

**MINUTES OF A REGULAR MEETING  
OF THE COUNCIL OF THE  
CITY OF LONE TREE  
HELD  
March 17, 2015**

A regular meeting of the Council of the City of Lone Tree was held on Tuesday, March 17, 2015, at 6:00 p.m., at the Lone Tree City Council Chambers located at 8527 Lone Tree Parkway, Lone Tree, Colorado 80124.

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Attendance

In attendance were:

James D. Gunning, Mayor  
Jacqueline Millet, Mayor Pro Tem  
Harold Anderson, Council Member  
Kim Monson, Council Member  
Susan Squyer, Council Member

Also in attendance were:

Seth Hoffman, City Manager  
Jennifer Pettinger, City Clerk  
Steve Hebert, Deputy City Manager  
Chief Jeffery Streeter, Lone Tree Police Department  
Kristin Baumgartner, Finance Director  
Kelly First, Community Development Director  
Lisa Rigsby Peterson, Lone Tree Arts Center Director  
Neil Rutledge, City Attorney, White, Bear and Ankele, P.C.  
John Cotten, Public Works Director, TTG Corp.

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Call to Order

Mayor Gunning called the meeting to order at 6:05 p.m., and observed that a quorum was present.

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Executive Session

Mayor Gunning announced City Council intends to convene in Executive Session. Neil Rutledge, City Attorney, stated the Executive Session is for the purpose of determining positions relative to matters that may be subject to negotiations, developing strategies for negotiations, and/or instructing negotiators, under C.R.S. Section 24-6-402 (4)(e) concerning issues related to economic development and related agreements. Mayor Pro Tem Millet moved, Council Member Anderson seconded, for City Council to recess and convene in Executive Session for the reasons stated. The motion passed with a 5 to 0 vote.

The Executive Session was adjourned at 6:54 p.m.

Mayor Gunning reconvened the meeting in Regular Session at 7:02 p.m., following a short recess.

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Pledge of Allegiance

Mayor Gunning led those assembled in reciting the Pledge of Allegiance.

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Amendments to the Agenda

There were no amendments to the agenda.

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Conflict of Interest

There was no conflict of interest.

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Announcements

Michelle Timmons, Youth Commissioner, gave Council an update on the Youth Commission.

Public Comment

Bill Robertson, 9278 E. Aspen Hill Circle, shared his Irish spirit with Council.

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Announcements cont...

Mayor Gunning announced upcoming events.

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Presentations

Mayor Gunning presented Dana Ruby with a letter of recognition for receiving the Girl Scout Gold Award.

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Consent Agenda

Mayor Gunning noted the following items on the Consent Agenda, which consisted of:

- *Minutes of the March 3, 2015 Regular Meeting*
- *Claims for the period of February 23 – March 9, 2015*

Council Member Squyer moved, Mayor Pro Tem Millet seconded, to approve the Consent Agenda. The motion passed with a 5 to 0 vote.

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Public Works

*Approval of IGA with Douglas County Board of County Commissioners regarding Cost Sharing to Construct the Southeast Light Rail Extension Project*

John Cotten, Public Works Director, introduced the item.

Mayor Pro Tem Millet moved, Council Member Squyer seconded, to approve the IGA with Douglas County Board of County Commissioners regarding Cost Sharing to Construct the Southeast Light Rail Extension Project. The motion passed with a vote of 4 to 1 with Council Member Monson voting no.

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Administrative Matters

*Public Hearing: Hotel and Restaurant Liquor License Application for Southern Hospitality Lone Tree, LLC d/b/a Southern Hospitality Lone Tree (7431 Park Meadows Drive)*

Jennifer Pettinger, City Clerk, introduced the item and introduced Bob Dill, Applicant's counsel, Shawn Owen, Chief Operating Officer, Glen Lawton, General Manager, and Sue Duffy Schwall, Petitioner. Mr. Dill, Mr. Owen and Mr. Lawton spoke about the restaurant.

Mayor Gunning opened the public hearing at 7:29 p.m.

Mayor Gunning opened the public hearing for comment at 7:38 p.m.

There was no public comment.

The public hearing was closed at 7:38 p.m.

Mayor Pro Tem Millet moved, Council Member Monson seconded, to approve a new Hotel and Restaurant Liquor License Application for Southern Hospitality Lone Tree, LLC d/b/a Southern Hospitality Lone Tree (7431 Park Meadows Drive). The motion passed with a vote of 5 to 0.

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Adjournment

There being no further business, Mayor Gunning adjourned the meeting at 7:52 p.m.

