

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, Jeannie Weaver.

1. MINUTES The minutes of the April 17, 2014 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. Island Grill 2 LLC d/b/a Island Grill Loveland
110 East 29th Street
Hotel and Restaurant License Renewal
June 22, 2014 to June 22, 2015 **RENEWED**

- b. Chipotle Mexican Grill, Inc. d/b/a Chipotle Mexican Grill #822
1421 West Eisenhower Blvd.
Hotel and Restaurant License Renewal and Manager Registration
June 15, 2014 to June 15, 2015 **RENEWED**

3. REGULAR AGENDA – (Appearance Required)

RENEWALS

- a. Dondel-Pigg Properties, Inc. d/b/a Corkscrew Wine and Liquor
247-251 West 64th Street
Retail Store License Renewal
April 19, 2014 to April 19, 2015 **RENEWED**

Scott Pigg appeared to address the Authority and answer questions. The Authority reminded the Licensee that the deadline is a regulatory and statutory one and this was the second late filing. Mr. Pigg stated that he turned all the paperwork over to his business partner and the paperwork will be filed timely in the future. There were no other concerns by the City or the Police Department and the Authority approved the renewal.

- b. Ship of Fools Inc. d/b/a Sports Station
409 North Railroad Avenue
Manager Registration **APPROVED**

Bryan Jones and Daryl Gary appeared to address the Authority and answer questions. The Authority questioned Mr. Jones extensively regarding the missing disclosures by Mr. Gary. Mr. Jones took responsibility for not thoroughly checking Mr. Gary's application. He also assured the Authority that he felt confident about Mr. Gary's work ethic that was displayed to him during the past year. Mr. Jones also stated that Mr. Gary has proven himself to be worthy of his title. Ms. Ablao shared the Authority's concerns about the number of entries on the criminal history and the lack of time between now and the last one reported. Mr. Gary responded that because he has been given the chance, he owed it to

Mr. Jones to prove himself. Mr. Jones stated that he didn't want to hold Mr. Gary back and gave him the chance. The Authority stated he had struggled with the "failure to disclose." Based upon the owner's track record with the Authority for his two businesses, the Manager Registration was approved.

- c. CJ's Patio Grill Inc. d/b/a CJ's Patio Grill
1331 Eagle Drive
Hotel and Restaurant License Renewal
July 23, 2014 to July 23, 2015 **RENEWED**

Tom Modlich appeared to address the Authority and answer questions. Mr. Modlich explained that all his employees have completed alcohol server training from the Police Department. There were no other concerns from the City or Police Department. The Authority approved the renewal.

- d. Smash Werks LLC d/b/a Smash Burger
1419 North Denver Avenue
Beer and Wine License Renewal
June 20, 2014 to June 20, 2015 **RENEWED**

Brad Harris appeared to address the Authority and answer questions. Mr. Harris explained that all the employees have taken the alcohol server training from the Police Department and store retraining for all the servers. There were no other concerns from the City or Police Department. The Authority approved the renewal.

- e. Brix Wine and Spirits, Inc. d/b/a Brix Wine and Spirits
6130 East Crossroads Blvd.
Retail Store Tastings Permit and License Renewal
June 23, 2014 to June 23, 2015 **RENEWED**

Valerie Glasgow appeared to address the Authority and answer questions. The Authority asked why the question regarding a suspension on the renewal was answered incorrectly. Ms. Glasgow stated that she must have missed the question but she had received a violation from the State. She explained the underage service violation. The employee had just taken the alcohol server training class but wasn't terminated because she had gone through the experience. Ms. Ablao stated that her concerns had been addressed by the Licensee. There were no other concerns by the Police Department. The Authority approved the renewal and tastings permit.

SPECIAL EVENT PERMITS

- a. Loveland Sertoma Club, Inc.
201 East 5th Street Employee Parking Lot (Reporter Herald)

The applicant submitted an application for the "Loveland Loves BBQ, Bands and Brews" event on July 11, 2014 from 3 p.m. to 10:30 p.m. and July 12, 2014 from 11 a.m. to 10:30 p.m. William Delmar appeared to address the Authority and answer questions. Ms. Ablao presented a set of special conditions to the applicant for signature and then submitted them to the Authority for the record. Mr. Delmar requested adjusting the diagram to show only two points of egress instead of three for reduction of costs of security. An amended diagram was submitted for the record. There were no other concerns from the City or the Police Department. The Authority approved the Special Event Permit.

- b. Knights of Columbus Charities, Inc.
1730 West 12th Street

The applicant submitted an application for the "First Annual Pig Roast" event on May 17, 2014 from 5 p.m. to 8 p.m. Dick Reznik appeared to address the Authority and answer questions. Mr. Reznik confirmed that Columbian Home Association had events in the past at this location. There were no other parties in interest appearing. Officer Mayers confirmed that a special alcohol server training will be conducted for the servers for this event. The Authority approved the Special Event Permit and reminded the applicant that the volunteer workers at the event should not consume alcohol while working.

