

Public Safety Committee Meeting
Tuesday, July 16, 2024 5:00 PM
Crete City Hall
243 E 13th Street
Crete, NE 68333

1. Open Meeting

- In accordance with Nebraska law, a copy of the Open Meetings Act can be found in the back of the Council Chambers.
- Items listed on the agenda may be considered in any order.

2. Roll Call

- Attendance of members will be recorded to determine the presence of a quorum for official actions.

3. Items of Business

- The Committee may discuss or limit discussion on, hear testimony in favor of or in opposition to, or take action to provide a recommendation to the City Council on any matter presented under this title.

3.A. Consider the Tobacco License Application from Smokin' Liquor LLC

3.B. Consider the Crete Police Department applying for fiscal year 24/25 Special Traffic Enforcement Programs (STEP) grant.

3.C. Consider the Class I Liquor License Application from the Blue River Arts Council, Inc.

3.D. Consider Ordinance 2209 amending the sale of tobacco to 21

4. Officers' Reports

- Reports may be given by the Mayor, Officers, Departments, or Councilmembers concerning the current operations of the City.
- No action can be taken on matters presented under this title except to answer any questions or to refer the matter for further action.

5. Adjournment

Disclaimers & Notices

- The Council may enter into closed session to discuss any matter on this agenda when it is determined that a closed session is clearly necessary for the protection of the public interest or the prevention of needless injury to the reputation of an individual (if such individual has not requested a public meeting) or as otherwise allowed by law. Any closed session shall be limited to the subject matter for which the closed session was called. If the motion to close passes, then immediately prior to the closed session the Mayor shall restate on the record the limitation of the subject matter of the closed session.
- The City of Crete assures that no person shall on the grounds of race, color, national origin, age, disability, handicap or sex, be excluded from participation in, be denied the benefits of, or be otherwise subjected to discrimination under any program or activity of the City receiving Federal financial assistance. To report discrimination, contact the City Clerk's office.
- The complete agenda with attachments is available at www.crete.ne.gov.



City of Crete Nebraska
Tobacco License Application
Crete City Code §10-701

NAME Im Noeut
Owner or person completing application

DOING BUSINESS AS Smokin' Liquor LLC
Registered name of business

CRETE ADDRESS 1229 Main Ave. crete NE 68333
Business address
1229 Main Ave. Crete NE 68333
Mailing address City State Zip

BUSINESS PHONE NUMBER 402 418 7078

EMAIL smokinliquor21@gmail.com
Local contact

CORPORATE OFFICE ADDRESS _____
Put N/A if none Mailing address City State Zip

NATURE OF BUSINESS CONDUCTED E-Cigarettes, Nicotine, tobacco
kratom, E-Juice, T-shirt, hat, liquor, snacks, CBD

CHECK LIST:

- NEBRASKA SALES TAX PERMIT Yes No
- FEDERAL TAX IDENTIFICATION NUMBER Yes No
- STATE PERMIT (If Required) Yes No N/A
- FEDERAL PERMIT (If required) Yes No N/A

SIGNATURE Imnoeut DATE 07/01/24
Owner or person completing application

Tobacco dealer application fee: See Master Fee Schedule
Retail license: See Master Fee Schedule
Please include fee and return to: Crete City Clerk
PO Box 86
Crete NE 68333

City use only: _____ Permit Number: _____
Processed by: _____ Date: _____

Agency Information

APPLICANT: CRETE POLICE DEPARTMENT DATE: JULY 2, 2024
ADDRESS: 1945 FOREST AVENUE
CITY, STATE, ZIP: CRETE, NE 68333 E-MAIL: dawn.jonas@crete.ne.gov
TELEPHONE # 402-826-4311 Unique Entity Identifier (UEI) #: NSZJX92LS4R3
FEDERAL I.D. #: 47-06006154 Commercial and Government Entity (CAGE) Code: 6VZ55

PROJECT DESCRIPTION:

The purpose of this Special Traffic Enforcement Program (STEP) Grant Contract is to provide funding assistance to law enforcement agencies for selective overtime enforcement and education overtime in the emphasis areas of Occupant Protection, Impaired Driving, Speed, Distracted Driving, or General Traffic. The funding assistance will provide reimbursement for overtime salaries. Regular traffic enforcement activities must remain at the current level and all activities funded by this STEP grant must be above and beyond the current level of enforcement activity.

