

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; Officers Chris Villalpando and Jaime Mayoral; and Secretary, Jeannie Weaver.

**1. MINUTES** The minutes of the May 15, 2014 Regular meeting and the May 22, 2014 Special 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. Lincoln House of Spirits, Inc. d/b/a House of Spirits  
2585 N. Lincoln Avenue  
Retail Store License and Tastings Permit Renewals  
July 5, 2014 to July 5, 2015 **RENEWED**
- b. Red Robin International, Inc. d/b/a Red Robin Gourmet Burgers + Brews  
6005 Sky Pond Drive  
Hotel and Restaurant License Renewal  
July 21, 2014 to July 21, 2015 **RENEWED**
- c. Locomotive Liquors LLC d/b/a Locomotive Liquors  
2228 West 1<sup>st</sup> Street  
Retail Store License Renewal  
July 7, 2014 to July 7, 2015 **RENEWED**
- d. Lan Noodles Inc. d/b/a Pho Lan  
1360 East Eisenhower Blvd.  
Hotel and Restaurant License Renewal  
June 17, 2014 to June 17, 2015 **RENEWED**
- e. Blazin Wings Inc. d/b/a Buffalo Wild Wings  
1505 Rocky Mountain Avenue  
Hotel and Restaurant License Renewal  
July 27, 2014 and July 27, 2015 **RENEWED**
- f. P F Chang's China Bistro Inc. d/b/a P F Chang's China Bistro  
5915 Sky Pond Drive  
Hotel and Restaurant License Renewal  
July 21, 2014 to July 21, 2015 **RENEWED**

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

RENEWALS

- a. Elevation Liquors, Inc. d/b/a Elevation Liquors

1904 West Eisenhower Blvd.  
Retail Store License Renewal  
July 12, 2014 to July 12, 2015 **RENEWED**

Chuck Grineski appeared to address the Authority and answer questions. Mr. Grineski explained that the violating employee had been terminated and that all new employees have been sent to server training. Employees are reminded before their shifts and in their paychecks about checking ID's. There were no other concerns by the City or the Police Department and the Authority approved the renewal.

- b. GXA Holdings LLC d/b/a JAX Liquor  
1581 N. Taft Avenue  
Retail Store License and Tastings Permit Renewals  
June 23, 2014 to June 23, 2015 **RENEWED**

George Attiyeh appeared to address the Authority and answer questions. The Authority questioned Mr. Attiyeh about the information contained on the 2013 tastings log. Mr. Attiyeh submitted a corrected version of the log for clarification of the tastings amounts, listed in ounces instead of centilitres. Ms. Ablao reviewed the log and stated that a show cause notice would not be issued but it should be an official warning to the Licensee to insure the paperwork is done correctly. There were no other concerns from the City or the Police Department. The Authority approved both renewals.

#### SPECIAL EVENT PERMITS

- a. Kiwanis Club of Loveland Foundation, Inc.  
623 Denver Avenue

The applicant submitted an application for an anniversary BBQ event at Grimm Brothers Brew House on July 26, 2014 from 8 a.m. to 10p.m. Robert Protzman and Russell Fruits appeared to address the Authority and answer questions. Mr. Protzman explained that although this is their first event in Loveland, the group participated in the recently held "Taste of Fort Collins" so they will have lots of trained people monitoring the event. The Authority commented on the use of wristbands to monitor the alcohol service as sometimes ineffective and the 10' wide entrance as being hard to monitor unless there is enough staff. Mr. Protzman stated he understood the concerns and will closely monitor the event. There were no other concerns from the City or the Police Department. The Authority approved the Special Event Permit and reminded the applicant that the volunteer workers at the event should not consume alcohol while working.

- b. Cherry Creek Soccer Association, Inc. d/b/a Colorado Storm Soccer Assoc.  
950 North Boyd Lake Avenue (Loveland Sports Park)

The applicant submitted an application for the "Womens Pro-Am Soccer Match" event on June 29, 2014 from 5 p.m. to 8 p.m. Amy Snider appeared to address the Authority and answer questions. Ms. Snider explained how the event will be monitored, what food will be served, that every person's ID will be checked before serverink served and people with passes as the only ones allowed in the fenced area. The Authority questioned whether the public notice sign was posted for the right day and the right size letters to comply with the statute. Ms. Snider submitted the printed wording of the poster as proof of the correct day. Ms. Ablao stated that since no protests were filed or other parties in interest appearing, the sign accomplished the purpose intended and was posted to give sufficient notice to the public. There were no other concerns from the City or the Police Department. The

Authority approved the Special Event Permit and reminded the applicant that the volunteer workers at the event should not consume alcohol while working. The applicant will have to appear at the next hearing on a Special Event Permit application to insure posting has been done properly.

