

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 July 17, 2014 Regular 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. Barneveldt Inc. d/b/a McGraff's Restaurant
1602 East Eisenhower Blvd.
Hotel and Restaurant License Renewal
September 12, 2014 to September 12, 2015 **RENEWED**
- b. Rylaurken, Inc. d/b/a The Inglenook
530 North Cleveland Avenue
Hotel and Restaurant License Renewal
August 15, 2014 to August 15, 2015 **RENEWED**
- c. Old World Foods, LLC d/b/a Café Athens
5865 Sky Pond Drive, #G101
Hotel and Restaurant License Renewal
August 24, 2014 to August 24, 2015 **RENEWED**
- d. 7-Eleven Inc. d/b/a Seven Eleven Store #27094
105 East 37th Street
3.2% Off-Premises Retail Beer License Renewal
September 3, 2014 to September 3, 2015 **RENEWED**
- e. OTB Acquisition LLC d/b/a On the Border Mexican Grill & Cantina
6015 Sky Pond Drive
Hotel and Restaurant License Renewal
August 12, 2014 to August 12, 2015 **RENEWED**
- f. Blocky's Eatery LLC d/b/a Blocky's Eatery
285 East 29th Street, Ste. A **RENEWED & APPROVED**
Hotel and Restaurant License Renewal and Manager Registration
September 23, 2014 to September 23, 2015

3. REGULAR AGENDA – (Appearance Required)

RENEWALS

- a. Ju Moon d/b/a Thirty Four Liquors

1205 East Eisenhower Blvd.
Retail Store License Renewal
September 26, 2014 to September 26, 2015 **RENEWED**

Ju Moon appeared to address the Authority and answer questions. The Authority asked about new employees and training. Ms. Moon explained that they have one new employee and train the employees to check ID's by the book. There were no other concerns by the City or the Police Department and the Authority approved the renewal.

- b. G-N-K-S, LLC d/b/a George's Pizza and Gyros
104 East 29th Street
Hotel and Restaurant License Renewal
August 22, 2014 to August 22, 2015 **CONTINUED**

The Licensee did not appear and the Authority continued the matter to the next regular meeting on September 18, 2014 at 8:30 a.m.

SPECIAL EVENT PERMIT

- a. Loveland Chamber of Commerce, Inc.
4th Street and Railroad Avenue (Corn Roast Festival)

The application was submitted for the Corn Roast Festival on August 22, 2014 from 5:00 p.m. to 11 p.m. and August 23, 2014 from 11:00 a.m. to 7:30 p.m. Mindy McCloughan appeared to address the Authority and answer questions. This is the first year the Chamber has applied to serve the alcohol and there will only be one beer garden. There were no parties in interest appearing and no other concerns from the City or Police Department. The Authority approved the application.

4. 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 any of the rules or regulations adopted pursuant thereto.

- a. Office Lounge, Inc. d/b/a Office Lounge
1710 West Eisenhower Blvd.

Caroline Gill appeared to address the Authority and answer questions. The Authority recessed the matter briefly to allow time for Ms. Gill to review the City Attorney's stipulation proposal.

5. PUBLIC HEARINGS

MODIFICATION OF PREMISES

- a. Boyd Lake Lodging LLC d/b/a Residence Inn Loveland
5450 McWhinney Blvd.

The application was filed to modify the premises to add the patio area to the licensed premises. The premises was posted with a sign advertising the Public Hearing. The Authority read the procedures for the hearing. Tyler Davies appeared to address the Authority and answer questions. There were no other

parties in interest appearing. Mr. Davies explained the modification of the patio. Ms. Ablao asked about the fencing and if construction had taken place yet. Mr. Davies said they were waiting for approval before applying for the permits and had not decided on fencing yet. Ms. Ablao recommended that the height of the fence be 5' with a gate. There were no other concerns from the City or Police Department. The Authority approved the modification of the premises.

- b. Ovations Food Services LP d/b/a Ovations Hot Dog Cart
5290 Arena Circle

The application was filed to add another Optional Premises to the existing Hotel and Restaurant License. The premises was posted with a sign advertising the Public Hearing. The application was withdrawn by the applicant before the meeting.

NEW LICENSE

- a. East Coast Pizza-Centerra, LLC d/b/a East Coast Pizza
5897 Sky Pond Drive #K151

The application was filed for a new Hotel and Restaurant license. The Public Hearing date and neighborhood boundaries (N-Crossroads Blvd.; S-Ronald Reagan Blvd.; E-Cty. Rd 3; and W-Boyd Lake Avenue) were sent to the applicant by certified mail on July 14, 2014. The premises was posted with a sign advertising the Public Hearing and a notice was published in the Reporter Herald as the law requires. The Authority read the procedures to be followed for the hearing. Michael Hall appeared to address the Authority and answer questions. There were no other parties in interest appearing and no other witnesses. The Authority opened the Public Hearing and swore in Mr. Hall to testify as to his experience in the industry, and how he will be managing the restaurant. Mr. Hall testified that two of his managers performed the survey of the neighborhood by starting at the restaurant and gathering signatures from business owners and residents within the neighborhood boundaries. Ms. Ablao recommended a 5' fence around the patio to prevent hand-overs of the alcohol. Mr. Hall agreed to attend the City's server training. There were no other concerns from the City or Police Department. The Authority closed the Public Hearing and found the following: The adult inhabitants of the neighborhood desire the issuance of the license; the reasonable requirements of the neighborhood do not preclude the issuance of the license; and the applicant is qualified to conduct the type of business proposed. The Authority approved the new license.

A brief recess was taken at this time.

The Authority reconvened the meeting and recalled the Office Lounge Bar and Grill. The Authority reopened the Show Cause Hearing and read the procedures to be followed. Ms. Ablao presented the proposed stipulation correcting the violation date to be April 4, 2014, and that the Licensee agree to a suspension of its Tavern License for a period of four (4) days. The Licensee agrees to actively serve two (2) days of suspension and pay a fine in lieu for the remaining 2 days. The Licensee also agrees to have any of its employees who have not gone through the Loveland Police Department alcohol server training in the past two years complete and show proof of such training within 60 days of the date of approval of the stipulation by the Authority. The Licensee had a previous violation within the last year, however, due to the time lag between reporting and filing the affidavit, the days in abeyance will not be imposed. The Licensee had no questions about the agreement. The Licensee admitted the violation and the Authority accepted the admission finding it is voluntary and not the result of any undue coercion. Ms. Ablao recommended serving the suspension on a Friday. Ms. Gill requested Monday, September 8 and a Friday, September 19, 2014. The Authority imposed the days served from 12:01 a.m. to 11:59 p.m. on

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September 8, 2014 and 12:01 a.m. to 11:59 p.m. on September 19, 2014. The Licensee agreed to submit the financial information to determine the fine by 5 p.m. on August 29, 2014. The fine is due no later than October 10, 2014 by 5 p.m. If the fine is not paid by October 10, the Licensee will serve the two remaining days of suspension from 12:01 a.m. on October 17 to 11:59 p.m. on October 18, 2014. The Authority confirmed that the Licensee does not need to appear in October for the license renewal hearing.

5. OLD BUSINESS/NEW BUSINESS


No discussion.

6. ADJOURNMENT

The next regularly scheduled Local Licensing Authority Meeting will be **September 18, 2014 at 8:30 AM** in the City Council Chambers.


Having no further business to come before the Authority, the meeting was adjourned at 9:35 A.M.

Respectfully submitted,



Jeannie M. Weaver, Secretary

Approved:



William E. Starks, Municipal Judge
Liquor Licensing Authority

