

**MINUTES OF A REGULAR MEETING
OF THE COUNCIL OF THE
CITY OF LONE TREE
HELD
May 5, 2015**

A regular meeting of the Council of the City of Lone Tree was held on Tuesday, May 5, 2015, at 7:00 p.m., at the Lone Tree City Council Chambers located at 8527 Lone Tree Parkway, Lone Tree, Colorado 80124.

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
Jeff Holwell, Economic Development Director
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.

Call to Order

Mayor Gunning called the meeting to order at 7:00 p.m., and observed that a quorum was present.

Pledge of Allegiance

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

Amendments to the Agenda

There were no amendments to the agenda.

Conflict of Interest

There was no conflict of interest.

Public Comment

There was no public comment.

Announcements

Sophia Kenny, Youth Commissioner, gave Council an update on the Youth Commission.

Mayor Gunning announced upcoming events.

Presentations

There were no presentations.

Consent Agenda

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

- *Minutes of the April 21, 2015 Regular Meeting*
- *Claims for the period of April 13-27, 2015*

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

Community Development

Approval of South Suburban Parks & Recreation District Petition for Inclusion

Kelly First, Community Development Director, introduced the item.

Council Member Squyer moved, Council Member Anderson seconded, to authorize the City Manager to sign the Petition for Inclusion on behalf of the City. The motion passed with a vote of 5-0.

Administrative Matters

Public Hearing: Resolution 15-06, ADOPTING A SUPPLEMENTAL BUDGET AND APPROPRIATION FOR FY2014 DUE TO UNANTICIPATED REVENUES OR REVENUES NOT ASSURED AT THE TIME OF ADOPTION OF THE BUDGET

Mayor Gunning opened the public hearing at 7:03 p.m.

Kristin Baumgartner, Finance Director, introduced the item.

Mayor Gunning opened the public hearing for comment at 7:04 p.m.

There was no public comment.

The public hearing was closed at 7:04 p.m.

Council Member Anderson moved, Mayor Pro Tem Millet seconded, to approve ***Resolution 15-06, ADOPTING A SUPPLEMENTAL BUDGET AND APPROPRIATION FOR FY2014 DUE TO UNANTICIPATED REVENUES OR REVENUES NOT ASSURED AT THE TIME OF ADOPTION OF THE BUDGET.*** The motion passed with a vote of 5-0.

The City Council convened the Local Liquor Licensing Authority, New License Division

Public Hearing: Hotel and Restaurant Liquor License Application for Lone Tree Hooters Inc. d/b/a Hooters (8334 S. Willow St. #G)

Mayor Gunning opened the public hearing at 7:04 p.m.

Jennifer Pettinger, City Clerk, noted the Authority 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 summary. She noted that staff has reviewed all the documents including the articles of incorporation, bylaws, Certificate of Good Standing, business license, affidavit of posting, affidavit of publication and petitions. She directed the information be made a part of the record. She also noted the information and documents have been 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.

Ms. Pettinger introduced Jack Rotole, Applicant's Attorney, Brian Weston, President, and Tom Campbell Vice President, and Max Scott, Oedipus, Inc., petition circulator. Mr. Rotole, Mr. Scott, and Mr. Lumbye spoke on behalf of the application. Mr. Rotole interviewed Mr. Scott on the petitioning process. Mr. Rotole introduced Mr. Paul Lumbye, Applicant's Attorney. Mr. Lumbye spoke on behalf of the following members of the business community, who were unable to attend:

- Eric Nodstrum, Manager, Smash Burger, 8331 Willow St. #B
- Richard Hommurling Owner, Pearl Vision Center, 8441 S. Yosemite St.
- Suz Garrette-Duquette, Store Manager, Wranglers, Park Meadows, 9140 Westview Rd.
- Matthew Grooms, South Metro General Manager, Max Muscle, 9226 Park Meadows Dr.
- Pete Pflum, Partner/Operations Manager, Pasta Jay's, 9226 Park Meadows Dr.
- Daniel Arenson, General Manager Anthony's Pizza, 9234 Park Meadows Dr.
- Tawasha Noel, Manager, N.V. Boutique, Park Meadows Mall

- Jason Hearle, Manager, Orvis Shop in Park Meadows, 8433 S. Park Meadows Center Dr.
- Samantha Hall, Manager, Flip Flop Shops, 8405 S. Park Meadows Center Dr.
- Melanie Manriquez, Manager, Hot Topics, 8405 S. Park Meadows Center Dr., #1215
- Chase Raines, Manager, Lids Inc., 8401 S. Park Meadows Center Dr.
- Erin Smith, Manager, Knockouts for Men, 8353 S. Willow St. #C-1

Mr. Lumbye stated these individuals wanted their support for the application to be noted.

Mr. Weston, President and CEO for Lone Tree Hooters Inc. presented testimony in regard to the needs and desires of the neighborhood, the applicant's business plan and practices and answered questions from Council.

Mayor Gunning opened the hearing for public testimony.

Margarita Nelson, 7911 Chaparral Road, shared her concerns with issuing the liquor license. Ms. Nelson read comments from her daughter, Maria Nelson, who was also opposed to the license.

Christina Nelson, 7911 Chaparral Road, also shared her objection to the liquor license.

Theresa Nelson, 7911 Chaparral Road, also shared her objection to the liquor license.

The public hearing was closed at 8:03 p.m.

Following a brief discussion by the Authority, Member Monson motioned to approve the New Hotel and Restaurant Liquor License for Lone Tree Hooters Inc. d/b/a Hooters at 8334 S. Willow St. #G. There being no second, the City Council moved on to the next item of business.

Adjournment

There being no further business, Mayor Gunning adjourned the meeting at 8:33 p.m.

Respectfully submitted,

Jennifer Pettinger, CMC, City Clerk