



City of Grand Island

Tuesday, July 25, 2006

Council Session

Item G8

**Approving Request of Dustin Smith, 2642 N. Carleton Avenue #9
for Liquor Manager Designation for Pizza Hut, 1608 South Locust
Street**

Staff Contact: RaNae Edwards

Council Agenda Memo

From: RaNae Edwards, City Clerk

Meeting: July 25, 2006

Subject: Request of Dustin Smith, 2642 N. Carleton Avenue #9
for Liquor Manager Designation for Pizza Hut, 1608
South Locust Street

Item #'s: G-8

Presenter(s): RaNae Edwards, City Clerk

Background

Dustin Smith, 2642 N. Carleton Avenue #9 has submitted an application with the City Clerk's Office for a Liquor Manager Designation in conjunction with the Class "A-31060" Liquor License for Pizza Hut, 1608 South Locust 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.

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 request with no recommendation.
3. Take no action on the request.

Recommendation

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

Sample Motion

Move to approve the request of Dustin Smith, 2642 N. Carleton Avenue #9 for Liquor Manager Designation in conjunction with the Class "A-31060" Liquor License for Pizza Hut, 1608 South Locust Street with the stipulation that Mr. Smith complete a state approved alcohol server/seller training program.

DATE: July 10, 2006
TO: RaNae Edwards, City Clerk
FROM: Bradley Brush, Lieutenant, Police Department
RE: Manager Application for Dustin Smith – Pizza Hut, 1608 S Locust

The application for the Liquor Manager is technically inaccurate, thus a false application. However, even if the convictions had been declared, they would not have risen to the level of a Class I Misdemeanor, thus disqualifying the applicant.

It is the police department's recommendation to accept this Liquor Manager Designation Application in the name of Dustin Smith for the Pizza Hut, 1608 S Locust, Grand Island, NE 68801.

BB/rk



07/06/06
15:32

Grand Island Police Dept.
LAW INCIDENT TABLE

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City : Grand Island
 Occurred after : 11:47:23 07/06/2006
 Occurred before : 11:47:23 07/06/2006
 When reported : 11:47:23 07/06/2006
 Date disposition declared : **/**/****
 Incident number : L06070846
 Primary incident number :
 Incident nature : Liquor Lic Inv Liquor License Investigation
 Incident address : 1608 S Locust
 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	68472		Smith, Dustin M	liq mgr designee
NM	98211		Pizza Hut,	mentioned

LAW INCIDENT NARRATIVE:

Request for assessment & recommendation-Liquor Manager Designation Application.

The Liquor Manager Designation Applicant's name is Dustin M Smith
Business-Pizza Hut, 1608 S Locust, GI, NE 68801

A check of the Nebraska Criminal Justice Information System (NCJIS) found the following convictions not declared by Smith were found;

- *Minor in Possession, Howard county,
Infraction date 10/16/1999, Probation successfully completed
- *Speeding 21+ MPH Municipal; Washington county,
Infraction date 05/05/2002, Plea is Guilty/Admit, Finding is Guilty
- *Possess/consume open alcohol container, Howard county;
Infraction date 11/28/2002, Plea is Plea Changed to Guilty

Failure to declare the above convictions causes the application to be false.

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15:32

Grand Island Police Dept.
LAW INCIDENT TABLE

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A 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. However, even if the convictions had been declared they would not have risen to the level of a Class I Misdemeanor, thus disqualifying the applicant.

It is the police department's recommendation to accept this Liquor Manager Designation Application in the name of Dustin M Smith for Pizza Hut, 1608 S Locust, GI, NE 68801.