



City of Grand Island

Tuesday, October 25, 2011

Council Session

Item E1

**Public Hearing on Request from Zoul Hospitality, LLC dba
Willman's Bottle Shop, 1201 South Locust Street for a Class "CK"
Liquor License**

Staff Contact: RaNae Edwards

Council Agenda Memo

From: RaNae Edwards, City Clerk

Meeting: October 25, 2011

Subject: Public Hearing on Request from Zoul Hospitality, LLC dba Willman's Bottle Shop, 1201 South Locust Street for a Class "CK" 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

Zoul Hospitality, LLC dba Willman's Bottle Shop, 1201 South Locust Street has submitted an application for a Class "CK" Liquor License. A Class "CK" Liquor License allows for the sale of alcohol on and off sale inside the corporate limits of the city, along with a catering designation.

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 the application was a Liquor Manager Designation for Zachary Zoul, 3333 Ramada Road. Mr. Zoul has completed the state approved alcohol server/seller training program and has submitted his certificate.

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 Zoul Hospitality, LLC dba Willman's Bottle Shop, 1201 South Locust Street for a Class "CK" Liquor License contingent upon final inspections and Liquor Manager Designation for Zachary Zoul, 3333 Ramada Road.

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Grand Island Police Department

15:08
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LAW INCIDENT TABLE

Page:

City : Grand Island

Occurred after : **:**:** **/**/****

Occurred before : **:**:** **/**/****

When reported : 08:30:00 10/10/2011

Date disposition declared : 10/12/2011

Incident number : L11101465

Primary incident number :

Incident nature : Liquor Lic Inv Liquor License
Investigation

Incident address : 1201 Locust St S

State abbreviation : NE

ZIP Code : 68801

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 : 15026
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
NM	54537	10/17/11	Willmans Bottle Market,	Business
NM	159499	10/17/11	Zoul, Zachary Z	Applicant

LAW INCIDENT CIRCUMSTANCES:

Se Circu Circumstance code Miscellaneous

1 LT17 Liquor Store

LAW INCIDENT NARRATIVE:

I Received a Copy of a Liquor License Application For Wilman's Bottle Shop and a

Copy of a Liquor Manager Designation from Zachary Zoul.

LAW INCIDENT RESPONDERS DETAIL:

Se Responding offi Unit n Unit number

1 Vitera D

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LAW SUPPLEMENTAL NARRATIVE:

Seq Name Date

1 Vitera D 15:11:32 10/17/2011

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LAW INCIDENT TABLE

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Grand Island Police Department

Supplemental Report

Date, Time: Mon Oct 17 15:11:46 CDT 2011

Reporting Officer: Vitera

Unit- CID

Zoul Hospitality, doing business as Willman's Bottle Shop is applying for a

Class "CK" LLC license. The "C" is for beer, wine, and distilled spirits on and

off sale. The "K" is for a Catering license. On the application next to the

definition of a Class C license is a handwritten note that says "tastings."

Since Willman's is currently a "package" store (off sale), I would assume at

this point that the "tastings" is the reason for applying for the Class C which

includes the on sale portion of the business in the license.

Zachary Zoul is the only person listed on the application. He also filled out a

manager application as well. Zachary is not married, and he has lived in Florida, South Carolina, Minnesota, and Nebraska over the last 16 years. He

stated on his application that he has been convicted of "several" speeding

charges and one "rolling stop." Zachary also said that he holds a manager

license for two establishments in Ogallala.

There are no outstanding warrants for Zachary, and he has a valid Nebraska

driver's license. I checked Zachary through Spillman and didn't really find

anything other than a traffic contact. I also checked Zachary through NCJIS and

found four speeding convictions, one stop sign conviction, and one improper

passing conviction. He has no criminal convictions in Nebraska, but it is

unknown what will turn up in Minnesota and Florida as I can't run a criminal

history on license checks.

I Googled Zachary and found lots of information describing his tumultuous tenures as city administrator in Grand Island, St. Peter, MN, and Fernandina,

FL. Controversy seemed to follow Zachary when he worked in the public sector.

I found Zachary's facebook page and didn't see anything offensive on it.

On 10/19/11, Zachary came to the LEC for an interview. He advised that he moved

back to Grand Island for personal reasons. He confirmed that he applied for the

Class C license so he can have wine tasting at the store. He also said that he

currently has no specific plans for the catering license but likes the option

of having that license. He speculated that it could be used someday in conjunction with his affiliation to the Howard Johnson motel.

We talked about some of the information I found on the Internet about him. He

advised that the average tenure of a city administrator is about 2.5 years. He

also stated that controversy will most likely surround every city administrator

because of their unique position between the mayor and city council. Zachary

said that he was never convicted of any of the criminal charges that were brought up against him as a city administrator. He also asserted that for every

negative article that can be found about him on the Internet, many more positive

ones can also be located. Zachary said most of his troubles in city government

occurred when he wouldn't succumb to special interest groups or political pressure. He advised that he always tried to do the right thing. He pointed

out that since he has gotten out of working in city government and started

working in the private sector, he hasn't had the bad press that he used to get.

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All in all, the Grand Island Police Department has no objection to Zoul Hospitality receiving a liquor license for Willman's Bottle Shop or to Zachary Zoul being the liquor manager.