Please complete items 1 – 5 below using the definitions on the reverse side and submit a copy of your department’s current seat belt policy and drug-free workplace policy if not already on-file.

1. Baseline Information:

SEE ATTACHED

2. Selective Overtime Enforcement Objective:

SEE ATTACHED

3. Selective Overtime Enforcement Activity:

SEE ATTACHED

4. Selective Overtime Enforcement Budget:

SEE ATTACHED

5. Impact Evaluation:

SEE ATTACHED

Expectations:

- STEP contractors will make every reasonable effort to participate in at least One safety effort per month following the NHTSA calendar. This will include at least one (1) of the winter holiday campaigns as well as *Make it Click (May)* and *Drive Sober or Get Pulled Over (Aug.)*.
- Over the term of the STEP contract an agency goal will be to average a minimum of two contacts/stops per hour of reimbursed STEP enforcement.
- No STEP expenditures may be incurred prior to the acceptance and receipt of a signed agreement from the HSO.
- The applicant must 1) receive approval of the STEP grant contract from the HSO; 2) incur the expenses (pay the bills); 3) request reimbursement on a STEP/Mini-Grant Contract Claim for Reimbursement (CR) located on the HSO website at <http://dot.nebraska.gov/safety/hso/grants/grant-forms/>; and 4) complete the CR and attach the required supporting documentation as prescribed below.
- The applicant shall perform community collaboration and engagement/outreach to ensure transparency and identify disparities in traffic enforcement, and inform on traffic enforcement policies, procedures, and activities to improve traffic safety.

Reimbursement:

- For non-enforcement expenses:
 - a) Detailed activity, media placement or other expense with paid invoice, proof of payment

DEFINITIONS

BASELINE INFORMATION explains the following:

- Who* is being affected by a specific injury problem?
What injuries are occurring (type, severity and frequency of fatal and non-fatal injury)?
Include at least 3 years of data.
When the injuries are occurring (i.e., time of day, day of week)?
Where the injuries are occurring (specific geographic location)?
Why the injuries are occurring (contributing factors -- i.e., alcohol, speed, lack of belt use, etc.)?

NOTE: The number of deaths is low in most communities. Non-fatal serious injury crash data may provide a more complete picture.

SELECTIVE OVERTIME ENFORCEMENT OBJECTIVE

Every selective overtime enforcement activity must have an objective to reduce fatal and serious injury crashes as outlined by the baseline information. The objective states exactly how much injury reduction will be achieved in a specific period of time. The contributing factors must also be addressed (i.e., alcohol, speed, etc.). Every objective must be SMART: Specific, Measurable, Action oriented, Realistic, and have a Time frame.

SELECTIVE OVERTIME ENFORCEMENT ACTIVITY

The activity must coincide with the problems outlined in the baseline data and respond to the stated objective. The specific locations, time of day, day of week, number of officers and traffic problem (i.e., alcohol, speed, etc.) must be included.

SELECTIVE OVERTIME ENFORCEMENT BUDGET

The budget must include the total number of officers, total number of hours, officer's hourly rate of pay, and the total amount of funding assistance being requested.

IMPACT EVALUATION answers the question "Did we reduce injuries?"

In the application, explain what you will evaluate. In the project summary (submitted after the completion of the activity) answer the following:

- Question #1: Did the activity reduce the types of injuries that were targeted?
Question #2: Did the activity reduce those kinds of injuries by as much as predicted?

STEP Overtime Enforcement Mini-Grant Application

Baseline Information:

Three years of injury accident data within the city of Crete shows the following:

- **Who:** Drivers are more likely to be injured in traffic accidents within the city of Crete.
- **What:** Minor injuries are the most likely sustained, with the elderly the most documented for serious injuries within the city of Crete.
- **When:** Data shows injury accidents are most likely to occur on Monday from 0500-1800 and Friday from 0700-2100.
- **Where:** Injury accidents are most likely to occur on Main between 5th and 18th, and at 13th/Boswell.
- **Why:** Data shows that injuries occurring from accidents are most likely to be caused by speed, traffic signal violations, stop sign violations, no seatbelts and alcohol.

