



Minutes of Proceeding
Littleton Licensing Authority
February 12, 2014

The Littleton Licensing Authority met in a regular session on Wednesday February 12, 2014 at the Littleton City Center, 2255 West Berry Avenue, Littleton, Colorado.

THOSE PRESENT: Bill Bradish, Authority Chairperson
Andrew Cole, Authority Vice Chairperson
Donovan O'Dell, Authority Member
Robin Peterson, Authority Member
Peter J. Webb, Authority Member

THOSE ABSENT: Ann Mather, Authority Member
Tim LeVier, Authority Member

ALSO PRESENT: Kristin Schledorn, Deputy City Attorney
Arlan Kluth, Detective LPD

1. CALL MEETING TO ORDER

Chairperson Bradish called the meeting to order at 7:00 p.m.

2. ROLL CALL

Upon a call of roll, five members were present and a quorum declared. The following business was transacted:

3. APPROVAL OF AGENDA

Agenda for Regular Meeting January 8, 2014

Action: Approved as submitted

It was moved by AUTHORITY MEMBER COLE, seconded by AUTHORITY MEMBER WEBB TO APPROVE THE AGENDA OF February 12, 2014 as submitted.

Ayes: Authority Members Bradish, Cole, O'Dell, Peterson, Webb

Nays: None

Absent: Mather, LeVier

MOTION CARRIED: 5 to 0

4. APPROVAL OF MINUTES

Minutes of Regular Meeting January 8, 2014

Action: Approved as submitted

It was moved by AUTHORITY MEMBER BRADISH, seconded by AUTHORITY MEMBER O'DELL, TO APPROVE THE MINUTES OF January 8, 2014 as amended.

Ayes: Authority Members Bradish, Cole, O'Dell, Peterson

Nays: Webb (abstained as he was not present at 1/8/2014 hearing)

Absent: Mather, LeVier

MOTION CARRIED: 4 to 0

5. SCHEDULING RENEWAL HEARINGS FOR LIQUOR LICENSES

6. SETTING NEIGHBORHOOD BOUNDARIES AND SCHEDULING APPLICATION HEARINGS FOR LIQUOR LICENSES

7. LIQUOR LICENSE APPLICATION HEARINGS

8. CONSIDERATION OF OTHER APPLICATIONS AND REQUESTS FOR LIQUOR LICENSES

- a. Old School Diner LLC; d/b/a Old School Diner; 2530 W Main Street; Littleton, CO – Transfer of Tavern license from International Mktg Corp; d/b/a Fat Frog Café

Deputy City Attorney Schledorn presented the following exhibits and asked that the Authority accept them into the record:

- | | | |
|-----------|---|--------------------------------------------|
| Exhibit A | - | Authority Communication |
| Exhibit B | - | Application for Transfer of Tavern License |
| Exhibit C | - | Memo from LPD |
| Exhibit D | - | Proof of Notice to Applicant |
| Exhibit E | - | Proof of Posting of Premises |
| Exhibit F | - | Proof of Publication |
| Exhibit G | - | Public Hearing Roster |
| Exhibit H | - | e-Mail from Paul Laird |

It was moved by AUTHORITY MEMBER COLE, seconded by AUTHORITY MEMBER O'DELL, to approve admittance of the above exhibits.

Ayes: Authority Members Bradish, Cole, O'Dell, Peterson, Webb

Nays: None

Absent: Mather, LeVier

MOTION CARRIED: 5 to 0

Deputy City Attorney Schledorn stated that the issue had originally been brought before the Authority to determine whether to grant the transfer of license to Old School Diner, LLC; d/b/a Old School Diner, however the circumstances had since changed. She informed the Authority that Paul Laird, the current license holder and owner of the building in which the entity is housed, had rescinded his purchase agreement with the applicant. Because of this, she suggested that the Authority view the application as moot, since it was rendered incomplete by lack of possession of premises and an active purchase agreement.

Prior to offering testimony, Chairperson Bradish administered an oath to Mr. Laird and he was sworn in. Mr. Laird offered that the applicant had become delinquent on lease payments and purchase payments and that, as a result, the agreement to sell the business was void under its own terms. He further offered that he had been unsuccessful in making recent contact with the applicant. On the morning of this hearing, Mr. Laird visited the premises and found that the power appeared to have been turned off. He verified this with a phone call to Xcel Energy. Further, it did not appear that there had been any recent refuse pick-up as the receptacles in the alley were overflowing. Mr. Laird had the locks changed on the building and took possession of the premises.

He stated that it is his intent to renew the existing liquor license under International Mktg Corp., d/b/a Fat Frog Café and to search for a new entity to purchase and run the business. He stated that he does not have any intention of being personally involved in the business and will look for qualified buyers.

It was moved by AUTHORITY MEMBER WEBB, seconded by AUTHORITY MEMBER PETERSON, to remove this item from the agenda.

Ayes: Authority Members Bradish, Cole, O'Dell, Peterson, Webb

Nays: None

Absent: Mather, LeVier

MOTION CARRIED: 5 to 0

Note: Beyond the initial signature from the applicant for the certified letter notifying them of this scheduled hearing, there has been no further contact with the applicant(s). Both of the applicants failed to appear for this hearing, did not request a continuance or in any other way voice their consideration of moving forward in the process prior to Mr. Laird's revoking their purchase agreement and lease. The temporary permit expires on February 19, 2014 and will not be renewed as there is no viable application to move forward with. Deputy City Clerk Norton will notify State Liquor Enforcement that the process of transferring the tavern liquor license from International Marketing Corp., d/b/a Fat Frog Café to Old School Diner, LLC; d/b/a Old School Diner has been vacated.

9. FINDINGS OF PROBABLE CAUSE AND SCHEDULING SHOW CAUSE HEARINGS FOR LIQUOR CODE VIOLATIONS

10. PRELIMINARY HEARING OF LIQUOR CODE VIOLATIONS

11. SHOW CAUSE HEARINGS FOR LIQUOR CODE VIOLATIONS

12. MEDICAL MARIJUANA APPLICATION HEARINGS

13. CONSIDERATION OF OTHER APPLICATIONS AND REQUESTS FOR MEDICAL MARIJUANA CENTERS

14. FINDINGS OF PROBABLE CAUSE AND SCHEDULING SHOW CAUSE HEARINGS FOR MEDICAL MARIJUANA CENTER VIOLATIONS

15. PRELIMINARY HEARING OF MEDICAL MARIJUANA CENTER VIOLATIONS

16. SHOW CAUSE HEARINGS FOR MEDICAL MARIJUANA CENTER VIOLATIONS

17. GENERAL BUSINESS

Deputy City Attorney Schledorn presented the revised Resolution 1 pertaining to definition of boundaries for liquor license applications. The resolution was amended to clearly define the process by which boundaries are defined and by which the applicant or other interested parties could petition for new boundaries to be defined.

It was moved by AUTHORITY MEMBER COLE, seconded by AUTHORITY MEMBER BRADISH, TO APPROVE RESOLUTION 1 OF THE LITTLETON LICENSING AUTHORITY as amended.

Ayes: Authority Members Bradish, Cole, O'Dell, Peterson, Webb

Nays: None

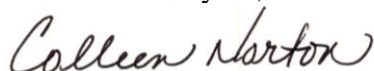
Absent: Mather, LeVier

MOTION CARRIED: 5 to 0

18. REPORTS

19. ADJOURNMENT

There being no further business, Chairperson Bradish adjourned the meeting at 7:12 p.m. on February 12, 2014



Colleen Norton
Deputy City Clerk/Recording Secretary