

# **City of Scottsbluff, Nebraska**

**Monday, December 16, 2013**

**Regular Meeting**

## **Item Public Inp1**

**Council to consider applications from St. Agnes Catholic Church, 2314 Third Ave., Scottsbluff, NE for 4 special designated liquor licenses to serve beer and wine at 4 Fish Fry events on January 31, 2014; March 7, 2014; and March 28, 2014; and April 11, 2014 from 5:00 p.m. to 9:00 p.m. each day**

**Staff Contact: Rick Kuckkahn, City Manager**

**APPLICATION FOR SPECIAL  
DESIGNATED LICENSE**

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.ne.gov/

DO YOU NEED POSTERS? YES ☐ NO ☐

RETAIL LICENSE HOLDERS ☐

NON PROFIT APPLICANTS ☒

Non Profit Status (check one that best applies)

Municipal ☐ Political ☐ Fine Arts ☐ Fraternal ☒ Religious ☐ Charitable ☐ Public Service ☐

**COMPLETE ALL QUESTIONS**

1. Type of alcohol to be served and/or consumed: Beer ☒ Wine ☒ Distilled Spirits ☐

2. Liquor license number and class (i.e. C-55441)  
(If you're a nonprofit organization leave blank)

3. Licensee name (last, first,), corporate name or limited liability company (LLC) name  
(As it reads on your liquor license)

NAME: St. Agnes Church

ADDRESS: 2314 3rd Avenue

CITY Scottsbluff ZIP 69361

4. Location where event will be held; name, address, city, county, zip code

BUILDING NAME St. Agnes

ADDRESS: 2314 3rd Avenue CITY Scottsbluff

ZIP 69361 COUNTY and COUNTY # Scotts Bluff County 71

a. Is this location within the city/village limits? YES ☒ NO ☐

b. Is this location within the 150' of church, school, hospital or home  
for aged/indigent or for veterans and/or wives? YES ☒ NO ☐

c. Is this location within 300' of any university or college campus? YES ☐ NO ☒

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5. Date(s) and Time(s) of event (no more than six (6) **consecutive** days on one application)

Date 01/31/14	Date 03/07/14	Date 03/28/14	Date 04/11/14	Date	Date
<b>Hours</b>	<b>Hours</b>	<b>Hours</b>	<b>Hours</b>	<b>Hours</b>	<b>Hours</b>
From 5:00 p.m.	From 5:00 p.m.	From 5:00 p.m.	From 5:00 p.m.	From	From
To 9:00 p.m.	To 9:00 p.m.	To 9:00 p.m.	To 9:00 p.m.	To	To

a. Alternate date: \_\_\_\_\_

b. Alternate location: \_\_\_\_\_  
(Alternate date or location must be specified in local approval)

6. Indicate type of activity to be carried on during event:

- ☐ Dance   
 ☐ Reception   
 ☐ Fund Raiser   
 ☐ Beer Garden   
 ☐ Sampling/Tasting  
☒ Other Fish Fry

7. Description of area to be licensed

Inside building, dimensions of area to be covered **IN FEET** 75 x 50  
(not square feet or acres)

\*Outdoor area dimensions of area to be covered **IN FEET** x

\***SKETCH OF OUTDOOR AREA (or attach copy of sketch)**

If outdoor area, how will premises be enclosed?

☐ Fence; snow fence ☐ chain link ☐ cattle panel ☐ other \_\_\_\_\_

☐ Tent

8. How many attendees do you expect at event? 400

9. If over 150 attendees. Indicate the steps that will be taken to prevent underage persons from obtaining alcohol beverages. (Attach separate sheet if needed)

At least four adults will be supervising the event at all times to ensure that everyone obtaining alcoholic beverages is over 21.

10. Will premises to be covered by license comply with all Nebraska sanitation laws? YES ☒ NO ☐

a. Are there separate toilets for both men and women? YES ☒ NO ☐



11. **Retailer:** Will you be purchasing your alcohol from a wholesaler? YES ☐ NO ☐  
**Non-Profit:** Where will you be purchasing your alcohol?

Wholesaler ☐ Retailer ☐ Both ☒ BYO ☐  
(includes wineries)

12. Will there be any games of chance operating during the event? YES ☐ NO ☒

If so, describe activity \_\_\_\_\_

**NOTE:** Only games of chance approved by the Department of Revenue, Charitable Gaming Division are permitted. All other forms of gambling are prohibited by State Law: There are no exceptions for Non Profit Organizations or any events raising funds for a charity. This is only an application for a Special Designated License under the Liquor Control Act and is not a gambling permit application.

13. Any other information or requests for exemptions: N/A

14. Name and **telephone number/cell phone number** of immediate **supervisor**. This person will be at the location of the event when it occurs, able to answer any questions from Commission and/or law enforcement before and during the event, and who will be responsible for ensuring that any applicable laws, ordinances, rules and regulations are adhered to. **PLEASE PRINT LEGIBLY**

Print name of Event Supervisor Howard P. Olsen, Jr.

Signature of Event Supervisor 

Phone of Event Supervisor: Before 308-631-3825 During 308-631-3825

Consent of Authorized Representative/Applicant

15. I declare that I am the authorized representative of the above named license applicant and that the statements made on this application are true to the best of my knowledge and belief. I also consent to an investigation of my background including all records of every kind including police records. I agree to waive any rights or causes of action against the Nebraska Liquor Control Commission, the Nebraska State Patrol or any other individual releasing said information to the Liquor Control Commission or the Nebraska State Patrol. I further declare that the license applied for will not be used by any other person, group, organization or corporation for profit or not for profit and that the event will be supervised by persons directly responsible to the holder of this Special Designated License.

sign  
here

  
Authorized Representative/Applicant

Pastor  
Title

12/4/13  
Date

Father Vincent L. Parsons

Print Name

This individual must be listed on the application as an officer or stockholder unless a letter has been filed appointing an individual as the catering manager allowing them to sign all SDL applications.

