

**CITY OF NORTHGLENN  
LIQUOR LICENSING AUTHORITY  
February 10, 2005**

**CALL TO ORDER** Mayor Pro Tem Tichy called a regular meeting of the Northglenn Liquor Licensing Authority to order on Thursday, February 10, 2005 at 8:16 p.m. in the City Hall Council Chambers, 11701 Community Center Drive, Northglenn.

**ROLL CALL** Present were Mayor Pro Tem Tichy, Mr. Martin, Ms. Garner, Mr. Goodspeed, Ms. Carlow, Mr. Lindsey, Ms. Paiz, Mr. Gillespie.

**ABSENT** Mayor Novak.

**STAFF PRESENT** City Manager Nelson, City Attorney Phillips, Assistant City Attorney Hoffmann, City Clerk Lentz.

**APPROVAL  
OF MINUTES**

January 27, 2005 The minutes of January 27, 2005 were approved as presented.

**PUBLIC HEARING**

**New License Application**

The Bar Box Emporium LLC  
dba The Colorado Cue Club  
10657 Melody Drive

Mayor Pro Tem Tichy read an opening statement for the procedures to be used for the public hearing for the tavern liquor license application for The Bar Box Emporium, LLC dba The Colorado Cue Club located at 10657 Melody Drive.

Mr. Daryl R. Streich, President of The Bar Box Emporium, LLC, stated he had operated a billiard center for seven years in North Dakota and would like to start a billiard business in Northglenn. Mr. Streich spoke about his work with youth billiards.

City Attorney Phillips asked the applicant to address the needs and desires of the neighborhood affected by the application.

Mr. Streich stated he feels the neighborhood and City would benefit from having a liquor-licensed establishment of this type.

Mayor Pro Tem Tichy asked anyone interested to come forward to speak either “for” or “against” the liquor license application.

Mr. Don Anema, 10466 Humboldt, stated he would not be in favor of issuing a liquor license to the pool hall since it would be working directly with youth.

Ms. Maridee Marks, 11076 Elati Street, spoke against the liquor license application. She stated the establishment was in close

proximity to the junior high school and feels there are other outlets at which alcohol could be purchased.

Mr. Mike Huddleston, 9860 Melody Drive, stated he is the applicant's son-in-law and feels Mr. Streich is a very upstanding businessman. He stated there are no large pool halls in this area and he feels there is a need for this type of establishment in Northglenn. Mr. Huddleston stated that he feels Mr. Streich will be a very responsible business owner.

Mayor Pro Tem Tichy asked Mr. Streich to address the concerns of youth in the establishment and inquired if he would be attending TIPS training. Ms. Paiz asked if Mr. Streich was going to allow juveniles in the establishment during certain times of the day.

Mr. Streich stated that he would enforce curfew laws for juveniles and would ensure that only patrons 21 and over would be served alcohol. Mr. Streich spoke about deals he would have for the youth in the afternoons and stated he would gear more toward the adult crowd in the evenings.

Mr. Goodspeed asked Mr. Streich if he was aware of the City ordinance that fines the licensee, as well as the employee that was cited, a minimum of \$500 if they are convicted of selling alcohol to a minor. Mr. Streich stated that he was not aware of the ordinance.

Mr. Gillespie asked if the neighborhood had been canvassed. Mr. Streich stated that he had spoke to the business owners in the area. City Attorney Phillips stated that canvassing, or petitioning, the neighborhood was not required.

There were questions about the hours of the business. Mr. Streich stated he plans to be open from 9:00 a.m. to 2:00 a.m. daily.

Ms. Maridee Marks stated that she was curious if the high school students would patronize the business while they should be attending classes.

Mayor Pro Tem Tichy closed the public hearing.

**MOTION TO PASS**

Mr. Lindsey **MOVED** and it was **SECONDED** by Ms. Garner to approve the application for a tavern liquor license for The Bar Box Emporium LLC dba The Colorado Cue Club located at 10657 Melody Drive.

**MOTION PASSED**

There was no discussion and the motion, **PASSED**.  
IN FAVOR - Tichy, Martin, Garner, Goodspeed, Carlow,  
Lindsey, Paiz.

OPPOSED - Gillespie.  
ABSENT - Novak.

### **SHOW CAUSE HEARING**

Solomon G. Tiku  
dba Northglenn Liquors  
617 Garland Drive

Mayor Pro Tem Tichy read the procedures to be used into the record for the show cause hearing for Solomon G. Tiku dba Northglenn Liquors located at 617 Garland Drive.

Mr. Corey Hoffmann, Assistant City Attorney, stated the employee cited for selling alcohol to a minor at Northglenn Liquors on October 24, 2004 pled guilty to the charge in Northglenn Municipal Court and therefore the City finds there is a violation by a preponderance of evidence.

Mr. Hoffmann submitted a certified copy of the Liquor Licensing Authority's Order issued on August 14, 2003. Mr. Hoffmann stated that one of the conditions of the order was violated by the violation that occurred on October 24, 2004. Mr. Hoffmann stated the proposed penalty for the second violation would be a suspension between 5 to 30 days.

