness to hold a liquor license. Carol reported a DUI in 1980 Denver Colorado, a "Speeding" citation Scotts Bluff County 2002 a "Child Restraint Violation" Scotts Bluff County in 2006 and Making a False Report Scotts Bluff County 2000. Carol Singh does have several years of experience in the alcohol business starting in 1994.

The **Making a False Report** conviction is concerning in determining Carol's fitness to have and manage a liquor license. Carol does seem sincere in her effort to follow all of the rules and does seem determined to prevent any compliance check failures and sales to minors and the fact that the violation was 17 years ago I don't think this alone should disqualify her. I talked to Carol on 08/18/2017 she told me that she was having her employees card everyone. Carol told me that they were checking identification of customers that were obviously over 21 years of age.

*Additionally I checked with the Nebraska Liquor Commission to insure that the previous violations at Cheema's Liquor would follow this new license. I learned that the 3 violations that have occurred within the past 18 months will follow or apply to this new liquor license. This means that the punishment for a 4<sup>th</sup> violation within 4 years of the 1<sup>st</sup> violation will be cancelation after due process.*

**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.

Carol Singh does have several years of experience in the alcohol industry starting in 1994. Carol has attended training and said she will require it of all her employees. Carol told me that she will be responsible for the inventory and ordering of all the alcohol. Carol said that the business has registers that can scan alcohol customer's identification to determine age. Carol told me that her policy is to card anyone who purchases alcohol unless it is obvious that the customer is of legal age. Carol also told me that her policy will be to terminate any employee who would sell to a minor.

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

- (B) 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:**

Carol told me that the business does have an intrusion alarm that is set after hours as well as a camera system that records all of the time.

The business has been in operation as a convenience store for several years at this same location.

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

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

The establishment will be opened seven days a week 07:00 am to 10:00 pm.

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

#### **SPECIFIC ISSUES COMMISSION MAY CONSIDER**

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

There have been no known citizen protests of this business.

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

The business is located at 2002 Ave I Scottsbluff, NE. It is a convenience store that will attract customers all hours when opened. Its location is easily accessible and convenient for customers. I would not anticipate any issues with location.

- (F) 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 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.

- (G) 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.

**(H) 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 21, 2017  
**To:** Honorable Mayor Meininger and Members of the City Council  
**From:** Cindy Dickinson, City Clerk  
**CC:** Nathan Johnson, City Manager  
**Re:** AMSI, LLC dba Cheema's Gas and Liquor , 2002 Ave. I, Scottsbluff, NE  
Class I -121876 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. Beltline 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 (New Application)  
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  
Wal-Mart Supercenter #867

1401 Frontage Rd.  
3322 Avenue I

**TOTAL CLASS D LICENSES 14 (One new application)**

### 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 (Pending)

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 (1 New Applications)
Class I	15 (1 Pending Application)
Class W	1

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



# Memo

**Date:** July 27, 2017  
**To:** Honorable Mayor and City Council  
**From:** Staff, Development Services  
**CC:** Nathan Johnson  
**Re:** Class "D" Liquor License Application  
Cheema's Gas & Liquor  
2002 Ave. I  
Scottsbluff, NE 69361

**Action:**

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The owners of Cheema's Gas & Liquor have applied for a new license in the name of Carol Singh.

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 2002 Avenue I is situated in a C-2 (Neighborhood and Retail Commercial) zoning district where retail stores and services are allowed by right pursuant to the City's Zoning Ordinance, Chapter 25, of the City's Municipal Code of Ordinances. The properties to the south, north, and east are zoned R-1a (Single Family Residential) and the property to the west is zoned O & P (Office & Professional).
- (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 2700 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 a C-2 zone.
- (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.