



# City of Grand Island

Tuesday, September 23, 2008

Council Session

## Item G5

**Approving Request from Scott Schlatter, 3325 Longview Court,  
Lincoln, Nebraska for Liquor Manager Designation for Hy-Vee  
Gas #1221, 118 Wilmar Avenue and Hy-Vee Grand Island #1221,  
115 Wilmar Avenue**

Staff Contact: RaNae Edwards

# **Council Agenda Memo**

**From:** RaNae Edwards, City Clerk

**Meeting:** September 23, 2008

**Subject:** Request from Scott Schlatter, 3325 Longview Court, Lincoln, Nebraska for Liquor Manager Designation for Hy-Vee Gas #1221, 118 Wilmar Avenue and Hy-Vee Grand Island #1221, 115 Wilmar Avenue

**Item #'s:** G-5

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

## **Background**

Scott Schlatter, 3325 Longview Court, Lincoln, Nebraska has submitted an application with the City Clerk's Office for a Liquor Manager Designation in conjunction with the Class "C-79662" Liquor License for Hy-Vee Grand Island #1221, 115 Wilmar Avenue and Class "D-79661" Liquor License for Hy-Vee Gas #1121, 118 Wilmar Avenue.

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 the request for Liquor Manager Designation.

## **Sample Motion**

Move to approve the request from Scott Schlatter, 3325 Longview Court, Lincoln, Nebraska for Liquor Manager Designation in conjunction with the Class “C-79662” Liquor License for Hy-Vee Grand Island #1221, 115 Wilmar Avenue and Class “D-79661” Liquor License for Hy-Vee Gas #1121, 118 Wilmar Avenue” Liquor License with the stipulation that Mr. Schlatter complete a state approved alcohol server/seller training program.

INTEROFFICE  
MEMORANDUM  
*Police Department*



*Working Together for a  
Better Tomorrow. Today.*

DATE: September 10, 2008  
TO: RaNae Edwards. City Clerk  
FROM: Dave Vitera, Sergeant, Police Department  
RE: Liquor Manager Designation – Scott Schlatter –  
Hy-Vee Gas

An application was received for Scott Schlatter to become the liquor manager at Hy-Vee Gas. Deborah Schlatter is listed as Scott's wife on the application. She signed a "Spousal Affidavit of Non-Participation" form. Scott has lived in Nebraska for about ten of the last 13 years.

I checked Spillman but could not locate Scott or Deborah. I found both of them in NCJIS. Deborah did not have any violations listed. Scott had one traffic contact where he pled guilty to a speeding and seat belt charge in 2005.

On the application it clearly asks "Has anyone who is a party to this application, or their spouse, ever been convicted of or plead guilty to any charge. Charge means any charge alleging a felony, misdemeanor, violation of a federal or state law, a violation of a local law, ordinance or resolution." The "No" box was checked.

Scott's failure to disclose his traffic conviction technically makes the application false according to the Nebraska Liquor Control Act (Part II Chapter 2 Section 010.01). The traffic conviction would fall under state law or local ordinance. Either way, the conviction is either an infraction or a misdemeanor that does not rise to the level of a Class I Misdemeanor is an specified crime under Nebraska State Statute Chapter 28 that would automatically nullify the liquor license.

The applicant should be cautioned about reading and filling out the application completely, but the Grand Island Police Department has no objection to Scott Schlatter becoming the liquor manager at Hy-Vee Gas.

DV/rkk *Dave Vitera*