

Breckenridge Liquor Licensing Authority
 Regular Meeting
 Tuesday, November 17, 2015

1. Call to Order, Roll Call
 Chair Katz called the regular meeting of Tuesday, November 17, 2015, to order at 9:00 am. Mr. Montepare, Mr. Garrett, Mr. Blank, Mr. Tatro, Chair Katz.
2. Approval of Minutes
 With no changes or corrections to the meeting minutes of October 20, 2015, Chair Katz declared they would stand as approved.
3. Approval of Agenda
 Ms. Brown, Municipal Services Administrative Specialist, stated that there is one addition, a motion to set a hearing for Fatty's Pizzeria, Inc., Tim Berry stated that they could put it after #6, Informal Discussions, so that Chair Katz could leave the meeting (needs to recues herself) and not have to return. With that one addition, the agenda was approved.
4. Consent Calendar
 The consent calendar stood as approved.
5. Public Hearing: Action Items
 - a. Public Hearing – Chopping Block Breck, LLC dba Breckenridge Chopping Block, 118 South Ridge Street Beer and Wine License.

Chair Katz asked the owner, Irlande King, to come down to the podium and tell the Board a little about what she was envisioning with this license, in her place of business, and to answer any questions from the board members. Irlande stated that it is basically for when they have clients preparing for a wedding, wanting to give them that little extra celebratory offering. There will be a small selection of beer and wine and, if requested, possibly a champagne. There will not be any "bar area" in the location, but will be using a small cooler for the beverages. Normal hours of operation are from 10:00 am – 5:30 pm, with occasional exceptions that might take them until 10:00 pm. Denise Queen is still the landlord, and tenants in the building have no objections to this license. Several of the Board members stressed to Irlande the importance of having her employees certified with TIPS training for potential liability issues. Irlande mentioned that many of her employees also work in restaurants and have had the TIPS training and stated that all patrons will be carded if they are partaking in the alcohol option.

Chair Katz closed the hearing. Mr. Tatro made a motion to grant the license to Chopping Block Breck, LLC at the aforementioned location. Motion passed 5-0 with a roll call vote.

- b. Public Hearing – Flip Side Breck, LLC dba Flip Side Burgers 318 S Main Street Hotel & Restaurant License

Owner, Terry Barbu (also owner of Blue Stag Saloon) stated he is now taking the 320 S Main space to open Flip Side Breck. Even though the previous business address was 320 S Main, the actual address is 318 S Main. This new business will employ 47 people. The theme is a family style restaurant. They have cleaned the place up, taking over The Shirt Main space for first level entry. They have decorated it using old plaster to give it the 1800 warehouse/old hardware store atmosphere. The hours of operation will be from 11:30 am to midnight, with food stopping at 10:00 pm. Menu will be all organic, hormone free burgers (20 varieties) and milk shakes (20 varieties, including regular chocolate). Everyone on staff is/or will be TIPS trained. There were no opponents present at the proceeding.

Chair Katz closed the hearing. Mr. Tatro made a motion to grant the license to Flip Side Breck, LLC at the aforementioned location. Motion passed 5-0 with a roll call vote.

6. Informal Discussions:
 - a) Red White & Blue Update.
 Mr. Jay Nelson, Deputy Chief Red, White & Blue Fire, was absent.
 - b) Police Dept Update

Officer Caitlin Kontak and Assistant Police Chief Dennis McLaughlin, Town of Breckenridge Police Department, were present. There was no update.

- c) Town Clerk Update
Ms. Brown, Municipal Services Administrative Specialist, stated that there is a posting in the Summit Daily for two positions on the Liquor Licensing Authority Board – it has run once, and will run two more times. Mr. Garrett and Mr. Blank's positions are up. Deadline for submitting a letter of interest is November 30, 2015.
- d) Public Comments
There was no public comment.

- 7. Motion to set show cause hearing on Fatty's Pizzeria Inc. Chair Katz abstained from the motion due to a conflict of interest.

Mr. Berry stated to the board that Fatty's Pizzeria, Inc. violated two rules, regulations or laws that govern the operation of its licensed premises, namely (1) failure to conduct the licensed premises in a decent, orderly and respectable manner; and (2) failing to report that an illegal or violent act occurred on, about, or outside the licensed premises.

Officer Kontak relayed the following information regarding the incident in question. An officer was flagged down by someone that had been in the restaurant, initially stating that he had been kicked, but turned out that was not the case. This person went on to say that John Daisy and his brother got into an altercation at the bar, blood was spilled, contact made, and the police were not called.

The board members discussed many aspects of this case, and they decided that they wanted to wait to see what happened on the charges brought in Municipal Court before a hearing in front of the Liquor Authority, even though the charges in Municipal Court are not related to the conduct of the establishment or failure to report; they want to have a conversation with Mr. Daisy about his conduct and why he didn't report the incident. Mr. Berry stated their renewal of their license is March 2016 and that there is no entitlement to a renewal; and it's easier to not renew than do a Show Cause Hearing. The downside to that is you would have to have the hearing in April, have Fatty's file the renewal and take it off the consent calendar. The Board then decided to set up the Show Cause Hearing, to talk to Mr. Daisy, at the January 19, 2016 meeting. Mr. Tatro read the Motion to Set Show Cause Hearing on Fatty's into the record (copy attached). Motion passed 4-0 on a roll call vote with Chair Katz absent.

Mr. Berry stated that notice will be given to Fatty's Pizzeria, Inc. and reminded the board members that they cannot speak to anyone involved in this process, or the general public regarding this incident. If you are approached you need to politely tell them you cannot speak of it, and if they wish to speak about it to come to the hearing in January. You will also need to keep a note of who approached you, the date and time of the inquiry. Any interactions will need to be reported to the board and placed on the record at the meeting. Ex-parte rules apply.

7. Adjournment:

With no further business to discuss, the meeting adjourned at 9:43 am. The next regular meeting will be held on December 15, 2015. Submitted by Susie Brown, Administrative Specialist, Municipal Services.

ATTEST:

Helen Cospolich, Town Clerk

Jeri Beth Katz, Chair