Selective Overtime Enforcement Objective:

The objective is to participate in the Special Traffic Enforcement Program (STEP) grant from October 1, 2024 – September 30, 2025. By participating in the grant, the goal of the enforcement is to emphasize enforcement and education in the areas of Occupant Protection, Impaired Driving, Distracted Driving and General Traffic. The department will perform community collaboration and engagement/outreach to educate and improve traffic safety.

Selective Overtime Enforcement Activity:

Enforcement activity will be in the form of traffic enforcement by targeting speeding, traffic signal violations, and stop sign violations with an emphasis on identifying and arresting intoxicated drivers.

Locations, days and times for enforcement include:

- Main/5th to 13th: Monday-Sunday, all hours (Speeding, Traffic signal violation, Stop sign violation, No seatbelts, Driving while intoxicated)
- Main/18th to 24th: Monday-Sunday, all hours (Speeding, Traffic signal violation, Stop sign violation, No seatbelts, Driving while intoxicated)
- Highway 33/13th to 17th: Monday-Sunday, all hours (Speeding, Traffic signal violation, Stop sign violation, No seatbelts, Driving while intoxicated)
- 13th/Hawthorne to Linden: Monday-Sunday, all hours (Speeding, Traffic signal violation, Stop sign violation, No seatbelts, Driving while intoxicated)
- 13th/Boswell to Iris: Monday-Sunday, all hours (Speeding, Traffic signal violation, Stop sign violation, No seatbelts, Driving while intoxicated)
- 12th and Main, Monday-Sunday, all hours (Stop sign violation, no seatbelts)

Selective Overtime Enforcement Budget:

- 1 officer for 280 hours @ \$68.85 per hour = \$19,278.00
- 1 officer for 75 hours @ \$61.77 per hour = \$4,632.75
- 1 officer for 280 hours @ \$61.77 per hour = \$17,295.60
- 1 officer for 200 hours @ \$61.77 per hour = \$12,354.00
- 1 officer for 150 hours @ \$61.77 per hour = \$9,265.50
- 1 officer for 50 hours @ \$59.41 per hour = \$2,970.50
- 1 officer for 280 hours @ \$57.12 per hour = \$15,993.60
- 1 officer for 150 hours @ \$52.82 per hour = \$7,923.00
- 1 officer for 20 hours @ \$68.85 per hour = \$1,377.00

Grand total of funding assistance being requested = \$91,089.95

The hourly rates are the billable overtime rates which include FICA and Retirement.

Impact Evaluation:

The additional enforcement and education is targeted at reducing the number of impaired and/or distracted drivers as well as increasing the number of occupant protection devices (seatbelts and child restraints) being used. The numbers of citations issued or arrests of motorists for these offenses compared to the number of motorist contacts for traffic infractions during the enforcement period will evaluate motorist compliance with state statutes.

C. Complaints

Persons observing a violation of this policy are responsible to bring it to attention of their supervisor.

Sec. 3.10 DRUG-FREE WORKPLACE

The City of Crete is committed to providing a safe work environment. The City prohibits the distribution, manufacture, possession, sale, use, transfer, transport, or purchase of illegal drugs, or being under the influence of alcohol or drugs at the workplace, on City premises, or in City vehicles. Any violation of this policy is subject to discipline up to and including termination, for the first offense. An exception may be made for Police Officers if transporting and/or storing of evidence.

The substances that are prohibited include but are not limited to the following:

- Alcohol
- Cannabinoids (marijuana, hashish)
- Depressants (tranquilizers)
- Hallucinogens (PCP, LSD, "designer drugs", etc.)
- Narcotics (heroin, morphine, etc.)
- Stimulants (cocaine, methamphetamines, etc.)

Any employee convicted of violating a criminal drug/alcohol statute must inform the City of such a conviction (including pleas of guilty and no contest) within five days of the conviction occurring. Failure to inform the City will subject the employee to disciplinary action, up to and including termination for the first offense. By law, the City will notify the federal grant agency or contracting officer within 10 days of receiving such notice from an employee or otherwise receiving notice of such conviction.

The City reserves the right to offer employees convicted of violating a criminal drug/alcohol statute, the opportunity to participate in a rehabilitation or drug/alcohol abuse assistance program, at the employee's expense, as a form of discipline. If such an opportunity is offered and accepted, the employee must successfully complete the program before returning to their position as a condition of employment.

