

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, Vince Junglas; Officer Jaime Mayoral; and Secretary, Jeannie Weaver.

**1. MINUTES**                    The minutes of the October 16, 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.     Loveland Black Steer Restaurant Inc. d/b/a Black Steer  
      436 North Lincoln Avenue  
      Hotel & Restaurant License Renewal  
      December 27, 2014 to December 27, 2015    **RENEWED**
  
- b.     Burks Tavern LLC dba Burks Tavern  
      118 East 4<sup>th</sup> Street  
      Tavern License Renewal  
      December 9, 2014 to December 9, 2015    **RENEWED**
  
- c.     Serious Texas BBQ III, LLC d/b/a Serious Texas BBQ III  
      201 West 71<sup>st</sup> Street  
      Hotel & Restaurant License Renewal  
      December 21, 2014 to December 21, 2015    **RENEWED**
  
- d.     Lone Star Steakhouse & Saloon of Colorado, Inc. d/b/a  
      Lone Star Steakhouse & Saloon  
      5330 Stone Creek Circle  
      Hotel & Restaurant License Renewal and Manager Registration  
      December 11, 2014 to December 11, 2015    **RENEWED & APPROVED**
  
- e.     The Noodle Shop Co.-Colorado, Inc. d/b/a Noodles & Company  
      1550 Fall River Drive  
      Hotel & Restaurant License Renewal  
      January 17, 2015 to January 17, 2016        **RENEWED**
  
- f.     Wadsworth Old Chicago Inc. d/b/a Old Chicago  
      1436 Hahns Peak Drive  
      Hotel & Restaurant License Renewal & Manager Registration  
      January 22, 2015 to January 22, 2016        **RENEWED**  
  
      The Manager Registration was continued to December 18, 2014.
  
- g.     Walnut Brewery, Inc. d/b/a Rock Bottom Restaurant & Brewery  
      625 Sky Pond Drive

Brew Pub (City) License Renewal and Manager Registration  
January 17, 2015 to January 17, 2016 **RENEWED & APPROVED**

- h. Mazuma Restaurants LLC d/b/a Pourhouse Bar and Grill  
124 East 4<sup>th</sup> Street  
Hotel & Restaurant License Renewal  
January 9, 2015 to January 9, 2016 **RENEWED**
- i. Generations Bar LLC d/b/a Generations Wine and Martini Bar  
127 West 4<sup>th</sup> Street  
Hotel & Restaurant License Renewal  
December 5, 2014 to December 5, 2015 **RENEWED**
- j. Dorothy's Catering Inc. d/b/a Dorothy's Catering  
2248 West 1<sup>st</sup> Street  
Beer and Wine License Renewal  
December 6, 2014 to December 6, 2015 **RENEWED**
- k. Adelita's, Inc. d/b/a Adelita's Fine Mexican Food  
414 East 6<sup>th</sup> Street  
Hotel & Restaurant License Renewal  
December 30, 2014 to December 30, 2015 **RENEWED**
- l. Bent Fork Grill Loveland LLC d/b/a Bent Fork The Grill  
5971 Sky Pond Drive, Ste. C-106  
Hotel & Restaurant License Renewal  
January 17, 2015 to January 17, 2016 **RENEWED**
- m. B & E, LLC d/b/a Bentley's Liquor  
1763 Rocky Mountain Avenue  
Retail Liquor Store License Renewal  
December 7, 2014 to December 7, 2015 **RENEWED**

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

#### RENEWALS

- a. Taqueria Los Comales, LLC d/b/a Taqueria Los Comales  
1518 North Madison Avenue Units A & B  
Hotel & Restaurant License Renewal  
December 30, 2014 to December 30, 2015 **RENEWED**

Graciela Lucero appeared to address the Authority and answer questions. The Authority's concerns were satisfied and the renewal was approved.

- b. Warehouse Liquors West, LLC d/b/a Warehouse Liquors West  
1710 West Eisenhower Blvd. #9  
Retail Store License and Tastings Permit Renewal  
November 19, 2014 to November 19, 2015 **RENEWED**

Scott Schroeder appeared to address the Authority and answer questions. The Authority's concerns were satisfied and the renewal was approved.

#### TRANSFER OF OWNERSHIP

- a. Fired Up, Inc. d/b/a Johnny Carino's Italian  
1455 Rocky Mountain Avenue

An application was filed to transfer ownership of the Hotel and Restaurant License from Carino's Italian Kitchen, Inc. to Fired Up, Inc. A temporary transfer permit was issued on September 18, 2014. Attorney Brian Proffitt appeared with Matt Runions to address the Authority and answer questions. Mr. Runions described his experience in the industry, alcohol service training for employees and how he will operate the business. The Authority noted that the application could have been filed as a corporate change. Mr. Proffitt stated that it was due to a bankruptcy and reorganization of the company. There were no concerns from the City or Police Department and the transfer of ownership was approved.

