

**Town of Jamestown  
Local Liquor Authority Meeting  
April 25, 2016 Minutes**

Mayor Schoedinger called the meeting to order at 7:05 PM. Present at roll call were Trustees Heather Yahnke, Chad Droste, Vic Harris, Ken Lenarcic and Jen Lucas. Trustee Carolyn Donadio arrived at 7:30 PM.

**Approval of Agenda:**

**Trustee Lenarcic moved to approve the agenda seconded by Trustee Donadio. Unanimous vote.**

**PUBLIC HEARING**

Mayor Schoedinger stated that Jamestown Mercantile application for liquor license from the current beer and wine license to a hotel and restaurant license for the owner, Rainbow Schultz/Jamestown Mercantile Café LLC (Applicant), of the Jamestown Mercantile Café located at 108 Main Street, Jamestown, Colorado 80455.

Mayor Schoedinger stated that, when granting an application for a new license, the Authority must consider, among other matters:

1. The reasonable requirements of the neighborhood;
2. The desires of the adult inhabitants of the Town; and
3. The type, number and availability of other liquor outlets in the Town.

She requested that those that wanted to speak sign up on the sign-up sheets and they would be called in order of the list. She also stated that there would be a two minute limit and if a person agrees with another, they may just say that.

**Opening of Public Hearing**

Mayor Schoedinger opened the public hearing on the application for a hotel and restaurant license for Jamestown Mercantile Café, LLC at 108 Main Street, Jamestown, Colorado. She noted that the Secretary had a few comments.

**Secretary Comments**

Trustee Droste stated that the application is for a hotel and restaurant license; that copies of the entire application was provided to each Authority member; and that the application is complete. He said that fingerprint reports are on file; public notice of this hearing has been posted and published in accordance with state law; and that a preliminary investigation was performed. He stated that he was not aware of any reason that would require the Authority to deny the application.

**Preliminary Investigation Findings**

Millissa Berry, Town Planner summarized the preliminary investigation that the application met the State and Local criteria for issuing the license.

### Authority Member Disclosures

Mayor Schoedinger asked the Authority members if anyone had any disclosures to share. No one did.

### Setting of the Neighborhood

Mayor Schoedinger stated that Ordinance 8, 2011 sets the neighborhood as the Town Limits.

**Mayor Schoedinger then asked for motion to have the entire application as contained in the Authority packets be made a part of the record of this hearing. Trustee Lenarcic moved to do so; Trustee Harris seconded the motion. The motion passed unanimously.**

### Testimony

Mayor Schoedinger asked the applicant, Rainbow Schultz, to please come forward, state her name and address for the record, and take the oath. Ms. Shultz took the oath and proceeded to describe the application and proposed method of operation.

Ms. Schultz stated that she hoped to get the community's input on the application including an announcement at a community meeting. The general reaction was positive. The plan was to have pre-mixed cocktails (e.g. Bloody Mary, Margarita, and another selection) available for sale. All cocktails would be pre-mixed prior to sale. Individual shots nor bottles would not be available; only the pre-mixed cocktails. The liquor used would be locked away during business hours. One reason for the change in license was to expand the options to assist in improving revenue (which was impacted negatively since the flood). She stated

Mayor Schoedinger asked if any members of the Authority have questions of the applicant but no one did. She then asked if there any interested party in the audience who wishes to speak in favor of the application.

Karen Zupko of 30 Main Street took the oath. She stated that she is for the proposal. She stated that the Merc has done many good things for the community and this would help the Merc out financially. She did not feel that the Merc was just pushing alcohol. She felt it would be nice to offer the drinks. She said that she also like the proposal that there were not going to be bottles of alcohol for sale and that Rainbow was willing to forgo the plan if it did not work.

Julie Constantine of 62 Mesa / 4 Main Street took the oath. Ms. Constantine agreed with Ms. Zupko and added that she stated that she liked the alternative options to beer and wine; people had the right to make a decision on having a beer or cocktail; and felt people were responsible enough to handle the proposal.

Courtaney Bedell of 114 Main Street took the oath. Ms. Bedell agreed with Ms. Zupko and recognized that the Merc was an important part of the community and should be able to sell cocktails to help the profit. She said that she was allergic to beer, could not drink wine, and appreciated the option of a cocktail. She stated that she thought the community could keep tabs on the Merc and address any issues.

Denise Strauss of 123 Mesa Street took the oath. Ms. Strauss stated that she would like to allow the Merc to try this program. She stated that she thought the allowance of the current license worked out well for the town. She stated that she preferred cocktails. She stated that the community polices each other and will address issues.

