

**SPECIAL LICENSING AUTHORITY
MINUTES
NOVEMBER 15, 2018**

Chair Dave Usechek called the meeting to order at 7:02 p.m.

Authority members present were: Mike Appleby, Kelli Narde, and Alyssa Kuenning Konya. Alternate members David Chung and Steve Connor were absent. Staff members present were: Town Clerk Carol Baumgartner, Deputy Town Clerk Chris Vanderpool, Authority Attorney Corey Hoffmann, and Prosecuting Attorney Christy Ausmus.

The Pledge of Allegiance was led by Chair Usechek.

PUBLIC COMMENTS – None.

APPROVAL OF MINUTES

Mike Appleby moved to approve the minutes of October 18, 2018. Kelli Narde seconded the motion and was approved unanimously.

PUBLIC HEARINGS

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

Applicant: Parker Area Chamber of Commerce Foundation
Event: Sip-N-Shop
Location: 19600 E. Mainstreet
Date: November 30 and December 1, 2018

Chair Usechek opened the Public Hearing at 7:03 p.m.

Event Manager Lael Taylor handed out flyers for the Parker Christmas Market featuring the Wine Walk and Sip-N-Shop. Lael described the Sip-N-Shop concept to the Authority and how it fits in with the Wine Walk event. She described the layout of the site and added that there will be one entrance and one exit on both November 30 and December 1. Wristbands will be handed out to show age compliance. Servers will be TIPS trained.

Public Comment: None.

Chair Usechek closed the Public Hearing at 7:07 p.m.

Alyssa Kuenning Konya moved to approve the application for a Special Events Permit for the Parker Area Chamber of Commerce Foundation for the Sip-N-Shop event, at 19600 E. Mainstreet, on November 30 and December 1, 2018. The motion was seconded by Mike Appleby and approved unanimously.

SHOW CAUSE HEARINGS

A. Licensee: Charles D. Cox, LLC
d/b/a Armando's Ristorante
Location: 9355 Crown Crest Blvd.
Department: Attorney Corey Hoffmann

7:08 p.m.

Christy Ausmus explained the reason for the Show Cause Hearing was due to an age compliance violation occurring on August 15, 2018. She stated that a Stipulation Agreement has been reached and the Licensee agrees to a four (4) day suspension and will pay a fine in lieu of the suspension. The fine shall be the equivalent of twenty percent (20%) of the Licensee's average gross daily revenues from the sale of alcoholic beverages during the months of September and October 2018. The fine will not be less than Two Hundred Dollars (\$200.00) nor more than Five Thousand Dollars (\$5,000.00). The Licensee agrees to provide documentation to the Town Clerk on or before November 26, 2018. The fine is due to the Town Clerk on or before December 3, 2018. A sign must be posted from December 3 to December 6, 2018, indicating the Licensee has paid a fine in lieu of suspension of the liquor license. The Licensee is responsible for filing proof on or before January 15, 2019, that all employees who sell, serve, dispense or handle alcoholic beverages have completed a TIPS training class. Should Licensee fail to comply with the training requirement, the Licensee will serve a mandatory five (5) day suspension from January 28, 2019 to February 1, 2019. The Licensee will still be required to complete the TIPS training for its employees.

The Licensee explained to the Authority the circumstances of the violation.

Public Comment: None.

The Public Hearing was closed at 7:18 p.m.

Mike Appleby moved to accept the Stipulation Agreement as submitted by the Prosecuting Attorney. Alyssa Kuenning Konya seconded the motion and was approved unanimously.

B. Licensee: M. F. Enterprises, LLC
d/b/a Celtic House Pub
Location: 16522 Keystone Blvd., Suite H
Department: Attorney Corey Hoffmann

7:19 p.m.

Christy Ausmus explained the reason for the Show Cause Hearing was due to an age compliance violation occurring on August 15, 2018. She noted this violation was the first violation for the Licensee. She stated that a Stipulation Agreement has been reached. A Warning Letter will be placed in the Licensee's file. The Licensee agrees to provide basic alcohol awareness training to all employees who sell, serve, dispense or handle alcoholic beverages. The Licensee is responsible for filing proof on or before January 15, 2019. Should Licensee fail to comply with

the training requirement, the Licensee will serve a mandatory five (5) day suspension from January 28, 2019 to February 1, 2019. The Licensee will still be required to complete the TIPS training for its employees.

The Licensee explained to the Authority the circumstances of the violation.

