



City of Grand Island

Tuesday, December 28, 2021

Council Session

Item G-8

**Approving Request from Misty McDaniel, 508 8th Ave #49,
Kearney, Nebraska for Liquor Manager Designation with Smoker
Friendly 015, 802 West 2nd Street**

Staff Contact: RaNae Edwards

Council Agenda Memo

From: RaNae Edwards, City Clerk

Meeting: December 28, 2021

Subject: Requests from Misty McDaniel, 508 8th Ave #49, for Liquor Manager Designation with Smoker Friendly 015, 802 West 2nd Street

Presenter(s): RaNae Edwards, City Clerk

Background

Misty McDaniel, 508 8th Avenue, Kearney, Nebraska has submitted an application with the City Clerk's Office for Liquor Manager Designation in conjunction with the Class "C-081279" Liquor License for Smoker Friendly 015, 802 West 2nd Street.

The application has been reviewed by the Police Department and City Clerk's Office. See Police Department report attached.

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. Ms. McDaniel has completed a state approved alcohol server/seller training program. Staff recommends approval.

Alternatives

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

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

Recommendation

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

Sample Motion

Move to approve the request from Misty McDaniel, 508 8th Avenue, Kearney, Nebraska for Liquor Manager Designation in conjunction with the Class “C-081279” Liquor License for Smoker Friendly 015, 802 West 2nd Street.



Grand Island Police Department

Officer Report for Incident L21121088

Nature: Liquor Lic Inv

Address: 802 2ND ST W; SMOKER FRIENDLY

Location: PCID

Grand Island NE 68801

Offense Codes:

Received By: Dvorak T	How Received: T	Agency: GIPD
Responding Officers: Dvorak T		
Responsible Officer: Dvorak T	Disposition: CLO 12/22/21	
When Reported: 12:34:17 12/14/21	Occurred Between: 12:34:17 12/14/21 and 12:34:17 12/14/21	

Assigned To:	Detail:	Date Assigned: **/**/**
Status:	Status Date: **/**/**	Due Date: **/**/**

Complainant:

Last:	First:	Mid:
DOB: **/**/**	Dr Lic:	Address:
Race:	Sex:	Phone:
		City: ,

Offense Codes

Reported:	Observed:
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Circumstances

LT07 LT07 Convenience Store

Responding Officers:	Unit :
Dvorak T	309

Responsible Officer: Dvorak T	Agency: GIPD
Received By: Dvorak T	Last Radio Log: **:**:** **/**/**
How Received: T Telephone	Clearance: CL CL Case Closed
When Reported: 12:34:17 12/14/21	Disposition: CLO Date: 12/22/21
Judicial Status:	Occurred between: 12:34:17 12/14/21
Misc Entry:	and: 12:34:17 12/14/21

Modus Operandi:	Description :	Method :
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Involvements

Date	Type	Description
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12/22/21

12/14/21	Name	Smoker Friendly,	Location
12/14/21	Name	McDaniel, Misty Jo	Proposed Manager
12/14/21	Name	McDaniel, James A	Spouse

12/22/21

Narrative

Liquor Manager Investigation

Grand Island Police Department

Date, Time: 12-19-21

Reporting Officer: Sgt Dvorak #309

Unit #: CID

Misty McDaniel has applied to become the new Liquor Manager for the Cigarette Store LLC, doing business as Smoker Friendly; 802 W 2nd Street.

Responsible LEO:

Approved by:

Date

12/22/21

Supplement

309 Liquor Manager Application

Grand Island Police Department
Supplemental Report

Date, Time: 12-19-21
Reporting Officer: Sgt Dvorak #309
Unit #: CID

Misty McDaniel has applied to be the new liquor manager for The Cigarette Store LLC, doing business as Smoker Friendly, at 802 W 2nd. Misty McDaniel is from Kearney, and reports that she has been in the retail business for several years, with the last ten years for Smoker Friendly in North Platte and Kearney. Misty listed a husband, James McDaniel. James filled out a non-participation form, and indicated he will not be involved in the business.

I checked McDaniel's background through local files, via Spillman, and State files, via NCJIS. Misty had no criminal history of note, and James had nothing listed in his files. Misty was involved in several moving vehicle violations, and one suspension of her drivers license, however, all noted violations were more than five years ago. McDaniel did disclose those violations on her application. I found no active warrants for either subject.

I also utilized a paid, law enforcement only, database that supplies generally identity information, and any civil judgements both current and historical. I noted there were no bankruptcies or liens against either one. I did find one historical judgement against Misty, but it was from more than ten years ago.

I contacted Misty by telephone, as she resides in Kearney. She confirmed that James will not participate in the business she proposes to manage. We also briefly discussed the responsibilities as liquor manager, both for herself and her employees. I also warned McDaniels about the unique obstacles that store faces (during warm weather months anyway) due to the central location near 2nd and Eddy. Misty advised she has already been briefed on issues.

The Grand Island Police Department does not object to Misty McDaniel being named the Liquor Manager at Smoker Friendly, 802 W 2nd Street.

12/22/21