



CITY OF SCOTTSBLUFF
2525 Circle Drive, Scottsbluff, NE 69361
LIQUOR LICENSE HOLDERS INVESTIGATORY BOARD AGENDA

Regular Meeting
July 31, 2024
2:00 PM

1. **Roll Call**
2. **For public information, a copy of the Nebraska Open Meetings Act is posted in the back of the room on the south wall.**
3. **Call meeting to order - Chairman Russ Knight**
4. **Changes or additions to the agenda**
5. **Minutes**
 - a) Approve the April 3, 2024 Regular Meeting Minutes.
6. **New Liquor License Applications**
 - a) Class C Application, Broadway Bar & Arcade, 1717 Broadway, Scottsbluff, NE; Christopher Hayward, Manager.
7. **Liquor License Compliance Issue**
 - a) Board Review and discussion of failed compliance checks.
 - Essential Fuel - 822 S Beltline Hwy W
 - Chen's Express Mart, LLC - 405 W. 27th Street
8. **Other Business**
9. **Adjournment**

City of Scottsbluff
Liquor License Holders Investigatory Board
Regular Meeting
April 3, 2024 – 2:00 p.m.

The City of Scottsbluff Liquor License Holders Investigatory Board met in a regular meeting on Wednesday, April 3, 2024 at 2:00 p.m. in the Meeting Room of City Hall, 2525 Circle Drive, Scottsbluff. A notice of the meeting had been published on March 30, 2024 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: Andrea Margheim, Vice-Chairman, Kevin Spencer, Police Chief/City Manager; Kim Wright, City Clerk; Libby Stobel, City Attorney, Matt Huck, Scottsbluff Public Schools. Absent: Russ Knight, Chairman, Kelli Larson, Panhandle Prevention Coalition, Emily Norman, WNCC.
2. Open Meeting Act – Vice-Chairman Margheim 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 Wright recorded the proceedings.
4. Changes or additions to the agenda – None.
5. Approve the February 21, 2024 Regular Meeting Minutes – Motion by Huck, second by Stobel to approve the February 21, 2024 Regular Meeting Minutes, motion passed unanimously.
6. New Application.
 - a. Mr. Charles Wright and Mr. Eric King representing Legacy Cooperative d/b/a Northgate Ampride, 3302 Ave. B, Scottsbluff, NE and Main Street Market Wine & Spirits, 401 S. Beltline Hwy W., Scottsbluff, NE were present to answer questions regarding the Class D and Class CK liquor licenses at both locations.

Police Chief/City Manager Kevin Spencer started by asking Mr. King about his experience in the alcohol industry. Mr. King stated he has been involved for 24 years; six at the Albertsons location when it was open and the last 18 at Main Street Market. Both men were also asked what processes were in place at both locations to prevent underage drinking. Mr. King stated cashiers and liquor store employees take online courses from the Nebraska Liquor Control Commission and they have team meetings every 7-10 days where they remind staff of their processes. Mr. Wright stated they are looking at getting a scanner at the Ampride location to help with checking ID's. At

Main Street Market Wine & Spirits they check ID's if you look younger than 35 and also ask for birthdates to put in the system. Committee Member Huck questioned if someone could override that or put in a false date. Mr. King stated the date prints on the receipt and he does view transactions from his office to make sure the clerks are following protocol.

Mr. Spencer asked who orders and inventories the alcohol at both locations. Mr. King said at the Main Street Market Location, Colton Johns the liquor store manager, orders and he and Mr. Johns do the inventory. At the Ampride location, Mr. Wright stated the location manager does the ordering and Mr. Jason Rupp does the inventory.

When asked what would happen to an employee if they sold to a minor, Mr. Wright stated their policy says to terminate, but he will make an exception if it is a long-termed employee and after hearing the circumstances.

After discussion, Committee Member Huck moved to send positive recommendations for the Class D Liquor License of Legacy Cooperative d/b/a Northgate Ampride; Jason Rupp Manager and the Class CK License of Legacy Cooperative d/b/a/ Main Street Market Wine & Spirits; Eric King Manager. The motion was seconded by Police Chief/City Manager Spencer. Motion passed unanimously.

Vice-Chairman Margheim moved to adjourn the meeting at 2:14 p.m. The motion was seconded by Committee Member Huck. Motion passed unanimously.