Mr. Dale Luciere, legal counsel for Mr. Solomon Tiku, presented mitigating factors regarding the violation. He stated the offense occurred while Mr. Tiku was attending a City Council meeting for the renewal of his liquor license. He stated Mr. Tiku is the sole employee of the liquor store and he had let his friend tend the store while he attended the Council meeting that night. Mr. Luciere provided information on Mr. Tiku's background and asked the Authority to consider imposing a suspension of no more than five days.

Mr. Goodspeed inquired about the ordinance that would have allowed the City to cite the licensee as well as the employee that was cited. Mr. Goodspeed asked if the suspensions could be imposed separately.

City Attorney Phillips stated the suspensions could be imposed to be served concurrently or separately.

Mayor Pro Tem Tichy closed the hearing.

### **MOTION TO PASS**

Mr. Lindsey **MOVED** and it was **SECONDED** by Mr. Goodspeed to impose the two-day suspension effective immediately.

### **MOTION PASSED**

There was no discussion and the motion **PASSED**.  
IN FAVOR - Tichy, Martin, Garner, Goodspeed, Carlow,  
Lindsey, Paiz, Gillespie.

OPPOSED - No one.  
ABSENT - Novak.

**MOTION TO PASS**

Mr. Lindsey **MOVED** and it was **SECONDED** by Mr. Goodspeed to impose a 15-day suspension.

**FRIENDLY  
AMENDMENT**

Mr. Lindsey asked for a friendly amendment to impose a 15-day suspension to be served in three increments on March 28<sup>th</sup> through April 1<sup>st</sup>, April 25<sup>th</sup> through April 29<sup>th</sup> and May 31<sup>st</sup> through June 4<sup>th</sup>.

**MOTION FAILED**

There was discussion and the motion including the friendly amendment **FAILED**.  
IN FAVOR - Tichy, Goodspeed, Lindsey.  
OPPOSED - Martin, Garner, Carlow, Paiz, Gillespie.  
ABSENT - Novak.

**MOTION TO PASS**

Ms. Garner **MOVED** and it was **SECONDED** by Mr. Martin to impose a seven business-day suspension to be served immediately following the two-day suspension.

**MOTION TO AMEND**

Mr. Goodspeed **MOVED** and it was **SECONDED** by Mr. Gillespie to impose a ten business-day suspension to be served immediately following the two-day suspension.

**MOTION FAILS**

There was discussion and the motion to amend **FAILED**.  
IN FAVOR - Tichy, Goodspeed, Paiz, Gillespie.  
OPPOSED - Martin, Garner, Carlow, Lindsey.  
ABSENT - Novak.

**MAIN MOTION PASSED**

There was discussion and the main motion **PASSED**.  
IN FAVOR - Tichy, Martin, Garner, Goodspeed, Carlow.  
OPPOSED - Lindsey, Paiz, Gillespie.  
ABSENT - Novak.

Cinzzetti's Restaurant  
Corporation dba Cinzzetti's  
Italian Market Restaurant  
281 W. 104<sup>th</sup> Avenue

Mayor Pro Tem Tichy read the procedures to be used into the record for the show cause hearing for Cinzzetti's Restaurant Corporation dba Cinzzetti's Italian Market Restaurant located at 281 W. 104<sup>th</sup> Avenue.

Mr. Corey Hoffmann, Assistant City Attorney, stated the employee cited for selling alcohol to a minor at the licensed establishment on October 28, 2004 pled guilty to the charge in Northglenn Municipal Court. Mr. Hoffmann submitted a certified copy of the

Liquor Licensing Authority's Order dated December 4, 2003 that was issued for the licensee's first offense.

City Clerk Lentz swore in Mr. David Meredith and Mr. Bobby Fitzgerald.

Mr. Bill Sullivan, legal counsel for the licensee, presented mitigating evidence regarding the violation.

Mr. David Meredith, General Manager, provided testimony about his employment with the company, the violations that have occurred, the policies the company had in place before the violations and additional training given to employees. Mr. Meredith spoke about the procedures used for checking ID's and stated the restaurant has imposed a 100% ID program. Mr. Meredith stated the employee that was cited was terminated immediately.

Mr. Sullivan submitted alcohol awareness documents that had been signed by each employee prior to the violations occurring and a picture showing a sign of the 100% ID program. Mr. Sullivan also submitted a guest performance audit that is used to ensure that servers are asking for ID for all alcohol sales.

Mr. Meredith provided information about the restaurant and its alcohol sales. He stated the restaurant would be implementing a secret shopper program and stated that he is receptive to ideas for other prevention methods.

There were questions from the Authority about the appearance of ID's for persons under 21, whether the manager was given notification of the ordinance that allows the City to cite the licensee as well as the employee for violations, the amount of revenue generated from alcohol sales and future training.

Mr. Sullivan asked the Authority to consider the efforts of the licensee and the mitigating evidence presented tonight when imposing a penalty.

