



City of Grand Island

Tuesday, April 24, 2007

Council Session

Item E2

**Public Hearing on Request of Casey's Retail Company dba Casey's
General Store #2737, 1814 North Eddy Street for a Class "B"
Liquor License**

Staff Contact: RaNae Edwards

Council Agenda Memo

From: RaNae Edwards, City Clerk

Meeting: April 24, 2007

Subject: Public Hearing on Request of Casey's Retail Company dba Casey's General Store #2737, 1814 North Eddy Street for a Class "B" Liquor License

Item #'s: E-2 & I-2

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

Casey's Retail Company dba Casey's General Store #2737, 1814 North Eddy Street has submitted an application for a Class "B" Liquor License. A Class "B" Liquor License allows for the sale of beer off 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.

Also included with this application is a request from Tina Krings, 1005 Village Green Drive #4, Norfolk, Nebraska 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.

Sample Motion

Move to approve the application of Casey's Retail Company dba Casey's General Store #2737, 1814 North Eddy Street for a Class "B" Liquor License contingent upon final inspections and Liquor Manager Designation for Tina Krings, 1005 Village Green Drive #4, Norfolk, Nebraska with the stipulation that Ms. Krings complete a state approved alcohol server/seller training program.



**INTEROFFICE
MEMORANDUM**
Police Department

*Working Together for a
Better Tomorrow. Today.*

DATE: April 4, 2007

TO: RaNae Edwards, City Clerk

FROM: Dave Vitera, Sergeant, Police Department

RE: Application for Class "B" Liquor License Casey's Retail Company
dba Casey's General Store, #2737, 1814 N Eddy Street, Grand Island,
Nebraska

The Grand Island Police Department has received an application for Class "B" Liquor License for Casey's Retail Company, dba Casey's General Store, #2737, 1814 N Eddy Street, Grand Island, Nebraska.

From looking at the Commission's web site, it appears that the officers listed on this application are listed on the current application which means they've already been checked out. In addition, all of the officers have Iowa addresses. With my inability to run criminal histories through NCIC for liquor license investigations, coupled with the fact that the State will be checking criminal histories from the officers' fingerprint submissions, I did not contact each city in Iowa for further information on the applicants. Also, it doesn't appear that our community has had any major problems with liquor violations at any of the Casey's in Grand Island, NE.

It is the Police Department's recommendation to approve the liquor license for Casey's.

DV/rk

A handwritten signature in cursive script, appearing to read "Dave Vitera".

04/03/07
16:01

Grand Island Police Dept.
LAW INCIDENT TABLE

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City : Grand Island
 Occurred after : 12:02:37 04/03/2007
 Occurred before : 12:02:37 04/03/2007
 When reported : 12:02:37 04/03/2007
 Date disposition declared : 04/03/2007
 Incident number : L07040327
 Primary incident number :
 Incident nature : Liquor Lic Inv Liquor License Investigation
 Incident address : 1814 Eddy St N
 State abbreviation : NE
 ZIP Code : 68801
 Contact or caller :
 Complainant name number :
 Area location code : PCID Police - CID
 Received by : Vitera D
 How received : T Telephone
 Agency code : GIPD Grand Island Police Department
 Responsible officer : Vitera D
 Offense as Taken :
 Offense as Observed :
 Disposition : CLO Closed Case
 Misc. number : printed
 Geobase address ID : 26185
 Long-term call ID :
 Clearance Code :
 Judicial Status : NCI Non-criminal Incident

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INVOLVEMENTS:

Px	Record #	Date	Description	Relationship
LW	L06022058	04/03/07	Liquor Lic Inv	Related
NM	110780	04/03/07	Caseys General Store,	Business
NM	114448	04/03/07	Krings, Tina M	Liquor Manager

LAW INCIDENT NARRATIVE:

Liquor License Investigation for Casey's located at 1814 N. Eddy and Liquor Manager Designation for Tina Krings

LAW SUPPLEMENTAL NARRATIVE:

Seq	Name	Date
1	Vitera D	15:57:52 04/03/2007

Grand Island Police Department
Supplemental Report

I received a Liquor License application for Casey's General Store located at

04/03/07
16:01

Grand Island Police Dept.
LAW INCIDENT TABLE

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1814 N. Eddy. Casey's currently has a Class D License which is for off sale beer, wine, and distilled spirits. They are downgrading to a Class B License which is for off sale beer only. I also received an application for Tina Krings to be the Liquor Manager Designate for Casey's.

I checked Spillman and found that Krings had no violations. I also checked her through NCJIS. She did not have any violations on her driving record, nor did she have any criminal history through Nebraska. Tina did not list any information about her spouse. Where the application asks for a name, it says, "Separated-process of divorce." There is also a handwritten note by the spouse information that says, "Ok'd per Hobie." Hobert "Hobie" Rupe is the Executive Director of the Liquor Control Commission.

From looking at the Commission's web site, it appears that the officers listed on this application are listed on the current application which means they've already been checked out. In addition, all of the officers have Iowa addresses. With my inability to run criminal histories through NCIC for liquor license investigations, coupled with the fact that the State will check criminal histories from the officers' fingerprint submissions, I did not contact each city in Iowa for further information on the applicants. Also, it doesn't appear that our community has had any major problems with liquor violations at any of the Casey's in Grand Island.

It is the Police Department's recommendation to approve the liquor license for Casey's and the Liquor Manager Designation for Tina Krings.

Date, Time: Tue Apr 03 15:58:18 CDT 2007
Reporting Officer: Vitera
Unit #: 835



**INTEROFFICE
MEMORANDUM**
Police Department

*Working Together for a
Better Tomorrow. Today.*

DATE: April 4, 2007
TO: RaNae Edwards, City Clerk
FROM: Dave Vitera, Sergeant, Police Department
RE: Application for Liquor Manager Designation for Tina Krings
for Casey's General Store, #2737 located at 1814 North
Eddy Street, Grand Island, Nebraska

The Grand Island Police Department has received an application for Liquor Manager Designation for Casey's Retail Company, dba Casey's General Store, #2737, 1814 N Eddy Street, Grand Island, Nebraska.

No Violations were found for Tina Krings. Therefore, it is the Grand Island Police Department's recommendation to approve the Liquor Manager Designation for Tina Krings in connection with Casey's General Store, #2737, located at 1814 North Eddy Street, Grand Island, Nebraska.

DV/rk *Dave Vitera*