

RESOLUTION NO. _____

A RESOLUTION OF THE MAYOR AND CITY COUNCIL OF THE CITY OF LA VISTA, NEBRASKA RECOMMENDING TO THE NEBRASKA LIQUOR CONTROL COMMISSION, APPROVAL OF A CLASS C LIQUOR LICENSE FOR PIZZOPIE, LLC DBA PIZZA WEST IN LA VISTA, NEBRASKA.

WHEREAS, PizzOPie, LLC dba Pizza West, 12040 McDermott Plaza, La Vista, Sarpy County, Nebraska, has applied to the Nebraska Liquor Control Commission for a Class C Liquor License; and

WHEREAS, the Nebraska Liquor Control Commission has notified the City of said application; and

WHEREAS, the City has adopted local licensing standards to be considered in making recommendations to the Nebraska Liquor Control Commission; and

WHEREAS, said licensing standards have been considered by the City Council in making its decision;

NOW, THEREFORE, BE IT RESOLVED, that the Mayor and City Council of La Vista, Nebraska, hereby recommend to the Nebraska Liquor Control Commission approval of a Class C Liquor License submitted by PizzOPie, LLC dba Pizza West, 12040 McDermott Plaza, La Vista, Sarpy County, Nebraska.

PASSED AND APPROVED THIS 17TH DAY OF SEPTEMBER 2024.

CITY OF LA VISTA

Douglas Kindig, Mayor

ATTEST:

Pamela A. Buethe, MMC
City Clerk



**LA VISTA POLICE DEPARTMENT
INTER-DEPARTMENT MEMO**

TO: Pam Buethe, City Clerk

FROM: Captain D. J. Barcal

DATE: September 9, 2024

RE: Local Background Check– PizzOPie LLC, dba Pizza West

The La Vista Police Department has reviewed the Nebraska Liquor Control Commission Documents completed by the applicant and conducted a check of local records relating to the Manager Application for PizzOPie LLC, dba Pizza West for Holly Purcell. No criminal record was located.

As with all Nebraska Retail Liquor Licenses, I am asking the applicant strictly conform to Nebraska Liquor Commission rules and regulations under Section 53-131.01, Nebraska Liquor Control Act.



Nebraska Liquor Control

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

Application Copy

File Number: 31899

| | |
|--|---------------------------|
| LICENSE TYPE | APPLICATION DATE RECEIVED |
| Class C Spirits, Wine, Beer On and Off Sale | 2024-08-15 |

SECONDARY LICENSE(S)

None selected

LICENSEE LEGAL NAME

PizzOPie LLC

DOING BUSINESS AS

Pizza West

INCORPORATION DATE

2024-07-29

CORRESPONDENCE ADDRESS

21412 Hickory Street
Elkhorn NE 68022

MAILING ADDRESS

PHYSICAL ADDRESS

12040 McDermott Plz
LaVista, NE 68128

CONTACT NAME

Holly Purcell

CONTACT PHONE

(402) 943-9050

APPLICATION DATE RECEIVED

2024-08-15

LICENSEE TYPE

Corporation

CORPORATE NUMBER

PREFERRED CONTACT METHOD

Email

FAX

EMAIL

hpurcell0422@gmail.com

CORPORATE STRUCTURE

| NAME | POSITION/TITLE | PARENT COMPANY | % INTEREST |
|----------------|----------------|----------------|------------|
| Holly Purcell | President | | 33 |
| Joshua Purcell | Member | | 33 |
| Cathy Beacom | Member | | 33 |

ADDITIONAL INFORMATION

Temporary Operating Permit

LICENSE

License 102375 (Active) - Class I Beer, Wine, Spirits On Sale Only (May 01, 2024 - Apr 30, 2025)
PIZZAWEST (PIZZAWEST INC)

MARITAL STATUS

Single

MANAGED BY AGENT

No

PREMISES TYPE

Restaurant with Bar

PREMISES NAME

Pizza West

OPERATOR

Holly Purcell

CORPORATE LIMIT DESIGNATION

Inside

LEASE OR OWN

Lease

EXPIRATION DATE

2025-02-28

PHYSICAL ADDRESS

12040 McDermott Plz, La Vista, Nebraska, 68128

MAILING ADDRESS

12040 McDermott Plz, La Vista, Nebraska, 68128

| CONTACT NAME | PREFERRED CONTACT METHOD |
|------------------|--------------------------|
| Holly Purcell | Email |
| CONTACT PHONE | ALTERNATE PHONE |
| (402) 933-7499 | (402) 943-9050 |
| FAX | EMAIL |
| | hpurcell0422@gmail.com |
| PREMISES MANAGER | PREMISES MANAGER EMAIL |
| Holly Purcell | hpurcell0422@gmail.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.
4800 square feet - Unsure of exact dimensions of bay - requesting a new floor plan diagram from the landlord currently and working on new lease agreements.
This building SOUTH facing with only one floor

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.
Yes
24' L / 40' W - has fencing already

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.
Only 1 floor

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?
Yes
(document uploaded)

9. What date do you intend to open for business?
9/4/2024

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

Yes

United Republic Bank

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

No

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.

