



City of Grand Island

Tuesday, June 13, 2006

Council Session

Item E1

**Public Hearing on Request of RD & D, Inc. dba Eddie's Fast Gas
& More, 417 North Sycamore Street for a Class "D" Liquor
License**

Staff Contact: RaNae Edwards

Council Agenda Memo

From: RaNae Edwards, City Clerk

Meeting: June 13, 2006

Subject: Public Hearing on Request of RD & D, Inc. dba Eddie's Fast Gas & More, 417 North Sycamore Street for a Class "D" Liquor License

Item #'s: E-1 & I-1

Presenter(s): RaNae Edwards, City Clerk

Background

Gary Starostka representing RD & D, Inc. dba Eddie's Fast Gas & More, 417 North Sycamore Street has submitted an application for a Class "D" Liquor License. A Class "D" Liquor License allows for the sale of alcohol off sale only inside the corporate limits of the city.

Discussion

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. Attached is the Police Department's background investigation and recommendation.

Also included with this application is the request from Gary Starostka, 633 Faidley Court Apt. 1 for a Liquor Manager Designation.

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 the application of RD & D, Inc. dba Eddie's Fast Gas & More, 417 North Sycamore Street for a Class "D" Liquor License and the request of Gary Starostka, 663 Faidley Court Apt. 1 for Liquor Manager Designation with the stipulation that a state approved alcohol server/seller training program be completed.

Sample Motion

Move to approve the application of RD & D, Inc. dba Eddie's Fast Gas & More, 417 North Sycamore Street for a Class "D" Liquor License and the request of Gary Starostka, 663 Faidley Court Apt. 1 for Liquor Manager Designation with the stipulation that a state approved alcohol server/seller training program be completed.



**INTEROFFICE
MEMORANDUM**
Police Department

*Working Together for a
Better Tomorrow. Today.*

DATE: May 24, 2006

TO: RaNae Edwards, City Clerk

FROM: Brad Brush, Lieutenant, Grand Island Police Department

RE: Retail Corporation Liquor License/Liquor Manager Designation Application
Applicant – Gary Starostka/ Business Address – 417 N Sycamore (Eddie’s
Fast Gas & More)

The application for the Liquor Manager is technically inaccurate, thus a false application. If the convictions had been declared, they would not have risen to the level of a Class I Misdemeanor, thus disqualifying the applicant. The application for the liquor license itself is technically a false application, due to failure to report all convictions. However, the Convictions, if duly reported, would not disqualify the application.

It is the Police Department’s recommendation to accept this Liquor Manager Designation Application in the name of Gary Starostka, as well as the Liquor License Application for the business, RD & D Inc dba Eddie’s Fast Gas & More, Grand Island, Ne. 68801.

BB/rk

A handwritten signature in cursive script that reads "Br. Brush".

05/23/06
13:04

Grand Island Police Dept.
LAW INCIDENT TABLE

Page: 333
1

City : Grand Island
 Occurred after : 09:48:08 05/23/2006
 Occurred before : 09:48:08 05/23/2006
 When reported : 09:48:08 05/23/2006
 Date disposition declared : 05/23/2006
 Incident number : L06054185
 Primary incident number :
 Incident nature : Liquor Lic Inv Liquor License Investigation
 Incident address : 417 N Sycamore
 State abbreviation : NE
 ZIP Code : 68801
 Contact or caller : RaNae Edwards
 Complainant name number :
 Area location code : PCID Police - CID
 Received by : Brush B
 How received : T Telephone
 Agency code : GIPD Grand Island Police Department
 Responsible officer : Brush B
 Offense as Taken :
 Offense as Observed :
 Disposition : CLO Closed Case
 Misc. number :
 Geobase address ID :
 Long-term call ID :
 Clearance Code : CL Case Closed
 Judicial Status :

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INVOLVEMENTS:

Px	Record #	Date	Description	Relationship
NM	34415		Starostka, Gary L	mentioned

INCIDENT M.O. DETAIL:

Seq	M.O. Factor	M.O. Factor	M.O. Method
1			

LAW INCIDENT NARRATIVE:

Request for assessment & recommendation-Liquor Manager Designation Application and Retail Corporation Liquor License.

The Liquor Manager Designation Applicant's name is Gary Starostka Business-417 N Sycamore, GI, NE 68801

Nebraska Criminal Justice Information System (NCJIS) and the following convictions not declared by Starostka were found;

- 1) Speeding 6-10 MPH Hall County/State; Infraction
Offense Date is 04/09/2001, Plea is Guilty/Admit, Finding is Guilty

05/23/06
13:04

Grand Island Police Dept.
LAW INCIDENT TABLE

333
Page: 2

2) Speeding 11-15 MPH Hall County/State; Infraction
Offense Date is 11/02/2002, Plea is Guilty/Admit, Finding is Guilty

Failure to declare the above convictions causes the application to be false.
National Crime Intelligence Center (NCIC) search reflected no other convictions.

In summation;

The application for the Liquor manager is technically inaccurate, thus a false application. If the convictions had been declared they would not have risen to the level of a Class I Misdemeanor, thus disqualifying the applicant. The application for the liquor license itself is technically a false application, due to failure to report all convictions. However the convictions, if duly reported, would not disqualify the applicant.

It is the police department's recommendation to accept this Liquor Manager Designation Application in the name of Gary Starostka, as well as the Liquor License application for the business, RD & D Inc dba Eddie's Fast Gas & More, GI, NE 68801.

LAW INCIDENT RESPONDERS DETAIL:

Se	Responding offi	Unit n	Unit number
1		NSP1	NSP Monitor