Local Licensing Authority March 21, 2013

Municipal Judge, William E. Starks called the regular meeting of the Local Licensing Authority to order at 8:30 AM on the above date. Also present were: Assistant City Attorney, Tree Ablao; Officer Jeff Mayers and Secretary, Mary Skipworth.

1. MINUTES The minutes of the February 21, 2013 meeting were approved as submitted.

2. CONSENT AGENDA

The items on the Consent Agenda did not require an appearance by the licensee and were approved by the Authority. The approved applications will be forwarded to the Department of Revenue for State approval and issuance of the licenses.

RENEWALS - (Appearance not required)

a. Aibbeg Enterprises & 7-Eleven Inc d/b/a 7-Eleven Store 39082B
 1509 E Eisenhower Blvd
 3.2% Beer Retail License (Off Premises) Renewal
 February 1, 2013 to February 1, 2014

RENEWED

 b. OK Lingle Blue Sky Investments Inc d/b/a Night Shotz 3329 N Garfield Ave Tavern Liquor License Renewal March 23, 2013 to March 23, 2014

RENEWED

 c. Loyal Order of Moose d/b/a Loveland Lodge 484 1408 Morning Dr
 Club Liquor License Renewal April 18, 2013 to April 18, 2014

RENEWED

d. KenSara Inc d/b/a Thompson Valley Liquor
 1195 Eagle Dr
 Retail Liquor Store & Tastings Liquor License Renewal
 April 30, 2013 to April 30, 2014

RENEWED

The item was pulled from the consent agenda at the Authority's direction. The Authority has questions regarding the tasting logs provided by the Licensee. The Authority directs the Licensee to submit future tasting logs, including for 2013, in the format provided by the City. Ms. Ablao, Assistant City Attorney will contact the Licensee.

e. Consignment Barn 66 d/b/a Tommy Guns Hideout 111 E 5th St Tavern Liquor License Renewal April 19, 2013 to April 19, 2014

RENEWED

f. Rosalie Iversen/Zane Iversen d/b/a The Peaks Café at the Airport 4900 Earhart Dr Bldg 4826 Beer & Wine License Renewal May 6, 2013 to May 6, 2014
RENEWED

g. Blue Moon Wine & Spirits d/b/a Blue Moon Wine & Spirits 2228 W 1st St Retail Liquor Store Renewal March 17, 2013 to March 17, 2014

RENEWED

3. **REGULAR AGENDA** – (Appearance Required)

RENEWALS

 a. Pine Hills Management Co d/b/a La Quinta Inn/Suites Backbone Restaurant 1450 Cascade Ave Tavern Liquor License Renewal April 13, 2013 to April 13, 2014

The Licensee did not appear at the meeting. The Renewal will be heard at the next scheduled meeting on April 18, 2013.

 b. HFamily Inc d/b/a Widow McCoys 1011 E Eisenhower Blvd Tavern Liquor License Renewal March 21, 2013 to March 21, 2014

RENEWED

Ken Hamko appeared before the Authority to explain the progress he has made on the code requirements from the Fire Department and Code Enforcement. The renewal was approved.

TRANSFER OF OWNERSHIP

a. GXA Holdings LLC d/b/a GMA Liquor 1581 N Taft Ave

The Applicant for transfer appeared after the matter had been called and reset. The Authority had questions as to the accuracy of the paperwork submitted. The item was continued to the April 18, 2013 meeting. The Applicant was advised to appear on time in April..

4. PUBLIC HEARINGS - Posting and Publication Required

NEW LICENSE

The procedures for the hearings on New Licenses were read and incorporated by reference for each new license application hearing.

a. Kum & Go, LC d/b/a Kum & Go #995 1600 E Eisenhower Blvd

Victoria Brigham appeared to address the Authority and answer questions. Victoria Brigham testified that the Liquor License poster was posted at least 10 days prior to the hearing. Victoria will also attend TIPS training on June 17th at the Loveland Police Department. Carol Johnson reported the petition results and process used for the Needs and Desires of the neighborhood. There were no other concerns from the City. The Authority approved the license. The Secretary is awaiting receipt of the background reports to complete the file. The approved application will be faxed to the Department of Revenue for issuance of the license.

b. BC Grille Inc d/b/a Baja Cactus Grille 119 E 4th St

Christen French appeared to address the Authority and answer questions. Ms. French testified to the petition process used for the Needs and Desires of the neighborhood. There were no other concerns from the City. Several employees attended the TIPS training at the Loveland Police Department on March 3, 2013. The Authority approved the license. The Secretary is awaiting receipt of the background reports to complete the file. The approved application will be faxed to the Department of Revenue for issuance of the license.

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c. Mo' Betta Gumbo Inc d/b/a Mo' Betta Gumbo 141 E 4th St

Clay Caldwell appeared to address the Authority and answer questions. Mr. Caldwell testified to the petition process used for the Needs and Desires of the neighborhood. The Authority had questions on the three different sets of diagrams and the Revocable Encroachment Permit Agreement. There were concerns from the City Attorney and the Police Department as to how the alcohol would be controlled on the patios. The Authority approved the license. The Secretary is awaiting receipt of the background reports to complete the file. The Applicant submitted a simplified, amended premises diagram with dimensions. The approved application will be faxed to the Department of Revenue for issuance of the license.

5. SHOW CAUSE HEARING

The purpose of this hearing is to consider the suspension or revocation of said license for alleged violations by the Licensee; or by any of the agents, servants, or employees of said Licensee, of the provisions of the Colorado Liquor Code, or of any of the rules or regulations adopted pursuant thereto.

 a. Miller Enterprises Inc d/b/a Miller's Crossing Bar & Grill 3021 N Garfield Ave Renewal of 3.2% Off-Premises Retail License December 14, 2013 to December 14, 2014

Brad Miller, appeared to address the Authority and answer questions. The Authority read the procedures to be followed into the record. The Licensee voluntarily and knowing admitted to violating C.R.S. 12-47-901(1) serving to a visibly intoxicated person on 12/9/2012. The Licensee shall serve a suspension of fifteen (15) days of its Hotel and Restaurant Liquor license. Ten days of the suspension shall be held in abeyance for one year. The Licensee is eligible and agrees to pay a fine in lieu of the five days of active suspension. Ms. Ablao stated that after reviewing the books from the Licensee, the fine is \$792. The Authority accepted the admission to the violation by the Licensee and the stipulation imposing the sentence as written. The \$792.00 fine is due and payable in cash or certified funds by 5:00 p.m. on March 29, 2013 at the City Clerk's Office.

 b. Office Lounge Inc d/b/a Office Lounge Bar & Grill 1710 W Eisenhower Blvd Renewal of Tavern Liquor License October 25, 2013 to October 25, 2014

Caroline Gill, Licensee, requested the Authority to continue the hearing to April 18, 2013 to seek legal counsel. The Authority granted the continuance.

OLD BUSINESS/NEW BUSINESS

Assistant City Attorney, Tree Ablao, stated she would be restructuring the subpoena process with Secretary, Jeannie Weaver.

The Authority related information on current bills in the legislature.

6. ADJOURNMENT

The next regularly scheduled Local Licensing Authority Meeting will be **April 18, 2013 at 8:30 AM** in the City Council Chambers.

Having no further business to come before the Authority, the meeting was adjourned at 10:07 A.M.

Respectfully submitted,

Mary Skipworth, Secretary

Approved:

William E. Starks, Municipal Judge

Liquor Licensing Authority