

# City of Littleton

## Minutes of Proceeding

### Littleton Licensing Authority

November 9, 2011

The Littleton Licensing Authority met in a regular session on Wednesday, November 9, 2011 at the Littleton City Center, 2255 West Berry Avenue, Littleton, Colorado.

**THOSE PRESENT:** Bill Bradish – Authority Member  
Earl Gunia – Authority Member  
Donovan O’Dell - Authority Member  
Andrew Cole - Authority Member  
Christopher Forrest – Authority Member  
Ann Mather – Authority Member

**THOSE ABSENT:** Susan Price - Authority Member

**ALSO PRESENT:** Tricia McCarthy – Prosecuting Attorney  
Richelle Work - Deputy City Clerk  
Cindy Mitchell – Police Sergeant

1. **CALL MEETING TO ORDER**

Chairperson Bradish called the meeting to order at 7:00 p.m.

2. **ROLL CALL**

Upon a call of the roll, six members were present. Authority Member Price was absent. A quorum was declared. The following business was transacted.

Chairperson Bradish stated that the Show Cause Hearing for Tavern Littleton has been continued to December 14, 2011.

3. **MINUTES**

**(a) Minutes of Regular Meeting October 12, 2011**

**Action: Approved as submitted**

It was moved by AUTHORITY MEMBER GUNIA, seconded by AUTHORITY MEMBER BRADISH TO APPROVE THE MINUTES AS SUBMITTED.

Ayes: Authority Members Bradish, Gunia, O’Dell, Cole, and Forrest

Nays: None

Absent: Authority Member Price

MOTION CARRIED: 5 to 0

4. **AGENDA**

**Action: Approved**

5. **SETTING NEIGHBORHOOD BOUNDARIES AND SCHEDULING APPLICATION HEARINGS** – None

**6. CONSIDERATION OF OTHER APPLICATIONS AND REQUESTS FOR LIQUOR LICENSES**

**(a) MODIFICATION OF PREMISES – None**

**(b) TRANSFER OF OWNERSHIP – None**

**(c) MANAGER'S REGISTRATION – None**

**(d) SUMMARY SUSPENSION – None**

**(e) CHANGE OF CORPORATE STRUCTURE – None**

**(f) CHANGE OF LOCATION - None**

**(g) RENEWAL APPLICATION - None**

**7. CONSIDERATION OF OTHER APPLICATIONS AND REQUESTS FOR MEDICAL MARIJUANA DISPENSARIES - None**

**8. FINDINGS OF PROBABLE CAUSE AND SCHEDULING SHOW CAUSE HEARINGS FOR LIQUOR LICENSES - None**

**9. FINDINGS OF PROBABLE CAUSE AND SCHEDULED SHOW CAUSE HEARINGS FOR MEDICAL MARIJUANA DISPENSARY VIOLATIONS - None**

**10. LIQUOR LICENSE APPLICATION HEARINGS**

- a) LIVE HIGHER INC.  
DBA: GARLIC KNOTS PIZZA PASTA SOUTH PARK  
1621 CANAL CIRCLE UNIT 101

Attorney McCarthy entered the following city exhibits into the record:

- Exhibit A - Waiver of hearing
- Exhibit B - Affidavit of posting of premises
- Exhibit C - Proof of publication
- Exhibit D - Licensing Authority Communication with Attachments
- Exhibit E - Petition Information
- Exhibit F - Public Hearing Roster

It was moved by AUTHORITY MEMBER BRADISH seconded by AUTHORITY MEMBER GUNIA TO ADMIT EXHIBITS A-F.

Ayes: Authority Members Bradish, Gunia, O'Dell, Cole, and Forrest

Nays: None

Absent: Authority Member Price

MOTION CARRIED: 5 to 0

Kevin Shearn, applicant, addressed the Authority. He explained the business type and his background with alcohol service. The restaurant will be open Sunday through Thursday, 11am to 9pm and Friday and Saturday, 11am to 10pm. He stated that he would be training all staff and would send them to TIPS training. He explained that customers ordering alcohol would have to show identification.

Authority Member Gunia asked clarification questions regarding past criminal history from both Kevin and Wendy Shearn. Authority Member Gunia asked clarification questions regarding the application and lease.

Mr. Shearn explained that the patio area would have a barrier put up and they would not serve any alcohol in that area until that barrier is complete.

Kelly Piets, Esquire Petitioning, gave a description of the petitioning process. She stated there were 550 doorknocks, with 209 people signing the petition. There were 24 people that declined to sign, and 38 ineligible people. There were 175 residents and 30 businesses that signed in support, which is 98.1% in favor. There were three residents in opposition.

It was moved by AUTHORITY MEMBER COLE seconded by AUTHORITY MEMBER BRADISH THAT THE PUBLIC HEARING BE CLOSED AND A RESOLUTION OF THE LITTLETON LICENSING AUTHORITY BE APPROVED WHICH GRANTS LIVE HIGHER INC., DOING BUSINESS AS GARLIC KNOTS PIZZA PASTA SOUTH PARK, 1621 CANAL CIRCLE #100, LITTLETON, COLORADO, A BEER AND WINE LIQUOR LICENSE CONTINGENT UPON APPROVAL FROM THE COLORADO BUREAU OF INVESTIGATION AND THE COLORADO LIQUOR ENFORCEMENT DIVISION AND BASED UPON THE FOLLOWING FINDINGS OF FACT: (1) THAT THE NEEDS OF THE NEIGHBORHOOD ARE NOT NOW BEING MET; AND (2) THAT IT IS THE DESIRE OF THE ADULT INHABITANTS OF THE NEIGHBORHOOD THAT THE LICENSE BE ISSUED.

Ayes: Authority Members Bradish, Gunia, O'Dell, Cole, and Forrest

Nays: None

Absent: Authority Member Price

MOTION CARRIED: 5 to 0

11. **MEDICAL MARIJUANA DISPENSARY LICENSE APPLICATION HEARINGS** – None
12. **SHOW CAUSE HEARINGS FOR LIQUOR LICENSES** - None
13. **SHOW CAUSE HEARINGS FOR MEDICAL MARIJUANA DISPENSARIES** - None
14. **GENERAL BUSINESS** - None
15. **REPORTS**
  - a) **Staff** - None

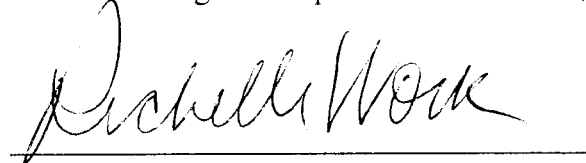
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- b) **City Attorney** – None
  - b) **Authority Members** – Authority Member Gunia commented on the memo sent to Authority Members regarding renewals.
  - c) **Chairperson** - None
16. **ADJOURNMENT** – There being no further business, Chairperson Bradish adjourned the meeting at 7:37 p.m. on November 9, 2011.



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Richelle Work

Deputy City Clerk/Recording Secretary