- b. OJ & Kan, Inc. d/b/a Sushi Zensai  
198 East 29<sup>th</sup> Street

An application was filed to transfer ownership of Jay & Young, Inc. d/b/a Zensai to OJ & Kan, Inc. A temporary transfer permit was issued on September 2, 2014. The matter was continued from October 16, 2014. Okju Kim appeared with her son, Gi Hong acting as her interpreter, to address the Authority and answer questions. The Authority instructed Mr. Hong to ask his mother the questions asked of her by the parties, and then translate back her answers. The Authority asked Mrs. Kim about her position at the restaurant and if she had taken alcohol server training. Mrs. Kim responded that she is mostly cooking for the restaurant now but has been at the restaurant for four years. She took TIPS training in another town but is taking English classes in downtown Loveland and using Rosetta Stone to improve her English. Mr. Hong stated that he is working part time now but turned 21 in October and plans to register as the manager for the restaurant. Mr. Junglas said the City has strong concerns that the language barrier would be an issue for Mrs. Kim; however, with Mr. Hong's registration as the manager, the City and Police Department concerns will be satisfied. The Authority requested that both Mr. Hong and Mrs. Kim attend the Police Department's alcohol server class on December 15, 2014 and approved the transfer of ownership.

The Authority changed the order of the agenda at this time.

#### 4. SHOW CAUSE HEARINGS

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. Wal-Mart Stores Inc. d/b/a Wal-Mart #953  
1325 North Denver Avenue

Attorney Kevin Coates appeared with Manager, Elizabeth Hernandez and Regional Manager, Kevin Ayres to address the Authority and answer questions. The Authority read of the procedures into the record. Mr. Junglas read the proposed stipulation whereby the Licensee will admit the violation and a 30 day suspension will be imposed. The Licensee will serve 10 days of active suspension; Twenty days of the suspension will be served by a fine in lieu of suspension. The Licensee also agrees to have untrained employees attend an approved alcohol server training class within 90 days. The Licensee

admitted the violation, waived the right to a hearing and Mr. Coates explained the circumstances of the violation. The Licensee requested that the days of service be served starting at 12:00 a.m. on December 1, 2014 to 12:00 a.m. on December 11, 2014. 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 fine was determined to be \$1744 to be paid by 5 p.m. on December 5, 2014. The premises will be posted with two signs during the suspension to notify the public. The Authority directed the Licensee to appear at the next renewal hearing.

The Authority resumed the agenda.

- b. Chillers, LLC d/b/a Chillers  
128 E. 4th Street

Tom Hamblin appeared to address the Authority and answer questions. The Authority described for the record that the transfer of ownership application was filed at the Authority's request due to concerns about the manager's qualifications. However, the Authority stated that the change in ownership could be filed as a corporate change based on a change of the former majority owner down to 15% and the owner/manager to 85%, but the manager's qualifications are a serious concern. The Authority commended Mr. Hamblin for self-disclosure of all the alcohol violations. Mr. Junglas questioned Mr. Hamblin regarding recent activities at Chillers and the actions taken to insure compliance with the liquor code. Mr. Junglas advised the Authority that the City believes that the party in interest is not of good moral character in order to conduct business at the establishment due to his criminal record. Also, the City would not have an objection if the Authority would bifurcate the two issues and approve the corporate change but deny the manager registration. The Authority advised Mr. Hamblin that the matter would be continued to December 18, 2014 or the Authority could make findings within 30 days and would do so in writing. The Authority advised Mr. Hamblin that he could provide a written statement of anything he would like the Authority to know by December 5, 2014 for consideration prior to making the findings.

## 5. OLD BUSINESS/NEW BUSINESS

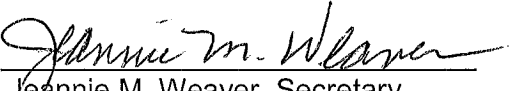
Ms. Weaver came forward to address the Authority, review the Annual Cost Analysis and answer questions about the process.

## 6. ADJOURNMENT

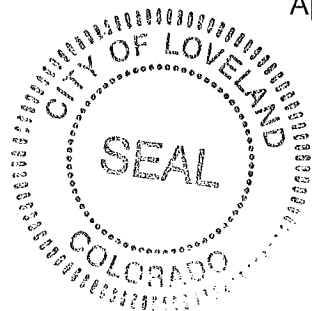
The next regularly scheduled Local Licensing Authority Meeting will be **December 18, 2014 at 8:30 AM** in the City Council Chambers.

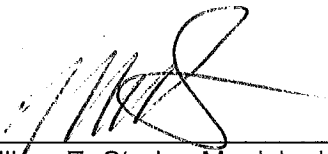
Having no further business to come before the Authority, the meeting was adjourned at 10:15 A.M.

Respectfully submitted,

  
Jeannie M. Weaver, Secretary

Approved:



  
William E. Starks, Municipal Judge  
Liquor Licensing Authority