

**SPECIAL LICENSING AUTHORITY
MINUTES
JUNE 16, 2022**

Chair David Chung called the meeting to order at 6:30 p.m. Chair David Chung, Bryan Campbell, Kelli Narde and Jon Brusco were present. Authority Member Mike Appleby and Alternate Members Brandi Wilks and Greg Simpson were absent. Staff present were Town Clerk Chris Vanderpool, Deputy Town Clerk Susan Irvine, Town Clerk Administrative Specialist Amy Putch, Authority Attorney Katie Vera and Attorney Corey Hoffmann. Police Detective Nathan Finley was absent.

PUBLIC COMMENTS

None.

APPROVAL OF MINUTES

Bryan Campbell moved to delay the approval of the Special Licensing Authority meeting minutes from May 19, 2022, pending discussion during the "Other Business" section of the agenda.

Jon Brusco seconded the motion.

A roll call was taken:

Kelli Narde - Yes

David Chung - Yes

Jon Brusco - Yes

Bryan Campbell - Yes

The motion was approved unanimously.

PUBLIC HEARINGS

A. SPECIAL EVENTS PERMIT APPLICATION (MALT, VINOUS AND SPIRITUOUS LIQUOR)

Applicant:	Cherry Creek Valley Rotary Club of Parker Foundation
Event:	2022 Brewfest
Location:	10795 Victorian Drive
Date:	August 13, 2022

There was no one from the public to comment on this item.

The applicant submitted a Special Events Permit Application on May 18, 2022, with supporting documents and fees. The applicant had a Notice of Public Hearing posted on this matter on June 6, 2022, ten (10) days prior to the hearing, as required by law.

John Brokken, Event Manager, was present to speak about the 2022 Brewfest. John stated that this will be the seventh year for this event, which is the Rotary Club's annual fundraising event.

There will be 35 breweries, two wineries, one meadery and one cidery participating. He noted

that the Brewfest draws about 1,450 attendees.

John added that registration for the event is all online and that no one under the age of 21 can register. Additionally, as attendees enter the event area, the staff will check their identification cards to ensure age compliance. Wristbands will be given to attendees to show age compliance for servers. John Brokken also stated that Parker Police and volunteers would be present to provide security for the event and ensure that no one leaves the event with alcohol. Additionally, there will be two food-truck vendors present during the event to provide food.

Kelli Narde moved to approve the Special Events Permit Application (Malt, Vinous and Spiritous Liquor) for the Cherry Creek Valley Rotary Club of Parker Foundation, Annual Brewfest on August 13, 2022, at 10795 Victorian Drive, on the condition that a community event permit is approved by the Town and that a certificate of insurance is provided to the Town Clerk on or before August 1, 2022, showing coverage on the date of the event.

Jon Brusco seconded the motion.

A roll call was taken:

Kelli Narde - Yes

David Chung - Yes

Jon Brusco - Yes

Bryan Campbell - Yes

The motion was approved unanimously.

B. SPECIAL EVENTS PERMIT APPLICATION (MALT, VINOUS AND SPIRITUOUS LIQUOR)

Applicant:	Gabby Krause Foundation d/b/a Bags of Fun
Event:	Wheels of Dreams
Location:	18301 Lincoln Meadows Parkway
Date:	August 20, 2022

There was no one from the public to comment on this item.

The applicant submitted a Special Events Permit Application on May 18, 2022, with supporting documents and fees. The applicant had a Notice of Public Hearing posted on this matter on June 6, 2022, ten (10) days prior to the hearing, as required by law.

Dananne Solomon, Event Manager, was present to speak about the event. Dananne stated that the event will be the second Wheels of Dreams event at the Vehicle Vault. The event will benefit Bags of Fun, a non-profit in the City of Centennial that creates customized backpacks for children in the state of Colorado fighting long-term or life-threatening illnesses. Dananne explained that the event is capped at 350 people. There will be several liquor vendors present as the alcohol would be donated by them. She stated that security would be provided by the Vehicle Vault and a barrier would be set up outside to ensure the control of the premises. She

noted that the event is an adult-only event. Identification will be checked to ensure age compliance. Additionally, servers will be TIPS trained.

Jon Brusco moved to approve the Special Events Permit Application (Malt, Vinous and Spirituous Liquor) for the Gabby Krause Foundation d/b/a Bags of Fun, Wheels of Dreams Event on August 20, 2022, at 18301 Lincoln Meadows Parkway.

