

February 25, 2016

Mayor Beutler and City Council
City of Lincoln
City County Building
Lincoln, NE

Mayor Beutler and Members of the City Council:

An investigation has been made regarding the application of WBC Enterprises, LLC, DBA Night Owl Pub, 3233 ½ S 13th Street, requesting that Christopher Rosiak be approved as the manager of the class C-106353 liquor license.

WBC Enterprises, LLC Corporate Officers/Stockholders/Members:

Member 1: Weijay Wang – President (80%)
Member 2: Christopher Rosiak – Member (20%)

Mr. Rosiak is currently one of the corporate members. He has not completed the required alcohol management training, however Weijay Wang, president of WBC Enterprises, LLC, completed the alcohol management training on December 11, 2014.

On March 10, 2014, The Night Owl Pub's initial liquor license application and the related manager application for Brennan Rutt (previous corporate member) came before the City Council, at which time the applications were denied (Resolution A-88127 and A-88128).

On April 16, 2014, the Nebraska Liquor Control Commission (NLCC) held a Show Cause hearing and on May 14, 2014, the NLCC approved the liquor license with the following restriction:

NO PERSONAL OR BUSINESS ALCOHOL RELATED VIOLATIONS AGAINST
CHRISTOPHER ROSIAK AND BRENNAN RUTT FOR TWO YEARS FROM 5/14/2014

On July 1, 2014, the liquor license was issued with Brennan Rutt as the manager.

On October 26, 2014, Christopher Rosiak and Brennan Rutt were arrested and ultimately convicted of a disturbance.

On February 19, 2015, the NLCC held a Show Cause hearing in regard to the violation, which resulted in a 20 day suspension and an extension of the original restriction to three years.

Christopher Rosiak's driver and criminal history is as follows:

07-14-2015	Improper registration	Infraction
10-26-2014	Disturbing the Peace	Misdemeanor



01-11-2014	(bench warrant issued) Suspended license, eligible Improper registration No proof of financial responsibility	Misdemeanor Infraction Misdemeanor
10-20-2013	(bench warrant issued) Suspended license, eligible No proof of financial responsibility	Misdemeanor Misdemeanor
07-01-2013	(bench warrant issued) Suspended license, eligible Occupant protection system	Misdemeanor Infraction
05-31-2013	(bench warrant issued) Suspended license, eligible Violate speed limit 11-15 MPH over	Misdemeanor Infraction
05-23-2013	Suspended license, eligible No proof of financial responsibility	Misdemeanor Misdemeanor
05-09-2013	(bench warrant issued) Violate speed limit 6-10 MPH over	Infraction
12-12-2012	Violate speed limit 21-35 MPH over Occupant protection system	Infraction Infraction
04-15-2012	DUI-1 st offense (bench warrant issued) (bench warrant issued)	Misdemeanor
12-15-2009	Possess marijuana 1 oz or less-1 st offense Possess drug paraphernalia	Infraction Infraction
06-25-2009	No proof of financial responsibility	Misdemeanor
06-05-2009	Possess stolen property	Misdemeanor
06-02-2009	Suspended license, eligible Violate speed limit 6-10 MPH over Improper registration No proof of financial responsibility Occupant protection system	Misdemeanor Infraction Infraction Misdemeanor Infraction
09-20-2008	Inmate of a disorderly house (bench warrant issued)	Misdemeanor
07-28-2008	Speeding 21-35 MPH over	Infraction
12-18-2007	Operate motor vehicle w/o operators license Improper registration No proof of financial responsibility Occupant protection system	Infraction Infraction Misdemeanor Infraction
09-02-2007	Speeding 16-20 MPH over	Infraction

The application is included for your review.

