

**EDGEWATER LIQUOR LICENSING AUTHORITY  
BUSINESS MEETING  
MINUTES  
AUGUST 2, 2012**

A business meeting of the Edgewater Liquor Licensing Authority was held in the City Council Chambers.

**ITEM 1. CALL TO ORDER**

Chair McNulty called the meeting to order at [6:31:44 PM](#).

**ITEM 2. ROLL CALL**

City Clerk and Clerk to the Liquor Authority Beth A. Hedberg called the roll.

**Present:** Chair Bonnie McNulty  
Commissioner Laura Keegan  
Commissioner Todd Riddle  
Commissioner David Fleck  
Commissioner Kristian A. Teegardin  
Commissioner Myra A. Keeble

**Absent:** Commissioner Devon Barclay  
Commissioner Adam Gardner

**Also Present:** City Manager HJ Staf  
City Attorney Thad Renaud  
Fire Chief Mark Finocchio  
Police Chief Mary Heller  
Community Services Director Dan Maples

Full and timely notice of the meeting had been given and a quorum was present.

**ITEM 3. PLEDGE OF ALLEGIANCE**

The Pledge of Allegiance was recited.

**ITEM 4. APPROVAL OF AGENDA**

Commissioner Keegan moved, seconded by Commissioner Riddle, to approve the agenda as presented. The motion **PASSED** on the following vote: **AYES:** Commissioner Keegan, Commissioner Riddle, Commissioner Fleck, Commissioner Teegardin and Commissioner Keeble. **NAYS:** None. **ABSENT:** Commissioner Barclay and Commissioner Gardner. **ABSTAIN:** None.

**ITEM 5. CONSENT AGENDA - APPROVAL MARCH 1, 2012 MEETING MINUTES**

Commissioner Fleck moved, seconded by Commissioner Keeble, to approve the consent agenda as stated. The motion **PASSED** on the following vote: **AYES:** Commissioner Keegan, Commissioner Riddle, Commissioner Fleck, Commissioner Teegardin and Commissioner Keeble. **NAYS:** None. **ABSENT:** Commissioner Barclay and Commissioner Gardner. **ABSTAIN:** None.

**ITEM 6. OLD BUSINESS**

There was no old business to discuss.

**ITEM 7. NEW BUSINESS**

- a. **Public Hearing and Discussion and Possible Action on Findings Concerning an Approval of a Permit Application & Report of Changes for Temporary Modifications of Premises Filed by Little Pub #11, LLC, d/b/a The Cooler, 2045 Sheridan Boulevard, Suite A**

Chair McNulty reviewed the procedure for the public hearing. Chair McNulty opened the public hearing at [6:37:01 PM](#). Clerk Hedberg provided information regarding the City's preliminary investigation and findings which is attached hereto and made a part hereof by reference as Exhibit "A".

Clerk Hedberg swore in the Applicant's Representative Christina Fahey. Ms. Fahey testified that she had received the backing from all of the businesses in the area. Commissioner Gardner inquired as to whether or not that had been any liquor licensing violations in the last year. Ms. Fahey testified that a server had received a citation and had been fired. The Applicant had not received any violations. Ms. Fahey described the event and security. It was noted that The Cooler had a temporary modification in the past. Ms. Fahey testified that there had been no violations or problems with that prior event. Other items discussed included: identifying the under twenty-one (21) crowd; egress and ingress; and the diagram of the premises.

Clerk Hedberg swore in Police Chief Mary Heller. Chief Heller testified that she needed further information with respect to parking. Ms. Fahey replied that the entire race would be held in Denver and that parking had been offered at Sloan's Lake. Chief Heller inquired about capacity with respect to the amount of security needed. Chief Heller said that she recommended that the security be professional and also be tips trained. Ms. Fahey agreed that she would hire professional security who were TIPS trained.