Bryan Campbell seconded the motion.

A roll call was taken:

Kelli Narde - Yes

David Chung - Yes

Jon Brusco - Yes

Bryan Campbell - Yes

The motion was approved unanimously.

C. SPECIAL EVENTS PERMIT APPLICATION (MALT, VINOUS AND SPIRITUOUS LIQUOR)

Applicant:	SECORCares
Event:	Annual Fundraising Gala Dinner
Location:	18301 Lincoln Meadows Parkway
Date:	August 21, 2022

There was no one from the public to comment on this item.

The applicant submitted a Special Events Permit Application on May 20, 2022, with supporting documents and fees. The applicant had a Notice of Public Hearing posted on this matter on May 6, 2022, ten (10) days prior to the hearing, as required by law.

Niki Humphreys, Event Manager, was present to speak about the event. This event is a ticketed event which has taken place at the Vehicle Vault for the last several years and is the non-profit's annual fundraising event in which they have a gala dinner and a silent auction. The event is a fundraiser for the SECORCares' food bank. Niki explained that the Vehicle Vault will provide the security. Peak Beverage will provide servers for this event and are TIPS trained. Identification will be checked to ensure age compliance.

Jon Brusco moved to approve the Special Events Permit Application (Malt, Vinous and Spirituous Liquor) for the SECORCares, Annual Fundraising Gala Dinner on August 21, 2022, at 18301 Lincoln Meadows Parkway.

Kelli Narde seconded the motion.

A roll call was taken:

Kelli Narde - Yes
David Chung - Yes
Jon Brusco - Yes
Bryan Campbell - Yes

The motion was approved unanimously.

**D. FERMENTED MALT BEVERAGE OFF-PREMISES LIQUOR LICENSE
APPLICATION (NEW)**

License Type: Fermented Malt Beverage Off-Premises
Applicant: Murphy Oil USA Inc.
d/b/a Murphy Express #8898
Location: 9560 Twenty Mile Road

The Public Hearing opened at 6:47 p.m.

The applicant had a Notice of Public Hearing posted on this matter on June 6, 2022, and publication was made in *The Douglas County News Press* on June 2, 2022.

Adam Stapen, Attorney for Murphy Express #8898 introduced Robert Holman, District Manager of several Murphy Express stores. He also introduced Carol Johnson, petitioner with LiquorPros. Both Robert Holman and Carol Johnson were sworn.

Robert Holman described his role as District Manager for the company. Robert stated that he oversees the sales and operations of seven Murphy Express gas stations in the area with two more coming in the near future. Attorney Stapen asked why this Murphy Express was seeking a fermented malt beverage liquor license. Robert stated that they would like to provide beer as their customers have made the request. All the other Murphy locations sell beer as well.

Attorney Stapen asked what their hours of operation would be. Robert responded that their hours will be from 4 a.m. to 12 a.m. Attorney Stapen asked if the applicant was aware that they are only able to sell alcohol during the hours from 8 a.m. to midnight. Robert stated during the hours when alcohol sales are not allowed the closing cashier will lock the doors to the beer cave so customers do not have access. Additionally, if the closing cashier forgets, the cashiering system has been programmed to automatically reject or not complete a transaction involving alcohol during those hours.

Attorney Stapen asked how the company trains new employees on the sale of alcohol. Robert stated that once a new employee is hired, they are not allowed to work as a cashier until they have completed all their computer-based learning, which includes TIPS training. Additionally, Robert stated that even after the online training is complete, there is still on-going training with the employees on alcohol and age-restricted sales. Robert further explained when a person is

purchasing alcohol, at the point of sales, their identification card is checked and either scanned

or manually entered into the computer. This ensures no underage sales. Also, the company will not accept vertical identification cards.

Bryan Campbell asked if employees who are under 21 years of age are allowed to sell age-restricted items. Robert stated that they are allowed to as long as someone 21 or older is supervising.

Carol Johnson, petitioner, spoke about the petitioning process and survey results. Overall, the petitioning results show that the area is in favor of this new liquor license. The petitions to establish the reasonable requirement of the defined neighborhood were circulated and submitted by LiquorPros, to the Town Clerk on June 6, 2022. An audit by the Town Clerk staff confirmed the following:

- 117 Eligible Signatures Favoring
(*Residential – 73; Business – 44*)
- 2 Eligible Signatures Opposing
(*Residential – 2; Business – 0*)
- 0 Disqualified
- 119 Eligible Signatures

The Public Hearing was closed at 7:08 p.m.

