

Local Licensing Authority
March 19, 2015

Deputy Municipal Judge, Geri R. Joneson 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; Assistant City Attorney, Teresa Ablao; Officer Jaime Mayoral; and Secretary, Jeannie Weaver.

1. MINUTES The minutes of the February 19, 2015 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 applications will be forwarded to the Department of Revenue for State approval and issuance of the licenses.

RENEWALS - (Appearance not required)

- a. El Cielo II LLC dba El Cielo
 2225 West Eisenhower Blvd.
 Hotel & Restaurant License Renewal
 March 31, 2015 to March 31, 2016 **RENEWED**

- b. Pine Hills Management Co. dba LaQuinta Inn & Suites/Backbone Restaurant
 1450 Cascade Avenue
 Tavern License Renewal
 April 13, 2015 to April 13, 2016 **RENEWED**

- c. Belford Oxford Corp. dba 4th Street Chop House
 125 East 4th Street
 Hotel & Restaurant License Renewal
 March 31, 2015 to March 31, 2016 **RENEWED**

- d. Kum & Go LC dba Kum & Go #995
 1600 East Eisenhower Blvd.
 3.2% Retail Beer On/Off License Renewal
 March 25, 2015 to March 25, 2016 **RENEWED**

- e. Palomino Mexican Restaurant LLC dba Palomino Mexican Restaurant
 6190 East Crossroads Blvd.
 Hotel & Restaurant License Renewal
 May 3, 2015 to May 3, 2016 **RENEWED**

- f. Next Door Tapas Inc. dba Next Door Food and Drink
 222 & 228 East 4th Street, Ste. 100
 Hotel & Restaurant License Renewal
 February 21, 2015 to February 21, 2016 **RENEWED**

- g. OK Lingle Blue Sky Investments Inc. dba Night Shotz
 3329 North Garfield Avenue
 Tavern License Renewal
 March 23, 2015 to March 23, 2016 **RENEWED**

3. REGULAR AGENDA – (Appearance Required)

RENEWALS

- a. Axtlan, Inc. dba Three Margaritas
1417 Cheyenne Avenue
Hotel & Restaurant License Renewal
May 2, 2015 to May 2, 2016 **RENEWED**

Jose Galvan appeared to address the Authority and answer questions. Mr. Galvan stated that since the violation, all employees have taken the Police Department's alcohol server training class except one new hire. There were no concerns from the City or the Police Department. The Authority was satisfied and the renewal was approved.

- b. Apple Corporation d/b/a Canton Palace
3320 North Garfield Avenue
Hotel & Restaurant License Renewal
March 17, 2015 to March 17, 2016 **RENEWED**

Ping Jin Zhuang appeared to address the Authority and answer questions. Ms. Zhuang stated that all the full-time employees had attended training and she reminds the staff every day to check ID's before serving the customers. There were no concerns from the City or the Police Department. The Authority was satisfied and the renewal was approved.

- c. Wal-Mart Stores Inc. dba Wal-Mart #953
1325 North Denver Avenue
3.2% Off-Premises Retail Beer License Renewal
March 25, 2015 to March 25, 2016 **RENEWED**

Elizabeth Hernandez appeared to address the Authority and answer questions. Ms. Hernandez stated that all 14 members of the management team attended TIPS training and a certified TIPS trainer was hired. All the registers require keying in the date of birth before the transaction for a sale of alcohol will complete. There were no other concerns from the City or the Police Department. The Authority commended the management for incorporating the training into their policies and approved the renewal.

- d. Crossroad Holdings LLC dba The Boot Grill
4164 Clydesdale Parkway
Hotel & Restaurant License Renewal
April 21, 2015 to April 21, 2016 **RENEWED**

Jeff Krebs appeared to address the Authority and answer questions. Mr. Krebs stated that they have 30 employees that touch or serve alcohol and all of them have been through the Police Department's class. Also, policies have been put in place to include scenarios to help employees recognize problem situations. There were no other concerns from the City or the Police Department. The Authority commended the management for incorporating these policies into their training program and approved the renewal.

- e. Kum & Go, L.C. dba Kum & Go #933
115 Knobcone Drive
3.2% Off-Premises Retail Beer License Renewal
March 22, 2015 to March 22, 2016 **RENEWED**

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Diana Pacheco appeared to address the Authority and answer questions. Ms. Pacheco stated they have cured the issues at the store by requiring all new hires to attend the City's alcohol server training and incorporated the required training as an in-store policy. There were no other concerns from the City or the Police Department. The Authority was satisfied and commended the manager for instituting the policy and approved the renewal.

SPECIAL EVENT PERMITS

- a. Loveland Museum/Gallery
503 N. Lincoln Avenue

APPROVED

The application contains six events to be held at the Museum on April 10, 2015 from 6-9 p.m.; July 10, 2015 from 5-9 p.m.; August 14, 2015 from 6-9 p.m.; September 11, 2015 from 6-9 p.m.; September 24, 2015 from 6-10 p.m.; and October 24, 2015 from 5-10 p.m. The proper posting was completed on March 12, 2015 and no protests were filed. All other requirements were met and the Authority approved the Special Event Permits.