The law requires that no special designated license provided for by this section shall be issued by the Commission without the approval of the local governing body. For the purposes of this section, the local governing body shall be the city or village within which the particular place for which the special designated license is requested is located, or if such place is not within the corporate limits of a city or village, then the local governing body shall be the county within which the place for which the special designated license is requested is located.

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**This page is required to be completed by Non Profit applicants only.**

**Application for Special Designated License  
Under Nebraska Liquor Control Act  
Affidavit of Non-Profit Status**

I HEREBY DECLARE THAT THE CORPORATION MAKING APPLICATION FOR A SPECIAL DESIGNATED LICENSE UNDER THE NEBRASKA LIQUOR CONTROL ACT IS EITHER A MUNICIPAL CORPORATION, A FINE ARTS MUSEUM INCORPORATED AS A NONPROFIT CORPORATION, A RELIGIOUS NONPROFIT CORPORATION WHICH HAS BEEN EXEMPTED FROM THE PAYMENT OF FEDERAL INCOME TAXES, A POLITICAL ORGANIZATION WHICH HAS BEEN EXEMPTED FROM THE PAYMENT OF FEDERAL INCOME TAXES, OR ANY OTHER NONPROFIT CORPORATION, THE PURPOSE OF WHICH IS FRATERNAL, CHARITABLE, OR PUBLIC SERVICE AND WHICH HAS BEEN EXEMPTED FROM THE PAYMENT OF FEDERAL INCOME TAXES AS PER §53-124.11(1).

AS SIGNATORY I CONSENT TO THE RELEASE OF ANY DOCUMENTS SUPPORTING THIS DECLARATION AND ANY DOCUMENTS SUPPORTING THIS DECLARATION WILL BE PROVIDED TO THE NEBRASKA LIQUOR CONTROL COMMISSION, THE NEBRASKA STATE PATROL OR ANY AGENT OF THE LIQUOR CONTROL COMMISSION IMMEDIATELY UPON DEMAND. I ALSO CONSENT TO THE INVESTIGATION OF THIS CORPORATE ENTITY TO DETERMINE IT'S NONPROFIT STATUS.

I AGREE TO WAIVE ANY RIGHTS OR CAUSES OF ACTION AGAINST THE NEBRASKA LIQUOR CONTROL COMMISSION, THE NEBRASKA STATE PATROL OR ANY PARTY RELEASING INFORMATION TO THE AFOREMENTIONED PARTIES.

St. Agnes Catholic Church

NAME OF CORPORATION

999998072

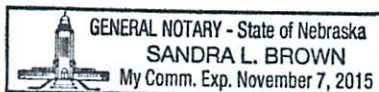
FEDERAL ID NUMBER

  
SIGNATURE OF TITLE OF CORPORATE OFFICERS

THE ABOVE INDIVIDUAL STATES THAT THE STATEMENT ABOVE IS TRUE AND CORRECT: IF ANY FALSE STATEMENT IS MADE ON THIS APPLICATION, THE APPLICANT SHALL BE DEEMED GUILTY OF PERJURY AND SUBJECT TO PENALTIES PROVIDED BY LAW. (SEC. §53-131.01) NEBRASKA LIQUOR CONTROL ACT

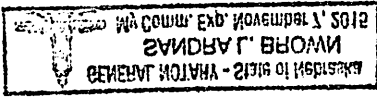
SUBSCRIBED IN MY PRESENCE AND SWORN TO BEFORE ME THIS 4th DAY OF

DEC. 2013



  
NOTARY PUBLIC SIGNATURE & SEAL

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*[Handwritten Signature]*

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*[Handwritten Signature]*

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Notary Public, State of Illinois  
My Commission Expires November 1, 2012

I, *[Name]*, do hereby certify that *[Name]* is the duly elected Mayor of the City of Scottsbluff, Nebraska, for the term of office beginning on January 1, 2013, and ending on January 1, 2017.

This certificate is given in accordance with the provisions of the Nebraska Election Code, Chapter 49, Section 1-10, which requires the Notary Public to certify the results of the election to the Secretary of State.

Notary Public, State of Illinois  
Sandra J. Brown  
12/16/2012

**MEMORANDUM**

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**TO:** Rick Kuckkahn, City Manager

**FROM:** Kevin Spencer, Chief of Police

**CC:** Cindy Dickinson, City Clerk

**DATE:** December 6, 2013

**RE:** Request for a Special Designated License (SDL) – St. Agnes 2314 3<sup>rd</sup>  
Avenue Scottsbluff, NE. Fish Fry

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In regards to the St. Agnes Church application for four Special Designated Licenses (SDL) for the following dates; January 31, 2014, March 7<sup>th</sup>, 2014, March 28<sup>th</sup>, 2014 and April 11<sup>th</sup> 2014, all events being "Fish Fry." There will be sufficient law enforcement officers on duty to handle regular patrol duties in the city and to respond to St. Agnes in the event of a problem. As always, we would insist that management have adequate staff on hand to closely monitor the event and take steps to ensure minors do not drink.

The police department does not object to the issuance of the Special Designated License.

Kevin Spencer  
Chief of Police