Bryan Campbell moved to approve the application for a new Fermented Malt Beverage Off-Premises Liquor License for Murphy Oil USA, Inc., d/b/a Murphy Express #8898, at 9560 Twenty Mile Road, Parker, Colorado 80134.

Jon Brusco seconded the motion.

A roll call was taken:

Kelli Narde - Yes

David Chung - Yes

Jon Brusco - Yes

Bryan Campbell - Yes

The motion was approved unanimously.

E. HOTEL AND RESTAURANT LIQUOR LICENSE APPLICATION (NEW)

License Type: Hotel and Restaurant
Applicant: Parker Gunther Toody's Diner LLC
d/b/a Gunther Toody's Diner
Location: 19502 East Parker Square Drive

The Public Hearing opened at 7:09 p.m.

The applicant had a Notice of Public Hearing posted on this matter on June 6, 2022, and

publication was made in *The Douglas County News Press* on June 2, 2022.

James Beimford, Attorney for Gunther Toody's Diner, introduced Richard Weil, the Chief Financial Officer for Gunther Toody's Corporate Office and Rachael Hubbard, the future manager of the new Parker Gunther Toody's Diner. He also introduced Carol Johnson, petitioner with LiquorPros. Richard Weil, Rachael Hubbard and Carol Johnson were sworn.

Richard explained his role with the company. Richard Weil stated that he has been with the company for the last two years and is a certified trainer in food safety and responsible alcohol service. He explained that Rachael Hubbard will be the registered manager at the new location and that she has almost 30 years in the food industry with 23 of those years handling liquor. Richard also stated that Rachael Hubbard has been the manager at the Northglenn location for the last two years.

Attorney Beimford asked Richard to describe the training program for new employees. Richard stated that the company's training program requires that all employees go through responsible alcohol service training. All managers go through advanced alcohol service training. Additionally, all new employees go through this training within the first three months of being hired and all employees go through this training yearly.

Attorney Beimford asked if any of the Gunther Toody's Diners ever had a liquor violation. Richard stated that none of the businesses have ever had a liquor violation. Richard explained the company's policy regarding checking identifications and noted that anyone under 40 is carded. Additionally, Attorney Beimford asked what the company's policy is on vertical identification cards. Richard stated that they do not accept vertical identification cards as vertical identification cards demonstrate that someone is under age.

Bryan Campbell asked if the servers could see through the windows into the outside patio area to ensure no one leaves with alcohol. Richard replied that the servers can see outside from the windows. He also stated that there would be two servers assigned to the patio to ensure no one leaves with alcohol. Richard added that a five-foot-tall fence would be around the perimeter to ensure the control of the premises.

Chair Chung commented on Gunther Toody's success with not having any liquor violations. Richard stated that Gunther Toody's Diner is a restaurant and not a bar. The majority of their sales is from food and not alcohol sales. Alcohol sales make up only two percent of the total sales.

Carol Johnson, petitioner, spoke about the petitioning process and survey results. The results showed a favorable outcome. She noted that the petitions to establish the reasonable requirement of the defined neighborhood were circulated and submitted by LiquorPros, to the Town Clerk on June 6, 2022. An audit by the Town Clerk staff confirmed the following:

- 121 Eligible Signatures Favoring

- (Residential – 72; Business – 49)
- 3 Eligible Signatures Opposing
(Residential – 3; Business – 0)
- 0 Disqualified
- 124 Eligible Signatures

The Public Hearing was closed at 7:28 p.m.

Kelli Narde moved to approve the new Hotel and Restaurant Liquor License for Parker Gunther Toody's Diner LLC, d/b/a Gunther Toody's Diner, at 19502 East Parker Square Drive, Parker, Colorado 80134.

Jon Brusco seconded the motion.

A call was taken:
 Kelli Narde - Yes
 David Chung - Yes
 Jon Brusco - Yes
 Bryan Campbell - Yes

The motion was approved unanimously.

F. BEER AND WINE LIQUOR LICENSE APPLICATION (NEW)

License Type: Beer and Wine
Applicant: Thrashin Axes LLC
 d/b/a Thrashin Axes LLC
Location: 18671 Mainstreet Unit C

The Public Hearing opened at 7:29 p.m.

The applicant had a Notice of Public Hearing posted on this matter on June 6, 2022, and publication was made in *The Douglas County News Press* on June 2, 2022.

