

# ***Local Licensing Authority***

## ***Agenda***

**September 23, 2013  
City Hall, Council Chambers  
749 Main Street  
7:00 PM**

- I. Call to Order**
- II. Roll Call**
- III. Approval of Agenda**
- IV. Action on Minutes – 08/26/13**
- V. Consent Agenda**

The following items on the Local Licensing Authority Agenda are considered routine by the Authority and the Consent Agenda as a whole shall be approved not as individual items, accepted, etc. by motion of the Authority and roll call vote unless the Local Licensing Authority or Authority Member specifically requests such item be considered under "Authority Business". In such an event the item shall be removed from the "Consent Agenda" and Authority action taken separately on said item in the order appearing on the Agenda. Those items so approved under the heading "Consent Agenda" will appear in the Authority minutes in their proper order.

- A. Renewal Application – La Revolucion LLC d/b/a La Revolucion – Tavern Liquor License – 701 Main Street

- VI. Authority Business**

- A. Public Hearing - Change of Location Application – Café de Paris – Beer and Wine License - 908 Main St. to 917 Front St. Suite 100
- B. Set Boundaries of the Neighborhood and Public Hearing – New Beer and Wine License – Forgotten Ink LLC d/b/a Inks and Drinks – 1075 South Boulder Road #110

- VII. Police Department Report**

- A. Incident Report – Ralphie’s – 8/9/13
- B. Incident Report – Waterloo – 8/23/13

- VIII. Secretary’s Report**

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***City of Louisville***

*City Clerk’s Office*    749 Main Street    Louisville CO 80027  
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- A. Attendees at seller/server training held August 18, 2013
- IX. Authority Attorney's Report**
- X. Authority Comments**
- XI. Discussion Items for Next Meeting – October 28, 2013 @ 7:00 p.m.**
- XII. Adjournment**

## ***Local Licensing Authority***

### ***Meeting Minutes***

**August 26, 2013**  
**City Hall, Council Chambers**  
**749 Main Street**  
**7:00 PM**

**Call to Order** – Chairperson Rommelfanger called the meeting to order at 7:00 p.m.

**Roll Call** was taken and the following members were present:

Authority Members Present: John Rommelfanger, John Carlson, Matthew Machado, Marguerite Lipton and Cecilia Wilson

Staff Members Present: Melinda Culley - Light, Harrington & Dawes, P.C.  
Jay Lanphere, Police Sergeant  
Carol Hanson, Deputy City Clerk

**Approval of Agenda** – Chairperson Rommelfanger called for changes to the agenda. Wilson made a motion to approve the agenda. Carlson seconded. All in favor. Agenda approved.

**Approval of Meeting Minutes** – 7/22/13 and 8/5/13 – Rommelfanger called for any changes to the minutes. Machado moved to approve the minutes. Carlson seconded. Roll Call Vote – Rommelfanger – yes, Carlson – yes, Wilson – abstain, Machado – yes and Lipton - abstain. Minutes approved.

**Approval of Consent Agenda** – The following items on the Local Licensing Authority Agenda are considered routine by the Authority and the consent agenda as a whole shall be approved not as individual items, accepted, etc. by motion of the Authority and roll call vote unless the Local Licensing Authority or Authority Member specifically requests such item be considered under “Authority Business”. In such an event the item shall be removed from the “Consent Agenda” and the Authority action taken separately on said item in the order appearing on the Agenda. Those items so approved under the heading “Consent Agenda” will appear in the Authority minutes in their proper order.

- A. Renewal Application – Bobbo’s Sweet Shop LLC d/b/a Bittersweet Café and Confections – Hotel and Restaurant Liquor License – 820 Main St.