Andrea Margheim, Vice- Chairman

Kim Wright, Secretary



Nebraska Liquor Control

301 Centennial Mall
South - 1st Floor PO
Box 95046 Lincoln
NE 68508

Application Copy

File Number: 19826

LICENSE TYPE Class C Spirits, Wine, Beer On and Off Sale	APPLICATION DATE RECEIVED 2024-06-17
SECONDARY LICENSE(S) None selected	
LICENSEE LEGAL NAME Broadway Bar and Arcade	LICENSEE TYPE Corporation
DOING BUSINESS AS Broadway Bar & Arcade	CORPORATE NUMBER N/A
INCORPORATION DATE 2023-06-28	
CORRESPONDENCE ADDRESS 1717 Broadway Scottsbluff, NE 69361	
MAILING ADDRESS	
PHYSICAL ADDRESS	
CONTACT NAME Stormie Hayward	PREFERRED CONTACT METHOD Email
CONTACT PHONE (307) 214-4034	ALTERNATE PHONE (308) 641-0702
FAX	EMAIL stormie.hayward@yahoo.com

CORPORATE STRUCTURE

NAME	POSITION/TITLE	PARENT COMPANY	% INTEREST
Stormie M Hayward	Owner		50
Christopher Hayward	President		50

ADDITIONAL INFORMATION

MARITAL STATUS

Single

MANAGED BY AGENT

No

PREMISES TYPE

Bar/Lounge (on prem)

PREMISES NAME

Broadway Bar and Arcade

OPERATOR

Christopher and Stormie Hayward

CORPORATE LIMIT DESIGNATION

Inside

LEASE OR OWN

Own

PHYSICAL ADDRESS

1717 Broadway, Scottsbluff, Nebraska, 69361

MAILING ADDRESS

1717 Broadway
Scottsbluff, NE 69361

CONTACT NAME

Stormie Hayward

PREFERRED CONTACT METHOD

Email

CONTACT PHONE

(307) 214-4034

ALTERNATE PHONE

(308) 641-0702

FAX

EMAIL

stormie.hayward@yahoo.com

PREMISES MANAGER

PREMISES MANAGER EMAIL

Christopher Hayward

chris@panhandleconcrete.com

QUESTIONS

Class C Spirits, Wine, Beer On 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 is applying, please list charges by each individual's name. Exclude minor traffic violations such as speeding. Include Driving Under the Influence, Driving Under Suspension & other similar charges. Commission must be notified of any arrests and/or convictions that may occur after the date of signing this application.

No

2. What are the building dimensions: Enter length and width in feet separated by a comma (i.e. L20, W15)

A simple sketch of the area to be licensed will be required to be uploaded in the Documents section.. Include the length x width, direction of NORTH and number of floors of the building.

L212, W24

3. Is there an outdoor area?

*Must have permanent fencing securing the outdoor area. Please contact the local governing body for other requirements regarding fencing.

No

4. Will a basement be used for alcoholic storage or sale?

No

5. How many floors of the building? (excluding basement) Please indicate which floors will be included in the liquor license.

1

6. Is premises to be licensed within 150 feet of a church, school, hospital, home for indigent persons or for veterans, their wives, and children?

No

7. Is premises to be licensed within 300 feet of a college campus or university?

No

8. Are you acquiring any alcohol prior to obtaining this liquor license?

No

9. What date do you intend to open for business?

09/2024

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

Yes

Platte Valley Bank

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

Yes

Christopher Hayward Co-Owner/Manager

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

No

13 List the primary bank and/or financial institution to be utilized by the business.

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

Platte Valley Bank

14 Do you have prior experience or training in selling, serving or managing alcohol sales?

Yes

ServeSafe Course

15 Are all individuals stated in this application over 21 years of age?

Yes

16 Do you intend to sell cocktails to go as allowed under Neb Rev. Statute 53-123.04(4)?

Yes

17 Do you intend to allow drive through services (curb side pick up) allowed under Neb Rev. Statute 53-178.01(2)

No

DOCUMENTS

TYPE	FILE NAME	DESCRIPTION
Business Plan	BroadwayBarArcadebusinesplan.pdf	
Lease / Deed / Purchase Agreement	Quitclaimdeed.pdf	
Corporation/LLC Structure	LLC Articles OR Certificate of Organization (2).pdf	
Fingerprint Submission	fingerprintCH.jpg	
Fingerprint Submission	fingerprintSH.jpg	
Premises Description & Diagram	building.jpg	

APPLICANT

Stormie Hayward

DECLARATION

I (We) the applicant(s) agree and consent

By checking the box next to "I (We) the applicant(s) agree and consent", the applicant(s) hereby consent(s) to an investigation of background and release present and future records of every kind and description including, but not limited to, police records, tax records, bank or lending institution records, and corporate records. I consent to the release of any documents supporting any declarations made in this application and agree to provide any documents supporting these declarations to the Nebraska Liquor Control Commission (NLCC) or the Nebraska State Patrol (NSP) immediately upon demand. I agree to provide any record needed in furtherance of any investigation related to this application immediately upon demand to the NLCC or the NSP. I waive any right or cause of action that I may have against the NLCC, the NSP, or any other individual or entity disclosing or releasing any investigatory or supporting records related to this application or the review of this application.

