

**CITY OF NORTHGLENN
LIQUOR LICENSING AUTHORITY
November 15, 2010**

CALL TO ORDER

Chairman Virgil Hall called a regular meeting of the Northglenn Liquor Licensing Authority to order on Monday, November 15, 2010 at 9:00 a.m. in City Hall Council Chambers, 11701 Community Center Drive, Northglenn.

ROLL CALL

Present were: Chairman Virgil Hall, Authority Members John Clancy, Raymond DeWeese, and Maxine Foster.

ABSENT

None.

STAFF PRESENT

Attorney Corey Hoffmann and Deputy City Clerk Lisa Andrews.

COMMUNICATIONS:

Legal Memorandum -
Good Cause for
Non-Renewal

Mr. Hoffmann, attorney for the Authority, presented a legal memorandum dated September 20, 2010 to the Authority regarding the finding of "good cause", as defined by C.R.S. § 12-47-103(9)(a), for non-renewal of an existing liquor license. Mr. Hoffmann cited recent case law that sets a less stringent standard for non-renewal of a liquor license, as opposed to revocation or the imposition of sanctions against a licensee. Mr. Hoffmann indicated that non-renewal of an existing liquor license is based upon two factors: the severity of an act that violates the Liquor Code and whether the licensee had "actual or constructive knowledge" of the act. Mr. Hoffmann also discussed the hearing process, the findings of fact and issuance of a decision.

**APPROVAL
OF MINUTES:**

August 30, 2010

Minutes of the August 30, 2010 Special Meeting of the Northglenn Liquor Licensing Authority were approved as presented.

**LICENSE RENEWAL
APPLICATIONS:**

3 J's Los 3 Jalapenos
d/b/a Los 3 Jalapenos
516 Malley Drive

Deputy City Clerk Andrews provided a summary of the application and indicated that the application could not be administratively approved because of some potentially derogatory information in the Northglenn Police Department files regarding calls for service at the establishment within the last year.

There was discussion regarding the report that was provided by the Northglenn Police Department.

MOTION TO PASS

Mr. DeWeese **MOVED** and it was **SECONDED** by Ms. Foster to continue consideration of the liquor license renewal application filed by 3 J's Los 3 Jalapenos to a special meeting scheduled for November 29, 2010 at 9 a.m. and to invite the licensee to be present to address questions.

MOTION PASSED

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

Chasers, Inc.
d/b/a Chasers Bar
11964 N. Washington St.

Deputy City Clerk Andrews provided a summary of the application and indicated that the application could not be administratively approved because of some potentially derogatory information in the Northglenn Police Department files regarding calls for service at the establishment within the last year.

There was discussion regarding the report that was provided by the Northglenn Police Department.

MOTION TO PASS

Mr. DeWeese **MOVED** and it was **SECONDED** by Ms. Foster to set a public hearing regarding the liquor license renewal application filed by Chasers, Inc. for December 6, 2010 at 9:00 a.m.

MOTION PASSED

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

PVS, Inc.
d/b/a Charlie's Billiards
10657 Melody Drive

Deputy City Clerk Andrews provided a summary of the application and indicated that the application could not be administratively approved because of some potentially derogatory information in the Northglenn Police Department files regarding calls for service at the establishment within the last year.

There was discussion regarding the report that was provided by the Northglenn Police Department.

MOTION TO PASS

Ms. Foster **MOVED** and it was **SECONDED** by Mr. DeWeese to continue consideration of the liquor license renewal application filed by PVS, Inc. to a special meeting scheduled for November 29, 2010 at 9 a.m. and to invite the licensee to be present to address questions.

MOTION PASSED

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

SPECIAL EVENTS

PERMIT APPLICATION:

Immaculate Heart of Mary
Catholic Church
11385 Grant Drive

Event Dates:

December 10-12, 2010

Deputy City Clerk Andrews provided a summary of the application.

Pursuant to C.R.S. § 12-48-106(2), a notice of application was posted at 11385 Grant Drive on November 8, 2010. Protests are due to the City Clerk's Office no later than 5 p.m. on November 19, 2010.

MOTION TO PASS

Mr. DeWeese **MOVED** and it was **SECONDED** by Chairman Hall to continue consideration of the special event permit application filed by Immaculate Heart of Mary Catholic Church to a special meeting scheduled for November 29, 2010 at 9 a.m. and for the application to be set first on the agenda.

MOTION PASSED

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

OTHER MATTERS:

Administrative Approvals

Deputy City Clerk Andrews advised the Authority of the following annual renewals that have been administratively approved since the last meeting:

- Armadillo
- Smashburger
- Mandarin Garden
- Northglenn Discount Liquors
- City Buffet
- Cinzzetti's Italian Market
- Puerto Vallarta No. 2
- Conoco #06429 / 2706521
- Conoco #06419 / 2706515
- Albertsons #881
- El Sabor Jerezano
- Big D's Liquor
- Circle K Store #2709859
- Circle K Store #2709862

- United Beverage

Term Expirations Chairman Hall advised that Ms. Foster and Mr. DeWeese's terms on the Northglenn Liquor Licensing Authority expire on December 31, 2010. Both Ms. Foster and Mr. DeWeese have expressed interest in serving another term.

MOTION TO PASS Mr. Clancy **MOVED** and it was **SECONDED** by Chairman Hall to recommend that City Council re-appoint Maxine Foster and Raymond DeWeese to two year terms on the Northglenn Liquor Licensing Authority.

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

OTHER MATTERS: None.

ADJOURNMENT: There being no further business, the meeting adjourned at 9:34 a.m.

LISA ANDREWS, CMC
Deputy City Clerk

VIRGIL HALL
Chairman