



# City of Grand Island

Tuesday, May 08, 2007

Council Session

## Item G3

**Approving Request of Linda Sands, 1004 West 12th Street for  
Liquor Manager Designation for the Fraternal Order of Eagles  
#378, 213 North Sycamore Street**

Staff Contact: RaNae Edwards

# **Council Agenda Memo**

**From:** RaNae Edwards, City Clerk

**Meeting:** May 8, 2007

**Subject:** Request of Linda Sands, 1004 West 12<sup>th</sup> Street for Liquor Manager Designation for Fraternal Order of Eagles, 213 North Sycamore Street

**Item #'s:** G-3

**Presenter(s):** RaNae Edwards, City Clerk

## **Background**

Linda Sands, 1004 West 12<sup>th</sup> Street has submitted an application with the City Clerk's Office for a Liquor Manager Designation in conjunction with the Class "C-01462 Liquor Licenses for the Fraternal Order of Eagles located at 213 North Sycamore 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. See attached Police Department report.

## **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 Liquor Manager Designation.

## **Sample Motion**

Move to approve the request of Linda Sands, 1004 West 12<sup>th</sup> Street for Liquor Manager Designation in conjunction with the Class “C-01462” Liquor License for the Fraternal Order of Eagles, 213 North Sycamore Street with the stipulation that Ms. Sands complete a state approved alcohol server/seller training program.



INTEROFFICE  
MEMORANDUM  
*Police Department*

*Working Together for a  
Better Tomorrow. Today.*

DATE: April 20, 2007  
TO: RaNae Edwards, City Clerk  
FROM: Dave Vitera, Sergeant, Police Department  
RE: Liquor Manager Designation for Fraternal Order of Eagles,  
213 N Sycamore, Grand Island, NE 68801

The Grand Island Police Department has received the application for Liquor Manager Designation for the Fraternal Order of Eagles, 213 N. Sycamore, Grand Island, Nebraska in the name of Linda Sands, 1004 W 12<sup>th</sup> Street.

The applicant failed to indicate that she was convicted of a speeding and seat belt violation in July, 2003. However, because her conviction didn't raise to the level of a Class I misdemeanor, her application would not be automatically excluded.

Therefore, it is the Police Department's recommendation to approve Linda Sands for a Liquor Manager Designation for the Fraternal Order of Eagles, 213 N. Sycamore, Grand Island, NE 68801.

DV/rk *Dave Vitera*

04/19/07  
09:40

Grand Island Police Dept.  
LAW INCIDENT TABLE

450  
Page: 1

City : Grand Island  
Occurred after : 16:21:44 04/18/2007  
Occurred before : 16:21:44 04/18/2007  
When reported : 16:21:44 04/18/2007  
Date disposition declared : 04/19/2007  
Incident number : L07042485  
Primary incident number :  
Incident nature : Liquor Lic Inv Liquor License Investigation  
Incident address : 213 Sycamore St N  
State abbreviation : NE  
ZIP Code : 68801  
Contact or caller : Linda Sands  
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 : 11208  
Long-term call ID :  
Clearance Code : CL Case Closed  
Judicial Status : NCI Non-criminal Incident

INVOLVEMENTS:

Px	Record #	Date	Description	Relationship
NM	53299	04/18/07	Eagles Club,	Business
NM	63724	04/18/07	Sands, Linda K	Liquor Man Invest

LAW INCIDENT CIRCUMSTANCES:

Se Circu Circumstance code Miscellaneous  
1 LT03 Bar/Night Club

LAW INCIDENT NARRATIVE:

Liquor Manager Designation Investigation

LAW INCIDENT RESPONDERS DETAIL:

Se Responding offi Unit n Unit number  
1 UNIT10 Josh Test

04/19/07  
09:40

Grand Island Police Dept.  
LAW INCIDENT TABLE

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LAW SUPPLEMENTAL NARRATIVE:

Seq	Name	Date
1	Vitera D	09:10:26 04/19/2007

Grand Island Police Department  
Supplemental Report

I received an application for Linda K. Sands to have a Liquor Manager Designation for the Fraternal Order of Eagles. I checked Linda through Spillman and found that she had a traffic citation in 2003. I also checked NCJIS. NCJIS confirmed that Linda was convicted of speeding and a seatbelt violation on 7/3/03. I did not find any other violations.

The application clearly asks, "Has anyone who is a party to this application, or their spouse, ever been convicted of or plead guilty to any charge?" It further states that a charge includes federal, state, "local law, ordinance, or resolution." Linda checked the "NO" box to this question on the application. The speeding would fall under state law or local ordinance. Linda's undisclosed conviction technically makes the application false. According to the Nebraska Liquor Control Act Part II Rules and Regulations, Chapter 2 Requirements for Licensees, .010.01 Falsification of Application. It states:

"No applicant for a liquor license, or partner, principal, agent or employee of any applicant for a liquor license shall provide false or misleading information to the Nebraska Liquor Control Commission, its executive director, or employees. Any violation of this provision may result in denial of application for a liquor license or, in the event that a license has already been issued, suspension, cancellation or revocation of such license."

According to the Nebraska Liquor Control Act (Part I, Article I, [D] Licenses, Issuance and Revocation- 53-125 "Classes of persons to whom no license issued" "No license of any kind shall be issued to...(5) a person who has been convicted of or has pleaded guilty to any Class I misdemeanor pursuant to Chapter 28, article 3, 4, 7, 8, 10, 11 or 12, or any similar offense under a prior criminal statute or in another state..." Since Linda's conviction for speeding/no seatbelt didn't rise to the level of a Class I Misdemeanor, her application would not be automatically excluded.

It's the Police Department's recommendation to approve Linda Sands for a Liquor Manager Designation for the Fraternal Order of Eagles.

Date, Time: Thu Apr 19 09:36:12 CDT 2007  
Reporting Officer: Vitera  
Unit #: 835