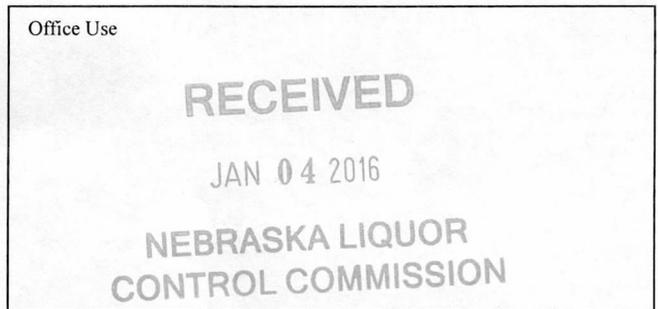
If this application is approved, it should be with the understanding that it conforms to all the rules and regulations of Lincoln, Lancaster County and the State of Nebraska.



BRIAN JACKSON, Assistant Chief of Police

**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



Manager must:

- Complete all sections of the application. Be sure it is signed by a **corporate officer**, corporate officer must be an individual on file with the Liquor Control Commission
- Fingerprints are required. See Form 147 for further information, this form **MUST** be included with your application.
- Provide a copy of one of the following: US birth certificate, naturalization papers or current US passport (even if you have provided this before)
- Be a registered voter in the State of Nebraska, include a copy of voter card with application

Spouse who **will not** participate in the business, spouse must:

- Complete the Spousal Affidavit of Non Participation Insert (must be notarized). The non-participating spouse completes the top half; the manager completes the bottom half. **Be sure to complete both halves of this form.**
- Need not answer question #1 of the application

Spouse who **will** participate in the business, the spouse must:

- Sign the application
- Fingerprints are required. See Form 147 for further information, this form **MUST** be included with your application.
- Provide a copy of one of the following: birth certificate, naturalization papers or current US passport (even if you have provided this before)
- Be a registered voter in the state of Nebraska, include a copy of voter card with application
- Spousal Affidavit of Non Participation Insert **not** required

**MANAGER APPLICATION
INSERT - FORM 3c**

NEBRASKA LIQUOR CONTROL COMMISSION
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PO BOX 95046
LINCOLN, NE 68509-5046
PHONE: (402) 471-2571
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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 in the State of Nebraska**
- ✓ **Fingerprinted. See Form 147 for further information, this form MUST be included with your application.**
- ✓ **21 years of age or older**

Corporation/LLC information

Name of Corporation/LLC: WBC Enterprises

Premise information

Liquor License Number: 106353 Class Type C (if new application leave blank)

Premise Trade Name/DBA: Night Owl Pub

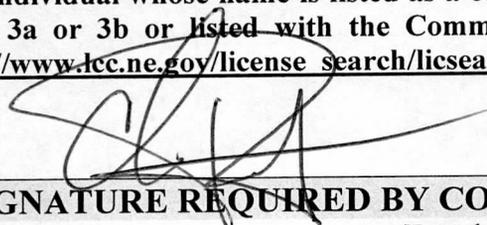
Premise Street Address: 323 1/2 S 13th ST

City: Lincoln County: Lancaster Zip Code: 68502

Premise Phone Number: (402) 404-3727

Email address: Night Owl Pub@gmail.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. Click on this link to see authorized individuals.
http://www.lcc.ne.gov/license_search/licsearch.cgi



SIGNATURE REQUIRED BY CORPORATE OFFICER / MANAGING MEMBER
(Faxed signatures are acceptable)

Manager's information must be completed below PLEASE PRINT CLEARLY

Last Name: Roslak First Name: Chris MI: _____
 Home Address (include PO Box if applicable): 3215 S 48th St #1
 City: Lincoln County: Lancaster Zip Code: 68506
 Home Phone Number: (402) 417-6220 Business Phone Number: _____
 Social Security Number: _____ Drivers License Number & State _____
 Date Of Birth: _____ Place Of Birth: Sacramento, CA
 Email address: CRoslak6@gmail.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: _____ Drivers 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
<u>Lincoln, NE</u>	<u>05</u>	<u>06</u>			
<u>Lincoln, NE</u>	<u>06</u>	<u>08</u>			
<u>Lincoln, NE</u>	<u>08</u>	<u>2012</u>			
<u>Lincoln, NE</u>	<u>2012</u>	<u>2016</u>			

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MANAGER'S LAST TWO EMPLOYERS

YEAR FROM TO		NAME OF EMPLOYER	NAME OF SUPERVISOR	TELEPHONE NUMBER
2013	2015	Cask	Jeremy Shaffer	(402) 416-2429
2013	2014	Dozo	WeiJing Wang	(308) 227-1628

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. Also list any charges pending at the time of this application. If more than one party, please list charges by each individual's name.

