

BEFORE THE BOARD OF COUNTY COMMISSIONERS
OF LANCASTER COUNTY, NEBRASKA

IN THE MATTER OF AN APPLICATION FOR)
A CLASS K (CATERING) LIQUOR LICENSE)
FOR MICHAEL J. AND TAMMY L. ROTH, DBA)
KRAMER BAR & GRILL IN CONNECTION)
WITH THE CLASS IB LIQUOR LICENSE FOR) RESOLUTION NO. R-17-0026
LICENSE FOR MICHAEL J. AND TAMMY L.)
ROTH DBA KRAMER BAR & GRILL,)
LOCATED AT 11365 W. KRAMER ST.,)
KRAMER, LANCASTER COUNTY,)
NEBRASKA)

WHEREAS, Neb. Rev. Stat. § 53-124.12 (2016 Supp.) provides, in part:

(1) The holder of a license to sell alcoholic liquor at retail issued under subsection (6) of section 53-124, a craft brewery license, a microdistillery license, a farm winery license, or a manufacturer’s license issued under subsection (2) of section 53-123.01 may obtain an annual catering license as prescribed in this section. The catering license shall be issued for the same period and may be renewed in the same manner as the retail license, craft brewery license, microdistillery license, farm winery license, or manufacturer’s license.

....

(3) When an application for a catering license is filed, the commission shall notify the clerk of the city or incorporated village in which such applicant is located or, if the applicant is not located within a city or incorporated village, the county clerk of the county in which such applicant is located, of the receipt of the application. The commission shall include with such notice one copy of the application by mail or electronic delivery. The local governing body and the commission shall process the application in the same manner as provided in section 53-132.

WHEREAS, Neb. Rev. Stat. § 53-134 (2016 Supp.), provides, in part:

[T]he local governing body of any county with respect to licenses not within the corporate limits of any city or village but within the county shall have the following powers, functions, and duties with respect to retail, craft brewery, microdistillery, and entertainment district licenses:

(7) Upon receipt from the commission of the notice and copy of application as provided in section 53-131, to fix a time and place for a hearing at which the local governing body shall receive evidence, either orally or by affidavit from the applicant and any other person, bearing upon the propriety of the issuance of a license. Notice of the time and place of such hearing shall be published in a legal newspaper in or of general circulation in such city, village, or county one time not less than seven and not more than fourteen days before the time of the hearing. Such notice shall include, but not be limited to, a statement that all persons desiring to give evidence before the local governing body in support of or in protest against the issuance of such license may do so at the time of the hearing. Such hearing shall be held not more than forty-five days after the date of receipt of the notice from the commission, and after such hearing the local governing body shall cause to be recorded in the minute record of their proceedings a resolution recommending either issuance or refusal of such license. The clerk of such city, village, or county shall mail to the commission by first-class mail, postage prepaid, a copy of the resolution which shall state the cost of the published notice. . . .;

WHEREAS, on or about March 1, 2017, the Lancaster County Clerk received from the Nebraska Liquor Control Commission notice and a copy of the Application of Michael J. and Tammy L. Roth, DBA Kramer Bar & Grill for a Class K (Catering) liquor license, for the premises located at 11365 W. Kramer St., Lancaster County, Nebraska;

WHEREAS, pursuant to the requirements of Neb. Rev. Stat. § 53-134, the Board of County Commissioners of Lancaster County set a time and place for a public hearing on said application, and published in the Lincoln Journal Star, notice of said public hearing as required by law;

WHEREAS, within forty-five days of receipt of said application from the Nebraska Liquor Control commission, public hearings were held on March 28, 2017, and April 4, 2017;

WHEREAS on April 4, 2017, the County Board voted to recommend _____ of said Application for a Class K liquor license;

NOW, THEREFORE, BE IT RESOLVED, by the Board of County Commissioners of Lancaster County, Nebraska, that pursuant to the provisions of Neb. Rev. Stat. § 53-134, it hereby recommends to the Nebraska Liquor Control Commission that said application for a Class K (Catering) liquor license be _____ for the above stated location;

AND, BE IT FURTHER RESOLVED, that the Lancaster County Clerk is hereby directed to mail a copy of this resolution to the Nebraska Liquor Control Commission by United States First Class Mail, postage prepaid, this 4th day of April, 2017.

DATED this 4th day of April, 2017.

BY THE BOARD OF COUNTY
COMMISSIONERS OF
LANCASTER COUNTY, NEBRASKA

APPROVED AS TO FORM
this 4th day of
April, 2017.

Deputy County Attorney

for JOE KELLY
Lancaster County Attorney