I acknowledge that false information submitted in this application is grounds for denial of a license. Any license issued based on the information submitted in this application is subject to additional conditions, cancellation, revocation, or suspension if the information contained herein is incomplete, inaccurate, or fraudulent. I acknowledge that any changes to the information contained in this application must be reported to the NLCC. I acknowledge the review of this application will involve a criminal record check of all owners, partners, managers, officers and stockholders or members owning 25% interest in the applying entity and their spouses. Any license granted by the NLCC is subject to the provisions of the Nebraska Liquor Control Act and the Rules & Regulations of the NLCC, and that failure to comply with these provisions and rules may subject the license to suspension, cancellations, or revocation. I acknowledge that a licensee must keep complete, accurate, and separate records and that a licensee's records and books are subject to inspection by the NLCC. NLCC auditors and law enforcement officers are authorized to enter and inspect the licensed premises at any time to determine whether any provision of the Act, rule or regulation, or ordinance has been or is being

violated. I acknowledge that it is the licensee's responsibility to comply with the provisions of the Nebraska Liquor Control Act and the Commission's rules and regulations.

If I am an individual applicant, I will supervise in person the management and operation of the business and operate the business authorized by the license for myself and not as an agency for any other person or entity. If I am a corporate applicant, I will ensure that an approved manager will supervise in person the management and operation of the business. If I am a partnership applicant, I will ensure one partner supervises the management and operation of the business.

I will operate the licensed business in compliance with all applicable laws, rules and regulations, and ordinances and to cooperate fully with any authorized agent of the NLCC.

I declare under penalty of perjury that I have read the contents of this application and, to the best of my knowledge, believe all statements made in this application are true, correct, and complete.

Applicant Notification and Record Challenge: An applicant's fingerprints will be used to check the criminal history records of the FBI. The applicant may complete or challenge the accuracy of the information contained in the FBI Identification Record. The procedures for obtaining a change, correction, or updating an FBI identification record are set forth in 28 CFR 16.34.



2023-3253

NUM PAGES 1
 DOC TAX Ex05b CHG _____
 FEES \$10.00 CHG _____
 TOTAL \$10.00
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 NEBRASKA DOCUMENTARY
 STAMP TAX
 Aug 18, 2023
 \$ Ex05b By JBauer

RECORDED
 SCOTTS BLUFF COUNTY, NE

Date Aug 18, 2023 Time 03:38 PM

Inst. 2023-3253

Jean A. Bauer
 REGISTER OF DEEDS
 ELECTRONICALLY RECORDED

Return to:
 Elizabeth A. Stobel
 Simmons Olsen Law Firm, P.C., L.L.O.
 1502 Second Avenue
 Scottsbluff, NE 69361

QUITCLAIM DEED

Christopher Hayward and Stormie Hayward, husband and wife (the "Grantors"), in consideration of ten dollars and other good and valuable consideration, quitclaims to Broadway Bar and Arcade, LLC (the "Grantee"), the following described real estate (as defined in Neb. Rev. Stat. §76-201) in Scotts Bluff County, Nebraska (the "Real Estate"):

Lot Fifteen (15), Block (2), ORIGINAL TOWN ADDITION to the City of Scottsbluff, Scotts Bluff County, Nebraska

Dated: Aug 4, 2023.

Christopher Hayward

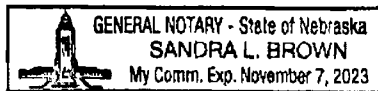
 Christopher Hayward

Stormie Hayward

 Stormie Hayward

State of Nebraska, Scotts Bluff County: ss.

This Quitclaim Deed was acknowledged before me on Aug. 18th, 2023, by Christopher Hayward and Stormie Hayward, husband and wife,



Sandra L. Brown

 Notary Public

Broadway Box : Arcade
2 levels : main floor
unoccupied basement

N →