The City may test all applicants who have been offered a position with the City prior to starting their new job. Job placement is contingent on the results of the drug/alcohol testing. The City may test all new hires for the following substances:

- Amphetamine/Methamphetamine
- Cannabinoids
- Cocaine metabolites
- Opiates
- PCP

The City reserves the right to test any employee that it has reasonable cause to believe is under the influence of alcohol or drugs while in the workplace.

Any employee that is involved in a worker's compensation claim involving an injury or an accident involving an injury requiring medical attention shall be required to submit to a drug/alcohol test for cause. Additionally, if an employee is operating a city vehicle/equipment and is involved in a reportable accident, pursuant to City Policy, while in the operation of said vehicle, there shall be drug/alcohol testing for cause. Any employee involved in any such injury or accident shall immediately notify his or her supervisor and the Human Resources Department so that immediate arrangements can be made for drug/alcohol testing to be promptly carried out.

The City shall also maintain a testing program as is required by the U.S. Department of Transportation (DOT). This program will apply to employees in job classifications that require a Commercial Driver's License (CDL). Employees in this classification will receive additional information in the orientation process from the Human Resources Department.

The City of Crete Drug and Alcohol testing procedures used will follow the City of Crete Drug and Alcohol Testing Procedures Manual as approved and/or amended by the Governing Body.

Sec. 3.11 CORRECTIVE AND DISCIPLINARY ACTIONS

A. Employees are expected to act in a mature and professional manner while performing services for the City of Crete. Below is a non-exclusive partial list of unacceptable behaviors that may result in disciplinary action.

- Failure to observe safety rules and regulations.
- Failure to report to work at the appointed time or place, or for departing prior to the designated time, including abuse of rest periods.
- Solicitation, distribution, or display of non-work-related materials while on City time.
- Operating a personal business while on City time.
- Intimidation or coercion.
- Overuse ("waste") of City equipment, tools, or material beyond what is required to complete a task.
- Using abusive language or making false or malicious statements concerning any employee, the City, or its services.
- Unnecessary physical games (i.e., "horseplay," "roughhousing," etc.), loitering or sleeping on the job.
- Unauthorized posting, removing, or altering of bulletin board notices.
- Violation of City, Department, or Division written or verbal policies or procedures.
- Unauthorized use or release of confidential, sensitive or privileged information.
- Intentional unavailability for or refusal to work over-time or respond to emergency call-out.
- Abuse of medical leave or other paid leave.
- Conduct that negatively impacts the professional appearance/reputation of the City.

B. An employee may be terminated, even for a first offense, for the following violations. This list is representative of dischargeable behaviors but is not all-inclusive.

- Insubordination.
- Theft of public or private property.
- Misappropriation of public property.

Upon the receipt of the recommendation, a determination will be made as to the classifications to be affected by a reduction in force and the number of employees to be laid off. A determination as to whether any employees within a job classification should be exempted from consideration due to the existence of a required federal, state, or local certification, or license will also be made at this time.

RECALL: Employees laid off under this reduction in force policy shall be eligible for recall for the same position for a period of 2 years after layoff. If, within 2 years after layoff, a position is opened within the reduced job classification for the department, the employee shall be recalled in the reverse order of layoff. The Employee shall have their sick leave accrual balance reinstated at the amount accrued at the time of lay off. After 2 years, the employee will have no preference for rehire.

CONSIDERATION GIVEN FOR RELEASE OF ALL CLAIMS AGAINST THE CITY:

Employees with 1 to 4 years of continuous employment with the City whose employment is terminated by a reduction in force will be entitled to consideration equal to 4 week's pay. Employees with 5 or more years of service will receive 4 week's pay plus 1 week for each additional year of service with a maximum payout of 12 weeks.

Employees who retire or are terminated through disciplinary action will not receive this consideration. The Mayor may grant consideration in resignation cases when deemed appropriate. The Mayor may grant consideration greater than 4 week's pay upon a determination that such action is in the best interest of the City.

FURLOUGH: When it is determined necessary to reduce payroll expenses, employees may be required to participate in furloughs or a reduction in hours worked. The employee's health insurance and other benefits will not be affected as long as the furlough is temporary in nature and does not result in the employee's hours dropping below thirty-five hours per week average on an annual basis.

