

City of Littleton

AGENDA

REGULAR MEETING

LITTLETON LIQUOR LICENSING AUTHORITY

MEETING DATE AND TIME: Wednesday, January 13, 2010 at 7:00 p.m.

MEETING LOCATION: Littleton City Center
2255 West Berry Avenue
Littleton, Colorado 80120

ORDER OF BUSINESS

1. Call meeting to order
2. Roll call
3. Minutes
 - a) Minutes of Regular meeting November 11, 2009
 - b) Minutes of Study Session December 15, 2009
4. Approval of agenda
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 application - None
 - d) Summary suspension - None
 - e) Change of corporate structure - None
 - f) Change of location - None
 - g) Renewal Application - None
7. Findings of probable cause of liquor code violations and scheduling show cause hearings
 - a) CAPS LIQUOR MART LLC
DBA: CAPS LIQUOR
5196 SOUTH LOWELL BLVD.
 - b) RAMMAR, LLC
DBA: NAPA NECTARS
5302 SOUTH FEDERAL CIRCLE
 - c) METRO OIL CO., INC.
DBA: DIAMOND SHAMROCK #1109
6857 SOUTH BROADWAY
 - d) OLD MILL BREWERY LLC
DBA: OLD MILL BREWERY
5798 SOUTH RAPP STREET
8. Liquor license application hearings
9. Show cause hearings
10. General Business

11. Reports
 - a) Staff
 - b) Authority Members
 - c) Chairperson
12. Adjournment

City of Littleton

Minutes of Proceeding

Littleton Liquor Licensing Authority

January 13, 2010

The Littleton Liquor Licensing Authority met in a regular session on Wednesday, January 13, 2010, at the Littleton City Center, 2255 West Berry Avenue, Littleton, Colorado.

THOSE PRESENT: Anthony Gallagher - Chairperson
Bill Bradish - Vice Chairperson
Susan Price - Authority Member
Donovan O'Dell - Authority Member

THOSE ABSENT: Earl Gunia – Authority Member
Victoria England - Authority Member
John Cole - Authority Member

ALSO PRESENT: Kirsten Crawford – Deputy City Attorney
Richelle Work - Deputy City Clerk
Kim Steen – 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, four members were present. Authority Members Gunia, England and Cole were absent. A quorum was declared. The following business was transacted.

3. **MINUTES**

(a) Minutes of Regular Meeting November 11, 2009

Action: Approved as submitted

It was moved by AUTHORITY MEMBER PRICE, seconded by AUTHORITY MEMBER BRADISH TO APPROVE THE MINUTES AS SUBMITTED.

Ayes: Authority Members Gallagher, Bradish, O'Dell and Price

Nays: None

Absent: Authority Members Gunia, Cole and England

MOTION CARRIED: 4 to 0

(b) Minutes of Study Session December 15, 2009

Action: Approved as submitted

It was moved by AUTHORITY MEMBER O'DELL, seconded by AUTHORITY MEMBER PRICE TO APPROVE THE MINUTES AS SUBMITTED.

Ayes: Authority Members Gallagher, Bradish, O'Dell and Price

Nays: None

Nays: Authority Members Gunia, Cole and England

MOTION CARRIED: 4 to 0

4. AGENDA

Action: Approved as submitted

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 - None

7. FINDINGS OF PROBABLE CAUSE OF LIQUOR CODE VIOLATIONS AND SCHEDULING SHOW CAUSE HEARING

a) CAPS LIQUOR MART LLC
DBA: CAPS LIQUOR
5196 SOUTH LOWELL BLVD.

Authority Chairperson Gallagher stated this hearing was for a Probable Cause determination on Police report #2009006386, dated December 31, 2009.

Attorney Crawford presented the police report and alleged violation information to the Authority.