Respectfully submitted,

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Jennifer Pettinger, CMC, City Clerk

**FINDINGS AND REPORT TO STATE LICENSING AUTHORITY BY THE  
CITY COUNCIL OF LONE TREE ACTING AS THE  
LOCAL LICENSING AUTHORITY ON THE APPLICATION FOR A  
HOTEL AND RESTAURANT LIQUOR LICENSE**

**Southern Hospitality Lone Tree, LLC d/b/a Southern Hospitality Lone Tree**

A public hearing was held by the City Council of Lone Tree, State of Colorado, acting as Local Licensing Authority at approximately 7:00 p.m. on Tuesday, March 17, 2015 at 8527 Lone Tree Parkway, Lone Tree, Colorado, on the application of Southern Hospitality Lone Tree, LLC d/b/a Southern Hospitality Lone Tree, 7431 Park Meadows Drive, Lone Tree, Colorado 80124.

At said hearing, the following Members of the Council were present:

Mayor James D. Gunning  
Mayor Pro Tem Jackie Millet  
Council Member Harold Anderson  
Council Member Kim Monson  
Council Member Susan Squyer

Also present were:

Seth Hoffman, City Manager  
Jennifer Pettinger, City Clerk  
Bob Dill, Applicant's Attorney  
Shawn Owen, Chief Operating Officer  
Glen Layton, General Manager  
Sue Duffy Schwall, Petitioner

The Honorable Mayor James D. Gunning presided. The hearing was duly convened to consider the Application and conduct a public hearing thereon.

City Clerk, Jennifer Pettinger noted that the City Council was in receipt of a packet of information which contained copies of: the license application, individual history records, red-lined drawing of the premises, and petition results. She noted that staff has reviewed all the documents including their lease agreement, operating agreement, franchise agreement, Lone Tree business license, Certificate of Good Standing, organizational documents, affidavit of posting, affidavit of publication and petitions. She directed that information be made a part of the record.

City Clerk, Jennifer Pettinger gave a brief presentation concerning the application and provided evidence of posting to the Council. Ms. Pettinger introduced Bob Dill, Applicant's Attorney, Shawn Owen, COO, Glen Lawton, General Manager, and Sue Duffy Schwall, Petitioner. Mr. Dill, Mr. Owen and Mr. Lawton, spoke about the application.

The petitions supporting the application were reviewed and found to be in accordance with and in conformity with the City of Lone Tree Liquor and Fermented Malt Beverage Regulations and were accepted into evidence by the Authority.

Mayor Gunning opened the hearing for public testimony. No one came forward. The public hearing was closed to public testimony.

The City Council, acting as the Local Licensing Authority, having fully considered the application and testimony submitted by the Applicant, and the other evidence adduced at the hearing, NOW FINDS as follows:

**Southern Hospitality Lone Tree, LLC d/b/a Southern Hospitality Lone Tree**  
Findings and Report to the State

1. The public hearing held with respect to said Application on March 17, 2015, was duly convened and the Council has jurisdiction to consider the Application as the Local Licensing Authority.
2. Applicant seeks approval of an application for a Hotel and Restaurant Liquor License at 7431 Park Meadows Drive, Lone Tree, Colorado 80124. The Application was submitted on a form prescribed by the State Licensing Authority pursuant to statute, and said application appears to be complete in all material respects. The required fees accompanied the application.
3. The Council has reviewed the Individual History Records of the owners and the managers. Council finds that the Applicant has satisfied the requirements of the Colorado Liquor Code and Regulations with respect to character, record, and reputation.
4. The Applicant has evidenced possession of the subject property through a 10 year lease agreement entered into on July 9, 2014, with an expiration date of April 20, 2025.
5. The premise was posted in accordance with the law, for a period of not less than ten consecutive days prior to the date of said public hearing on the application, and published notice was accomplished by publication in a newspaper of general circulation in Douglas County.
6. Petitions containing 114 valid signatures in favor of and 3 valid signature in opposition to the issuance of the license were presented to and considered by the Council.
7. No one appeared in opposition.

The City Council, acting as the Local Licensing Authority, having considered and weighed the foregoing, as well as the facts and evidence adduced by the Council's investigation, expressions of opinion as to the needs and desires of the inhabitants of the neighborhood contained in the aforementioned Petitions and all other facts, data and testimony, NOW FINDS that the Applicant has demonstrated, with respect to the application, that the needs and desires of the neighborhood are not adequately being served at this time.

Accordingly, the City Council hereby affirms its approval of the application of a new Hotel and Restaurant Liquor License for **Southern Hospitality Lone Tree, LLC d/b/a Southern Hospitality Lone Tree**, 7431 Park Meadows Drive, Lone Tree, Colorado 80124.

**The City Council hereby authorizes and directs the Liquor Licensing Administrator to submit the necessary report and approved application to the State Licensing Authority in accordance with the law.**

**BY ORDER OF THE CITY COUNCIL OF THE CITY OF LONE TREE, COLORADO, acting as Local Licensing Authority.**

**CITY OF LONE TREE:**

By: \_\_\_\_\_ /s/  
Jennifer Pettinger  
Liquor License Administrator

**Date: March 17, 2015**