Sec. 3.15 USE OF CITY PROPERTY AND EQUIPMENT

Property and equipment that is provided by the City to carry out the duties of day to day business is to be used in the way that it is intended. Personal use of City property and equipment including computers and City issued personal devices is prohibited. Personal use of City Internet service is prohibited. Equipment that is available for the public to rent may be rented by employees in the same manner.

Employees shall be responsible for proper operation, care, and conservation of city vehicles, equipment, tools and supplies. The following guidelines are provided regarding use of these resources:

- City vehicles, equipment and supplies shall not be used for unauthorized purposes.
- Employees shall promptly report accidents, breakdowns or malfunctions of any unit in order that necessary repairs may be made.

- When safety devices are installed on vehicles and equipment, such devices shall be maintained in good working order and shall be used by all occupants of vehicles or equipment.
- If available, seatbelts shall be worn by all occupants of city vehicles when such vehicles are in operation.
- City employees shall not use city equipment or vehicles to transport unauthorized persons except where such transportation is necessary in the provision of emergency services. Authorized passengers will have a definable business need to be in the vehicle.
- No employee will operate any City vehicle or equipment while under the influence of alcohol or drugs. No illegal drugs or open containers of alcohol are permitted in any city vehicle, except when such materials are transported as evidence by Police Department personnel. Decisions regarding the ability of an employee to operate equipment or vehicles while taking physician prescribed medications shall be made on a case by case basis by the Department Head, and shall be based upon physician recommendation. No employee shall be permitted to operate city vehicles or equipment while under the influence of non-prescription medications unless such operation can be accomplished safely. Decisions regarding non-prescription medications shall be made on a case by case basis by the Department Head.
- City vehicles may be driven to and from work with Mayor and Council approval of policy and usage agreements in each case. IRS compensation guidelines will apply in each case.
- With the permission of the Chief of Police, police officers residing within the City Limits may take patrol vehicles home to permit an immediate response during the current or subsequent shift. This permission does not, however, imply off-duty officers are on-call.

Sec. 3.16 CITY GOVERNMENT COMPUTER NETWORK

A. Overview

The intentions for publishing a security awareness and acceptable use policy are not to impose restrictions that are contrary to the established culture of openness, trust and integrity. The City of Crete is committed to protecting all employees, partners, and the City of Crete from illegal or damaging actions by individuals, either knowingly or unknowingly.

Internet/Intranet/Extranet-related systems, including but not limited to computer/City issued personal electronic device(s), software, operating systems, storage media, network accounts providing electronic mail, www browsing, and File Transport Protocol, are the property of the City of Crete. These systems are to be used for business purposes in serving the interests of the City of Crete, and of our clients and customers in the course of normal operations. All internet/intranet activities are continually recorded and logged. All logs are the property of the City of Crete.

Effective security is a team effort involving the participation and support of every City of Crete employee and affiliate who deals with information and/or information systems. It is the responsibility of every computer/City issued personal electronic device user to know these guidelines, and to conduct their activities accordingly.



Nebraska Liquor Control

301 Centennial Mall
South - 1st Floor PO
Box 95046 Lincoln
NE 68508

Application Copy

File Number: 19141

LICENSE TYPE

Class I Beer, Wine, Spirits On
Sale Only

APPLICATION DATE RECEIVED

2024-06-20

SECONDARY LICENSE(S)

None selected

LICENSEE LEGAL NAME

Blue River Arts Council, Inc.

LICENSEE TYPE

Corporation

DOING BUSINESS AS

Isis Theatre

CORPORATE NUMBER

1809010855

INCORPORATION DATE

2018-09-27

CORRESPONDENCE ADDRESS

PO Box 272
Crete, NE 68333

MAILING ADDRESS

PO Box 272
Crete, NE 68333

PHYSICAL ADDRESS

139 West 13th St
Crete, NE 68333

CONTACT NAME

Shaylene Smith

PREFERRED CONTACT METHOD

Mail

CONTACT PHONE

(402) 641-6599

ALTERNATE PHONE

(402) 826-5136

FAX

EMAIL

blueriverartscouncil@gmail.com

CORPORATE STRUCTURE

NAME	POSITION/TITLE	PARENT COMPANY	% INTEREST
Jennifer Robison	President		0
Kate Hesser	Secretary		0
Kristi Capek	Vice-President		0
Shaylene Smith	Executive Director		0