Public Comment: None

The Public Hearing was closed at 7:20 p.m.

Kelli Narde moved to accept the Stipulation Agreement as submitted by the Prosecuting Attorney. Mike Appleby seconded the motion and was approved unanimously.

**C. Licensee: Indo Investments, Inc.
d/b/a Jordan Wine & Spirits
Location: 17021 Lincoln Ave., Unit g
Department: Attorney Corey Hoffmann**

7:21 p.m.

Christy Ausmus explained the reason for the Show Cause Hearing was due to an age compliance violation occurring on August 15, 2018. She noted this violation was the first violation for the Licensee. She stated that a Stipulation Agreement has been reached and the Licensee. A Warning Letter will be placed in the Licensee's file. The Licensee agrees to provide basic alcohol awareness training to all employees who sell, serve, dispense or handle alcoholic beverages. The Licensee is responsible for filing proof on or before January 15, 2019. Should Licensee fail to comply with the training requirement, the Licensee will serve a mandatory five (5) day suspension from January 28, 2019 to February 1, 2019. The Licensee will still be required to complete the TIPS training for its employees.

The Licensee explained to the Authority the circumstances of the violation noting the employee was an employee from the previous owner and is no longer with the store.

Public Comment: None.

The Public Hearing was closed at 7:26 p.m.

Alyssa Kuenning Konya moved to accept the Stipulation Agreement as submitted by the Prosecuting Attorney. Kelli Narde seconded the motion and was approved unanimously.

D. Licensee: Tokyo, Inc.
d/b/a Tokyo Joe's
Location: 19240 E. Lincoln Ave., #140
Department: Attorney Corey Hoffmann

7:27 p.m.

Christy Ausmus explained the reason for the Show Cause Hearing was due to an age compliance violation occurring on August 15, 2018. She noted this violation was the first violation for the Licensee. She stated that a Stipulation Agreement has been reached and the Licensee. A Warning Letter will be placed in the Licensee's file. The Licensee agrees to provide basic alcohol awareness training to all employees who sell, serve, dispense or handle alcoholic beverages. The Licensee is responsible for filing proof on or before January 15, 2019. Should Licensee fail to comply with the training requirement, the Licensee will serve a mandatory five (5) day suspension from January 28, 2019 to February 1, 2019. The Licensee will still be required to complete the TIPS training for its employees.

The Licensee explained to the Authority the circumstances of the violation noting the manager handed over a prompt card to the employee who was not TIPS trained. The manager was unaware the employee was not TIPS trained. There have been three managers since the store opened in January.

Chair Usechek stated he had issues with the agreement as the attorney at the Public Hearing on the application stated they would be diligent in checking for age compliance.

Public Comment: None.

The Public Hearing was closed at 7:34 p.m.

Chair Usechek made a motion to suspend the license for three (3) days from December 6 to December 8, 2018. The motion died as there was no second to the motion.

Kelli Narde moved to accept the Stipulation Agreement as submitted by the Prosecuting Attorney. Mike Appleby seconded the motion. The vote passed 3 to 1. Chair Usechek voted no.

E. Licensee: Qdoba Restaurant Corporation
d/b/a Qdoba Mexican Eats
Location: 11215 S. Parker Road
Department: Attorney Corey Hoffmann

7:35 p.m.

Christy Ausmus explained the reason for the Show Cause Hearing was due to an age compliance violation occurring on August 15, 2018. She stated that a Stipulation Agreement has been reached and the Licensee agrees to a four (4) day suspension and will pay a fine in lieu of the suspension. The fine shall be the equivalent of twenty percent (20%) of the Licensee's average gross daily revenues from the sale of alcoholic beverages during the months of September and October 2018. The fine will not be less than Two Hundred Dollars

(\$200.00) nor more than Five Thousand Dollars (\$5,000.00). The Licensee agrees to provide documentation to the Town Clerk on or before November 26, 2018. The fine is due to the Town Clerk on or before December 3, 2018. A sign must be posted from December 3 to December 6, 2018, indicating the Licensee has paid a fine in lieu of suspension of the liquor license. The Licensee is responsible for filing proof on or before January 15, 2019, that all employees who sell, serve, dispense or handle alcoholic beverages have completed a TIPS training class. Should Licensee fail to comply with the training requirement, the Licensee will serve a mandatory five (5) day suspension from January 28, 2019 to February 1, 2019. The Licensee will still be required to complete the TIPS training for its employees.