#### TRANSFER OF OWNERSHIP

- a. Woka Land Corporation d/b/a Wonderful Dragon  
120 North Lincoln Avenue

An application was filed to transfer ownership of Wonderful Dragon to Woka Land Corporation. A temporary transfer permit was issued on May 6, 2014. Andrew Zhou appeared to address the Authority and answer questions. Mr. Zhou explained that his most recent experience in the restaurant business was in Fort Collins and several years ago in California. The Authority asked about alcohol service training. Mr. Zhou stated he had attended the Police Department training on June 2 and has only two employees serving the alcohol, each with 10 years of experience. The Authority encouraged Mr. Zhou to send any new employees to the class. There were no other concerns from the City or the Police Department. The Authority approved the transfer of ownership.

#### 4. 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. Apple Corporation d/b/a Canton Palace  
3320 North Garfield Avenue

Ping Jin Zhuang 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 20 day suspension will be imposed. Fifteen 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 reviewed the establishment's records and determined the fine of \$217. Ms. Zhuang admitted the violation and waived the right to a hearing. The Authority accepted the admission, finding it is voluntary and not the result of any undue coercion, and imposed the penalty as written in the stipulation. The Authority set the deadline for payment of the fine by July 3, 2014. The Licensee must appear at the next license renewal hearing.

- b. Loveland Spirits Inc. d/b/a Loveland Liquor  
639 North Cleveland

James Kernaghan 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 65 day suspension will be imposed. Forty-five 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 20 day suspension to include 10 days of the previous violation's suspension being served concurrently. The

Authority asked why and if it was appropriate that the Licensee would only serve an additional 10 days for this violation. Mr. Kernaghan stated that the employees have been trained several times and given reminders to check ID's daily so it is not the store violating the law. The Authority took issue with the explanation stating that there has been a violation every two years and this is the fifth violation. The stipulation was rejected and the Authority recessed the matter to allow the parties time to renegotiate.

- c. Warehouse Liquors West LLC d/b/a Warehouse Liquors West  
1710 West Eisenhower Blvd. #9

Scott Schroeder 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 20 day suspension will be imposed due to a State violation received last year by the Licensee. Fifteen 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 she had been unable to review the establishment's records before the hearing to determine the fine. The Authority stated he would accept the admission and the Licensee could apply to the City for the fine in lieu of suspension. The City could then vacate the five-day active suspension and impose the determined fine. Mr. Schroeder admitted the violation and waived the right to a hearing. The Authority accepted the admission, finding it is voluntary and not the result of any undue coercion and imposed the penalty as written in the proposed stipulation. The five days active suspension were designated to start at 12:01 a.m. on September 22 to midnight on September 26, 2014, which is past the 30 day period to appeal and can be vacated upon receipt of the application for the fine in lieu of suspension. The Licensee will have to appear at the next renewal hearing for the license.

A brief recess was taken at this time.

The Authority reconvened the meeting to reconsider a renegotiated stipulation for Loveland Liquor. Mr. Ablao reviewed the amended stipulation whereby the Licensee would serve a 25 day active suspension to include serving the 10 days of the previous violation's suspension concurrently with the 15 days of active suspension. The Licensee agrees to waive the hearing and admits the violation. The Authority accepted the admission, finding it is voluntary and not the result of any undue coercion, and imposed the penalty as written in the stipulation. The time to be served will start at midnight on July 6, 2014 to 11:59 on July 20, 2014 for 15 days and again at midnight on August 10, 2014 to 11:59 p.m. on August 19, 2014. The Authority amended the Order to read "25 days" suspension and "40" days in abeyance and approved the stipulation. The Licensee will have to appear at the next renewal hearing for the license.

## **6. OLD BUSINESS/NEW BUSINESS**

Ms. Ablao introduced the Authority to the two new members of the Liquor Enforcement Team: Officers Jaime Mayoral and Chris Villalpando attending the meeting for the first time. Officer Villalpando stated that there were 82 attendees in the last alcohol server training class. The team is hoping to budget for a new laptop and projector for the classes.

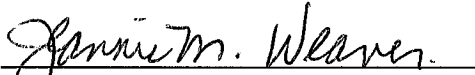
## **7. ADJOURNMENT**

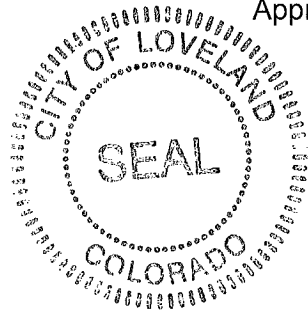
Local Licensing Authority  
June 26, 2014

The next regularly scheduled Local Licensing Authority Meeting will be **July 17, 2014 at 8:30 AM** in the City Council Chambers.


Having no further business to come before the Authority, the meeting was adjourned at 9:58 A.M.

Respectfully submitted,

  
Jeannie M. Weaver, Secretary



Approved:

  
William E. Starks, Municipal Judge  
Liquor Licensing Authority