

**MINUTES FOR
LIQUOR AUTHORITY MEETING**

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

April 23, 2015

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

Liquor Authority Members present:

John Miks
Paul Shaver
Claudia Worth
Carolyn Peterson
Elizabeth Nazareus
Bruce McIntyre
Anthony Davia

Liquor Authority Members absent:

Robert Alldredge

Also present: Deputy City Clerk Kelly Stevens; City Attorney Gerald Dahl; staff; interested citizens.

APPROVAL OF MINUTES OF March 26, 2015

Motion by Carolyn Peterson approve the minutes of March 26, 2015: seconded by Paul Shaver; carried 6-0, Chair Miks abstained

Item 1. Application for Transfer of Ownership – Clancy's Irish Pub, 7000 W. 38th Avenue, Wheat Ridge

Deputy Stevens introduced the item and 2 of the applicants, Jeff Hurlburt and Patrick Desmond

Chair Miks swore in Mr. Hurlburt and Mr. Desmond.

Claudia Worth asked if any of the applicants were Irish.

Mr. Hurlburt and Mr. Desmond stated they were both Irish.

Carolyn Peterson asked Mr. Hurlburt about the former Clancy's Irish Pub.

Mr. Hurlburt stated he had owned & operated Clancy's the last 6 years. Now he has new partners and a much better set-up.

Carolyn Peterson asked how many staff members Clancy's would have.

Mr. Hurlburt replied they would have 15-16 staff members. This new endeavor is much larger than the previous venture they will have a patio & basement. Their plan is to have the majority of their servers TIPS certified; many of them already are certified.

Paul Shaver asked if they plan to use the pop-up patio.

Mr. Hurlburt replied that they don't plan to use it. They don't want to interfere with existing businesses and traffic.

Applicant Joseph DeMott arrived and was sworn in by Chair Miks.

Ms. Worth asked what the business hours will be.

Mr. Hurlburt replied they will be open 11am to 2 am daily. They are also a full service restaurant. They will have a full menu until midnight and then will have a limited menu until 2am. It is important to serve food when a business serves alcohol.

Ms. Worth asked when they plan to open for business.

Mr. Hurlburt stated they were shooting for next Tuesday, April 29th, but it will depend on the liquor license and the health department – maybe Friday of next week. They have inspections this week from the Fire Department and the building inspector.

Anthony Davia asked the applicants if they thought there was enough parking and if they had any plans for more parking.

Mr. Hurlburt stated they own the parking lot and have negotiated with Tom Yang for parking at the office building next door, if it is needed.

Ms. Peterson asked the applicants if they had bought the building or if they are renting it.

Mr. Hurlburt stated he and Joseph DeMott bought the building.

Chair Miks stated he was glad to have Clancy's back in Wheat Ridge.

Mr. Hurlburt stated he grew up here in Wheat Ridge and this is where he wants to stay. He's very excited – Clancy's in the oldest Irish pub in Colorado and now with the additional square footage, is also the largest. That makes it very special.

Motion by Carolyn Peterson to approve the application for Transfer of Ownership from The Office to Pub X, LLC dba Clancy's Irish Pub at 7000 W. 38th Avenue, Wheat Ridge, Colorado, 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 at 7000 W. 38th Avenue, Wheat Ridge by virtue of a Deed of Trust dated March 3, 2015.
3. All partners with at least 10% interest in the business have passed background checks by the Wheat Ridge Police Department and the Colorado Bureau of Investigation.

Ms. Peterson also moved that the applicant be issued a temporary Hotel & Restaurant liquor license.

Seconded by Paul Shaver; carried 7-0.

Item 2. Application for Transfer of Ownership – Tavern's, 7605 W. 44th Avenue, Unit F, Wheat Ridge

Deputy Stevens introduced the item and applicants Dustin Maschari & Mark Kelly.

Chair Miks swore in applicants.

Dustin Maschari stated he has been a resident of Wheat Ridge since he was 7 years old. The purchase of the 44th Ave Grille was a culmination of many years of effort for him. The place has been a Wheat Ridge fixture for many years. It was originally Vern's and then Tom Little bought the building and changed it to 44th Avenue Grille. Now, with this new purchase, it will be "Tavern's" to play on the original name.

Mark Kelly stated he has been in CO since 1980, he is a certified chef and has been in the restaurant business for many years. All of the staff will receive TIPS training.

Motion by Anthony Davia to approve the application for Transfer of Ownership from 44th Avenue Grille to M & D Partners, LLC dba Tavern's, 7605 W. 44th Avenue, Unit F Wheat Ridge, Colorado, 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 at 7605 W. 44th Avenue, Wheat Ridge by virtue of a Lease dated March 1, 2015.
3. All partners with at least 10% interest in the business have passed background checks by the Wheat Ridge Police Department and the Colorado Bureau of Investigation.

Authority member Davia further moved to authorize the issuance of a temporary Hotel & Restaurant liquor license."

Seconded by Carolyn Peterson; Carried 7-0

Mr. Maschari stated that Tavern's would continue to host car shows and car-related events. The first one they will host will be June 13th and the 2nd will be sometime in September. They will also be part of the 44th Avenue Cruise in May

CITY CLERK'S MATTERS

Deputy Clerk Stevens distributed a memo from Detective Heather Kendall, of the Wheat Ridge Police Department. This memo was sent out to all Wheat Ridge liquor licensees on April 15, 2015. The memo explains that the Police Department will be doing random compliance checks throughout the city to ensure no business is selling alcohol to minors.

Deputy Clerk Stevens informed the Liquor Authority of an objection that was raised regarding some Special Event Permits for salsa dancing lessons at the Sons of Italy building on W. 35th Avenue. While the dancing lessons have been happening regularly for several months, some of the neighbors were concerned that, since the events are held on Sunday nights, that things might get too loud or rowdy with the addition of alcohol. The applicant, the neighbors, and the people from the Sons of Italy worked together to find an amicable solution. The first event was held Sunday, April 19th and there were no issues or complaints.

CITY ATTORNEY'S MATTERS

City Attorney Dahl wanted to make sure that the Liquor Authority was informed about their duties regarding Transfers of Ownership. For Transfers, they don't need to get into neighborhood needs and desires, but they can, and should inquire about the character of the applicants. Just because the Police Department passes an applicant doesn't mean that the Authority has to pass them. The Liquor Authority can ask about past criminal history, etc. Also, when Authority members are asking questions, it is less what the applicant says, but more how they answer the questions. The Police Department is not the final word for a liquor license – the Liquor Authority is the final word. The Liquor Authority's role is as large as they want to make it.

POLICE DEPARTMENT MATTERS

None

LIQUOR AUTHORITY MEMBERS MATTERS

Carolyn Peterson asked if a liquor licensee moves to another location, does the liquor license move with them.

Attorney Dahl stated that a liquor license is specific to one location. If they move, they have to do Change of Location paperwork and may have to perform new Needs & Desires survey.

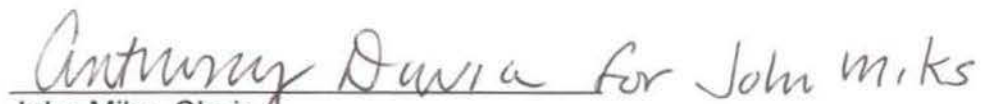
Deputy Stevens stated the liquor license for the old Clancy's was surrendered when the business closed.

Meeting adjourned at 9:25 a.m.



Kelly K. Stevens, CMC, Deputy City Clerk

APPROVED BY LIQUOR AUTHORITY ON MAY 14, 2015 BY A VOTE OF 6 TO
0 Robert Aldredge abstained



John Miks, Chair