

CITY OF NORTHGLENN
LIQUOR LICENSING AUTHORITY
May 5, 2014

CALL TO ORDER Vice Chairperson Maxine Foster called a regular meeting of the Northglenn Liquor Licensing Authority to order on Monday, May 5, 2014 at 9:00 a.m. in City Hall Council Chambers, 11701 Community Center Drive, Northglenn.

ROLL CALL Present were: Vice Chairperson Maxine Foster, Authority Members Terri Rikhoff, Gloria Mikan, and Virgil Hall.

ABSENT Chairman John Clancy.

STAFF PRESENT Attorney Ryan Malarky and Deputy City Clerk Lisa Andrews.

APPROVAL OF MINUTES:
April 7, 2014 Minutes of the April 7, 2014 meeting were approved as presented.

NEW LIQUOR LICENSE APPLICATION – PUBLIC HEARING
Wal-Mart Stores, Inc. d/b/a Walmart Market #4747

Vice Chairperson Foster provided an opening statement for the public hearing on the new 3.2% beer license application filed by Wal-Mart Stores, Inc. d/b/a Walmart Market #4747. There were no objections to the jurisdiction of the Authority or procedure of the hearing.

Mr. Kevin M. Coats, present on behalf of Dill Dill Carr Stonebraker and Hutchings, P.C., applicant’s legal counsel, introduced the application and proceeded to call those wishing to testify on behalf of the applicant.

Mr. Michael Sandoval, 10663 Loren Lane, expressed support for the application as Walmart Market would be a convenient place to purchase beer.

Ms. Christy Vass testified that she lives in the area of 109th Avenue and Northglenn Drive and is in support of the application because she would like to purchase groceries and beer at the same time.

There was discussion regarding the proximity of the proposed establishment to Hannah’s Discount Liquors, 11215 Washington Street, which holds a retail liquor store license. Hannah’s Discount Liquors is slightly outside of the one-half mile radius that the Authority designated as the neighborhood of the establishment. The only existing liquor outlet within the designated neighborhood

is Y-Mart, a gas and convenience store licensed to sell 3.2% beer at 10770 Washington Street.

Ms. Elizabeth Candelario testified that she lives on Loren Lane and is in support of the application as it would provide an additional option in the neighborhood for purchasing beer. Ms. Candelario testified that she will also be employed at Walmart Market #4747 as an assistant manager.

Mr. Max Scott, president of Oedipus, Inc. testified regarding the neighborhood survey that was conducted on behalf of the applicant. 91% of residents and businesses surveyed expressed support for the application, demonstrating a strong need and desire for a new 3.2% beer license at 10755 Washington Street.

There was discussion regarding when the survey was conducted. Mr. Scott explained that petitions were circulated on the previous Saturday and Sunday.

There was discussion regarding objections noted in the petitions. Mr. Scott testified that the reasons vary, with some being abhorrence of alcohol and some others attributable to the signor's negative opinion of Wal-Mart, in general.

Mr. Cody Bays, present on behalf of Wal-Mart Stores, Inc. d/b/a Walmart Market #4747, identified himself as the on-site manager of the establishment and stated that he has been employed by the applicant for over 14 years. The stores under his management have never had a liquor violation. Wal-Mart Stores, Inc. holds a master file with the State of Colorado and none of the officers, directors, or shareholders have any character issues that would prohibit the issuance of a liquor license. Mr. Bays testified that Wal-Mart Stores, Inc. conducts mandatory computer-based alcohol server training sessions on a yearly basis and quarterly on-site training sessions taught by ServSafe certified trainers. Mr. Bays further testified regarding the nature of the Walmart Markets, which are smaller than regular Wal-Mart stores and sell primarily consumable items. A 3.2% beer license is sought to provide customers with a convenient one-stop shopping experience. The establishment is expected to open on July 16th and Mr. Bay believes that the neighborhood needs and desires support the approval of the application.

