

**MINUTES FOR
LIQUOR AUTHORITY MEETING**

**CITY OF WHEAT RIDGE, COLORADO
7500 West 29th Avenue, Municipal Building**

May 2, 2013

Mrs. Peterson called the Liquor Authority Meeting to order at 9:00 a.m.

Liquor Authority Members present:

Robert Alldredge
Anthony Davia
John Miks
Carolyn Peterson
Paul Shaver
Kent Davis
Claudia Worth

Members Absent: None

Also present: Deputy City Clerk, Bruce Roome; City Attorney, Chris Price; Officer Steve Berkowitz, Wheat Ridge Police Department; staff; interested citizens.

APPROVAL OF MINUTES OF April 11, 2013

Motion by Mr. Alldredge for approval of the minutes of March 14, 2013; seconded by Mr. Shaver; carried 5-0-2 with Mrs. Worth and Mr. Davis abstaining due to their absence from the meeting.

Item 1. Public Hearing on Application for a new Retail Liquor Store License, Peak Beverage, Inc. dba "Peak Beverage", 13551 W. 43rd Drive, Unit L, Wheat Ridge, Colorado, 80033.

Mr. Roome introduced the item.

Tina Scott from Oedipus, Inc. presented the survey results

James Beimford, Attorney registration number 13142 appearing on behalf of the applicant.

Andrew Klosterman and Viatcheslav (Steve) Nosov, co-owners were present to answer questions regarding their application. In Colorado, caterers do not have liquor licenses but they do in California. Mr. Klosterman came from California and brought this concept with him.

Mr. Beimford and Mr. Klosterman met with Investigator Dede Salone and Agent in Charge Jennifer Higgs with the Colorado Liquor Enforcement Division initially to make sure that the State was on board with the concept. Investigator Salone's initial concern was that this did not fall under the regulations of the Retail Liquor Store License. What was finally decided was for Peak Beverage to split into two companies, one being Peak Beverage Catering and the other Peak Beverage, LLC. If they keep the business separate and have separate retail liquor store hours then the State Liquor Division was okay with their business plan.

Motion by Mr. Alldredge to approve the application for a new Retail Liquor Store License for Peak Beverage, Inc. dba "Peak Beverage", 13551 W. 43rd Drive, Unit L, Wheat Ridge, Colorado, for the following reasons:

- (1) All applications and fees required by statute have been filed and paid.
- (2) Notice of hearing and posting of the premises have been accomplished according to statutory requirements.
- (3) The applicant is entitled to occupancy of the premises by a lease dated October 19, 2012.
- (4) The evidence established that the desires of the residents of the neighborhood under consideration are in support of granting this license. This is evidenced by petitions bearing: **95** signatures favoring issuance and **6** signature opposing issuance.
- (5) Issuance of this license is consistent with the needs of the neighborhood under consideration.

Seconded by Mr. Davis; carried 7-0

CITY CLERK'S MATTERS

1. Deputy City Clerk Roome handed out a Stipulation, Agreement, and Order that he received yesterday from the State of Colorado, Department of Revenue. It states that Lakeside Liquors, 5280 W. 44th Avenue, Wheat Ridge, CO, 80033 violated the law on February 11, 2013 by selling to a nineteen-year-old Liquor Enforcement Division underage purchaser.

Lakeside Liquors was punished with a fifteen day suspension, with ten held in abeyance for one year. Lakeside Liquors petitioned to pay a fine of \$1,600 versus being closed and this was accepted by the Division of Revenue. The fine accepted was 20% of the estimated gross revenues from the sale of alcohol during a five day period, not less than \$200 and no more than \$5,000.

2. Deputy City Clerk Roome distributed a letter from Detective Heather Kendall from the Wheat Ridge Police Department that was sent earlier this week to all City liquor license holders.

CITY ATTORNEY'S MATTERS

Mr. Price gave the Authority Board an update regarding Amendment 64 which is currently in the legislative process at the State. As of this point no headway has been made for licensing at the State level is still uncertain so no decisions will be made at the City level yet.

Meeting adjourned at 9:42 am.



Bruce Roome, Deputy City Clerk

APPROVED BY LIQUOR AUTHORITY ON MAY 23, 2013 BY A VOTE OF 6 TO 0



Carolyn Peterson, Chair