



City of Grand Island

Tuesday, May 24, 2016

Council Session

Item G-3

Approving Liquor Manager Designation for Stephanie Smith, 208 West 8th Street for Ruby Tuesday, 3429 West 13th Street

Staff Contact: RaNae Edwards

Council Agenda Memo

From: RaNae Edwards, City Clerk

Meeting: May 24, 2016

Subject: Request from Stephanie Smith, 208 West 8th Street for Liquor Manager Designation with Ruby Tuesday, 3429 West 13th Street

Presenter(s): RaNae Edwards, City Clerk

Background

Stephanie Smith, 208 West 8th Street has submitted an application with the City Clerk's Office for a Liquor Manager Designation in conjunction with Ruby Tuesday, 3429 West 13th Street.

This application has been reviewed by the Police Department and City Clerk's Office.

Discussion

City Council action is required and forwarded to the Nebraska Liquor Control Commission for issuance of all liquor manager designations. All departmental reports have been received. See attached Police Department report.

Alternatives

It appears that the Council has the following alternatives concerning the issue at hand. The Council may:

1. Approve the requests.
2. Forward the requests with no recommendation.
3. Take no action on the requests.

Recommendation

City Administration recommends that the Council approve the request for Liquor Manager Designation.

Sample Motion

Move to approve the request from Stephanie Smith, 208 West 8th Street for Liquor Manager Designation in conjunction with the Class "I-067017" Liquor License for Ruby Tuesday, 3429 West 13th Street with the stipulation that Ms. Smith complete a state approved alcohol server/seller training program.

05/17/16
12:51

Grand Island Police Department
LAW INCIDENT TABLE

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City : Grand Island
Occurred after : 15:30:00 04/22/2016
Occurred before : 15:30:00 04/22/2016
When reported : 15:30:00 04/22/2016
Date disposition declared : 04/25/2016
Incident number : L16042181
Primary incident number :
Incident nature : Liquor Lic Inv Liquor Lic Inv
Incident address : 3429 13th St W
State abbreviation : NE
ZIP Code : 68803
Contact or caller :
Complainant name number :
Area location code : PCID Police - CID
Received by : Vitera D
How received :
Agency code : GIPD GIPD Grand Island Police Dept
Responsible officer : Vitera D
Offense as Taken :
Offense as Observed :
Disposition : ACT Active
Misc. number : RaNae
Geobase address ID : 470
Long-term call ID :
Clearance Code : CL CL Case Closed
Judicial Status :

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INVOLVEMENTS:

Px	Record #	Date	Description	Relationship
NM	209757	05/06/16	Smith, Stephanie R	Manager
NM	110818	04/22/16	Smith, Matthew Gregory	Stephanie's Spouse
NM	114286	04/22/16	Ruby Tuesday,	Business Involved

LAW INCIDENT CIRCUMSTANCES:

Se	Circu	Circumstance code	Miscellaneous
1	LT21	LT21 Restaurant	

IMAGE CODES FOR INCIDENT:

Seq	Imag	Image code for a users description field
1	DOC	DOCUMENT mobile report

LAW INCIDENT NARRATIVE:

05/17/16
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Grand Island Police Department
LAW INCIDENT TABLE

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Liquor License Investigation
Grand Island Police Department

Stephanie Smith is applying to be the liquor manager at Ruby Tuesday.

ap
----- (lwmain15255604222016)~~

LAW INCIDENT RESPONDERS DETAIL:

Seq	Responding offi	Unit n	Unit number
1	Vitera D	318	Vitera D

LAW SUPPLEMENTAL NARRATIVE:

Seq	Name	Date
1	Vitera D	15:17:45 05/06/2016

05/17/16
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Grand Island Police Department
LAW INCIDENT TABLE

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Grand Island Police Department
Supplemental Report

Date, Time: Fri May 06 15:17:56 CDT 2016
Reporting Officer: Vitera
Unit- CID

Stephanie Smith is applying to be the liquor manager for Ruby Tuesday. According to her application, Stephanie is married to Matthew Smith. She has lived in Grand Island since 2012. Prior to that, she lived in Kearney since 1991. Matthew signed a Spousal Affidavit of Non-Participation form.

Stephanie disclosed convictions for: speeding in January of 2006, speeding in September of 2007, improper turn in October of 2008, possession of marijuana less than an ounce and possession of drug paraphernalia in February of 2009, minor in possession in May of 2009, speeding and failure to use her seatbelt in June of 2011, and 2nd degree criminal trespass in May of 2014.

Matthew disclosed convictions for: MIP in 2008, Theft in 2009, 2 DUI's, "possession," and reckless driving in 2010, open container and no proof of insurance in 2011, 3 trespassing charges and expired plates (no dates given).

I checked Stephanie and Matthew through Spillman and NCJIS. I didn't find any undisclosed violations for Stephanie in Spillman or NCJIS. In fact, the only convictions Stephanie has listed in NCJIS are for the speeding and no seatbelt in 2011. It's possible that Stephanie listed everything she has been cited for, and some of those violations weren't prosecuted and/or convicted. It's also possible that she successfully completed a STOP class or diversion, so some of those convictions won't show up on a criminal record check.

Matthew has quite a few contacts in Spillman, but it doesn't appear that any of them would fall under undisclosed convictions. I found the following undisclosed convictions in NCJIS: MIP (2nd conviction), no motorcycle helmet, passing on the right, expired in-transit decals, overweight axle or group of axles.

Stephanie and Matthew each have a valid driver's license, and neither one of them have any outstanding warrants for their arrest. I also checked Stephanie and Matthew through a paid law enforcement-only database which tends to mostly provide personal identifying information and information about civil issues. I didn't find anything out of the ordinary for either one of them.

All in all, nothing in Stephanie or Matthew's criminal history (at least in the State of Nebraska) precludes Stephanie from becoming a liquor manager. In addition, Stephanie's disclosed criminal convictions seem to be overstated. Two minor traffic convictions are all I found for her. Lastly, Matthew signed a Spousal Affidavit of Non-Participation form. The Grand Island Police Department has no objection to Stephanie becoming the liquor manager at Ruby Tuesday.