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. Consignment Barn 66 dba Fifth Street Bar Loveland
111 East 5th Street

Ms. Ablao came forward to address the Authority and ask for vacation of the show cause hearing due to the surrender of the Liquor License by the owner and approval of the State Liquor Authority. The Authority approved the dismissal of the show cause hearing.

- b. Dondel-Pigg Properties Inc. dba Corkscrew Wine and Liquor
247-251 West 64th Street
Retail Store License Renewal and Show Cause
April 19, 2015 to April 19, 2016

Scott Pigg appeared to address the Authority and answer questions. Ms. Ablao came forward to request a continuance of the renewal and show cause hearing for time to negotiate with the Licensee. Mr. Pigg agreed with the request and the Authority continued the matter to the meeting on April 16, 2015.

- c. Walnut Brewery Inc. dba Rock Bottom Restaurant & Brewery
6025 Sky Pond Drive

Attorney Loren Brown appeared with General Manager Todd Jones to address the Authority and answer questions. Ms. Ablao came forward to present a stipulation whereby the Licensee would admit the violation and serve a 10 day suspension. Five days of the suspension would be held in abeyance for one year conditioned on no other violations occurring on the licensed premises and no other violations of the Colorado Liquor Code or Colorado Code of Regulations and employee training attendance. The remaining five days would be served by payment of a fine in lieu of the suspension in the amount of \$3,290. Ms. Ablao stated that usually a first offense penalty is a 15 day suspension but in this case, the Licensee's response was exemplary and warranted a lesser penalty. The Licensee admitted the violation and waived

the right to a hearing. The Authority reviewed and approved the stipulation finding it a fair and voluntary admission by the Licensee and not the result of any undue coercion. A cashier's check for payment of the \$3,290 fine was submitted to the Secretary; therefore, the dates for the five day suspension did not need to be completed on the Order. The class registration form will be mailed to the Licensee.

5. PUBLIC HEARINGS

NEW LICENSE

- a. Miray Corporation dba Bai Tong Thai Cuisine
1120 North Lincoln Avenue

The application was filed for a new Hotel and Restaurant license. The premises was posted with a sign advertising the Public Hearing and a notice was published in the Reporter Herald as the law requires. Ekawat Sunti appeared to address the Authority and answer questions. The Authority read the procedures into the record for the Public Hearing. The Secretary's file was admitted into the record. There were no other parties in interest appearing. Mr. Sunti was sworn in to testify. Mr. Junglas questioned the applicant about the Fire Code violations and occupancy issues related to the building. Mr. Sunti explained that he is working on completing the Fire Code issues and stated that the occupancy set by the health department was 99. Mr. Junglas recommended that the applicant provide proof of curing the deficiencies from the Fire Department and contact the Building Division to review the occupancy of the building for the Liquor Code requirement to not pose a safety risk to the neighborhood. The Authority questioned Mr. Sunti as to the desires of the adult inhabitants of the neighborhood and the petitions that were submitted, which appeared to have the same handwriting on several pages. Mr. Sunti testified that he obtained the signatures himself and could not explain the appearance of the same handwriting on the pages but was unable to submit them by the deadline. There were no other parties in interest appearing. The Authority closed the Public Hearing and made the following findings: The application is in order, the background investigation is complete and the notice requirements were met. Concerns of the Authority remaining were the appearance of the petition signatures being the same and the Fire and Building Division inspection issues raised by the City. There were no other concerns from the City or Police Department. The Authority approved the application conditionally upon: 1) Receiving a new set of petitions containing at least 100 individually signed and verified signatures; 2) Satisfying all of the issues with the Fire Department; 3) Satisfying the Building Division and City with respect to the occupancy issue; and 4) passing the Police Department's final premises inspection. The Authority continued the Public Hearing to the April 16, 2015 meeting unless the applicant completes all of the conditions and submits proof to the Authority prior to that date.

6. OLD BUSINESS/NEW BUSINESS

None

7. ADJOURNMENT

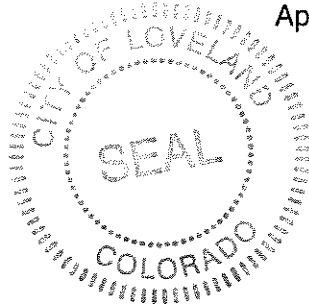
The next regularly scheduled Local Licensing Authority Meeting will be **April 16, 2015 at 8:30 AM** in the City Council Chambers.

Having no further business to come before the Authority, the meeting was adjourned at 9:38 A.M.


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Respectfully submitted,


Jeannie M. Weaver, Secretary



Approved:


Geri R. Joneson, Deputy Municipal Judge
Liquor Licensing Authority