



City of Grand Island

Tuesday, May 10, 2011

Council Session

Item E2

**Public Hearing on Request from Napoli LLC dba Napoli's Italian,
3421 Conestoga Drive for a Class "T" Liquor License**

Staff Contact: RaNae Edwards

Council Agenda Memo

From: RaNae Edwards, City Clerk

Meeting: May 10, 2011

Subject: Public Hearing on Request from Napoli LLC dba Napoli's Italian, 3421 Conestoga Drive for a Class "I" Liquor License

Item #'s: E-2 & I-2

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

Napoli LLC dba Napoli's Italian, 3421 Conestoga Drive has submitted an application for a Class "I" Liquor License. A Class "I" Liquor License allows for the sale of spirits, wine and beer 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 Florim Ramadani, 3111 College, #34.

Alternatives

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

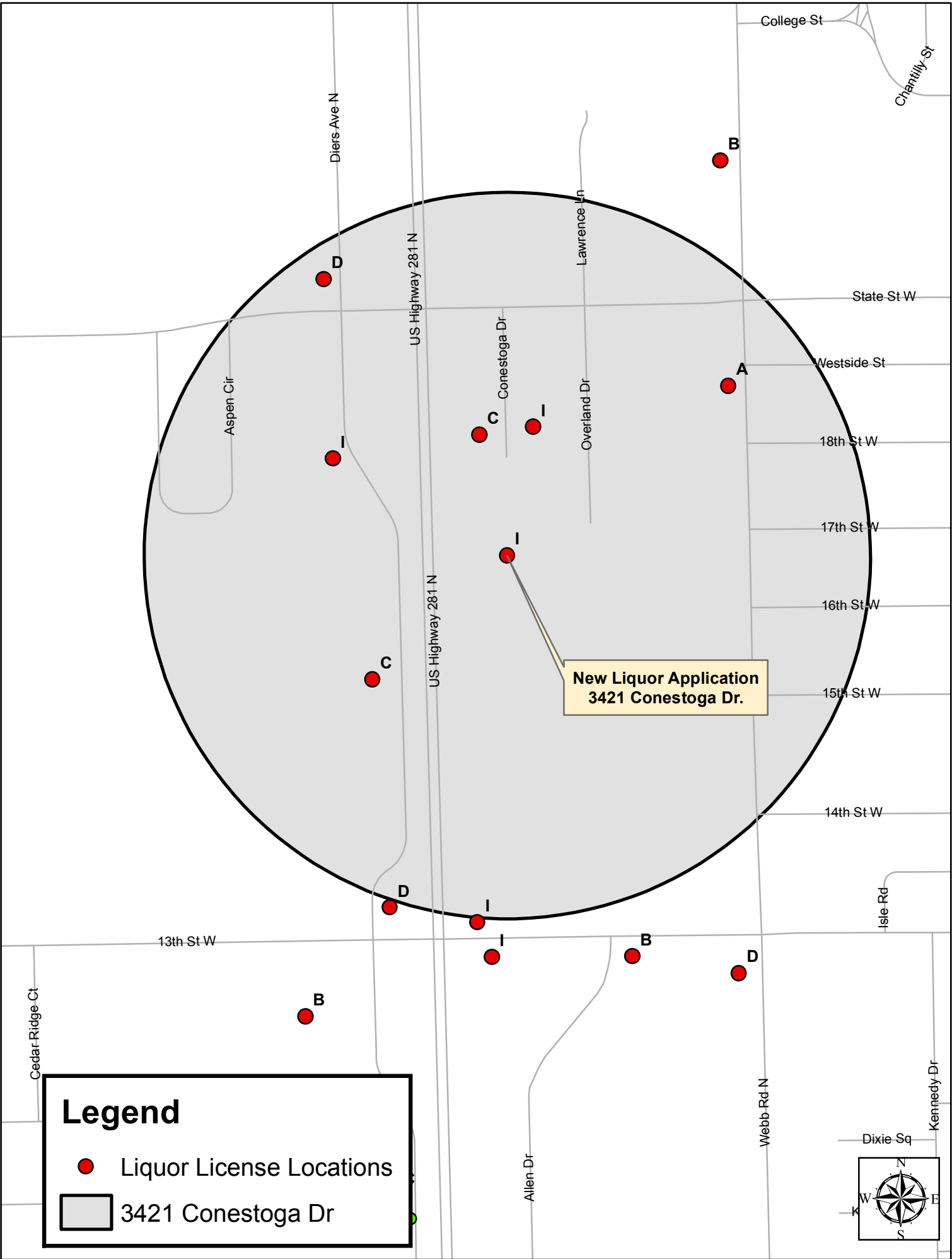
1. Approve the application.
2. Forward to the Nebraska Liquor Control Commission with no recommendation.
3. Forward to the Nebraska Liquor Control Commission with recommendations.
4. Deny the application.

