



City of Grand Island

Tuesday, July 27, 2010

Council Session

Item H1

**Consideration of Request from Matthew Casey, 1309 West Stolley
Park Road for Liquor Manager Designation for Godfather's Pizza,
1916 South Locust Street**

Staff Contact: RaNae Edwards

Council Agenda Memo

From: RaNae Edwards, City Clerk

Meeting: July 27, 2010

Subject: Request from Matthew Casey, 1309 West Stolley Park Road for Liquor Manager Designation for Godfather's Pizza, 1916 South Locust Street

Item #'s: H-1

Presenter(s): RaNae Edwards, City Clerk

Background

Matthew Casey, 1309 West Stolley Park Road has submitted an application with the City Clerk's Office for a Liquor Manager Designation in conjunction with the Class "A-12626" Liquor License for Godfather's Pizza, 1916 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. See attached Police Department report.

Due to the many undisclosed convictions on the application, the Police Department can not recommend the approval of this application.

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 deny the request for Liquor Manager Designation.

Sample Motion

Move to deny the request from Matthew Casey, 1309 West Stolley Park Road for Liquor Manager Designation in conjunction with the Class “A-12626” Liquor License for Godfather’s Pizza, 1916 South Locust Street.

07/20/10
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Grand Island Police Department
LAW INCIDENT TABLE

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Grand Island Police Department
Supplemental Report

Date, Time: Mon Jul 19 14:36:57 CDT 2010
Reporting Officer: Vitera
Unit- CID

While reading the application, I noticed that Matthew has lived in the State of Nebraska since at least 2002 and in the City of Grand Island since 2004. He also stated that he is technically still married even though he has been separated from his wife since 2002. I have no information on his wife. Matthew claims that he is in the process of getting a divorce, and his wife currently lives in Iowa.

One part of the application asks if the applicant has ever been convicted of any crime. Matthew disclosed that he has been convicted of "driving without insurance."

I checked Matthew through Spillman and found that he was arrested on a warrant that included no proof of financial responsibility (driving without insurance) and some other charges that were related to the warrant. I did not see anything else in Spillman that would indicate any other convictions.

I checked Matthew through NCJIS and found that he has been convicted of the following offense: speeding and unlawful display of plates in Sarpy County on 10/3/02, no operator's license in Hall County on 2/7/03 (same incident as disclosed insurance violation), no valid registration in York on 7/7/04, stop sign violation and driving during suspension before reinstatement in Hamilton County on 9/29/05, no registration in vehicle in Hamilton County on 9/3/06, and a traffic signal violation in Hall County on 8/29/08.

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."

Matthew failed to disclose multiple convictions which 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. Either way, the convictions are an infraction or a misdemeanor that do not rise to the level of a Class I Misdemeanor in a specified crime under Nebraska State Statute Chapter 28 that would automatically nullify the liquor license.

If Matthew would have just failed to disclose a speeding and/or traffic signal conviction, it could probably be looked at as an oversight. However, when you

consider the laundry list of undisclosed convictions, another conclusion may be reached. Therefore, the Grand Island Police Department can not recommend the approval of Matthew Casey as the liquor manager for Godfather's.