



City of Grand Island

Tuesday, May 8, 2012

Council Session

Item G8

**Approving Request from Scott Klone, 1404 East 57th Street Place,
Kearney, NE for Liquor Manager Designation for Buffalo Wild
Wings Grill & Bar #313, 809 Allen Drive**

Staff Contact: RaNae Edwards

Council Agenda Memo

From: RaNae Edwards, City Clerk

Meeting: May 8, 2012

Subject: Request from Scott Klone, 1404 East 57th Street Place, Kearney, Nebraska for Liquor Manager Designation for Buffalo Wild Wings Grill & Bar, 809 Allen Drive

Item #'s: G-8

Presenter(s): RaNae Edwards, City Clerk

Background

Scott Klone, 1404 East 57th Street Place, Kearney, Nebraska has submitted an application with the City Clerk's Office for a Liquor Manager Designation in conjunction with the Class "I-92285" Liquor License for Buffalo Wild Wings Grill & Bar, 809 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 Scott Klone, 1404 East 57th Street Place, Kearney, Nebraska for Liquor Manager Designation in conjunction with the Class "I-92285" Liquor License for Buffalo Wild Wings Grill & Bar, 809 Allen Drive with the stipulation that Mr. Klone complete a state approved alcohol server/seller training program.

04/20/12

Grand Island Police Department

450

12:10

LAW INCIDENT TABLE

Page: 1

City : Grand Island

Occurred after : 16:40:06 04/18/2012

Occurred before : 16:40:06 04/18/2012

When reported : 16:40:06 04/18/2012

Date disposition declared : 04/18/2012

Incident number : L12042431

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 : 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 : RaNae

Geobase address ID : 32512

Long-term call ID :
Clearance Code : CL Case Closed
Judicial Status : NCI Non-criminal Incident

=====

INVOLVEMENTS:

Px	Record #	Date	Description	Relationship
NM	161879	04/19/12	Buffalo Wild Wings Grill & Bar	Business Involved
NM	175329	04/19/12	Klone, Scott	Liquor Manager

LAW INCIDENT CIRCUMSTANCES:

Se Circu	Circumstance code	Miscellaneous
----------	-------------------	---------------

1 LT21 Restaurant

LAW INCIDENT NARRATIVE:

I Received a Copy of a Liquor Manager Application from Scott Klone for Buffalo Wild Wings.

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 14:40:47 04/19/2012

318

Grand Island Police Department

Supplemental Report

Date, Time: Thu Apr 19 14:41:04 CDT 2012

Reporting Officer: Vitera

Unit- CID

I reviewed the application and found that Scott Klone was born in Kearney, NE.

Between the ages of 20 and 27, he lived in Omaha and Kearney. From 2007 until

2012, Scott lived in Manhattan, KS. He is not married, and he did not disclose any convictions.

I checked Scott through Spillman and did not find an entry. I also checked NCIC

for warrants. He has no warrants for his arrest, and he has a valid driver's

license. I ran him through NCJIS and found that he has five traffic convictions

between 2000 and 2003. The convictions are for speeding, seatbelt violations, and a traffic signal violation.

On the liquor manager 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." It

further asks that the applicant, "List the nature of the charge, where the

charge occurred and the year and the month of the conviction or plea. Also list

any charges pending at the time of this application. If more than one party,

please list charges by each individual's name."

Scott's failure to disclose his traffic convictions technically makes the application false according to the Nebraska Liquor Control Act (Part II Chapter

2 Section 010.01) which states:

"No applicant for a liquor license, or partner, principal, agent or employee of any applicant for a liquor license shall provide false or

misleading information to the Nebraska Liquor Control Commission, its

executive director, or employees. Any violation of this provision may

result in denial of application for a liquor license or, in the event that

a license has already been issued, suspension, cancellation or revocation

of such license."

The undisclosed convictions would fall under state law or local ordinance.

Either way, the convictions are either 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

application.

I also checked Scott through a law enforcement only data base that includes

personal, business, and other civil information. Nothing out of the ordinary was discovered.

Assuming Scott doesn't have any criminal history in Kansas or anywhere else in

the U.S. for that matter, the GIPD has no objection to him becoming the liquor

manager at Buffalo Wild Wings.