



City of Grand Island

Tuesday, August 27, 2019

Council Session

Item E-1

**Public Hearing on Request from Thayris Manzano Gonzalez dba
Havana Night, 1403 South Eddy Street for a Class “I” Liquor
License**

Council action will take place under Consent Agenda item G-2.

Staff Contact: RaNae Edwards

Council Agenda Memo

From: RaNae Edwards, City Clerk

Meeting: August 27, 2019

Subject: Public Hearing on Request from Thayris Manzano Gonzalez dba Havana Night, 1403 South Eddy Street for a Class “I” 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

Thayris Manzano Gonzalez dba Havana Night, 1403 South Eddy Street has submitted an application for a Class “I” Liquor License. A Class “I” Liquor License allows for the sale of alcohol on sale only 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.

Staff recommends approval of the liquor license contingent upon final inspections and Ms. Manzano Gonzalez completing a state approved alcohol server/seller training program.

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 Thayris Manzano Gonzalez dba Havana Night, 1403 South Eddy Street for a Class "I" Liquor License contingent upon final inspections and Ms. Manzano Gonzalez completing a state approved alcohol server/seller training program.

Grand Island Police Department
Supplemental Report

Date, Time: Tue Feb 26 14:01:15 CST 2019
Reporting Officer: Vitera
Unit- CID

I received a copy of the application for Havana Night on 8/5/19. I have reviewed this application, and it appears to be very similar to this one (Casa de la Musica). The GIPD gave Casa de la Musica a positive recommendation back in February of 2019. I don't recall if the Fire Department or the Building Department had issues with the application or why a license wasn't issued. Since a few months have passed, I checked the applicant through Spillman and NCJIS again. She doesn't have any new convictions in NCJIS, and the only new entry in Spillman is that she was involved in an accident that wasn't her fault. The recommendation hasn't changed. Please read the report below which is the original investigation for Casa de la Musica.

Thayris Manzano Gonzalez is attempting to start a business called Casa de la Musica. Thayris is applying for a Class I (beer, wine, distilled spirits, on sale only) Individual Retail Liquor license. While perusing the application, I learned that the only conviction Thayris disclosed was for shoplifting in Grand Island in 2016, she is not borrowing any money to establish and/or operate the business, she has lived in Grand Island since 2013 and Cuba before that, and the building will be used for Zumba classes during the day.

I searched Spillman and NCJIS for Thayris. Spillman shows that Thayris was cited for a couple of traffic violations, cited for shoplifting, and involved in a couple of code compliance issues. NCJIS confirmed the shoplifting conviction and added two traffic convictions for speeding (one occurred in Kentucky). Thayris has a valid Nebraska driver's license and does not have any outstanding warrants for her arrest. I also checked Thayris through a paid online law enforcement-only database which tends to provide mostly personal identifying information and information about civil issues. Other than lack of information, I didn't find anything concerning.

Nebraska State Patrol Investigator Joe Hansen set up a meeting with Thayris for 2/28/19 at 1400 hours. Thayris is supposed to bring an interpreter with her. We were able to meet at the agreed upon time. Thayris had an interpreter with her from her attorney's office. The main thing I discussed with Thayris is that a club or club-like atmosphere tends to have more disturbances, fights, and assaults than other types of liquor-licensed establishments.

Before I could make some suggestions about how to prevent and handle those situations, Thayris said that she plans on having a ban and bar list. She said that if a customer has to be escorted from the club, he will be placed on the list and not be able to come back for three or four months. When the customer is eligible to return, that is his final chance. A second time of being kicked out of the bar would be a lifetime suspension.

I asked Thayris what her plans are for security. She said she is going to try to hire Sean Parsons. Thayris said Sean and his crew provided security at La Isla Bar where she tended bar for the last four years. Thayris also plans on having surveillance cameras inside and outside the building. She said she hasn't committed to hiring the security or buying the surveillance system until she finds out if she gets her liquor license. Thayris also assured us that no alcohol would be available during her Zumba classes.

Investigator Hansen and I went over some scenarios where she would be required to call law enforcement and others where she could use discretion and have her

security personnel handle them. I stressed the importance of cooperating with law enforcement personnel and maintaining a good relationship.

All in all, other than not disclosing a couple of speeding tickets, I didn't find anything wrong with application or see anything that would preclude Thayris from receiving a liquor license. The Grand Island Police Department has no objection to Thayris Manzano Gonzalez receiving a liquor license for Casa de la Musica.