TOWN OF MILLIKEN
TOWN BOARD
AGENDA MEMORANDUM

To: Mayor Tokunaga and Board of Trustees From: Cheryl Powell, Town Clerk Via: Kent Brown, Town Administrator	Meeting Date: Wednesday, February 11, 2015

Consent:	Action:	Discussion:	Information:
X			
Agenda Title: Renewal of Beer and Wine License for the Mad Russian Cafe			
Attachments: License Application Milliken Police Dept. Liquor License Renewal Information Sheet			

PURPOSE

Katherine Ehrlich has submitted the Renewal Application and paid the required fees to renew the Beer and Wine Liquor License for the period of March 24, 2015 until March 24, 2016.

REVIEW CRITERIA COMPLIANCE WITH MUNICIPAL CODE

This report and the posting of the Town Board meeting Agenda had been prepared in accordance with Municipal Code Sections 6-2-10 through 6-2-40, 6-2-230 and 6-2-310.

6-2-10 Definitions
Retail Licensee or Licensee means the holder of a license to sell fermented malt beverages pursuant to the Colorado Beer Code (Article 46 of Title 12, C.R.S.) or the holder of a license to sell malt, vinous or spirituous liquors pursuant to the Colorado Liquor Code (Article 47 of Title 12, C.R.S.)

6-2-20 Application of State Statutes
Pursuant to declaration by the General Assembly, the Colorado Beer Code, Section 12-46-101 et seq., C.R.S., the Colorado Liquor Code, Section 12-47-101 et seq., C.R.S., as they presently exist or may hereafter be amended, shall apply to the sale of fermented malt beverages, alcoholic beverages, special malt liquors, spirituous liquors and vinous liquors in the Town.

6-2-30 Power and Purpose
The Board of Trustees finds and determines that it is empowered by Section 12-47-135, C.R.S, to fix and collect certain fees in connection with the application for issuance, transfer and renewal of certain types of beer, wine and liquor licenses. The Board of Trustees, further finds that the fees established in this Article are

reasonable and are in amounts sufficient to cover actual and necessary expenses incurred by the Town in connection with the handling of such licenses and applications.

6-2-40 Licensing Fees
The fees for licensing are set forth in the Fee Schedule and shall be paid to the Town Clerk by the applicant at the time of the filing of the application or request.

6-2-230 Occupation Tax
In addition to any other applicable fees, every applicant for a news license or renewal of an existing license pursuant to the Division shall pay the annual occupation tax as set forth in the Fee Schedule.

6-2-310 Purpose
Considering the nature of the business of selling malt, vinous or spirituous liquors or fermented malt beverage and the relation of such business to the municipal welfare, as well as the relation thereof to the expenditures required by the Town and a proper, just and equitable distribution of the tax burdens within the Town and all other matters properly to be considered in relation thereto, the classification of such business as a separate occupation is reasonable, proper, uniform and non-discriminating and necessary for a just and proper distribution of tax burdens within the Town.

BACKGROUND

The Renewal Application is required annually by the Colorado Department of Revenue. The application appears to be in compliance with the Town of Milliken's requirements and the Colorado Department of Revenue. No liquor violations at the business location of 2100 Country Club Parkway have occurred from January 31, 2014 through January 21, 2015 as evidenced by the attached Milliken Police Department liquor License renewal informational sheet.

BUDGET IMPLICATIONS

Currently the Town collects on an annual basis, at the time of renewal, an Alcoholic Beverage License Renewal Fee of $50.00 and an annual Occupational Tax on Alcoholic sales of Beer and Wine of $200.00.

The Town also receives revenue from this business based on the collection of sales tax revenue.

STAFF RECOMMENDATION

Staff recommends that the Board of Trustees renew the Beer and Wine Liquor License for Mad Russian Café, LLC located at 2100 Country Club Parkway Milliken, CO.

SUGGESTED MOTION

"I move to approve the renewal of the Beer and Wine Liquor License for Mad Russian Café, LLC located at 2100 Country Club Parkway for the period of March 24, 2015 until March 24, 2016."

MILLIKEN POLICE DEPARTMENT
LIQUOR LICENSE RENEWAL/TRANSFER INFORMATION SHEET

APPLICANT: Mad Russian Café LLC

ADDRESS: 2100 Country Club Parkway

TYPE LICENSE: Beer and Wine Liquor License

POLICE CALLS FOR SERVICE AT THIS LOCATION: 5

LIQUOR VIOLATIONS AT THIS LOCATION: 0

ARRESTS DUE TO ALCOHOL AT THIS LOCATION: 0

MPD RECOMMENDATION FOR RENEWAL: YES X NO _____

REPORTING OFFICER: Benito Garcia

DATE: January 21, 2015

ADDITIONAL INFORMATION:

Mad Russian Café remains in good standing. No liquor violations during this period