It was moved by AUTHORITY MEMBER BRADISH, seconded by AUTHORITY MEMBER PRICE TO FIND THAT THERE IS PROBABLE CAUSE TO BELIEVE THAT CAPS LIQUOR MART LLC, DBA: CAPS LIQUOR, 5196 SOUTH LOWELL

BLVD, LITTLETON, ARAPAHOE COUNTY, COLORADO, ON NOVEMBER 27, 2009, AT APPROXIMATELY 6:30 P.M., DID VIOLATE COLORADO LIQUOR CODE AND LITTLETON MUNICIPAL CODE. BASED ON SAID FINDINGS, I MOVE A PUBLIC HEARING BE SET FOR THE 10TH DAY OF FEBRUARY, 2010, FOR THE PURPOSE OF CONSIDERING THE STATUS OF SAID RETAIL LICENSE, WHEREIN THE ABOVE-MENTIONED LICENSEE MAY BE PRESENT TO SHOW CAUSE, IF ANY, WHY ITS LICENSE SHOULD NOT BE SUSPENDED OR REVOKED, AND FURTHER THAT NOTICE OF THESE FINDINGS AND THE HEARING TO SHOW CAUSE SHALL BE FORWARDED AND SERVED TO CAPS LIQUOR MART LLC, DBA: CAPS LIQUOR, IN ACCORDANCE WITH THE PROVISIONS OF STATE LAW.

Ayes: Authority Members Gallagher, O'Dell, Bradish, and Price

Nays: None

Nays: Authority Members Gunia, Cole and England

MOTION CARRIED: 4 to 0

- b) RAMMAR, LLC
DBA: NAPA NECTARS
5302 SOUTH FEDERAL CIRCLE

Authority Chairperson Gallagher stated this hearing was for a Probable Cause determination on Police report #2009006381, dated December 31, 2009.

Attorney Crawford presented the police report and alleged violation information to the Authority.

It was moved by AUTHORITY MEMBER O'DELL seconded by AUTHORITY MEMBER BRADISH TO FIND THAT THERE IS PROBABLE CAUSE TO BELIEVE THAT RAMMAR LLC, DBA: NAPA NECTARS, 5302 SOUTH FEDERAL CIRCLE, LITTLETON, ARAPAHOE COUNTY, COLORADO, ON NOVEMBER 27, 2009, AT APPROXIMATELY 6:30 P.M., DID VIOLATE COLORADO LIQUOR CODE AND LITTLETON MUNICIPAL CODE. BASED ON SAID FINDINGS, I MOVE A PUBLIC HEARING BE SET FOR THE 10TH DAY OF FEBRUARY, 2010, FOR THE PURPOSE OF CONSIDERING THE STATUS OF SAID RETAIL LICENSE, WHEREIN THE ABOVE-MENTIONED LICENSEE MAY BE PRESENT TO SHOW CAUSE, IF ANY, WHY ITS LICENSE SHOULD NOT BE SUSPENDED OR REVOKED, AND FURTHER THAT NOTICE OF THESE FINDINGS AND THE HEARING TO SHOW CAUSE SHALL BE FORWARDED AND SERVED TO RAMMAR LLC, DBA: NAPA NECTARS, IN ACCORDANCE WITH THE PROVISIONS OF STATE LAW.

Ayes: Authority Members Gallagher, O'Dell, Bradish, and Price

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Nays: None

Nays: Authority Members Gunia, Cole and England

MOTION CARRIED: 4 to 0

- c) METRO OIL CO., INC.
DBA: DIAMOND SHAMROCK #1109
6857 SOUTH BROADWAY

Authority Chairperson Gallagher stated this hearing was for a Probable Cause determination on Police report #2009006384, dated December 31, 2009.

Attorney Crawford presented the police report and alleged violation information to the Authority.