- c. Fort Collins Cat Rescue Spay and Neuter Clinic
245 South Madison Avenue

The applicant submitted an application for the "3rd Annual Running of the Wieners" event to be held on June 7, 2014 from noon to 6 p.m. Andrea Kerr and KatiLyn VanNosdall appeared to address the Authority and answer questions. Ms. Kerr explained how the race and the track will be set up and the runners monitored. Ms. VanNosdall explained the layout of the site and how the alcohol service will be monitored, the type of food served and the entry gates and access to the building. There were no other parties in interest appearing. There were no concerns from the City or the Police Department. The Authority approved the Special Event Permit.

TRANSFER OF OWNERSHIP

- a. 7-Eleven Inc. and DawnKeith, Inc. d/b/a 7-Eleven Store 35708A
4277 North Taft Avenue

An application was filed to transfer ownership of 7-Eleven Store 35708H to franchise holder DawnKeith, Inc. and 7-Eleven, Inc. A temporary transfer permit was issued on April 23, 2014. Attorney Kevin Coates appeared to address the Authority and answer questions. Mr. Coates stated that the store had opened last Friday without the liquor license but it was obtained today. Dawn Owens and Keith Smelser both worked together for 20 years at an event center in Fort Collins. There were no concerns from the City or the Police Department. The Authority approved the transfer of ownership.

4. PUBLIC HEARING – (posting and publication required)

MODIFICATION OF PREMISES

- a. Dream Machines Inc.
4270 Byrd Drive (Thunder Mountain Amphitheatre)

An application was submitted for a temporary modification of premises to the existing Optional Premises License to hold events from August 9, 2014 to September 20, 2014. The premises was posted as required with a notice advertising the public hearing. Jill Almirall appeared to address the Authority and answer questions. Ms. Almirall stated that the State revoked the permanent Optional Premises status for the parking lots where these events were held in the past. The 15 acres will be surrounded by snow fencing and have a one-way entrance and exit with security posted throughout the grounds. The Authority asked Ms. Ablao about a violation occurring during the closed time period

between events. Ms. Ablao responded that it would be an enforcement issue. Ms. Almirall agreed to keep the premises posted during the entire time period to inform the public and to keep the law from inadvertently being broken if someone brings alcohol onto the premises. There were no other parties in interest appearing or concerns from the City or Police Department. The Authority approved the temporary modification of the premises.

5. **SHOW CAUSE HEARINGS** – posting and publication not required

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 any of the rules or regulations adopted pursuant thereto. The Authority considered the items in the following order:

- a. Cyclone Enterprises Corp. d/b/a Scotty O'Brian's
237 East 4th Street

Brian Miller appeared to address the Authority and answer questions. The Authority read the procedures to be used for the hearing. Ms. Ablao read the proposed stipulation whereby the Licensee will admit the violation and a 15 day suspension will be imposed. Ten days of the suspension will be held in abeyance for one year provided that: The Licensee does not violate the Colorado Liquor Code or the Colorado Code of Regulations at the licensed premises during the year; agrees to have untrained employees attend TIPS training within 60 days; and serve a five day suspension by paying a fine in lieu of suspension. Ms. Ablao stated that the fine had yet to be determined and asked for a continuance to allow the Licensee to submit the necessary information to calculate the fine. The Authority granted the continuance to a Special Meeting of the Local Licensing Authority on May 22, 2014 at 1:30 p.m. in the Municipal Court Chambers at 810 East 10th Street in Loveland.

6. **OLD BUSINESS/NEW BUSINESS**


The Authority commented that the next meeting would take place on the 4th Thursday of the month, June 26, 2014, to allow staff to attend the CML conference in Denver during the third week of June. Officer Mayers announced the addition of two new members to the Liquor Enforcement Team: Officers Jaime Mayoral and Chris Villalpando. The Authority asked about the annual cost analysis that has been started by the Clerk's Office in May. Ms. Weaver welcomed the reminder and the Clerk's Office will start the process so it can be presented to the Authority in August.

7. **ADJOURNMENT**

The next regularly scheduled Local Licensing Authority Meeting will be **June 26, 2014 at 8:30 AM** in the City Council Chambers, one week later than normal to accommodate staff schedules.

Having no further business to come before the Authority, the meeting was adjourned at 10:02 A.M.

Respectfully submitted,


Jeannie M. Weaver, Secretary

Local Licensing Authority
May 15, 2014



Approved:

A handwritten signature in black ink, appearing to read "W. Starks", written over a horizontal line.

William E. Starks, Municipal Judge
Liquor Licensing Authority