Mayor Pro Tem Tichy closed the hearing.

**MOTION TO PASS**

Ms. Paiz **MOVED** and it was **SECONDED** by Mr. Gillespie to impose the seven-day suspension that was held in abeyance from the Order dated December 4, 2003 to be served March 13<sup>th</sup> through 19<sup>th</sup>, 2005 for Cinzzetti's Restaurant Corporation dba Cinzzetti's Italian Market Restaurant.

**MOTION PASSED**

There was discussion and the motion **PASSED**.  
IN FAVOR - Tichy, Martin, Garner, Carlow, Paiz.

OPPOSED - Goodspeed, Lindsey, Gillespie.  
ABSENT - Novak.

RECESS

The Liquor Licensing Authority meeting recessed at 10:04 p.m.

RECONVENE

The Liquor Licensing Authority meeting reconvened at 10:12 p.m.

Tafo's Inc. dba Tafolino's  
516 Malley Drive

Mayor Pro Tem Tichy read the procedures to be used into the record for the show cause hearing for Tafo's Inc. dba Tafolino's located at 516 Malley Drive.

Mr. Corey Hoffmann, Assistant City Attorney, stated an employee of Tafolino's was issued two citations for selling alcohol to minors and pled guilty to the charges in Northglenn Municipal Court. Mr. Hoffmann submitted a certified copy of the summons and complaint from the Northglenn Municipal Court and stated the finding of guilt shows a violation by a preponderance of evidence. Mr. Hoffmann also submitted a certified copy of the order issued by the Liquor Authority on December 4, 2003 and provided information about the violation of the order.

City Clerk Lentz swore in Mr. Juan Tafoya, owner of Tafolino's.

Mr. Tafoya provided testimony about his business and the programs he could implement to prevent another violation. Mr. Tafoya stated that all employees had attended alcohol training classes and the manager holds training classes each week at the restaurant. Mr. Tafoya stated he has been in business for 15 years and the business has a good rapport with the Northglenn Police Department. Mr. Tafoya stated he was not sure if the employee understood the charges against him.

Mr. Hoffmann stated the summons and complaint shows that the employee was provided with an interpreter for his appearance in municipal court.

Mayor Pro Tem Tichy closed the public hearing.

**MOTION TO PASS**

Ms. Paiz **MOVED** and it was **SECONDED** by Ms. Garner to impose the seven-day suspension that was held in abeyance from the order dated December 4, 2003 to be served March 13<sup>th</sup> through March 19<sup>th</sup>, 2005 for Tafo's Inc. dba Tafolino's.

**MOTION PASSED**

There was no discussion and the motion **PASSED**.  
IN FAVOR - Tichy, Martin, Garner, Carlow, Paiz.  
OPPOSED - Goodspeed, Lindsey, Gillespie.  
ABSENT - Novak.

**FINDING OF FACTS**

Wingman Operating Co., Inc.  
dba Wingman  
1450 W. 104<sup>th</sup> Avenue

**MOTION TO PASS**

Mr. Lindsey **MOVED** and it was **SECONDED** by Ms. Paiz to approve the Finding of Facts for Wingman Operating Co. Inc., dba Wingman located at 1450 W. 104<sup>th</sup> Avenue.

**MOTION PASSED**

There was no discussion and the motion **PASSED**.  
IN FAVOR - Tichy, Martin, Garner, Goodspeed, Carlow,  
Lindsey, Paiz, Gillespie.  
OPPOSED - No one.  
ABSENT - Novak.

**SETTING SHOW**

**CAUSE HEARINGS:**

7-Eleven Store No. 13188,  
11421 Washington Street

American Liquors,  
10651 Melody Drive

Tug's Bar,  
615 Garland Drive

**MOTION TO PASS**

Ms. Paiz **MOVED** and it was **SECONDED** by Ms. Garner to set show cause hearings for March 10, 2005 at 6:00 p.m. for 7-Eleven, American Liquors and Tug's Bar.

**FRIENDLY  
AMENDMENT**

Ms. Carlow asked for a friendly amendment to set the hearings for 6:00 p.m. on Thursday, March 3, 2005.

**MOTION PASSED**

There was discussion and the motion, including the friendly amendment, **PASSED**.  
IN FAVOR - Tichy, Martin, Garner, Goodspeed, Carlow,  
Lindsey, Paiz, Gillespie.  
OPPOSED - No one.  
ABSENT - Novak.

New Application  
Notification Procedures

Mr. Lindsey inquired about the procedures used for notifying neighborhoods of new liquor license applications. City Attorney Phillips stated the City follows the Colorado Liquor Code. It was decided that City Attorney Phillips would draft an ordinance amending the notification requirements for new liquor license applications.

Northglenn Liquor Licensing Authority  
February 10, 2005

**ADJOURNMENT**

The meeting adjourned at 10:39 p.m.

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DIANA L. LENTZ, CMC  
City Clerk

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KATHLEEN M. NOVAK  
Mayor