United Republic Bank

All members of LLC authorized on account - Josh, Holly, Cathy

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

Yes

Current Liquor License holder for 7+ years and two locations

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 | Pizza West Business Plan.doc | Business Plan |
| Fingerprint Submission | Fingerprinting.pdf | Fingerprinting Form - all 3 members |
| Lease / Deed / Purchase Agreement | AssetPurchaseAgreement PizzaWest08-14-2024.pdf | Purchase Agreement |
| Lease / Deed / Purchase Agreement | PizzaWest LaVista Lease Renewal 2018-01.pdf | current lease |
| Lease / Deed / Purchase Agreement | Pizza West Lease - Executed 13-0311.pdf | current lease extension |
| Alcohol Inventory | Liquor Inventory.docx | Final inventory to be provided at closing |
| TOP with Business Purchase Agreement and Inventory | APPLICATION FOR TEMPORARY OPERATING PERMIT.pdf | TOP form |
| Premises Description & Diagram | Scanned Documents.pdf | Building plan |
| Premises Description & Diagram | THE PREMISES.pdf | Patio dimensions and diagram |

APPLICANT

Holly Purcell

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.

APPLICATION FOR TEMPORARY OPERATING PERMIT

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

Name of current licensee (seller): Pizzawest Inc

Name of applicant (buyer): PizzOpL, LLC - Holly Purcell

On this date 8/14/2024 (date) buyer and seller entered into a contract for sale of the alcohol

related business known as: Pizzawest (Name of business currently licensed)

Located at:

12040 McDermott Plz, Ste 300, NE 68120
(Street Address) (City) (Zip Code)

Requested effective date of Temporary Operating Permit: 9/4/2024 (date)

Seller hereby declares that they have no outstanding balances on all accounts with all Nebraska licensed wholesalers under Revised Section 53-123.02. Any seller who provides false information regarding such accounts is guilty of a Class IV misdemeanor for each offense.

Signature of Seller

James W. DeMott

Printed Name

8/14/2024

Date

Buyer seeks to obtain a Temporary Operating Permit (TOP) to allow buyer to operate the business under the same terms and conditions of the current licensee subject to approval by the Nebraska Liquor Control Commission for a period not to exceed 90 days.

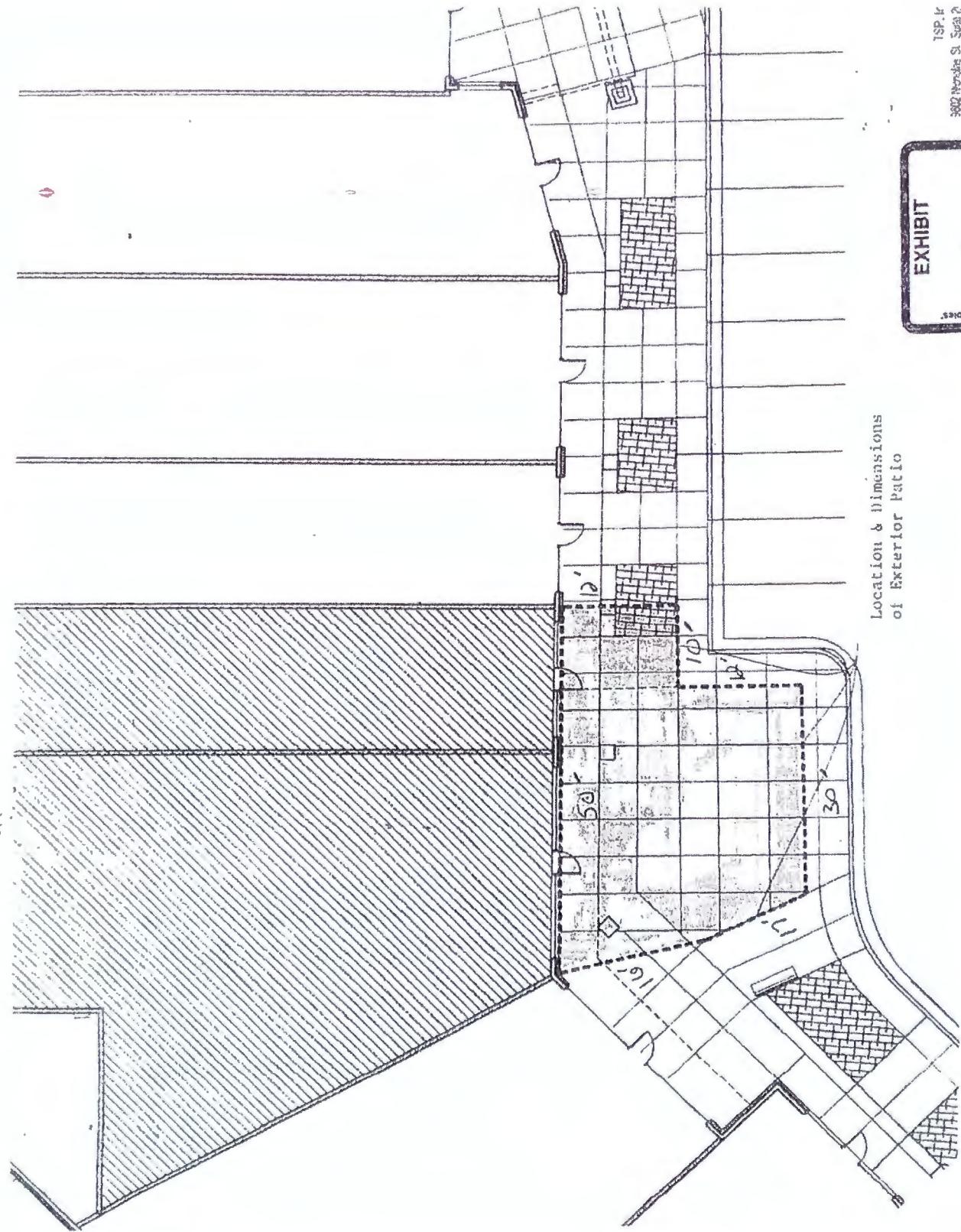
Signature of Buyer

Holly Purcell

Printed Name

8/14/2024

Date



Location & dimensions of Exterior Ratio

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Quesada, 1861

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