

City of Scottsbluff, Nebraska

Monday, April 1, 2019

Regular Meeting

Item Public Inp1

Council to consider making a recommendation to the Nebraska Liquor License Commission regarding the appointment of Kevin Kelso as the manager of Big Bat's, LLC dba Big Bat's.

Staff Contact: Kim Wright, City Clerk

**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

Office Use

RECEIVED

MAR 01 2019

**NEBRASKA LIQUOR
CONTROL COMMISSION**

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: Big Bat's LLC

Premises information

Liquor License Number: 77479 Class Type D (if new application leave blank)

Premises Trade Name/DBA: Big Bat's

Premises Street Address: 902 West Overland Drive

City: Scottsbluff County: Scottsbluff Zip Code: 68361

Premises Phone Number: 308.635.2778

Premises Email address: K_kelso@hotmail.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.

Corey J. Poerner

SIGNATURE REQUIRED BY CORPORATE OFFICER / MANAGING MEMBER

(Faxed signatures are acceptable)

Form 303
REV AUG 2009
Page 2 of 6

Manager's information must be completed below PLEASE PRINT CLEARLY

Last Name: Kelso First Name: Kevin MI: K.

Home Address: 910 Shelton Street

City: Chadron County: Dawes Zip Code: 69337

Home Phone Number: 308. 747 2022

Driver's License Number & State: _____

Social Security Number: _____

Date Of Birth: _____ Place Of Birth: California, USA

Email address: K_kelso@hotmail.com

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

☐ YES

☒ NO

Spouse's information

Spouses Last Name: _____ First Name: _____ MI: _____

Social Security Number: _____

Driver's License Number & State: _____

Date Of Birth: _____ Place Of Birth: _____

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

CITY & STATE	YEAR FROM	YEAR TO	CITY & STATE	YEAR FROM	YEAR TO
Chadron, NE	1989	present			

MANAGER'S LAST TWO EMPLOYERS

YEAR FROM TO	NAME OF EMPLOYER	NAME OF SUPERVISOR	TELEPHONE NUMBER
1999 2006	Big Bat's Fire Dept	Patty Powner	308.430.1957
2006 present	Big Bat's LLC		

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

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: 4-17-18 Name on Certificate: Kevin Kelso

Applicant Name	Date (mm/yyyy)	Name of program (attach copy of course completion certificate)
Kevin Kelso	04/2018	eTips Off Premise 3.0

*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

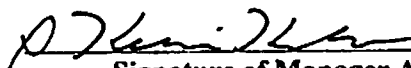
PERSONAL OATH AND CONSENT OF INVESTIGATION

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.



Signature of Manager Applicant

Signature of Spouse

ACKNOWLEDGEMENT

State of Nebraska

County of Dawes

The foregoing instrument was acknowledged before me this

4-24-18

date

by

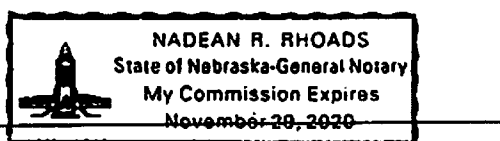
Kevin K. Kelso

NAME OF PERSON BEING ACKNOWLEDGED



Notary Public signature

Affix Seal



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.

Memo

To: Nathan Johnson, City Manager
From: Kevin E Spencer, Chief of Police
CC: liquor file
Date: March 29, 2019
Re: Manager Application – Kevin Kyle Kelso, Big Bat's llc/dba Big Bat's 902 West Overland
Scottsbluff, NE License number D-77479

The applicant, Kevin Kelso, was investigated for suitability as the manager of Big Bat's liquor license. Nothing was discovered that would prohibit him from holding a manager's position under the license. Kevin disclosed no criminal history; however, I found 5 speeding citations. I called Kevin asking him about the speeding violations. Kevin told me that he did not realize he had to report them.

On Thursday March 28, 2019 at 1600 hours Jennifer Gutierrez the Scottsbluff Big Bat's store manager, appeared before the Scottsbluff Liquor License Advisory Board on behalf of the applicant Kevin Kelso. Jennifer explained that Kevin and other Big Bat's store employees were out of town attending a business meeting.

Jennifer explained that she has worked at Big Bat's for six years and has been the manager for the past 4. Jennifer said that she is responsible for the entire alcohol inventory including ordering. Jennifer told us that all of the alcohol is kept behind the register except the beer which is in the cooler, with the alcohol overstock being locked in her office. Jennifer told us that they have to check everyone's identification no matter their age and enter their date of birth into the register to complete all sells. Jennifer said that the store has recorded video cameras inside and out as well as an intrusion alarm for after hours. Jennifer further explained that all employees have to complete in store training that is provided by their human resources department.

I have found no information that would indicate that Kevin is not fit, willing and able to manage the Big Bat's Liquor License.

Respectfully,

Kevin E Spencer, Chief of Police
City of Scottsbluff