Clerk Hedberg swore in Fire Chief Mark Finocchio. Chief Finocchio inquired as to what type of barricades would be provided. Ms. Fahey described the security fencing. Chief Finocchio testified to the requirements of the International Fire Code regarding occupant load and egress in outdoor areas. Chief Finocchio said he needed the Applicant to provide him with the square footage of the area to determine the occupant load. Chief Finocchio said that the egress pathways needed to be a minimum of forty-two inches (42") wide. The Applicant should also have a means to keep track of the number of persons coming into and leaving the area.

Procedure was discussed. No further testimony was offered. Chair McNulty closed the public hearing at [7:02:44 PM](#).

Commissioner Keeble moved, seconded by Commissioner Riddle, to approve the Findings concerning an approval of a Permit Application & Report of Changes for temporary modifications of premises filed by Little Pub #11, LLC, d/b/a The Cooler, 2045 Sheridan Boulevard, Suite A, Edgewater, CO 80214 as presented.

Commissioner Riddle moved, seconded by Commissioner Fleck, to include in the motion a contingency that the premises plan be approved by the Fire Chief according to applicable Building and Fire Codes and that Clerk Hedberg review the plan to ascertain whether or not the Applicant would have control of the proposed area.

The motion **PASSED** on the following vote: **AYES:** Commissioner Keegan, Commissioner Riddle, Commissioner Fleck, Commissioner Teegardin and Commissioner Keeble. **NAYS:** None. **ABSENT:** Commissioner Barclay and Commissioner Gardner. **ABSTAIN:** None.

#### **b. Liquor Compliance Update**

Attorney Renaud noted that the Authority had received documentation regarding the citations issued, the license holder, and the fine amount. The offenders had all been required to attend a TIPS Class. Discussion was held on whether or not the Liquor Authority should take further action against the liquor establishments and how often compliance checks were conducted. Attorney Renaud advised on common practices pursuant to his experience.

Commissioner Riddle moved, seconded by Commissioner Fleck, to request that the Police Department engage in another liquor license compliance operation before or up to January 24, 2013. The motion **PASSED** on the following vote: **AYES:** Commissioner Keegan, Commissioner Riddle, Commissioner Fleck, Commissioner Teegardin and Commissioner Keeble. **NAYS:** None. **ABSENT:** Commissioner Barclay and Commissioner Gardner. **ABSTAIN:** None.

**ITEM 8. OTHER MATTERS**

There were no other matters to discuss.

**ITEM 9. ADJOURNMENT**

There being no further business to come before the Commission, Chair McNulty adjourned the meeting at [7:13:38 PM](#).

Submitted by:

/s/ Beth A. Hedberg, MMC  
City Clerk and Clerk to the Liquor Authority

**EXHIBIT "A"**

**CLERK STATEMENT AS TO THE  
PRELIMINARY INVESTIGATION REPORT AND FINDINGS  
ON A PERMIT APPLICATION & REPORT OF CHANGES  
REGARDING TEMPORARY MODIFICATIONS OF PREMISES  
(Little Pub #11, LLC, d/b/a The Cooler)**

I have provided the Authority with a memorandum, dated July 26, 2012, concerning my preliminary investigation. I submit that memorandum into evidence as City's Exhibit # 1. In addition to the information contained in that memo, I also offer the following evidence:

The proof of publication of notice of this hearing I submit into evidence as City's Exhibit # 2.

I request that the application filed with my office for the temporary modifications, along with all exhibits, maps, drawings and all other materials filed therewith, be admitted into evidence as City's Exhibit # 3.

Finally, on July 13, 2012, the Applicant filed with my office: (1) a petition concerning the needs and desires of the adult residents of the City; (2) a letter of consent, dated July 13, 2012, from the landlord's property manager, St. Charles Town Company; and (3) a Certificate of Liability Insurance for the modified premises, dated May 7, 2012. I request that these materials be admitted into evidence as Applicant's Exhibit "A."

I have reviewed the petition and found that it contains 60 valid signatures in favor of the temporary modifications at the location proposed by the Applicant and no signatures in opposition.

I have provided a copy of the application and all attachments to the Police and Fire Chiefs but have not received their recommendations.

That concludes my presentation of the results of the City's preliminary investigation, Madam Chair.