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

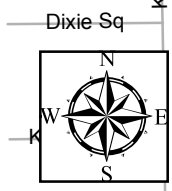
Move to approve the application for Napoli LLC dba Napoli's Italian, 3421 Conestoga Drive for a Class "I" Liquor License contingent upon final inspections and Liquor Manager designation for Florim Ramadani, 3111 College, #34 contingent upon Mr. Ramadani completing a state approved alcohol server/seller training program.



Legend

- Liquor License Locations
- 3421 Conestoga Dr

New Liquor Application
3421 Conestoga Dr.



05/04/11
450
15:34
1

Grand Island Police Department

LAW INCIDENT TABLE

Page:

City : Grand Island
 Occurred after : 09:51:57 04/21/2011
 Occurred before : 09:51:57 04/21/2011
 When reported : 09:51:57 04/21/2011
 Date disposition declared : 04/21/2011
 Incident number : L11042688
 Primary incident number :
 Incident nature :
 Incident address : 3421 Conestoga 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 : 18361
 Long-term call ID :
 Clearance Code : CL Case Closed
 Judicial Status : NCI Non-criminal Incident

=====

INVOLVEMENTS:

Px	Record #	Date	Description	Relationship
NM	165761	05/04/11	Mamaj, Genti	Owner
NM	165762	05/04/11	Mehmeti, Syzane	Florim's Wife
NM	164546	05/02/11	Ramadani, Florim	Liquor Manager

LAW INCIDENT CIRCUMSTANCES:

Se	Circu	Circumstance code	Miscellaneous
1	LT21	Restaurant	

LAW INCIDENT NARRATIVE:

I Received a Copy of a Liquor License Application from Napoli's Italian Restaurant and a Copy of a Liquor Manager Application from Ramadani Florim

LAW INCIDENT RESPONDERS DETAIL:

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

05/04/11 Grand Island Police Department
450
15:34 LAW INCIDENT TABLE Page:
2

LAW SUPPLEMENTAL NARRATIVE:

Seq	Name	Date
1	Vitera D	09:16:06 05/04/2011

05/04/11
450
15:34
3

Grand Island Police Department

LAW INCIDENT TABLE

Page:

318

Grand Island Police Department
Supplemental Report

Date, Time: Wed May 04 09:16:23 CDT 2011

Reporting Officer: Vitera

Unit- CID

I received a copy of a liquor license application from Genti Memaj for Napoli's Italian Restaurant. The restaurant is moving into the former Johnny Casino/ Old Chicago building. He is applying for a Class I License which is beer, wine, and distilled spirits on sale only. The application also includes a copy of a liquor manager application from Florim Ramadani and his wife, Suzanne Mehmeti who signed a spousal affidavit of nonparticipation.

In looking at the application, I noticed that Genti checked the "No" box in the area that asks for criminal convictions, yet he disclosed a DUI in New Jersey back in 2003. I also noticed that he is not borrowing any money to establish or operate the business. Genti listed his home address as 108 S. Locust. There

are no residences in that block, and the attorney who helped him fill out the application has an office located at 108 N. Locust. Genti listed his previous home as being in South Orange, New Jersey from 1999 until 2011. He was born in Albania.

I checked Genti through Spillman and NCJIS and didn't locate any records. I checked for warrants and didn't find any. I checked his driver's license status in Nebraska, Kansas, and New Jersey. He has nothing on file in Nebraska and Kansas, and he has an expired license in New Jersey. ICE advised that he is a Naturalized U.S. Citizen. I searched Genti through Entersect (Police online intelligence database) and just found some rather insignificant civil actions. I also did a Google search on Genti and didn't find anything other than a possible facebook page with no information.

I sent a request for a records check to South Orange, New Jersey and learned that the police department there only had three contacts with him. He was a victim of a hit and run accident on one contact, victim of a criminal mischief and theft from a vehicle on another, and the driver in a car accident. Thinking I was sending a records check request to South Orange, I also inadvertently contacted the Millburn, New Jersey Police Department. It is a neighboring town to South Orange. Millburn had no contact with Genti. Since Genti's proposed liquor manager, Florim Ramadani was also born in Albania and owns or has owned a Napoli's restaurant in Hays and Salina, Kansas, I checked Genti through those two jurisdictions, and they didn't have any record of him.