Owner Jesse Thrash introduced himself. He also introduced Daniel DeLay, petitioner with Oedipus Petitioning. Both Jesse Thrash and Daniel DeLay were sworn.

Jesse Thrash described the business model, stating that the company plans to have six axe throwing lanes with a maximum of five throwers in each lane. In addition, the company plans to have a seventy-five minute reservation for each party.

David Chung asked how Jesse Thrash plans to keep the axe throwing areas free of people. Jesse Thrash stated that the lanes are made of rubber so customers would know the boundaries of the axe-throwing area. Additionally, there would be red and yellow tape in each lane to mark where you are supposed to stand when you throw the axes. Tables and chairs would also be setup behind each lane to act as a separation between the lane area and the eating area. Only one

person per lane would be allowed to throw at a time.

Kelli Narde asked how the company plans to check identification to ensure age compliance. Jesse stated that everyone's identification card would be checked, regardless of age, before serving a drink. Kelli asked how many employees the company plans to hire. Jesse stated that right now, the only employees are him and his wife. Jesse also stated that once the company opens they plan to hire more employees.

Chair Chung asked if Jesse and his wife plan to attend alcohol awareness training. Jesse stated that training has already taken place. He also stated that any new employees hired would be required to go through TIPS training as well.

Daniel Delay, petitioner, spoke about the petitioning process and survey results. The petitioning results demonstrated that the community is excited about the new business and in favor of this liquor license as there is not another business like this one in Parker. All businesses and residents surveyed were in favor of the license. The petitions to establish the reasonable requirement of the defined neighborhood were circulated and submitted by Oedipus, to the Town Clerk on June 6, 2022. An audit by the Town Clerk staff confirmed the following:

- 160 Eligible Signatures Favoring
(*Residential – 110 ; Business – 50*)
- 0 Eligible Signatures Opposing
- 0 Disqualified
- 160 Eligible Signatures

The Public Hearing closed at 7:43 p.m.

Jon Brusco moved to approve the application for a new Beer and Wine Liquor License for Thrashin Axes LLC, d/b/a Thrashin Axes LLC, at 18671 Mainstreet Unit C Parker, Colorado 80134.

Bryan Campbell seconded the motion.

A roll call was taken:

Kelli Narde - Yes

David Chung - Yes

Jon Brusco - Yes

Bryan Campbell - Yes

The motion was approved unanimously.

LIQUOR LICENSE RENEWAL

Licensee: Hilltop Tap House LLC
d/b/a Hilltop Tap House
Location: 19878 East Hilltop Road #111 & 113
License Type: Hotel and Restaurant

The licensee submitted their renewal application on May 4, 2022. Since potential derogatory information was found, staff was unable to administratively approve the application.

Attorney Jeffrey Villanueva, introduced Bill Pyllas, owner, and John Pyllas, manager of the company. Attorney Villanueva spoke on behalf of the licensee and the police incidents. He stated that the business has been open for the past eight years and has never had a violation or ticket. Also, although there were several police reports in the past year, the company was not issued a violation or ticket for these events. Additionally, he noted that staff is trained that when there are incidents they call the police.

Bryan Campbell asked what are the indicators to know if someone has had too much to drink. John Pyllas stated that if they have blurred vision, slurred words or are loud, they know the person is drunk and will not serve them. John Pyllas also stated that the company conducts TIPS training every three to four months. Bryan Campbell further asked what the company does when they see some of those indicators present in a customer. John Pyllas stated that they do not serve that person. John Pyllas also stated that when someone is drinking their fourth drink, the server must report it to the manager so the manager can monitor the person's behavior.

Bryan Campbell commented that in some of the police reports, the customer was intoxicated and became combative and that is a concern.

Chair Chung asked about George (no last name provided), who is one of the managers of the company. Chair Chung commented that it seemed like when these incidents occurred, George was causing them to escalate. Chair Chung further noted that it is unusual to see these types of reports in which the manager is involved in an altercation.

John Pyllas responded that they had talked with George several times and George assured them that these type of incidents would not happen again.

Bill Pyllas, owner, further commented that George does have a tendency to snap. However, they want to give George a chance to correct his behavior before letting him go. Chair Chung stated that it was concerning that George has this type of tendency and was even reported by police in one of the reports as uncooperative. Chair Chung asked what plans they have to ensure that George does not do this again. Bill Pyllas stated that if this happened again, George would be terminated. John Pyllas commented that he did not realize these incidents were at this level. They have since begun coaching George.

