

**MINUTES FOR  
LIQUOR AUTHORITY MEETING**

**CITY OF WHEAT RIDGE, COLORADO  
7500 West 29<sup>th</sup> Avenue, Municipal Building**

**February 24, 2014**

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

Liquor Authority Members present:

John Miks  
Paul Shaver  
Kent Davis  
Carolyn Peterson  
Brandy Bauer

Liquor Authority Members absent:

Anthony Davia  
Claudia Worth  
Robert Alldredge

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

**APPROVAL OF MINUTES OF January 23, 2014**

**Motion** by Mr. Davis to approve the minutes of January 23, 2014: seconded by Mr. Shaver; carried 4-0-1 with Ms. Bauer abstaining.

**Item 1.**        Transfer of Ownership of a Retail Liquor License, Tien Van Nguyen d/b/a Happy Liquors, 4141 Kipling St, Wheat Ridge, CO, 80033 to Pobs LLC d/b/a/ Happy Liquors

Mr. Roome introduced the item.

Kris Hoeltgen, attorney on behalf of and Tochi Singh, owner, was present to answer any questions from the Liquor Authority.

Mr. Singh testified that he has taken the Colorado Alcohol Sales Training course offered by Colorado License Beverage Association and he has 20+ years in the liquor industry. He plans to have 2 employees, 1 full-time and 1 part-time. He will have both employees trained by Colorado License Beverage Association just as he did. Hours will be 10 am –

10 pm and monitored to decide if those hours work well. Liquor will be purchased from distributors. Mr. Singh further testified to his knowledge of determining if someone is intoxicated and should not be sold to. Last, he talked about the 5 types of ID's that are acceptable for proof of age in order to sell to them.

Mr. Singh currently lives in Nevada but plans to move to Colorado to be responsible for his store.

**Motion** by Mr. Shaver to approve the Transfer of Ownership from Tien Van Nguyen d/b/a Happy Liquors, 4141 Kipling St, Wheat Ridge, CO, 80033 to Pobs LLC d/b/a/ Happy Liquors for the following reasons:

1. All applications and fees required by statute have been filed and paid.
2. The applicant is entitled to occupancy of the premises by a lease dated December 31, 2013.

Seconded by Mr. Miks; carried 5-0.

Item 2. Transfer of Ownership of a 3.2% Beer License, 7-Eleven, Inc. d/b/a 7-Eleven Store 36492A, 5995 W. 38th Ave, Wheat Ridge, CO, 80212 to Erimart, Inc. & 7-Eleven, Inc. d/b/a/ 7-Eleven Store 36492A

Mr. Roome introduced the item.

Makele Abraham, Erimart, Inc. owner, Kevin Coates, attorney from Dill, Dill, Carr, Stonbraker & Hutchings PC representing 7-Eleven, Inc., and Lance Lindholm, field consultant from 7-Eleven were all present to answer any questions from the Liquor Authority.

Mr. Coates explained that the store was built and is owned by the 7-Eleven Corporation. 7-Eleven has now franchised this location to Erimart, Inc. but 7-Eleven retains ownership in terms of overall responsibility and Erimart, Inc. will handle all day to day operations.

Lance Lindholm, oversees nine stores to make sure everything is running correctly and will be helping Mr. Abraham with his daily operations if needed.

This is a 24/7 operation and overall there are seven employees including Mr. Abraham, his wife, and daughter. The register is a Point of Sale register which prompts the employee to ask for ID and enter a date of birth anytime alcohol is purchased. Mr. Abraham has many years in the convenience store industry and has never had a liquor violation occur.

**Motion** by Mr. Davis to approve the Transfer of Ownership from 7-Eleven, Inc. d/b/a 7-Eleven Store 36492A to Erimart, Inc. & 7-Eleven, Inc. d/b/a 7-Eleven Store 36492A for the following reasons:

1. All applications and fees required by statute have been filed and paid.



2. The applicant is entitled to occupancy of the premises by virtue of the Franchise Agreement dated December 17, 2013

Seconded by Mr. Shaver; carried 5-0.

Item 3.        Transfer of Ownership/Temporary License Procedures

Mr. Dahl led the discussion related to giving administrative authority on Transfers of Ownership to the City Clerk's Office moving forward. Mr. Dahl explained that this is a common practice in many municipalities across the State.

The issue of keeping the Liquor Authority informed of any transfers that occur was raised. Mr. Roome stated that he will use e-mail to apprise the Authority of any approvals and will also attach part of the application packet so that the Authority members know the who, what and where of the transfer.

Consensus was reached to have the City Attorney prepare a Liquor Authority Resolution for the next meeting that gives this authority regarding Transfers of Ownership to the City Clerk's Office. The Resolution will also state that the Liquor Authority has the right to rescind this at any time if they feel that it is not being used properly.

Mr. Roome also discussed how temporary licenses are granted by the City of Wheat Ridge. In May of 2004 the Liquor Authority approved by vote to start granting temporary licenses to Transfer of Ownership applicants based on the following criteria:

The City Clerk's office will receive, review, and issue or otherwise act upon Temporary Liquor License Permits to and within the limitations of C.R.S. 12-47-303. No application for a temporary license is accepted by the Clerk's Office until all paperwork required for a Transfer of Ownership has been files and the applicants have been cleared by the Police Department and has had a previous favorable hearing before the Liquor Authority.

With this in mind Mr. Roome stated that this still delays the new owners from being able to continue the operation of the license they are taking over. It is with a "pro-business" attitude that Mr. Roome proposed the Liquor Authority allow temporary licenses to be issued once the applicant has submitted all required paperwork, paid the fees, and is fingerprinted by the PD. Once the PD has ran the applicant through the NCIC/CCIC the Clerk's office will have the authority to determine if a temporary license can be issued based on a clean background. The Clerk's Office will get opinions from Police Officers regarding their thoughts on the background check paperwork as well. If there is anything in the background that the Clerk's Office determines to be questionable the normal process which was approved in May 2004 will be followed.

Consensus was reached to have the City Attorney prepare a Liquor Authority Resolution for the next meeting that gives this authority regarding temporary licenses to the City Clerk's Office. The Resolution will also state that the Liquor Authority has the right to rescind this at any time if they feel that it is not being used properly.

**CITY CLERK'S MATTERS**

A complaint letter was received in the City Clerk's Office on February 25, 2014 regarding a tavern license that was approved in October of 2013. A discussion followed.

Mr. Davis asked the City Clerk's Office to write letter to the complainant to let them know that we received the letter and it was shared with Liquor Authority and that we will continue to monitor this licensee as we monitor all licensees.

Mr. Roome discussed the upcoming March 13, 2014 meeting. As of right now there is no liquor business to address but the Authority approved to have a meeting on March 13<sup>th</sup> for the election of Chair and Vice Chair, approve both Resolutions discussed earlier, and take a look at the Liquor Board bylaws. The bylaws were last updated on March 23, 2000 and it might be a good idea to review them and suggest any changes or updates if necessary.

**CITY ATTORNEY'S MATTERS**

None

**POLICE DEPARTMENT MATTERS**

None

**LIQUOR AUTHORITY MEMBERS MATTERS**

Brandy Bauer announced she has to resign from the Liquor Authority because she is moving into Denver County.

Meeting adjourned at 9:45 a.m.

  
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Bruce Roome, Deputy City Clerk

APPROVED BY LIQUOR AUTHORITY ON March 13, 2014 BY A VOTE OF 4 TO 0

  
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Carolyn Peterson, Chair