



City of Grand Island

Tuesday, May 8, 2012

Council Session

Item G7

**Approving Request from Roy Ussary, 836 Sagewood Avenue for
Liquor Manager Designation for Olive Garden #4416, 1010 Allen
Drive**

Staff Contact: RaNae Edwards

Council Agenda Memo

From: RaNae Edwards, City Clerk

Meeting: May 8, 2012

Subject: Request from Roy Ussary, 836 Sagewood Avenue, for Liquor Manager Designation for Olive Garden #4416, 1010 Allen Drive

Item #'s: G-7

Presenter(s): RaNae Edwards, City Clerk

Background

Roy Ussary, 836 Sagewood Avenue has submitted an application with the City Clerk's Office for a Liquor Manager Designation in conjunction with the Class "I-96971" Liquor License for Olive Garden #4416, 1010 Allen Drive.

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.

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 approve the request for Liquor Manager Designation.

Sample Motion

Move to approve the request from Roy Ussary, 836 Sagewood Avenue for Liquor Manager Designation in conjunction with the Class "I-96971" Liquor License for Olive Garden #4416, 1010 Allen Drive with the stipulation that Mr. Ussary complete a state approved alcohol server/seller training program.

04/30/12

Grand Island Police Department

450

13:54

LAW INCIDENT TABLE

Page: 1

City : Grand Island

Occurred after : 16:44:03 04/18/2012

Occurred before : 16:44:03 04/18/2012

When reported : 16:44:03 04/18/2012

Date disposition declared : 04/18/2012

Incident number : L12042433

Primary incident number :

Incident nature : Liquor Lic Inv Liquor License
Investigation

Incident address : 1010 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 : P In Person

Agency code : GIPD Grand Island Police Department

Responsible officer : Vitera D

Offense as Taken :

Offense as Observed :

Disposition : ACT Active

Misc. number :

Geobase address ID : 475

Long-term call ID :
Clearance Code : 0 Open Case
Judicial Status : NCI Non-criminal Incident

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INVOLVEMENTS:

Px	Record #	Date	Description	Relationship
NM	175429	04/25/12	Ussary, Toni A	Roy's Wife
NM	172165	04/20/12	Olive Garden, Involved	Business
NM	175352	04/20/12	Ussary, Roy B	Liquor Manager

LAW INCIDENT CIRCUMSTANCES:

Se Circu Circumstance code Miscellaneous

1 LT21 Restaurant

LAW INCIDENT NARRATIVE:

I Received a Copy of Liquor Manager Application from Roy Ussary for The Olive Garden.

LAW INCIDENT OFFENSES DETAIL:

Se Offe Offense code Arson Dama

1 AOFF Alcohol Offense 0.00

LAW INCIDENT RESPONDERS DETAIL:

Se Responding offi Unit n Unit number

1 Vitera D 318 Vitera D

LAW SUPPLEMENTAL NARRATIVE:

Seq	Name	Date
1	Vitera D	09:46:17 04/25/2012

318

Grand Island Police Department

Supplemental Report

Date, Time: Wed Apr 25 09:46:29 CDT 2012

Reporting Officer: Vitera

Unit- CID

In reviewing the application, I found that Roy Ussary is married to Toni Ussary.

Toni signed a Spousal Affidavit of Non Participation form. The couple lived in

Lincoln between 2008-2009. They moved to Grand Island in March of this year.

Otherwise, Roy has lived in Missouri the rest of his life.

The part of the application that asks if anyone who is a party to this application or their spouse has ever been convicted of any charge, the Ussary's

checked the "No" box. Roy and Toni did not have a Spillman entry, and their

only entry in NCJIS is for a driver's license. I checked a law enforcement-only

Internet database which supplies personal, business and civil information on

people and didn't find anything of interest. I also checked Roy and Toni for a

face book page. I could not find any "Ussary's", only "Ussery's." I checked

Roy and Toni through NCIC and found that neither one of them had any outstanding warrants.

On 4/25/12, I contacted three law enforcement agencies in Missouri where Roy

said he had lived. I contacted Savannah, Missouri and was told they would call

me back. Roy listed on his application that he lived in Savannah from 1985

until 2006. I also contacted the Springfield, Missouri Police Department and

the Cape Girardeau, Missouri Police Department. They each asked that I fax them

a request for a records check which I did right after the request. Roy said he

had lived in Springfield from 2006 until 2009 and then in Cape Girardeau from 2009 until 2012.

I received a fax from Springfield and Cape Girardeau. Each agency advised that

they don't have any documented contacts with Roy or Toni. On 4/26/12, I placed

a second call to the Savannah Police Department and requested documented

contacts with the Ussary's. I was told an officer will call me back sometime this evening.

Later in the day, I received a call from an officer who said that they had no record of the Ussary's.

The Grand Island Police Department has no objection to Roy Ussary becoming the

liquor manager at The Olive Garden.