



City of Grand Island

Tuesday, March 27, 2018

Council Session

Item E-2

Public Hearing on Request from Ann M. Graham dba Ann's Getta Way, 2303 E. Highway 30 for a Class "C" Liquor License

Council action will take place under Consent Agenda item G-4.

Staff Contact: RaNae Edwards

Council Agenda Memo

From: RaNae Edwards, City Clerk

Meeting: March 27, 2018

Subject: Public Hearing on Request from Ann M. Graham dba Ann's Getta Way, 2303 E. Highway 30 for a Class "C" Liquor License

Presenter(s): RaNae Edwards, City Clerk

Background

Section 4-2 of the Grand Island City Code declares the intent of the City Council regarding liquor licenses and the sale of alcohol.

Declared Legislative Intent

- It is hereby declared to be the intent and purpose of the city council in adopting and administering the provisions of this chapter:
- (A) To express the community sentiment that the control of availability of alcoholic liquor to the public in general and to minors in particular promotes the public health, safety, and welfare;
 - (B) To encourage temperance in the consumption of alcoholic liquor by sound and careful control and regulation of the sale and distribution thereof; and
 - (C) To ensure that the number of retail outlets and the manner in which they are operated is such that they can be adequately policed by local law enforcement agencies so that the abuse of alcohol and the occurrence of alcohol-related crimes and offenses is kept to a minimum.

Discussion

Ann M. Graham dba Ann's Getta Way, 2303 E. Highway 30 has submitted an application for a Class "C" Liquor License. A Class "C" Liquor License allows for the sale of alcohol on and off sale inside the corporate limits of the city.

City Council action is required and forwarded to the Nebraska Liquor Control Commission for issuance of all licenses. This application has been reviewed by the Clerk, Building, Fire, Health, and Police Departments. 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 application.
2. Forward to the Nebraska Liquor Control Commission with no recommendation.
3. Forward to the Nebraska Liquor Control Commission with recommendations.
4. Deny the application.

Recommendation

Based on the Nebraska Liquor Control Commission's criteria for the approval of Liquor Licenses, City Administration recommends that the Council approve this application.

Sample Motion

Move to approve the application for Ann M. Graham dba Ann's Getta Way, 2303 E. Highway 30 for a Class "C" Liquor License contingent upon final inspections and completion of a state approved alcohol server/seller training program.

03/21/18
15:55

Grand Island Police Department
LAW SUPPLEMENTAL NARRATIVE

450
Page: 1

Incident number : L18030849
Sequence number : 1
Name : Vitera D
Date : 12:46:31 03/12/2018
Narrative : (see below)
318

Grand Island Police Department
Supplemental Report

Date, Time: Mon Mar 12 12:46:41 CDT 2018
Reporting Officer: Vitera
Unit- CID

Fly's Bar is being sold to Ann Graham who is applying for an Individual Class C (beer, wine, distilled spirits, on and off sale) Retail Liquor License for Ann's Getta Way.

In reviewing the application, I found that Ann lived in Grand Island from 2001 until 2016. She moved to Texas for a couple of years and then moved back to Grand Island. Ann received a Temporary Operating Permit (TOP) from the Nebraska Liquor Control Commission (NLCC) which allows her to conduct alcohol-related business under Fly's liquor license for ninety days or until she gets her license (whichever comes first). Ann disclosed a conviction for speeding in Nebraska and one in Texas.

I checked on Ann in Spillman and in NCJIS. I did not locate any possible convictions in Spillman or NCJIS. I also used a law enforcement-only database which tends to provide mostly personal identifying information and civil information to gain more knowledge about Ann. I didn't find anything out of the ordinary. Ann also has a valid Nebraska driver's license and no outstanding warrants for her arrest.

Nebraska State Patrol Investigator Joe Hansen and I met with Ann at the bar on 3/15/18 at 1400 hours. After reviewing Ann's application and doing research on Ann, I really didn't have many questions for her. Ann confirmed that she has only had two speeding tickets in her entire life and never been convicted of anything else. She also said that she will be the only employee of the bar. Ann showed us that she had put in a video surveillance system, and we briefly discussed law enforcement expectations from her as a liquor license holder.

The Grand Island Police Department has no objection to Ann's Getta Way receiving a liquor license.

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Class "C" Liquor License Application: Ann's Getta Way

