

**MINUTES FOR
LIQUOR AUTHORITY MEETING**

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

October 23, 2014

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

Liquor Authority Members present:

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

William Gehl was absent.

Also present: Deputy City Clerk Kelly Stevens; Assistant City Attorney Joe Riviera; Wheat Ridge Police Officer Berkowitz.

Chair Shaver introduced Kelly Stevens, the City's new Deputy City Clerk. The Liquor Authority welcomed Ms. Stevens.

APPROVAL OF MINUTES of August 14, 2014

Motion by Carolyn Peterson to approve the minutes of August 14, 2014: seconded by John Miks; carried 7-0-1.

Item 1. Request for Modification of Premises – Peak Beverage, Inc. 10790 W. 50th Avenue #600A, Wheat Ridge, CO 80033

Ms. Stevens introduced the item and stated that the manager of Peak Beverage had not yet presented a signed copy of the lease for the expansion space. When she spoke to the manager Tuesday, he stated that he had not yet gotten a signed copy of the lease from the landlord and he was okay if the Authority needed to postpone his request until the November Authority meeting.

City Attorney Rivera advised the Board to postpone until the signed lease is received.

Mr. Miks asked when the next Authority meeting would be. Ms. Stevens stated it would be on Thursday, November 13th.

Motion by John Miks to postpone the request for the modification, seconded by Kent Davis : carried 7-0-1

Item 2. Request for Show Cause Hearing for Alleged Code of Laws Violation at The Office Bar and Lounge, 7000 W. 38th Avenue, Wheat Ridge, CO 80033

Ms. Stevens introduced Officer Steve Berkowitz to speak about the item. Officer Berkowitz stated the alleged violations of the liquor code referenced ownership violations – 12-47-301 3(a) permitting one or more other persons to exercise the privileges granted by the liquor license and 2-12-47-6011 misrepresented, omitted, or falsified various parts of the application. This has been a 2 or 3 month investigation undertaken by himself and Officer Lovan and, other than some questions City Attorney Beery requested be answered, the case is ready to go if it is accepted by the Board.

Chair Shaver pointed out that there is a typo in one of the police reports where the owner's brother is referred to and it should read "sister." Officer Berkowitz clarified that it was the sister being referred to in the report, not a brother.

Ms. Peterson asked what the penalty could be for the alleged violations. Officer Berkowitz stated that this was one of the more serious violations of the liquor code that he had investigated other than gambling or drugs and that the potential penalty could be revocation of the liquor license. The police department decided to go with civil instead of criminal charges, which could have been fraud, forgery, etc. Also, in one of the interviews with the owner of The Office, surrender of the license had been discussed as an alternative to revocation. The business has not yet been served with a subpoena to appear for the Show Cause Hearing and they could still choose to surrender their liquor license with the City Clerk's Office. Ultimately, the penalty for the alleged violations would be up to the Liquor Authority Board.

Motion by John Miks to set the Show Cause Hearing for November 13, 2014, seconded by Carolyn Peterson; carried 7-0-1

CITY CLERK'S MATTERS

Deputy Clerk Stevens requested each Liquor Authority Board member complete an updated contact sheet to facilitate contacting the Board.

CITY ATTORNEY'S MATTERS

None

POLICE DEPARTMENT MATTERS

None

LIQUOR AUTHORITY MEMBERS MATTERS

Robert Alldredge inquired about a new business sign he had seen at the Wine Not Tavern.

Ms. Stevens stated that the business was in the process of transferring the ownership to another party and that a temporary liquor license had been issued by the City of Wheat Ridge.

Mr. Alldredge and Mr. Miks stated that this transfer should have been brought to the Liquor Authority for approval.

After some discussion about procedures, Ms. Stevens explained that the process had been started prior to her beginning the job in Wheat Ridge and that she would have the requested information for the Board at the November 13th meeting.

Meeting adjourned at 9:21a.m.



Kelly K. Stevens, CMC, Deputy City Clerk

APPROVED BY LIQUOR AUTHORITY ON BY A VOTE OF 6 TO 0



Paul Shaver, Chair