



Commerce City

7887 E. 60th Ave.
Commerce City, CO 80022
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Meeting Minutes - Final

Liquor License Authority

Tuesday, November 13, 2018

11:00 AM

Room 2108

1. Call To Order

Hearing Officer Ablao called to Liquor Licensing Authority Meeting to order at 11:05AM.

2. Approval of Minutes

Min 18-103 Meeting Minutes of August 12, 2014

Hearing Officer Ablao approved the minutes of August 12, 2014.

Min 18-104 Meeting Minutes of February 3, 2015

Hearing Officer Ablao approved the minutes of February 3, 2015.

Min 18-105 Meeting Minutes of June 16, 2015

Hearing Officer Ablao approved the minutes of June 16, 2015.

Min 18-108 Meeting Minutes of March 16, 2018

Hearing Officer Ablao approved the minutes of March 16, 2018.

3. Public Hearings

Pres 18-384 Transfer of Ownership Application for a Tavern License to 6171, LLC, dba Hideaway Saloon, 6171 Olive Street, Commerce City, CO 80022

Hearing Officer Ablao opened the public hearing.

Appearing:

*Attorney Brian Proffit, Registration #31101, on behalf of the applicant
Danni Danko-Holloway, on behalf of applicant
Robert Holloway, on behalf of applicant
Attorney Ruthanne Goff, on behalf of the city*

Attorney Proffit asked for clarification on the purpose of the hearing for a transfer of ownership application.

Attorney Goff explained that the city has concerns of an undisclosed manager or

ownership interest.

Attorney Proffit explained that hidden ownership/management is better dealt with in a show cause hearing.

Hearing Officer Ablao agreed with the city that hidden ownership should be discussed in a transfer hearing based on this licensee's past violation as well.

Hearing officer Ablao swore in both Danni Danko-Holloway and Robert Holloway.

Mrs. Danko-Holloway explained her and her husband's experience in the bar business and how the purchase of the bar happened. She and Mr. Proffit reviewed loan and ownership documents, stating that she has sole ownership and decision-making rights of 6171 LLC. She stated she is involved in all aspects of the bar and that Mr. Holloway is as well, but is not an owner. Mrs. Danko-Holloway explained what happened the night of their prior temporary license violation as well as the outcome and the stipulated agreement.

Attorney Goff asked Mrs. Danko-Holloway if she knows the standards of owner/manager registration and she asked about the loan documents, who writes checks, pays taxes for the business and roles within the business.

Hearing Officer Ablao asked Mrs. Danko-Holloway about any changes to the layout.

Attorney Goff asked Mr. Holloway about his involvement in the application process. He denied any financial involvement besides being a proposed owner. Mr. Holloway stated his experience and history in the bar business as well as prior violations. He explained the frequency and the nature of his writing checks and explained his day-to-day role in the business. He explained his role the night of the previous violation.

Attorney Proffit stated Mr. Holloway would be willing to fill out the necessary documentation to register him as a manager, if the licensing authority so directed.

Attorney Goff asked the authority to deny the transfer application based on the possibility of hidden ownership or undisclosed management.

Hearing Officer Ablao made the following findings: Mr. Holloway does not have a financial interest in 6171 LLC. The transfer of ownership is approved. An Individual History Record and a Report of Changes shall be submitted in order to be backgrounded.

Pres 18-412

Show Cause Hearing for the Tavern License of Versatile Corp. dba Versatile located at 6496 Highway 2

Hearing Officer Ablao opened the show cause hearing and summarized the process for the licensee.

Appearances:

Rito Ramirez, on behalf of the licensee

Neighborhood Services Inspector Dave Ferguson, on behalf of the city

Neighborhood Services Inspector Dee Dee Shook, on behalf of the city

Attorney Ruthanne Goff, on behalf of the city

Inspector Ferguson was sworn in and explained his role in the city, what he witnessed

and the interactions he had during his inspection of the licensed premises.

Mr Ramirez was sworn in and explained his absence during the inspection and why certain items were in a particular location.

Hearing Officer Ablao questioned Mr. Ramirez about his business and the layout of the building.

Attorney Goff made her recommendation.

Hearing Officer Ablao closed the public hearing.

Hearing Officer Ablao made the following findings: that the city has met its burden by preponderance of proving three violations: the business being conducted in violation CRS 44-3-401(3), storing alcohol in an unlicensed area and having an unregistered manager. The renewal will be allowed with the following conditions

(1) seven-day suspension with five days held in abeyance, given that the business complies with all liquor code rules, regulations and Commerce City Ordinances pertaining to liquor licenses. A fine shall be paid in the amount of 20% of the gross alcohol sales for 11/18/18 and 11/19/18, submitting receipts for both days.

(2) new diagram with any changes submitted within 7 days

(3) any manager must be registered immediately

Hearing Officer Ablao suggests the licensee obtain a copy of the Liquor Code Rules and Regulations and the City's liquor code.

4. Adjourn

There being no further business to come before the authority, the meeting was adjourned.