The Licensee explained to the Authority the circumstances of the violation. The District Manager Patrick Rock stated the employee has been terminated. There is a new manager and will be starting fresh with training for everyone in all aspects of the store. He added that if there isn't someone 21 years old on duty, alcohol will not be sold.

Kelli Narde stated she had issues with the fine amount. Christy Ausmus explained that the fine is spelled out in the Town's Ordinance.

Public Comment: None.

The Public Hearing was closed at 7:42 p.m.

Mike Appleby moved to accept the Stipulation Agreement as submitted by the Prosecuting Attorney. Alyssa Kuenning Konya seconded the motion and was approved unanimously.

**F. Licensee: Magan, LLC
d/b/a Bruin Spirits
Location: 11177 Dransfeldt Road, #139
Department: Attorney Corey Hoffmann**

7:43 p.m.

Christy Ausmus explained the reason for the Show Cause Hearing was due to an age compliance violation occurring on August 15, 2018. She stated that a Stipulation Agreement has been reached and the Licensee agrees to a fourteen (14) day suspension. The Licensee will be actively suspended for seven (7) days but will pay a fine in lieu of the suspension. The remaining seven (7) days will be held in abeyance for two (2) years on the condition that the Licensee has no further violations as it relates to alcohol. The fine shall be the equivalent of twenty percent (20%) of the Licensee's average gross daily revenues from the sale of alcoholic beverages during the month of October 2018. The fine will not be less than Two Hundred Dollars (\$200.00) nor more than Five Thousand Dollars (\$5,000.00). The estimated gross revenue and based on the records presented to the Prosecuting Attorney, the fine has been determined to be \$5,000.00. The fine is due to the Town Clerk on or before December 3, 2018. A sign must be posted from January 10 through January 16, 2019, indicating the Licensee has paid a fine in lieu of suspension of the liquor license. The Licensee is responsible for filing proof on or before January 15, 2019, that all employees who sell, serve, dispense or handle alcoholic beverages have completed a TIPS training class. Should

Licensee fail to comply with the training requirement, the Licensee will serve a mandatory five (5) day suspension from January 28, 2019 to February 1, 2019. The Licensee will still be required to complete the TIPS training for its employees.

The Licensee has an eight (8) day suspension that is currently being held in abeyance from a state alcohol violation that must be imposed as a result of this current violation. The Licensee shall begin severing this suspension on January 1 through January 8, 2019. This suspension is imposed based on the Stipulation, Agreement and Order from SA 17-CS-330.

The Licensee explained to the Authority the circumstances of the violation.

Public Comment: None.

The Public Hearing was closed at 8:00 p.m.

Alyssa Kuenning Konya moved to accept the Stipulation Agreement as submitted by the Prosecuting Attorney. Kelli Narde seconded the motion and was approved unanimously.

G. Licensee: Texas Roadhouse of Parker, LLC
d/b/a Texas Roadhouse
Location: 11205 S. Parker Road
Department: Attorney Corey Hoffmann

8:05 p.m.

Christy Ausmus explained the reason for the Show Cause Hearing was due to an age compliance violation occurring on August 15, 2018. She stated that a Stipulation Agreement has been reached and the Licensee agrees to a two (2) day suspension and will pay a fine in lieu of the suspension. The fine shall be the equivalent of twenty percent (20%) of the Licensee's average gross daily revenues from the sale of alcoholic beverages during the months of September and October 2018. The fine will not be less than Two Hundred Dollars (\$200.00) nor more than Five Thousand Dollars (\$5,000.00). The Licensee agrees to provide documentation to the Town Clerk on or before November 26, 2018. The fine is due to the Town Clerk on or before December 3, 2018. A sign must be posted from December 5 to December 6, 2018, indicating the Licensee has paid a fine in lieu of suspension of the liquor license. The Licensee is responsible for filing proof on or before January 15, 2019, that all employees who sell, serve, dispense or handle alcoholic beverages have completed a TIPS training class. Should Licensee fail to comply with the training requirement, the Licensee will serve a mandatory five (5) day suspension from January 28, 2019 to February 1, 2019. The Licensee will still be required to complete the TIPS training for its employees.

The Licensee explained to the Authority the circumstances of the violation.

Public Comment: None.

The Public Hearing was closed at 8:13 p.m.

Kelli Narde moved to accept the Stipulation Agreement as submitted by the Prosecuting Attorney. Mike Appleby seconded the motion and was approved unanimously.