ADDITIONAL INFORMATION

MARITAL STATUS

Single

MANAGED BY AGENT

No

PREMISES TYPE

Theatres (concert venues, movie, playhouse, opera)

PREMISES NAME

Isis Theatre

OPERATOR

Shaylene Smith

CORPORATE LIMIT DESIGNATION

Inside

LEASE OR OWN

Lease

EXPIRATION DATE

2029-06-30

PHYSICAL ADDRESS

139 West 13th Street
Crete, NE 68333

MAILING ADDRESS

CONTACT NAME

Shaylene Smith

PREFERRED CONTACT METHOD

Email

CONTACT PHONE

(402) 641-6599

ALTERNATE PHONE

(402) 826-5136

FAX

EMAIL

blueriverartscouncil@gmail.com

PREMISES MANAGER

Shaylene Smith

PREMISES MANAGER EMAIL

shaylenek@hotmail.com

QUESTIONS

Class I Beer, Wine, Spirits On Sa

1. READ CAREFULLY. ANSWER COMPLETELY AND ACCURATELY §53-125(5)

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. List the nature of the charge, where the charge occurred and the year and month of the conviction or plea. Also list any charges pending at the time of this application. If more than one party is applying, please list charges by each individual's name. Exclude minor traffic violations such as speeding. Include Driving Under the Influence, Driving Under Suspension & other similar charges. Commission must be notified of any arrests and/or convictions that may occur after the date of signing this application.

No

2. What are the building dimensions: Enter length and width in feet separated by a comma (i.e. L20, W15)

A simple sketch of the area to be licensed will be required to be uploaded in the Documents section.. Include the length x width, direction of NORTH and number of floors of the building.

W38, L120

3. Is there an outdoor area?

*Must have permanent fencing securing the outdoor area. Please contact the local governing body for other requirements regarding fencing.

No

4. Will a basement be used for alcoholic storage or sale?

Yes

W38, L13.8

5. How many floors of the building? (excluding basement) Please indicate which floors will be included in the liquor license.

The front of the building has 2 floors - the main floor and a second floor that is the projector and utility area. The projector/utility area is not open to the public. The middle of the building just has the main floor of the auditorium. The back of the building has 2 floors - the stage and a basement. The basement area is not open to the public.

The main floor and stage will be public liquor sales, consumption areas. The basement will be available for alcohol storage.

6. Is premises to be licensed within 150 feet of a church, school, hospital, home for indigent persons or for veterans, their wives, and children?

No

7. Is premises to be licensed within 300 feet of a college campus or university?

No

8. Are you acquiring any alcohol prior to obtaining this liquor license?

No

9. What date do you intend to open for business?

7/11/2024

10 Are you borrowing any money from any source, including family or friends, to establish and/or operate the business?

Yes

Pinnacle Bank, Crete, NE

11 Will any person or entity, other than the applicant, be entitled to a share of the profits of this business?

No

12 Is anyone listed on this application a law enforcement officer?

No

13 List the primary bank and/or financial institution to be utilized by the business.

a) List the individual(s) who are authorized to write checks and/or withdrawals on accounts at this institution.

Pinnacle Bank
Shaylene Smith
Valerie Andelt

14 Do you have prior experience or training in selling, serving or managing alcohol sales?

No

15 Are all individuals stated in this application over 21 years of age?

Yes

16 Do you intend to sell cocktails to go as allowed under Neb Rev. Statute 53-123.04(4)?

No

DOCUMENTS

TYPE	FILE NAME	DESCRIPTION
Business Plan	LCC Business Plan.pdf	
Premises Description & Diagram	LCC Building Drawing.pdf	
Fingerprint Submission	LCC Fingerprinting.pdf	
Lease / Deed / Purchase Agreement	BRAC City Lease.pdf	
Corporation/LLC Structure	BRAC Corporate LCC.pdf	

APPLICANT

Shaylene Smith

DECLARATION

I (We) the applicant(s) agree and consent

By checking the box next to "I (We) the applicant(s) agree and consent", the applicant(s) hereby consent(s) to an investigation of background and release present and future records of every kind and description including, but not limited to, police records, tax records, bank or lending institution records, and corporate records. I consent to the release of any documents supporting any declarations made in this application and agree to provide any documents supporting these declarations to the Nebraska Liquor Control Commission (NLCC) or the Nebraska State Patrol (NSP) immediately upon demand. I agree to provide any record needed in furtherance of any investigation related to this application immediately upon demand to the NLCC or the NSP. I waive any right or cause of action that I may have against the NLCC, the NSP, or any other individual or entity disclosing or releasing any investigatory or supporting records related to this application or the review of this application.

