Meeting

The Local Liquor Licensing Authority of the City of Golden, County of Jefferson, State of Colorado, met in the Council Chambers, City Hall, at 911 10th Street, Golden, Colorado at the hour of 7:00 p.m. There being present at the call of the roll the following persons:

MEMBERS: John D. Mitchler, James A. Sheridan, Michael S. Victor

ABSENT: Francis H. Oldham, Tom Stemple

Chairman Mitchler, presiding, declared a quorum present.

Those members of staff also present were as follows:
Mary Lynn Benham, Associate City Attorney
Andrea L. Banks, Deputy City Clerk

Approval of Agenda

MEMBER MITCHLER MOVED, and Member Sheridan seconded, that the agenda be approved, as presented.
Voting results were as follows:

YES: Mitchler, Sheridan, Victor

NO: None

ABSENT: Oldham, Stemple

The Chairman declared the motion carried.

Approval of Minutes of April 27, 2010

Chairman Mitchler noted that the spelling of Jolynn Johnson should be corrected to remove the e from the end of her first name. Deputy City Clerk Banks stated she would correct the minutes as noted.

MEMBER SHERIDAN MOVED, and Member Victor seconded, that the minutes of April 27, 2010, be approved.
Voting results were as follows:
YES: Mitchler, Sheridan, Victor

NO: None

ABSENT: Oldham, Stemple

The Chairman declared the motion carried.

Public Comment

There was no public comment.

Transfer of Ownership Application – Rocky Mountain Swirl Inc. d/b/a Lighthouse Liquors West from Lighthouse Liquors Inc. d/b/a Lighthouse Liquors, 14777 W. 6th Ave, Golden (Tabled from April 27, 2010)

MEMBER SHERIDAN MOVED, and Member Victor seconded, that the matter of the Transfer of Ownership of the Retail Liquor License to Rocky Mountain Swirl Inc. d/b/a Lighthouse Liquors West from Lighthouse Liquors Inc. d/b/a Lighthouse Liquors, 14777 W. 6th Ave, Golden, be removed from the table.

Voting results were as follows:

YES: Mitchler, Sheridan, Victor

NO: None

ABSENT: Oldham, Stemple

The Chairman declared the motion carried.

Marcia Burton Miller, owner, 7158 Russell Court, Arvada, and Kendra Miller, employee, 10274 W. 58th Place, Arvada, were present to answer questions of the Authority. Ms. Burton-Miller stated the requested corrections have been made to the Affidavit of No Financial Interest. She described the changes made to clean up and renovate the interior of the premises, plans for updated security systems, ID and alcohol sales policies and background on acquisition and financing of the business, noting it is family-run. She stated that there was no prior relationship with the previous owner and noted her decision to pursue the purchase was to develop a new source of income to prepare for eventual retirement. In response to questions from the Authority, she stated that her husband was no longer involved with Rocky Mountain Swirl Inc., and she would be solely responsible for filing corporate documents, and paying bills going forward.

MEMBER SHERIDAN MOVED, and Member Victor seconded, that the Transfer of Ownership of the Retail Liquor License to Rocky Mountain Swirl Inc. d/b/a Lighthouse Liquors West from Lighthouse Liquors Inc. d/b/a Lighthouse Liquors, 14777 W. 6th Ave, Golden, be approved.
Voting results were as follows:

YES: Mitchler, Sheridan, Victor

NO: None

ABSENT: Oldham, Stemple

The Chairman declared the motion carried.

Other Matters

Associate City Attorney Benham gave an update on the Marcelos Inc. judicial review request, noting that the plaintiff has filed an opening brief, and an answer will be filed by CIRSA, the city’s insurance carrier. She stated that a draft of the answer will be sent to the Authority, and requested that the Authority members submit any comments directly to her prior to June 9, 2010. She noted that the court may issue a decision in the fall. In response to questions from the Authority, Attorney Benham stated that when quasi-judicial matters come before the Authority, they must focus on the packet information provided and the information heard in the public setting of the meeting, without pursuing outside investigation.

In regard to the upcoming public hearing of the sole hearing officer ordinance at the City Council meeting on June 3, 2010, the Authority discussed making a request to have notices of the hearing sent to each liquor licensee in the city to make sure they are aware of the proposed change to move from a citizen board to a sole hearing officer to serve as the Local Licensing Authority. The Deputy City Clerk responded that a notice of the hearing was published as required in the local paper, but stated she would take the request for an additional notice mailing to the City Clerk.

MEMBER SHERIDAN MOVED, and Member Victor seconded, that the Authority strongly recommends that a written notice of the public hearing of the sole hearing officer ordinance be mailed to each liquor licensee in the city by Friday, May 28, 2010.

Voting results were as follows:

YES: Mitchler, Sheridan, Victor

NO: None

ABSENT: Oldham, Stemple

The Chairman declared the motion carried.

Adjournment

There being no further business to come before the Authority, the meeting adjourned at 8:46
p.m.

Susan M. Brooks, MMC
City Clerk

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Andrea L. Banks, Deputy City Clerk
Secretary to the Local Licensing Authority

Approved by Licensing Authority:

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John D. Mitchler
Chairman