

City of Littleton

Minutes of Proceeding

Littleton Liquor Licensing Authority

October 14, 2009

The Littleton Liquor Licensing Authority met in a regular session on Wednesday, October 14, 2009, at the Littleton City Center, 2255 West Berry Avenue, Littleton, Colorado.

THOSE PRESENT: Anthony Gallagher - Chairperson
John Cole - Authority Member
Susan Price - Authority Member
Victoria England - Authority Member
Donovan O'Dell - Authority Member

THOSE ABSENT: Earl Gunia – Authority Member
Bill Bradish - Vice Chairperson

ALSO PRESENT: Alan Katz – Deputy City Attorney
Richelle Work - Deputy City Clerk
Greg Bohlen – Police Sergeant

1. **CALL MEETING TO ORDER**

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

2. **ROLL CALL**

Upon a call of the roll, five members were present. Authority Member Gunia and Bradish were absent. A quorum was declared. The following business was transacted.

3. **MINUTES**

(a) Minutes of Regular Meeting September 9, 2009

Action: Approved as amended

Authority Member Cole - Amendment to page 5, vote on Broadway Wine to reflect 3 to 2

It was moved by AUTHORITY MEMBER PRICE, seconded by AUTHORITY MEMBER COLE TO APPROVE THE MINUTES AS AMENDED.

Ayes: Authority Members Gallagher, Cole, Price, O'Dell and England

Nays: None

Absent: Authority Members Gunia and Bradish

MOTION CARRIED: 5 to 0

4. **AGENDA**

Action: Approved as amended

Remove item 6ga, sales tax current.

5. SETTING NEIGHBORHOOD BOUNDARIES AND SCHEDULING APPLICATION HEARINGS – None

6. CONSIDERATION OF OTHER APPLICATIONS AND REQUESTS

(a) MODIFICATION OF PREMISES - None

(b) TRANSFER OF OWNERSHIP - None

(c) MANAGER'S REGISTRATION - None

(d) SUMMARY SUSPENSION - None

(e) CHANGE OF CORPORATE STRUCTURE – None

(f) CHANGE OF LOCATION - None

(g) RENEWAL APPLICATION - OLD MILL BREWERY, LLC removed from agenda

7. FINDINGS OF PROBABLE CAUSE OF LIQUOR CODE VIOLATIONS AND SCHEDULING SHOW CAUSE HEARING - None

8. LIQUOR LICENSE APPLICATION HEARINGS

**a) ORGANIC VENTURES, LLC
DBA: DELIZIOS
2299 WEST MAIN STREET**

Attorney Katz entered the following city exhibits into the record:

- Exhibit A - Waiver of hearing
- Exhibit B - Affidavit of posting of premises
- Exhibit C - Proof of publication
- Exhibit D - Liquor Authority Communication with Attachments
- Exhibit E - Petition Information
- Exhibit F - Public Hearing Roster

It was moved by AUTHORITY MEMBER GALLAGHER, seconded by AUTHORITY MEMBER COLE TO ADMIT EXHIBITS A-F.

Ayes: Authority Members Gallagher, Cole, Price, O'Dell and England

Nays: None

Absent: Authority Members Gunia and Bradish

MOTION CARRIED: 5 to 0

Robert Mickus, owner. Mr. Mickus described the restaurant. European flavor, look and feel, serving organic products. Baked goods, Gelato, chocolates, crepes and paninis. Organic wines and beers in addition to non-organic. Outdoor patio with firepit. Working with Historic Preservation Board, will have an iron fence for outdoor area. Snack-type foods, operating hours may be 7am-9pm, start out as coffee shop and bakery in morning. Grab and go sandwiches for lunch, wine bar in the afternoon and evening. Weekends may have a later close time, but do not see open until midnight.

Authority Member Price asked what other type of spirits.

Robert Mickus stated they may have a coffee drink with alcohol could be a different type of spirit. Do not see an extensive offering other than wine and beer. Planning about 6-10 employees. Does not have much experience with selling alcohol. Served as a beer vendor at Arrowhead stadium.

Authority Member Gallagher stated that the City has had incidents of underage sales and overserving of individuals. As a board, they suggest he look into TIPS program.

Max Scott, Oedipus Petitioning, explained the petitioning process. He stated they did 405 doorknocks. They had 182 signatures in support, 145 residents, and 37 businesses. There were 5 in opposition. This was a 97.89 % favorable response, which is a very favorable response for issuance of the license.

Alan Katz asked when they plan to open.

Mr. Mickus stated that they are being optimistic for an opening before Christmas.

It was moved by AUTHORITY MEMBER COLE, seconded by AUTHORITY MEMBER PRICE THAT THE PUBLIC HEARING BE CLOSED AND A RESOLUTION OF THE LITTLETON LIQUOR AUTHORITY BE APPROVED WHICH GRANTS ORGANIC VENTURES, LLC, DOING BUSINESS AS DELIZIOS, 2299 WEST MAIN STREET, LITTLETON, COLORADO, A TAVERN LIQUOR LICENSE CONTINGENT UPON APPROVAL FROM THE COLORADO BUREAU OF INVESTIGATION AND THE COLORADO LIQUOR ENFORCEMENT DIVISION AND BASED UPON THE FOLLOWING FINDINGS OF FACT: THAT THE NEEDS OF THE NEIGHBORHOOD ARE NOT NOW BEING MET; AND THAT IT IS THE DESIRE OF THE ADULT INHABITANTS OF THE NEIGHBORHOOD THAT THE LICENSE BE ISSUED.

Ayes: Authority Members Gallagher, Cole, Price, O'Dell and England

Nays: None

Absent: Authority Members Gunia and Bradish

MOTION CARRIED: 5 to 0

City of Littleton

Littleton Liquor Authority

October 14, 2009

Page 4

9. **SHOW CAUSE HEARING** - None

10. **GENERAL BUSINESS** - None

11. **REPORTS**

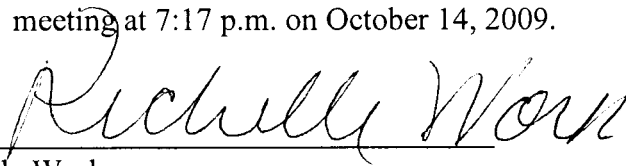
a) **Staff** – None

Assistant City Attorney – None

b) **Authority Members** – None

c) **Chairperson** – None

12. **ADJOURNMENT** – There being no further business, Chairperson Gallagher adjourned the meeting at 7:17 p.m. on October 14, 2009.



Richelle Work

Deputy City Clerk/Recording Secretary