

RESOLUTION 2014- 2

WHEREAS, the City Council for the City of Gothenburg, Nebraska, has determined that it would be more efficient to designate an agent to approve any special designated liquor license; and

WHEREAS, the designation of an agent to determine whether a special designated liquor license is to be approved or denied by the City of Gothenburg is authorized under §53-124.11 of the Nebraska statutes; and

WHEREAS, it is appropriate that the Chief of Police for the City of Gothenburg be that designated agent,

NOW, THEREFORE, BE IT RESOLVED by the Mayor and Council of the City of Gothenburg:

1. Pursuant to §53-124.11 of the Nebraska revised Statutes, the acting Chief of Police of the City of Gothenburg is hereby designated agent for the City of Gothenburg to determine whether a special designated liquor license is to be approved or denied.

2. In the event an applicant for a special designated liquor license has not previously applied for a special designated liquor license, the designated agent shall refer the application to the City Council to determine if the application should be approved or denied.

3. In determining if the special designated liquor license should be approved or denied, the above-designated agent shall determine that all statutes, rules and requirements affecting said special designated liquor license are complied with and fulfilled prior to approving said license.

4. In the event the designated agent is not within the jurisdiction of the City of Gothenburg at the time of filing of the application for a special designated liquor license, the senior ranking police officer of the City within the jurisdiction of the City shall be the designated agent to determine if said license is to be approved or denied.

5. In the event the designated agent determines that unusual or special circumstances are involved in approving or denying said license, he shall refer said application to the City Council for approval or denial of said license.

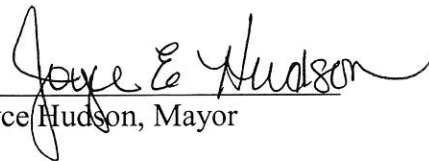
6. In approving or denying said license, the designated agent shall consider all established criteria that has been followed by the City Council previous to this resolution in determining if the license should be granted or denied, and shall follow any criteria established by the City Council following the passage of this resolution.

7. An applicant for a special designated liquor license that has had the license denied by the designated agent may appeal the determination of the designated agent to the City Council. In order to be heard on appeal by the City Council, the applicant shall file with the City Clerk, not later than three (3) days following the denial a request to be heard by the City Council.

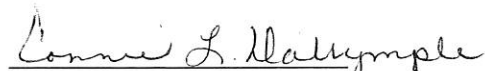
8. The notice of approval or denial of the license shall be forwarded to the Nebraska Liquor Control Commission in the same manner as if the approval or denial was issued by the City Council.

Passed and approved this 5<sup>th</sup> day of March, 2014.

City of Gothenburg

  
Joyce Hudson, Mayor

Attest:

  
Connie Dalrymple, City Clerk

Approved as to form:

  
Michael L. Bacon, City Attorney.



# City of Gothenburg

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[www.ci.gothenburg.ne.us/](http://www.ci.gothenburg.ne.us/)



JOYCE HUDSON,  
MAYOR

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CLERK

BRUCE CLYMER,  
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[bclymer@cityofgothenburg.org](mailto:bclymer@cityofgothenburg.org)

JEFF KENNEDY, PRES.  
DUANE OLIVER  
TIM STRAUER  
JEFF WHITING  
COUNCIL MEMBERS

March 13, 2014

Mary Messman, Administrator  
Nebraska Liquor Control Commission  
Licensing Division  
301 Centennial Mall South  
P O Box 95046  
Lincoln, NE 68509-5046

Dear Mary,

At their meeting on March 4, the Gothenburg City Council passed a resolution authorizing the Police Chief, currently Randy Olson, to approve Special Designated Licenses on behalf of the City Council. That resolution, #2014-2, is enclosed. Please let me know if there's anything further I need to do or if you have a specific procedure I should follow.

Sincerely,

Connie L Dalrymple  
City Clerk

Enc.

The City of Gothenburg is an equal opportunity provider and employer



EQUAL HOUSING  
LENDER

We Do Business in Accordance With the  
Federal Fair Housing Law