YES NO

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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
See Attached				

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):

Night Owl Pub

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: No Name on Certificate: _____

Applicant Name	Date (mm/yyyy)	Name of program (attach copy of course completion certificate)

*For list of NLCC Certified Training Programs see www.lcc.ne.gov/traininginfo.html

Experience:

Applicant Name / Job Title	Date of Employment:	Name & Location of Business:
Night Owl Pub	1/4 '16	3233 1/2 S 13 th St

5. Have you enclosed Form 147 regarding fingerprints?

YES

NO

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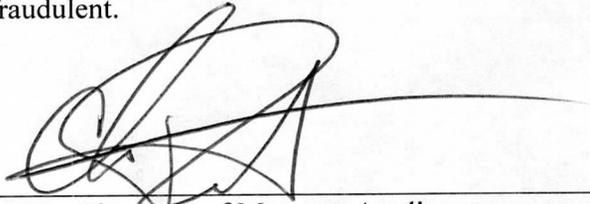
NEBRASKA LIQUOR
CONTROL COMMISSION

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.



Signature of Manager Applicant

Signature of Spouse

ACKNOWLEDGEMENT

State of Nebraska

County of Lancaster

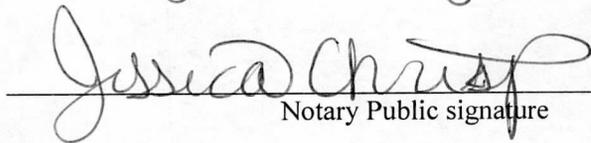
The foregoing instrument was acknowledged before me this

4th day of January 2016

date

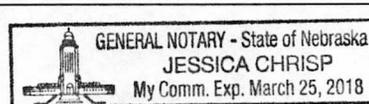
by Christopher Rosiak

name of person 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.

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NEBRASKA LIQUOR
CONTROL COMMISSION

**SUBMISSION OF FINGERPRINTS /
PAYMENT OF FEES TO NSP-CID**

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

RECEIVED DATE RECEIVED JAN 04 2016 NEBRASKA LIQUOR CONTROL COMMISSION Office Use Only	
Class: <u>C</u>	License #: ##3335757 106353

Applicant Name: Chris Rosiak
(Corporation, LLC, Partnership or Individual)

Trade Name: Night Owl Pub
(Doing Business As)

(402) 417-6220
Phone Number

CRosiak@gmail.com
Contact E-mail Address

DIRECTIONS FOR SUBMITTING FINGERPRINTS AND FEE PAYMENTS:

- See New Application Requirement Guide for listing of Fingerprint Requirements, found on our website under "Licensing" tab in "Brochures".
- Fingerprints taken at NSP locations will be forwarded to NSP – CID;
Applicant(s) will not have cards to include with license application.
- Fingerprints taken at local law enforcement offices will be released to the applicants;
Fingerprint cards should be submitted with the application.
- Fee payment of **\$28.75 per person** must be made directly to the NSP;
You may submit the payment through the NSP PayPort online system at www.ne.gov/go/nsp or checks made payable to NSP should be mailed directly to the following address:
The Nebraska State Patrol – CID Division
3800 NW 12th Street
Lincoln, NE 68521
- **DO NOT** send fee payments to the NLCC – fees **MUST** be paid directly to NSP;
Include a list of names covered by your payment to insure proper application of payment.
- This completed form **MUST** be included with your Liquor License Application and/or Manager Application or Changes to: Corporate Officers or Stockholders, LLC Members, Partners or Addition of Spouse where new fingerprint cards are required (see New Application Requirement Guide).
- Fingerprints are not required for spouses that have no involvement with business - Spousal Affidavit of Non Participation (Form 116) is required in lieu of fingerprints.

Please complete information on the following pages for EACH person fingerprinted.