HOTEL AND RESTAURANT LIQUOR LICENSE RENEWAL

- A. **Licensee:** **Qdoba Restaurant Corporation**
 d/b/a Qdoba Mexican Eats
 Location: **11215 S. Parker Rd.**

Kelli Narde moved to approve the Hotel and Restaurant Liquor License Renewal application for Qdoba Restaurant Corporation, d/b/a Qdoba Mexican Eats, 11215 S. Parker Road, **and** to approve the Change of Manager for this establishment. Mike Appleby seconded the motion and was approved unanimously.

- B. **Licensee:** **Texas Roadhouse of Parker LLC**
 d/b/a Texas Roadhouse
 Location: **11205 Parker Rd**

Mike Appleby moved to approve the Hotel and Restaurant Liquor License Renewal application for Texas Roadhouse of Parker LLC, d/b/a Texas Roadhouse, 11205 Parker Road. Kelli Narde seconded the motion and was approved unanimously.

**PRESENTATION OF AN APPLICATION FOR A 3.2% OFF PREMISES LICENSE
TO SET A PUBLIC HEARING DATE AND ESTABLISH PETITIONING
BOUNDARIES**

- A. **License Type:** **3.2% Off Premises**
 Applicant: **Costco Wholesale Corporation**
 d/b/a Costco Wholesale #1022
 Location: **18414 Cottonwood Dr.**

Kelli Narde moved to approve a Public Hearing date of December 20, 2018, for a 3.2% Off-Premises License for Costco Wholesale Corporation, d/b/a Costco Wholesale #1022, 18414 Cottonwood Drive, and to establish the neighborhood petitioning boundaries included as part of the staff memorandum. Alyssa Kuenning Konya seconded the motion and was approved unanimously.

**PRESENTATION OF AN APPLICATION FOR A HOTEL AND RESTAURANT
LIQUOR LICENSE TO SET A PUBLIC HEARING DATE AND ESTABLISH
PETITIONING BOUNDARIES**

- A. **License Type:** **Hotel and Restaurant**
 Applicant: **LYN, Inc.**
 d/b/a Poke Bowl
 Location: **10981 S. Parker Road**

Alyssa Kuenning Konya moved to approve a Public Hearing date of December 20, 2018, for a Hotel and Restaurant Liquor License for LYN, Inc., d/b/a Poke Bowl, 10981 S. Parker Road, and to establish the neighborhood petitioning boundaries included as part of the staff memorandum. Mike Appleby seconded the motion and was approved unanimously.

**PRESENTATION OF AN APPLICATION FOR A HOTEL AND RESTAURANT
LIQUOR LICENSE TO SET A PUBLIC HEARING DATE AND ESTABLISH
PETITIONING BOUNDARIES**

- A. **License Type:** **Beer and Wine**
 Applicant: **Parker Tennis Center, LLLP**
 d/b/a Parker Racquet Club
 Location: **18396 E. Plaza Dr.**

Mike Appleby moved to approve a Public Hearing date of December 20, 2018, for a Beer and Wine Liquor License for Parker Tennis Center, LLLP, d/b/a Parker Racquet Club, 18396 E. Plaza Drive, and to establish the neighborhood petitioning boundaries included as part of the staff memorandum. Kelli Narde seconded the motion and was approved unanimously.

OTHER BUSINESS

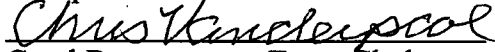
Carol asked if it would be okay to move the Special Licensing Authority meeting time to 6:30 p.m., beginning in January 2019.

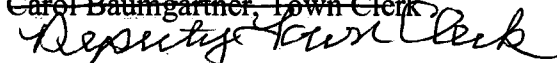
Kelli Narde moved to approve the Special Licensing Authority meeting time to 6:30 p.m., beginning in January 2019. Mike Appleby seconded the motion and was approved unanimously.

Carol reported that staff met with Vehicle Vault and explained the Special Event Permitting process.

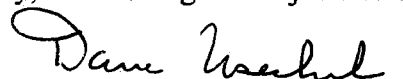
ADJOURNMENT

There was no further business to come before the Authority, the meeting was adjourned at 8:28 p.m.


 Carol Baumgartner, Town Clerk


 Deputy Town Clerk

Prepared by Chris Vanderpool, Deputy Town Clerk


 Dave Usechek, Chair