After looking at Genti's liquor license application, I looked at Florim Ramadani's liquor manager application. I noticed right away that in the area where it asks for where he has lived within the last ten years, he only went back three years. He stated that he lived in Salina, Kansas from 2008-2010 and Hays, Kansas from 2010-2011, and now lives in Grand Island. He was born in Albania. Florim has an entry in Spillman for a speeding warning on 3/15/11.

NCJIS shows that he has a warning for speeding in Buffalo County on 3/14/11. I checked for warrants on Florim and didn't find any. He has a suspended license in New Jersey, he's not on file in Nebraska, but has a valid Kansas license.

ICE advised that Florim is a Naturalized U.S. Citizen. I did records checks through law enforcement in South Orange, Mount Olive, and Millburn, New Jersey,

05/04/11

Grand Island Police Department

450

15:34

LAW INCIDENT TABLE

Page:

4

along with Salina and Hays, Kansas. At this time, I haven't heard back from Mount Olive. South Orange has no record of Florim, nor does Millburn. Hays has one contact with him where he was issued a warning for speeding. Salina advised that Florim was issued "several traffic tickets for speeding and expired tags between April and November of 2009."

I checked Florim through Entersect and found nothing but a possible address in Kansas. I did a Google search on him and found a possible facebook page. The page only had general information about favorite music, movies, television shows, and athletes.

After checking on Florim, I checked on his wife, Suzanne Mehmeti. I did all of the same checks on her that I did on Florim and Genti. I couldn't find anything on her except that ICE advised she is a lawful permanent resident alien from Sweden and spells her first name "Syzane."

On 5/4/11, I went to Napoli's and spoke to Florim and Genti. Florim advised that he lived in New Jersey from 1999 until 2008. Prior to that, he lived outside the U.S. I showed Florim the facebook that I printed. He said that wasn't his facebook account. He also said that he has had traffic citations but nothing criminal beyond that. Florim confirmed that he is a 50/50 partner with Genti in the business. He will get 50% of all sales including alcohol.

Question six on the application asks, "Will any person or entity, other than the applicant, be entitled to a share of the profits of this business?" The "No" box was checked. Florim said he was overseas when Genti filled out the application, but the "Yes" box should have been checked; and his name should have been listed. Florim also confirmed that he is part owner of a Napoli's in Hays, Kansas. He sold the Napoli's in Salina because the travel back and forth was too much. Since he moved to Grand Island, he is relying on his partner to run the Napoli's in Hays.

After speaking with Florim, I spoke with Genti. Genti said that he and Florim are cousins. Florim had told me that the two grew up together. Genti advised that he just moved to Grand Island two weeks ago and didn't have a G.I. address when his attorney filled out the application. He gave me the telephone number to the business along with his new address. He couldn't explain why the "No" box was checked where the application asks for criminal convictions other than to say that his attorney filled out the application. He also said that he doesn't have any other convictions other than traffic. He showed me a valid New York driver's license.

Genti agreed that Florim is a 50/50 partner as far as the food and beverage profits are concerned. He said he didn't have anything to do with Florim's Napoli's restaurant in Salina and Hays. Genti and Florim each told me that they are using Wells Fargo for their business account instead of Bank of America, and they are not borrowing any money to establish or operate the business.

Genti told me that I had the wrong facebook page for him. He gave me the name he uses for his facebook page. I looked at it at a later time and didn't see anything of interest. I discussed the civil actions located in Entersect. He didn't know what the smaller case was about but said the other cases involved his DUI arrest.

After speaking with Genti, I went to Florim's apartment and spoke to his wife, Syzane. She confirmed that she doesn't have a driver's license and has only lived in the U.S. for four years. She showed me her Resident Alien card which confirmed the spelling of her first name as Syzane instead of Suzanne.

05/04/11

Grand Island Police Department

450

15:34

LAW INCIDENT TABLE

Page:

5

All in all, I didn't receive any information back from Mount Olive, New Jersey, but the other New Jersey checks and Kansas checks didn't reveal any problems. In fact, I spoke to law enforcement in Hays and Salina who each said that they weren't familiar with the applicants for law enforcement reasons, and they didn't have any problems at the restaurants.

From all the checks I ran, I don't see any problems with the applicants. However, I can't run national criminal history checks for liquor license investigations. If there are any problems in that regard, the State should catch it through records obtained from fingerprint identification. After speaking with Genti and Florim and clarifying some issues on the application, I don't see why the application shouldn't be approved. The GIPD recommends that the council give local approval to Napoli's liquor license application and Florim Ramadani's liquor manager application.