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- B. Renewal Application – Waterloo Icehouse, Inc. d/b/a Waterloo Icehouse - Tavern Liquor License – 809 Main Street
- C. Manager Registration – RLJ II- C Louisville White Lodging Services D/B/A Courtyard By Marriott Louisville – Hotel and Restaurant Liquor License – 948 W Dillon Road
- D. Transfer of License to Parent Company – Convenience Retailers, LLC d/b/a Conoco Store/Circle K #6526 – 3.2% Beer License (Off Premise) – 510 S. McCaslin Blvd.
- E. Renewal Application – Tibet’s Restaurant and Bar LLC d/b/a Tibet’s Restaurant and Bar – Hotel and Restaurant Liquor License – 321 McCaslin Blvd.
- F. Renewal Application – Brinker Restaurant Corporation d/b/a Chili’s Grill & Bar Inc #465 – Hotel and Restaurant Liquor License – 585 McCaslin Blvd.
- G. Renewal Application – 3 Margaritas XVI, Inc. d/b/a 3 Margaritas XVI – Hotel and Restaurant Liquor License – 592 S. McCaslin Blvd.
- H. Renewal Application – Bean and Berry LLC d/b/a Bean and Berry – Hotel and Restaurant Liquor License – 305 McCaslin Blvd. Ste 1

Rommelfanger called for any changes to the consent agenda. Carlson moved the consent agenda be approved. Wilson seconded. Roll Call Vote – Rommelfanger – yes, Carlson – yes, Machado – yes, Wilson – yes and Lipton - yes. Consent agenda approved.

**I. Authority Business**

- A. Transfer Application – KCM Restaurant Holdings, LLC d/b/a Ralphie’s Sports Tavern – Hotel and Restaurant Liquor License – 585 South Boulder Road

Rommelfanger called for consideration of the transfer of license application. He asked if the current owner was up to date with City sales tax. Secretary Hanson reported they were. Rommelfanger asked if the applicant wished to make a presentation.

Charlie Schmanski introduced himself, his business partner, Kevin Reed and kitchen manager, Mark Karpowich. Mr. Schmanski reported they wanted to purchase Ralphie’s and continue the business with responsible local ownership. He also owns Harpo’s in Boulder and in nine years had only one liquor violation.

They practice a “hands-on” type of ownership and management and training servers is a high priority.

Authority member Carlson disclosed he has known Kevin Reed for many years but did not feel the relationship would influence his decision in any way.

Wilson asked for clarification concerning violations at the Boulder location. Mr. Schmanski stated there was only the one violation.

Carlson inquired if the dynamic was going to change since there have been a number of police calls to the establishment. Mr. Schmanski stated there were no plans to make broad changes but felt training staff would be the key. Mr. Reed stated they wanted to create an environment to discourage violations. They would like to make changes as the business evolves.

Chairperson Rommelfanger asked the applicants to stay and listen to the discussion on the police department reports reviewed by the Authority later in the meeting.

Authority Attorney Culley reminded members the responsibility of any of the violations flows to the license holder. If the transfer is completed, the violations the Authority is considering tonight would be the responsibility of the current owner, not KCM Restaurant Holdings.

Wilson moved the transfer application of a Hotel and Restaurant Liquor License for KCM Restaurant Holdings, LLC d/b/a Ralphie’s Sports Tavern be approved contingent on the closing taking place. Carlson seconded. Roll Call Vote: Rommelfanger – yes, Carlson – yes, Machado – yes, Wilson – yes and Lipton - yes.

### **Police Department Reports**

#### **A. Incident Report – Ralphie’s**

This incident involves the licensee failing to pay City sales tax. Hanson reported the taxes were up to date. Authority members concluded no further action needed to be taken especially in light of the transfer application just approved.

#### **B. Incident Report – Ralphie’s – 8/3/13**

Police stopped a vehicle and found the driver had been drinking, reportedly at Ralphie’s. Sergeant Lanphere spoke to the reporting officer and the follow up on the incident did not give any insight on the amount of alcohol served. Wilson felt due to the transfer the point was moot, but would likely have requested an order to show cause under other circumstances. After discussion and in light of the transfer of this license, Authority members agreed no action needed to be taken.

C. Incident Report – Ralphie’s – 8/9/13

The police found a patron in the parking lot, vomiting and having difficulty standing and speaking. The bartender was consequently cited with selling to a visibly intoxicated person.

Machado moved the Authority table this report for consideration at the next Authority meeting. Lipton seconded. Roll Call Vote: Wilson – yes, Rommelfanger – yes, Carlson – yes, Lipton – yes and Machado – yes.

**Secretary’s Report**

Hanson reminded the Authority of the Council study session on Tuesday, August 27, 2013. She reported City staff attending the August 5, 2013 Special Meeting commended the Authority for the informative and well run meeting.

