

**COLORADO SPRINGS, COLORADO
COUNCIL CHAMBERS – CITY HALL
107 NORTH NEVADA AVENUE
FEBRUARY 7, 2014 – 9:00 A.M.**

The Liquor and Beer Licensing Board met in regular session.

There were present: Chairman Stephens, Vice-Chairman Clauss, Members Gorman, Howard, and Kouba. Members Absent: Davis, Holmes. Also present: Board Legal Advisor Rose.

COMMUNICATIONS

1. License Enforcement Officer Lee McRae stated that there is a request to take Item No. 9 out of order for a potential stipulated agreement.

MINUTES

2. Motion by Gorman, second by Clauss, that the Minutes of the Board meeting of January 17, 2014, be approved as written.

Ayes: Clauss, Gorman, Howard, Kouba, Stephens
Noes: None
Absent: Davis, Holmes

The motion unanimously passed on a 5-0 vote.

NEIGHBORHOOD BOUNDARY CONSENT CALENDAR

3. The City Clerk's Office reports that boundaries were set for the following applications:
 - A. Coquette's Bistro & Bakery Company dba Coquette's Bistro & Bakery, 321 N. Tejon Street, #101, 102, 321:
 - North: South side of Cache La Poudre Street extended
 - South: North side of Cucharras Street extended
 - East: West side of El Paso Street extended
 - West: East side of Spruce Street extended

Motion by Gorman, second by Clauss, that the Neighborhood Boundary Consent Calendar be approved.

Ayes: Clauss, Gorman, Howard, Kouba, Stephens
Noes: None
Absent: Davis, Holmes

The motion unanimously passed on a 5-0 vote.

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Chairman Stephens called Item No. 9 out of order.

9. **Suspension/Revocation Hearing concerning the Retail Liquor Store License issued to Jumar, Inc. dba Peak Liquor, 6455 Source Center Point.**

City Prosecuting Attorney Michael Curran entered his appearance on behalf of the City.

Attorney Erika Kaiser entered her appearance on behalf of the licensee.

Mr. Curran stated that the City and the Licensee have reached a stipulated agreement. Mr. Curran submitted the signed stipulated agreement reflecting an admission of violations as outlined in the Order to Show Cause for sales to minors, and submitted a proposed Findings Conclusion and Order that mirrors the stipulated violations and penalty.

Julie Whitmoyer was sworn and stated that she is the 91% owner and registered manager of the business, and outlined the steps they have taken to ensure compliance with the law.

Motion by Clauss, second by Gorman, that the Board accept the Stipulation and Admission of Violation as written, and adopt the written Findings Conclusion and Order, ordering a 15 day suspension, with 3 days active, and 12 days held in abeyance on the a condition that the licensee have no other violations of the Liquor Code within one year from today's date; and that the active suspension dates commence on February 7, 2014 at 12:00 P.M. and end on February 10, 2014 at 12:00 P.M.

Ayes: Clauss, Gorman, Howard, Kouba, Stephens

Noes: None

Absent: Davis, Holmes

The motion unanimously passed on a 5-0 vote.

MODIFICATION OF THE PREMISES

4. **Request by Mido, Inc. dba 503W to Modify the Premises of the Hotel and Restaurant Liquor License at 503 W. Colorado Avenue.**

Mi Im Lee was sworn and requested a postponement of this item until the next meeting of the liquor Board.

Motion by Gorman, second by Clauss, that this item be postponed to the Liquor Board meeting of February 21, 2014.

Ayes: Clauss, Gorman, Howard, Kouba, Stephens

Noes: None

Absent: Davis, Holmes

The motion unanimously passed on a 5-0 vote.

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5. **Request by Ki Sook Lee dba Sushi O Sushi to Modify the Premises of the Hotel and Restaurant Liquor License at 3643 Star Ranch Road.**

There was no one in attendance for this item, and Chairman Stephens reset the item to the end of the agenda.

TRANSFER APPLICATIONS

6. **Application of AJ, Inc. dba Sushi O Sushi to transfer the Hotel and Restaurant Liquor License currently issued to Ki Sook Lee dba Sushi O Sushi at 3643 Star Ranch Road.**

There was no one in attendance for this item, and Chairman Stephens reset the item to the end of the agenda.

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7. **Application of MAG, Inc. & 7-Eleven, Inc. dba 7-Eleven Store 34921A to transfer the 3.2% Beer Off-Premises License currently issued to 7-Eleven, Inc. dba 7-Eleven Store 34921 at 2350 Hancock Expressway.**

Attorney Jon Stonbraker entered his appearance on behalf of the applicant.

Pushpinder Brar was sworn and stated that he is the 100% owner of the co-applicant and franchisee. Mr. Brar testified to the elements required for the transfer of the liquor license, and answered questions from the Board.

Motion by Gorman, second by Clauss, that the application of MAG, Inc. & 7-Eleven, Inc. dba 7-Eleven Store 34921A to transfer the 3.2% Beer Off-Premises License currently issued to 7-Eleven, Inc. dba 7-Eleven Store 34921 at 2350 Hancock Expressway, be approved as it appears all criteria has been met.

Ayes: Clauss, Gorman, Howard, Kouba, Stephens

Noes: None

Absent: Davis, Holmes

The motion unanimously passed on a 5-0 vote.

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8. **Application of Pyramid Acquisition Management, LLC dba Antlers Hilton Colorado Springs to transfer the Hotel and Restaurant Liquor License currently issued to GEPA Hotel Operator, LLC dba Antlers Hilton Colorado Springs at 4 S. Cascade Avenue.**

Attorney Jon Stonbraker entered his appearance on behalf of the applicant.

Daniel Kammerer was sworn and stated that he is the Registered Manager of the applicant. Mr. Kammerer testified to the elements required for the transfer of the liquor license, and answered questions from the Board.

Motion by Clauss, second by Gorman, that the application of Pyramid Acquisition Management, LLC dba Antlers Hilton Colorado Springs to transfer the Hotel and Restaurant Liquor License currently issued to GEPA Hotel Operator, LLC dba Antlers Hilton Colorado Springs at 4 S. Cascade Avenue, be approved as it appears all criteria has been met.

Ayes: Clauss, Gorman, Howard, Kouba, Stephens

Noes: None

Absent: Davis, Holmes

The motion unanimously passed on a 5-0 vote.

SUSPENSION/REVOCAION HEARING

9. **Suspension/Revocation Hearing concerning the Retail Liquor Store License issued to Jumar, Inc. dba Peak Liquor, 6455 Source Center Point.**

See action taken earlier in the meeting.

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5. **Request by Ki Sook Lee dba Sushi O Sushi to Modify the Premises of the Hotel and Restaurant Liquor License at 3643 Star Ranch Road.**

There was no one in attendance for this item.

Motion by Clauss, second by Gorman, that this item be withdrawn from the agenda.

Ayes: Clauss, Gorman, Howard, Kouba, Stephens

Noes: None

Absent: Davis, Holmes

The motion unanimously passed on a 5-0 vote.

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6. **Application of AJ. Inc. dba Sushi O Sushi to transfer the Hotel and Restaurant Liquor License currently issued to Ki Sook Lee dba Sushi O Sushi at 3643 Star Ranch Road.**

There was no one in attendance for this item.

Motion by Clauss, second by Gorman, that this item be withdrawn from the agenda.

Ayes: Clauss, Gorman, Howard, Kouba, Stephens

Noes: None

Absent: Davis, Holmes

The motion unanimously passed on a 5-0 vote.

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At 10:11 A.M., there being no further business, the

BOARD ADJOURNED

Lee McRae
License Enforcement Officer
Office of the City Clerk