Kelli Narde stated she still thinks there is an issue with overservice. Kelli Narde mentioned that

she would like to see all managers employed at the company retake responsible vendor training as well as TIPS training.

Attorney Corey Hoffmann recommended that the Special Licensing Authority approve the renewal application on two conditions: that all employees go through TIPS training and the company provides proof of remedial training to be determined by the Licensee in regards to the manager in question.

Bryan Campbell moved to continue the renewal for a Public Hearing for July 21, 2022, in which the Special Licensing Authority would consider the renewal application for Hilltop Tap House LLC d/b/a Hilltop Tap House, at 19878 East Hilltop Road #111 & 113.

Jon Brusco seconded the motion.

Jon Brusco provided a friendly amendment to the motion to make it a continuance of the approval of the liquor license renewal to July 21, 2022, for proof of remedial training to be determined by the Licensee regarding the manager in question and how the Licensee plans to address what to do if someone is intoxicated or belligerent.

Bryan Campbell seconded the motion.

A roll call was taken:

Kelli Narde - Yes

David Chung - Yes

Jon Brusco - Yes

Bryan Campbell - Yes

The motion was approved unanimously.

RESOLUTIONS

Resolution No. 2022-002

A Resolution of the Town of Parker Special Licensing Authority Repealing Resolution No. 2020-002, Series of 2020

Jon Brusco moved to approve Resolution No. 2022-02, Series of 2022.

Bryan Campbell seconded the motion.

A roll call was taken:

Kelli Narde - Yes

David Chung - Yes

Jon Brusco - Yes

Bryan Campbell - Yes

The motion was approved unanimously.

OTHER BUSINESS

Attorney Corey Hoffmann stated that he had two items to address with the Special Licensing Authority. He stated a training session for the Authority will be held on August 18, 2022, at 5:00 p.m. in Pikes Peak Conference Room.

The second item Attorney Hoffmann addressed was the Parker Police investigation that was opened due to a message being received by one of the Special Licensing Authority members from a licensee. Attorney Hoffmann assured the Special Licensing Authority that the Town of Parker had taken the message seriously. After a complete investigation, Attorney Hoffmann did not feel the message rose to the level of a crime, although he and his staff did agree it was bad form for the licensee to send a message at all. Attorney Hoffmann again stated there was no probable cause that a criminal act was committed.

Kelli Narde wanted to state for the record that the comment never came from her in regards to the Town staff not taking the message seriously.

Bryan Campbell stated he felt it was important that the police report be added to this Special Licensing Authority's minutes. Attorney Hoffmann advised against this, as there were no criminal charges filed. Therefore, there is no need to make the police report part of the public record.

Bryan Campbell felt that by including the police report with the minutes, it would send a message to anyone reading the minutes that the Special Licensing Authority takes Ex Parte communications seriously and that the Special Licensing Authority followed the proper channels for reporting the message and handing it off to the Police Department for further investigation. Attorney Hoffmann again advised that the Special Licensing Authority did not need to take any further action and that Bryan Campbell's suggestion is against legal counsel.

Bryan Campbell moved to amend the minutes from May's meeting to include a complete description of the discussion the Special Licensing Authority had about Kelli Narde being approached by one of the licensees in which Bryan Campbell asked the Parker Police Department to look at the information Kelli had received to determine if a crime had been committed.

Jon Brusco seconded the motion.

A roll call was taken:

Kelli Narde - Abstained

David Chung - Yes

Jon Brusco - Yes

Bryan Campbell - Yes

The motion was approved unanimously.

Lastly, Town Clerk Administrative Specialist Amy Putch introduced Deputy Town Clerk Susan Irvine and stated Susan will be a great addition to the team.

ADJOURNMENT

Jon Brusco moved to adjourn the meeting at 8:42 p.m. Bryan Campbell seconded the motion.

A roll call was taken:

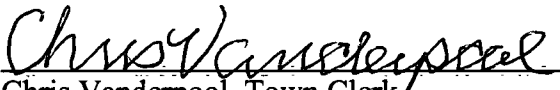
Kelli Narde - Yes

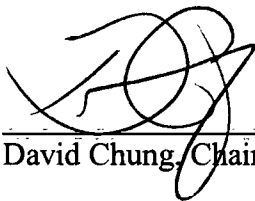
David Chung - Yes

Jon Brusco - Yes

Bryan Campbell - Yes

The motion was approved unanimously.


Chris Vanderpool, Town Clerk


David Chung, Chair