It was moved by AUTHORITY MEMBER BRADISH, seconded by AUTHORITY MEMBER PRICE TO FIND THAT THERE IS PROBABLE CAUSE TO BELIEVE THAT METRO OIL INC., DBA: DIAMOND SHAMROCK #1109, 6857 SOUTH BROADWAY, LITTLETON, ARAPAHOE COUNTY, COLORADO, ON NOVEMBER 27, 2009, AT APPROXIMATELY 6:40 P.M., DID VIOLATE COLORADO LIQUOR CODE AND LITTLETON MUNICIPAL CODE. BASED ON SAID FINDINGS, I MOVE A PUBLIC HEARING BE SET FOR THE 10TH DAY OF FEBRUARY, 2010, FOR THE PURPOSE OF CONSIDERING THE STATUS OF SAID 3.2% OFF-PREMISE LICENSE, WHEREIN THE ABOVE-MENTIONED LICENSEE MAY BE PRESENT TO SHOW CAUSE, IF ANY, WHY ITS LICENSE SHOULD NOT BE SUSPENDED OR REVOKED, AND FURTHER THAT NOTICE OF THESE FINDINGS AND THE HEARING TO SHOW CAUSE SHALL BE FORWARDED AND SERVED TO METRO OIL INC., DBA: DIAMOND SHAMROCK #1109, IN ACCORDANCE WITH THE PROVISIONS OF STATE LAW.

Ayes: Authority Members Gallagher, O'Dell, Bradish, and Price

Nays: None

Nays: Authority Members Gunia, Cole and England

MOTION CARRIED: 4 to 0

- d) OLD MILL BREWERY LLC
DBA: OLD MILL BREWERY
5798 SOUTH RAPP STREET

Authority Chairperson Gallagher stated this hearing was for a Probable Cause determination on Police report #2009006688, dated January 4, 2010.

Attorney Crawford presented the police report and alleged violation information to the Authority.

It was moved by AUTHORITY MEMBER GALLAGHER, seconded by AUTHORITY MEMBER O'DELL TO FIND THAT THERE IS PROBABLE CAUSE TO BELIEVE THAT OLD MILL BREWERY LLC, DBA: OLD MILL BREWERY, 5798 SOUTH RAPP STREET LITTLETON, ARAPAHOE COUNTY, COLORADO, ON DECEMBER 31, 2009, AT APPROXIMATELY 12:11 A.M., DID VIOLATE COLORADO LIQUOR CODE AND LITTLETON MUNICIPAL CODE. BASED ON SAID FINDINGS, I MOVE A PUBLIC HEARING BE SET FOR THE 10TH DAY OF FEBRUARY, 2010, FOR THE PURPOSE OF CONSIDERING THE STATUS OF SAID BREW PUB LICENSE, WHEREIN THE ABOVE-MENTIONED LICENSEE MAY BE PRESENT TO SHOW CAUSE, IF ANY, WHY ITS LICENSE SHOULD NOT BE SUSPENDED OR REVOKED, AND FURTHER THAT NOTICE OF THESE FINDINGS AND THE HEARING TO SHOW CAUSE SHALL BE FORWARDED AND SERVED TO OLD MILL BREWERY LLC, DBA: OLD MILL BREWERY, IN ACCORDANCE WITH THE PROVISIONS OF STATE LAW.

Ayes: Authority Members Gallagher, O'Dell, Bradish, and Price

Nays: None

Nays: Authority Members Gunia, Cole and England

MOTION CARRIED: 4 to 0

8. LIQUOR LICENSE APPLICATION HEARINGS - None

9. SHOW CAUSE HEARING - None

10. GENERAL BUSINESS - None

11. REPORTS

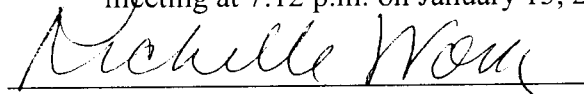
a) Staff – None

Assistant City Attorney – None

b) Authority Members – None

c) Chairperson – None

12. ADJOURNMENT – There being no further business, Chairperson Gallagher adjourned the meeting at 7:12 p.m. on January 13, 2010.



Richelle Work

Deputy City Clerk/Recording Secretary