There was a question regarding checking identification of those customers purchasing beer. Mr. Bays testified that company policy requires identification checks for anyone less than 40 years of age. However, as a manger, his directive is to check identification for everyone purchasing beer, regardless of age.

There was a question regarding self checkout kiosks at the store. Mr. Bays testified that all regulated items require a manager override at the point of sale. The manager is required to check identification, scan their employee badge, and enter their employee ID number into the computer in order to complete the transaction. A manager is on duty at all times.

There was discussion regarding the display of beer. Mr. Bays testified that the beer will be displayed in a cooler in a manner similar to other cold beverages.

Mr. Coates concluded the applicant's case and asked for approval as all criteria are satisfied and the neighborhood needs and desires support the issuance of a 3.2% beer license.

Vice Chairperson Foster asked for any others wishing to speak either in favor or opposition of the application to come forward. There was no response and the public hearing was declared closed.

MOTION TO PASS

Ms. Rikhoff **MOVED** and it was **SECONDED** by Mr. Hall to approve the 3.2% beer license application submitted by Wal-Mart Stores, Inc. d/b/a Walmart Market #4747.

MOTION PASSED

There was no discussion and the motion **PASSED**.
IN FAVOR - Foster, Rikhoff, Mikan, Hall.
OPPOSED - No one.
ABSENT - Clancy.

SPECIAL EVENT

PERMIT APPLICATIONS:

The American Lung
Association of Colorado
June 14, 2014

Deputy City Clerk Andrews provided a summary of the application for a special events permit to allow the sale of alcoholic beverages at Northwest Open Space from 9:00 a.m. to 8:00 p.m. on June 14, 2014 during a mud volleyball tournament and fundraiser.

Mr. Brian Magnett and Ms. Cindy Liverance were present on behalf of the City of Northglenn and The American Lung Association of Colorado, respectively. Ms. Liverance advised that everyone is asked to present ID upon entry to the event. Off-duty police officers provide security for the event and monitor the entrance to ensure that everyone presents valid identification. Anyone under 21 years of age is marked with a permanent marker on the back of their hand to indicate that they are not of age to consume alcohol. Police officers conduct patrols throughout the event to ensure no underage consumption of alcohol. Participants are not allowed to bring their own alcohol; coolers are checked upon entry.

MOTION TO PASS

Mr. Hall **MOVED** and it was **SECONDED** by Ms. Rikhoff to approve the special event permit application filed by The American Lung Association of Colorado for a fundraiser to be held at Northwest Open Space on June 14, 2014 from 9:00 a.m. to 8:00 p.m.

MOTION PASSED

There was discussion and the motion **PASSED**.
IN FAVOR - Foster, Rikhoff, Mikan, Hall.
OPPOSED - No one.
ABSENT - Clancy.

Northglenn Arts and
Humanities Foundation

A special events permit was approved and issued to the Northglenn Arts and Humanities Foundation for the 2014 Northglenn Summer Concert Series, originally scheduled for June 18th, June 25th, July 2nd, July 9th, July 23rd, and July 30th, 2014 at E.B. Rains, Jr. Memorial Park. Deputy City Clerk Andrews advised the Authority that the concert schedule has changed; the July 2nd concert has been rescheduled for July 16th. The Authority voiced no objection to the issuance of an amended special events permit.

OTHER MATTERS:

Deputy City Clerk Andrews presented a letter to the Authority from Colorado Hospitality Services, Inc. d/b/a Ramada Plaza - Damon's. The letter stated that additional cameras have been installed in the parking lot of the establishment, per the stipulation approved by the Northglenn Liquor Licensing Authority on April 7, 2014. There was general discussion regarding the terms of the stipulation.

COMMUNICATIONS:

None.

ADJOURNMENT:

There being no further business, the meeting adjourned at 10:05 a.m.

LISA ANDREWS, CMC
Deputy City Clerk

MAXINE FOSTER
Vice Chairperson