I acknowledge that false information submitted in this application is grounds for denial of a license. Any license issued based on the information submitted in this application is subject to additional conditions, cancellation, revocation, or suspension if the information contained herein is incomplete, inaccurate, or fraudulent. I acknowledge that any changes to the information contained in this application must be reported to the NLCC. I acknowledge the review of this application will involve a criminal record check of all owners, partners, managers, officers and stockholders or members owning 25% interest in the applying entity and their spouses. Any license granted by the NLCC is subject to the provisions of the Nebraska Liquor Control Act and the Rules & Regulations of the NLCC, and that failure to comply with these provisions and rules may subject the license to suspension, cancellations, or revocation. I acknowledge that a licensee must keep complete, accurate, and separate records and that a licensee's records and books are subject to inspection by the NLCC. NLCC auditors and law enforcement officers are authorized to enter and inspect the licensed premises at any time to determine whether any provision of the Act, rule or regulation, or ordinance has been or is being violated. I acknowledge that it is the licensee's responsibility to comply with the provisions of the Nebraska Liquor Control Act and the Commission's rules and regulations.

If I am an individual applicant, I will supervise in person the management and operation of the business and operate the business authorized by the license for myself and not as an agency for any other person or entity. If I am a corporate applicant, I will ensure that an approved manager will supervise in person the management and operation of the business. If I am a partnership applicant, I will ensure one partner supervises the management and operation of the business.

I will operate the licensed business in compliance with all applicable laws, rules and regulations, and ordinances and to cooperate fully with any authorized agent of the NLCC.

I declare under penalty of perjury that I have read the contents of this application and, to the best of my knowledge, believe all statements made in this application are true, correct, and complete.

Applicant Notification and Record Challenge: An applicant's fingerprints will be used to check the criminal history records of the FBI. The applicant may complete or challenge the accuracy of the information contained in the FBI Identification Record. The procedures for obtaining a change, correction, or updating an FBI identification record are set forth in 28 CFR 16.34.

ORDINANCE NO. 2209

AN ORDINANCE OF THE CITY OF CRETE, NEBRASKA RELATING TO BUSINESS REGULATIONS; TO AMEND SECTION 10-703 OF THE CRETE MUNICIPAL CODE; INCREASE THE AGE TO TWENTY-ONE IN ACCORDANCE WITH NEBRASKA STATE LAW.

BE IT ORDAINED BY THE MAYOR AND CITY COUNCIL OF THE CITY OF CRETE, NEBRASKA:

Section 1. That Chapter 10, Article 7, Section 10-703 of the Crete Municipal Code be amended as follows:

10-703 Tobacco Sales; Unlawful Acts; License Forfeiture And Revocation

Any licensee who shall sell, give, or furnish in any way to any person under the age of ~~eighteen~~ twenty-one years, or who shall willingly allow to be taken from ~~his~~ their place of business by anyone under the age of ~~eighteen~~ twenty-one years, any cigars, tobacco, cigarettes, or cigarette material shall be deemed guilty of misdemeanor, and in addition thereto, his license shall be forfeited and revoked and all rights under said license shall at once cease and terminate.

Section 2. That the changes specified in the above section shall be codified as part of the Crete Municipal Code as stated herein.

Section 3. All ordinances and parts of ordinances in conflict herewith are hereby repealed and that any partial repeal shall not affect the other parts of ordinances or codified sections that can be given effect without the repealed parts.

Section 4. That if any section, part, or provision of this ordinance is for any reason held invalid, the invalidity thereof shall not affect the validity of any other section, part, or provision of this ordinance.

Section 5. This ordinance shall be published in pamphlet, book, or electronic form and shall take effect and be in full force and effect from and after its passage, approval and publication, as provided by law.

PASSED AND ENACTED the _____ day of July 2024.

Mayor

ATTEST:

City Clerk

