



# **City of Grand Island**

**Tuesday, June 9, 2015**

**Council Session**

## **Item G-3**

**Approving Request for Liquor Manager Designation for Tyra Love, 211 South Sycamore Street with Smoker Friendly Liquor & Tobacco #018, 710 Diers Avenue, Suite L**

**Staff Contact: RaNae Edwards**

# Council Agenda Memo

**From:** RaNae Edwards, City Clerk

**Meeting:** June 9, 2015

**Subject:** Request from Tyra Love, 211 South Sycamore Street for Liquor Manager Designation with Smoker Friendly Liquor & Tobacco #018, 710 Diers Avenue, Suite L

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

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

## Background

Tyra Love, 211 South Sycamore Street has submitted an application with the City Clerk's Office for a Liquor Manager Designation in conjunction with Smoker Friendly Liquor & Tobacco #018, 710 Diers Avenue, Suite L.

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. Ms. Love has completed a state approved alcohol server/seller training program.

## Alternatives

It appears that the Council has the following alternatives concerning the issue at hand. The Council may:

1. Approve the requests.
2. Forward the requests with no recommendation.
3. Take no action on the requests.

## **Recommendation**

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

## **Sample Motion**

Move to approve the request from Tyra Love, 211 South Sycamore Street for Liquor Manager Designation in conjunction with the Class "C-109344" Liquor License for Smoker Friendly Liquor & Tobacco #018, 710 Diers Avenue, Suite L.

05/28/15  
14:31

Grand Island Police Department  
LAW INCIDENT TABLE

450  
Page: 1

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City : Grand Island
Occurred after : **:**:** **/**/****
Occurred before : **:**:** **/**/****
When reported : 08:00:00 05/28/2015
Date disposition declared : **/**/****
Incident number : L15053029
Primary incident number :
Incident nature : Liquor Lic Inv Liquor Lic Inv
Incident address : 710 Diers Ave N
State abbreviation : NE
ZIP Code : 68803
Contact or caller :
Complainant name number :
Area location code : PCID Police - CID
Received by : Vitera D
How received :
Agency code : GIPD GIPD Grand Island Police Dept
Responsible officer : Vitera D
Offense as Taken :
Offense as Observed :
Disposition :
Misc. number : RaNae
Geobase address ID :
Long-term call ID :
Clearance Code : CL CL Case Closed
Judicial Status : NCI Non-criminal Incident
=====

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INVOLVEMENTS:

Px	Record #	Date	Description	Relationship
NM	167736	05/28/15	Love, Tyra M	Liquor Manager
NM	168628	05/28/15	Love, Rodney Roy	Tyra's Spouse
NM	194860	05/28/15	Smoker Friendly,	Business

Involved

LAW INCIDENT CIRCUMSTANCES:

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Se Circu Circumstance code : Miscellaneous
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1 LT17 LT17 Liquor Store

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LAW INCIDENT NARRATIVE:

I received a copy of a liquor manager application from Tyra Love for Smoker Friendly Liquor and Tobacco.

LAW INCIDENT OFFENSES DETAIL:

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Se Offe Offense code : Arson Dama
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1 AOFF AOFF Alcohol Offense 0.00

LAW INCIDENT RESPONDERS DETAIL:

Se Responding offi Unit n Unit number

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1 Vitera D 318 Vitera D

LAW SUPPLEMENTAL NARRATIVE:

Seq Name Date  
-----  
1 Vitera D 10:39:07 05/28/2015

Grand Island Police Department  
Supplemental Report

Date, Time: Thu May 28 10:39:21 CDT 2015  
Reporting Officer: Vitera  
Unit- CID

I received a copy of a liquor manager application from Tyra Love for Smoker Friendly Liquor and Tobacco located at 710 N. Diers. According to her application, Tyra has lived in Grand Island for the last five years and has lived in Nebraska for at least the last thirteen years. She is married to Rodney Love who signed a Spousal Affidavit of Non-Participation form. Tyra is also the current liquor manager at Smoker Friendly located at 802 W. 2nd St. in Grand Island. I did the investigation for that position in August of 2011.

I checked Tyra in Spillman and NCJIS. I did not locate any entries in Spillman which would indicate that Tyra has any criminal convictions. The only undisclosed convictions I found in NCJIS are a speeding conviction in October of 2014 and a conviction for licensing a vehicle without liability insurance in March of 2005.

I also checked Rodney Love in Spillman and NCJIS. According to information in Spillman, it appears that Rodney has had some domestic issues with Tyra where he has been arrested and referred to the County Attorney. NCJIS confirmed convictions for stalking and violation of a protection order that were listed in Spillman. Additional convictions include: DUI in '98, False Reporting in '99, Disturbing the Peace in 2010, and markings for a commercial motor vehicle in 2014. He also has a couple of warrant arrests for failing to pay or failing to appear. I'm not sure about the disposition on the warrant arrests.

One part of this liquor manager application asks if the applicant has ever been convicted of any charge. It goes on to explain the question by saying, "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.

Even though Rodney signed a Spousal Affidavit of Non-Participation form, the question about convictions applies to him because it specifically refers to the spouse of the applicant and anyone who is a party to the application. Rodney and Tyra's failure to disclose all of their convictions technically makes the application false according to the Nebraska Liquor Control Act (Part II Chapter 2 Section 010.01). The undisclosed convictions would fall under state law or local ordinance. However, the Grand Island Police Department has no objection to Tyra Love becoming the liquor manager for Smoker Friendly on Diers since Tyra has no criminal history in the State of Nebraska except two minor violations, Rodney signed a Spousal Affidavit of Non-Participation form, and Tyra is currently the liquor manager at the Smoker Friendly on 2nd Street.