Roger Loving of 21 James Canyon Drive took the oath. Mr. Loving stated that he was neither in favor nor opposed to the proposal. He stated that he was in favor of the Merc. He stated that there will need to be a responsibility for the Merc to address issues and monitor consumption.

David Mans of 99 Main Street took the oath. Mr. Mans stated he was generally in favor or the proposal. He stated that he would like the option for a cocktail. He stated the only concern was good management of the consumption and establishment to respect neighbors of noise and parties moving to the street after hours.

Mike Kent of 108 Main Street took the oath. He stated that he owned the Mercantile Building and his job was to make sure the operations were managed well. He indicated that he was in favor of the proposal and, since he did not drink, he could help monitor the operation.

Mayor Schoedinger then asked if there were any interested party in the audience who wished to speak in opposition to the application.

Anne Hasse of 73 Spruce Street took the oath. Ms. Hasse stated that she does drink, did not oppose the previous license for beer and wine, and that she drinks at home. She stated that she did not want to see Jamestown become a destination place for drinking hard liquor and that she wanted Jamestown to be more a family fun place. She stated that the condition of the canyon road was not good and did not want to make it more dangerous if people are drinking. She states that she realized that the Merc took a financial hit due to the flood but she wanted to wait to see if business conditions improved after the road was pen again.

Jim McGinley of 18 Ward Street declined to take the oath due to being a Benedictine Oblate. Mr. McGinley stated that he was opposed to seeing liquor sold at the Merc. He also stated that he thought the sale of liquor would lead to an increased police presence in town and did not want that to happen.

Louie Maurer of 108 Main took the oath. Mr. Maurer stated that he as opposed to the license and agreed to other comments that monitoring and police presence were issues. He stated he did not want to see shots sold. He stated that the original license for beer and wine was done because liquor was not supported then. He stated if Ms. Schultz could manage the liquor as presented, he might be able to support it.

Mary Brown of 178 Spruce Street took the oath. She asked the authority if the license was attached to the building or if it was attached to the business. She also asked if the license could have any restrictions.

Millissa Berry, Town Planner, read an email from Dixon King that he nor his wife Jeanne supported the sale of hard liquor in Jamestown.

Mike Kent, still under oath, stated that he was willing to put conditions in the lease to control the sale of hard liquor according to Ms. Schultz's proposal.

Mayor Schoedinger asked the applicant if she wished to make any closing comments. Ms. Schultz responded to Mr. Loving's questions that she and her staff would continue to monitor the sale of all liquor at the Merc. She noted that a mixed drink has a similar alcohol amount as a pint of IPA and that staff was trained to monitor guests as usual. She stated that if people could not behave correctly, she would reconsider the sale of hard alcohol. In response to Ms. Hasse, she stated that the Merc was not a destination since there were many bars in the Boulder area. She also stated that there would be 20 months before the roads would be fully open. In response to Mr. McGinley, she stated that she would quickly assess any police calls related to the Merc. She stated that she wanted to give the proposal a try and if it did not go well and if conditions got dangerous, she would reconsider the option. She replied to Ms. Brown that she was believed the license belonged to her and not the establishment; if she sold the business, a transfer and reevaluation would take place. She clarified that the liquor would be on premises but locked in the back room during business operations.

Trustee Lucas stated that complaints would be addressed through any violations or license suspensions.

Trustee Lenarcic stated that a violation of the license would need to be involved.

Mayor Schoedinger stated that the Board / Liquor Authority had the option to approve, deny, or approve the license with conditions. She stated that the decision will be continued to the May 2, 2016 Board of Trustees meeting. Until then the Board would work with the Town Attorney on a decision.

Mayor Schoedinger asked the Board/Authority for a motion to grant or deny the application.

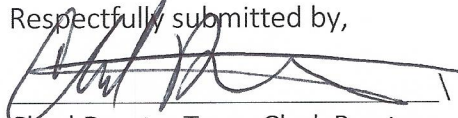
**Trustee Lenarcic moved to discuss the decision options with the town Attorney in preparation for the May 2, 2016 meeting. Trustee Donadio seconded the motion.**

Trustees Donadio and Droste both thanked the participants.

**Trustee Droste moved to adjourn at 7:51 PM; it was seconded by Trustee Donadio and passed by unanimous vote.**

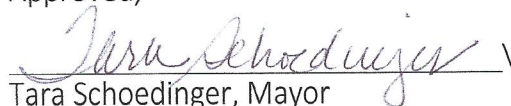
**ADJOURN**

Respectfully submitted by,



Chad Droste, Town Clerk Pro-tem

Approved,



Tara Schoedinger, Mayor