

**Breckenridge Liquor Licensing Authority**  
**Regular Meeting**  
**Tuesday, September 15, 2015**

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- 1) Call to Order, Roll Call  
Chair Katz called the regular meeting of Tuesday, September 15, 2015, to order at 8:59 AM. Mr. Montepare was absent.
- 2) Approval of Minutes  
With no changes or corrections to the meeting minutes of August 18, 2015, Chair Katz declared they would stand as approved.
- 3) Approval of Agenda  
Taryn Power, Deputy Town Clerk, stated that there were no changes to the agenda.
- 4) Consent Calendar  
The consent calendar stood as approved.
- 5) Public Hearing; Action Items
  - a) Public Hearing  
The Mine Breck, LLC d/b/a The Mine  
200 North Main St., Lower Level  
Tavern License

Mr. Jim Beimford, Attorney, introduced himself as representing The Mine Breck, LLC. Mr. Beimford introduced Mr. Ben Rector as owner of The Mine Breck and stated that he was available to speak with respect to The Mine Breck ,LLC. Mr. Beimford stated that the new license is a Tavern license. Mr. Beimford stated that he had a few questions for Mr. Rector as the new owner and inquired about Mr. Rector's history in the restaurant industry. Mr. Rector stated that he is currently a salaried chef at Ten Mile Station. He had an opportunity to purchase the Mine and took advantage of it. Mr. Beimford inquired about the operations of The Mine. Mr. Rector stated that guests can no longer exit through the back door to ensure separation of liquor licenses between The Mine and Extreme Pizza. Mr. Beimford inquired about training of the staff. Mr. Rector stated that he will be getting TIPS certification and that his staff will also be TIPS trained. Mr. Blank inquired about The Mine's hours of operation. Mr. Rector stated that they will be open 2 PM to 2 AM. Mr. Tatro inquired as to how the sign will be posted to differentiate the common stairway between The Mine and Extreme Pizza. Mr. Rector went over his plan to have both a sign on a table in front of the stairs and a bouncer at the door in front of the stairs as well. Mr. Tatro inquired as to how he will determine which nights he needs a bouncer. Mr. Rector stated that he will be there in addition to two other employees to monitor the door. Mr. Garrett inquired as to how many ping pong tables he was going to have in The Mine. Mr. Rector stated that he was going to have two ping pong tables. Mr. Garrett inquired as to if Mr. Rector had ever held a liquor license before. Mr. Rector stated that this was his first license. Mr. Tatro motioned to approve the application. A roll call vote was taken. All members were in favor of the motion.

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- b) Public Hearing  
The Historic Brown Hotel & Restaurant, LLC d/b/a The Historic Brown Hotel &  
Restaurant  
208 N. Ridge St.  
Tavern License

Mr. Michael Cavanaugh stated that he originally started his application in 2001. Over the years they found that food cost did not warrant the continuation of food service. Mr. Cavanaugh stated that they would like to forgo the kitchen and the Hotel & Restaurant license and obtain a Tavern license. Mr. Blank inquired as to what the changes will be to the building. Mr. Cavanaugh stated that they are going to have a visual arts studio in the basement. Their hours of operation are going to be 6 PM - 1 AM. He would like to have an infusion of old and new videos playing. He is also planning on putting in a recording studio for locals and friends to be able to work with younger artists in a recording setting. Mr. Cavanaugh stated that he bought out a recording studio this spring that will be incorporated into the visual area. The downstairs and upstairs will be heavily insulated. Mr. Cavanaugh stated that he is also creating a 501(c)(3) for money from the recording studio to go into to help fund an arts scholarship for students. Mr. Blank inquired if there will be a bar downstairs. Mr. Cavanaugh stated that there will be a small service bar downstairs and that will have cameras monitoring the downstairs. Mr. Blank stated that they had received complaints for noise after hours. Chair Katz stated that she lives directly behind The Brown and the noise isn't that bad. She stated that The Brown was there long before the homeowners and that is part of living next to a bar. Mr. Cavanaugh stated that he has never had noise violations that he has been charged with. Mr. Blank inquired as to if the neighbors are aware that there is going to be a recording studio in the basement. Mr. Cavanaugh stated that there will be an article in the Summit Daily coming out shortly. Mr. Blank inquired about the floor plan. Mr. Cavanaugh stated that he is going to extend the floor plan into the stables. He stated that he has added an ADA compliant elevator to go to all floors. Mr. Garrett inquired about speakers in the patio area. Mr. Cavanaugh stated that he does not have speakers on the patio. Mr. Garrett stated that he wants to address the homeowners concerns about noise. Mr. Cavanaugh stated that the recording studio is sound proofed. Mr. Garrett stated that the neighbors are concerned about the garbage outside of the Brown. Mr. Cavanaugh stated that the majority of the bottles and trash found outside are not items that he sells. He only sells one type canned beer (a tall PBR). Mr. Garrett stated that maybe it would be beneficial to have a garbage can outside. Mr. Tatro stated that another concern that the homeowners had was smoking outside the establishment at 2 AM. Mr. Cavanaugh stated that these issues had not ever been brought up to him before. He stated that the noise issues are contained to one side of the building as there is only one area that they could smoke. Chair Katz stated that she encourages the neighbors to do what Mr. Cavanaugh suggested and call the police when there are noise issues. Chair Katz stated that she appreciates the authority wanting to address the concerns of the neighbors, but that they made a choice to move in next to The Brown and The Brown didn't move in next to them. Mr. Cavanaugh stated that he is thinking about closing earlier because he doesn't want the crowd that stops into his bar on the way home. Mr. Garrett asked Assistant Police Chief Dennis McLaughlin if he had any issues that have been brought up with The Brown. Assistant Chief McLaughlin stated that they are not

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one of the particular establishments that pop out in his mind as having problems. He stated that many of the concerns in the neighborhood come from people leaving bar. Mr. Blank motioned to approve the application. A roll call vote was taken. All members were in favor of the motion.

6) Informal Discussion

- a) Red, White & Blue Update  
Mr. Jay Nelson, Deputy Chief Red, White & Blue Fire, was absent.
- b) Police Department Update  
Assistant Police Chief Dennis McLaughlin stated that he would give his update in the executive session.
- c) Town Clerk Update  
Ms. Power stated that there were no updates.
- d) Public Comment  
No Public Comment.

7) Executive Session

At 9:40 a.m. Mr. Garrett moved that the Liquor Licensing Authority go into executive session pursuant to Paragraph 4(d) of Section 24-6-402, C.R.S., relating to details of investigations, and Paragraph 4(b) of Section 24-6-402, C.R.S., relating to conferences with the Town Attorney for purposes of receiving legal advice on specific legal questions relating to such investigations.

Chair Katz stated that a motion has been made for the Liquor Licensing Authority to go into an executive session pursuant to Paragraph 4(d) of Section 24-6-402, C.R.S., relating to details of investigations, and Paragraph 4(b) of Section 24-6-402, C.R.S., relating to conferences with the Town Attorney for purposes of receiving legal advice on specific legal questions relating to such investigations.”

A roll call vote was taken with all members in favor of the motion.

At 9:59 am Mr. Blank moved for the Authority go out of executive session and reconvene in the regular meeting. A roll call vote was taken. All members were in favor of the motion.

8) Adjournment

With no further business to discuss, the meeting adjourned at 10:00 am. The next regular meeting will be held on October 20, 2015. Submitted by Taryn Power, Deputy Town Clerk.

ATTEST:

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Helen Cospolich, Town Clerk

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Jeri Beth Katz, Chair