**Authority Attorney’s Report**

No report.

**Authority Comment**

Carlson reported the City of Denver was considering imposing a 3.5% sales tax on retail marijuana. He commented it was going to be interesting to watch different municipalities and counties stances on Amendment 64 implementation.

**Adjourn** – Lipton moved to adjourn. Rommelfanger seconded. All in favor. The meeting was adjourned at 7:30 p.m.

**SUBJECT: RENEWAL APPLICATION – LA REVOLUCION LLC D/B/A  
LA REVOLUCION - TAVERN LIQUOR LICENSE – 701 MAIN  
STREET**

**DATE: SEPTEMBER 23, 2013**

**PRESENTED BY: CAROL HANSON, AUTHORITY SECRETARY**

**SUMMARY:**

The licensee, La Revolucion LLC d/b/a La Revolucion, has submitted an application for renewal of its Tavern Liquor License at 701 Main Street.

The premises are leased by the licensee and the lease is current.

Certificate of Good Standing is current and on file.

There were no employees who attended liquor training over the past year.

There was one report requiring a police report concerning sales tax payment. The taxes were brought current. The Authority agreed no further action was necessary.

City sales tax remains current.

**RECOMMENDATION:**

Authority approves the renewal application for a Tavern Liquor License for La Revolucion LLC d/b/a La Revolucion at 701 Main St.

Alternatively, the Authority may set a hearing on the renewal application, which may be held after proper notice.

**SUBJECT: PUBLIC HEARING - CHANGE OF LOCATION APPLICATION  
– GIBRALTAR LLC D/B/A CAFÉ DE PARIS – BEER AND  
WINE LIQUOR LICENSE – 908 MAIN STREET MOVING TO  
917 FRONT STREET**

**DATE: FEBRUARY 25, 2013**

**PRESENTED BY: CAROL HANSON, AUTHORITY SECRETARY**

**SUMMARY:**

The licensee, Gibraltar, LLC d/b/a Café de Paris has submitted an application for a change of location for its Beer and Wine Liquor License currently located at 908 Main Street. The applicant wishes to move the business and thus the liquor license to 917 Front Street.

When considering a request to change the location of a liquor licensed premises, the Licensing Authority must consider, among other matters:

- The reasonable requirements of the neighborhood to which the applicant seeks to change its location; and
- The desires of the adult inhabitants of the Town.

**RECOMMENDATION:**

Authority hold the public hearing and consider approval of the change of location application for a Beer and Wine Liquor License for Gibraltar, LLC d/b/a Café de Paris - 908 Main St. to 917 Front Street.

**SUBJECT: SET PUBLIC HEARING DATE – SET BOUNDARIES OF THE NEIGHBORHOOD – NEW BEER AND WINE LICENSE – FORGOTTEN INK LLC D/B/A INKS AND DRINKS – 1075 SOUTH BOULDER ROAD #110**

**DATE: SEPTEMBER 23, 2013**

**PRESENTED BY: CAROL HANSON, AUTHORITY SECRETARY**

**SUMMARY:**

An application has been submitted for a new Beer and Wine Liquor License – Inks and Drinks – 1075 South Boulder Road #110

**RECOMMENDATION:**

Authority motion is required to establish Boundaries of the Neighborhood and set a Public Hearing Date for a new Beer and Wine Liquor License – Forgotten Ink LLC d/b/a Inks and Drinks located at 1075 South Boulder Road #110.

Boundaries have traditionally been established as the boundaries of the City of Louisville.

Staff recommends the public hearing be set for October 28, 2013 at 7:00 PM.

**LOUISVILLE POLICE DEPARTMENT  
CRIME & INCIDENT REPORTS**

**RALPHIE'S  
(8/9/13)  
#13-1467**

AGENDA ITEM  
**VII-A**

**LOUISVILLE POLICE DEPARTMENT  
CRIME & INCIDENT REPORTS**

**WATERLOO  
(8/23/13)  
#13-1575**

AGENDA ITEM  
**VII-B**

**Attendees at August 18, 2013 Seller/Server Training**

There were a total of 31 attendees with 16 from Louisville establishments

LuLu's BBQ - 10

Waterloo - 6