



# City of Grand Island

Tuesday, December 07, 2010

Council Session

## Item E1

**Public Hearing on Request from Blazin Wings, Inc. dba Buffalo Wild Wings Grill & Bar, 809 Allen Drive for a Class "I" Liquor License**

Staff Contact: RaNae Edwards

# **Council Agenda Memo**

**From:** RaNae Edwards, City Clerk

**Meeting:** December 7, 2010

**Subject:** Public Hearing on Request from Blazin Wings, Inc. dba Buffalo Wild Wings Grill & Bar, 809 Allen Drive for a Class "T" Liquor License

**Item #'s:** E-1 & I-1

**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**

Blazin Wings, Inc. dba Buffalo Wild Wings Grill & Bar, 809 Allen Drive has submitted an application for a Class "T" Liquor License. A Class "T" Liquor License allows for the sale of alcohol on 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 submitted with this application was a Liquor Manger Designation request from Shane Cooley, 4745 N. 173<sup>rd</sup> Circle, Omaha, Nebraska.

### **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 this application.

### **Sample Motion**

Move to approve the application for Blazin Wings, Inc. dba Buffalo Wild Wings Grill & Bar, 809 Allen Drive for a Class "I" Liquor License contingent upon final inspections and Liquor Manager designation for Shane Cooley, 4745 N. 173<sup>rd</sup> Circle, Omaha, Nebraska contingent upon Mr. Cooley completing a state approved alcohol server/seller training program.

11/29/10  
15:39

Grand Island Police Department  
LAW INCIDENT TABLE

450  
Page: 1

City : Grand Island  
Occurred after : 13:47:42 11/15/2010  
Occurred before : 13:47:42 11/15/2010  
When reported : 13:47:42 11/15/2010  
Date disposition declared : 11/16/2010  
Incident number : L10111880  
Primary incident number :  
Incident nature : Liquor Lic Inv Liquor License Investigation  
Incident address : 809 Allen Dr  
State abbreviation : NE  
ZIP Code : 68803  
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 : ACT Active  
Misc. number : RaNae  
Geobase address ID : 32512  
Long-term call ID :  
Clearance Code : CL Case Closed  
Judicial Status : NCI Non-criminal Incident

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INVOLVEMENTS:

Px	Record #	Date	Description	Relationship
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LAW INCIDENT CIRCUMSTANCES:

Se	Circu	Circumstance code	Miscellaneous
1	LT21	Restaurant	

LAW INCIDENT NARRATIVE:

I Received a Copy of a Liquor License Application from Buffalo Wild Wings and a Copy of a Liquor Manager Application from Shane Cooley.

LAW INCIDENT RESPONDERS DETAIL:

Se	Responding offi	Unit n	Unit number
1	Vitera D	318	Vitera D

LAW SUPPLEMENTAL NARRATIVE:

Seq	Name	Date	
11/29/10		Grand Island Police Department	450
15:39		LAW INCIDENT TABLE	Page: 2

1 Vitera D 14:38:09 11/29/2010

318

Grand Island Police Department  
Supplemental Report

Date, Time: Mon Nov 29 14:38:22 CST 2010  
Reporting Officer: Vitera  
Unit- CID

Buffalo Wild Wings is building a restaurant at 809 Allen Drive. They are applying for a Class I Liquor License which will allow them to sell beer, wine, and distilled spirits on sale only. The application lists four people and their spouses. Sally Smith is listed as the President/CEO. Craig Smith is her husband. Mary Twinem is listed as the Secretary/Treasurer. Craig Twinem is her husband. James Schmidt is listed as the Executive Vice President. Lynne Clark is listed as his wife. Matthew Brokl is listed as the Vice President. Andrea Brokl is listed as his wife. All of the above mentioned people have out-of-State addresses. I ran them all through Spillman and NCJIS and couldn't find any information on any of them.

Since I can't run criminal history checks for liquor license investigations, and all of the applicants live out of state, this investigation will have to rely on the fingerprint submissions, NSP investigation, and the NLCC decision. With all of the Buffalo Wild Wing restaurants around the United States, I can't imagine that any of the officers on the application would be ineligible to receive a liquor license. Local input is very difficult when none of the people listed on the application are local.

I also received a copy of a liquor manager application from Shane Cooley for Buffalo Wild Wings. Shane is 36 years old and currently lives in Omaha. He has also lived in Colorado and Tennessee. Wendy Cooley is Shane's wife. Wendy signed a Spousal Affidavit of Non-Participation. Shane didn't disclose any violations. I ran Shane and Wendy through Spillman and NCJIS. Neither of them are in Spillman. They are both in NCJIS. They didn't have any convictions. The Cooley's have lived in Nebraska off and on for about seven years. I did not attempt to check on them through Colorado or Tennessee.

Assuming there are no problems at the State level, the GIPD has no objection to Buffalo Wild Wings receiving a liquor license or to Shane Cooley being the liquor manager.