

**LIQUOR AND BEER MEETING  
LOCAL LICENSING AUTHORITY  
CITY OF GRAND JUNCTION, COLORADO  
MUNICIPAL HEARING ROOM, CITY HALL, 250 NORTH 5<sup>TH</sup> STREET**

**MINUTES  
WEDNESDAY, OCTOBER 16, 2013, 2:00 P.M.**

**HEARING OFFICER MICHAEL GRATTAN**

**I. CALL TO ORDER**

The meeting convened at 2:00 p.m. Those present were Hearing Officer Mike Grattan, City Attorney John Shaver, and Deputy City Clerk Juanita Peterson.

**II. APPLICATIONS TO RENEW LIQUOR AND BEER LICENSES**

1. Bold Petroleum, Inc., dba Acorn Travel Plaza, 2222 Hwy. 6 & 50, Grand Junction, CO 81505, 3.2% Beer (Off-Premises)

No one was present representing the applicant.

The application for renewal for Bold Petroleum, Inc. dba Acorn Travel Plaza was found to be in order and approved.

2. Zen Garden, Inc., dba Zen Garden, 2886 North Avenue, Grand Junction, CO 81501, Hotel and Restaurant

No one was present representing the applicant.

Ms. Peterson reported that all the reports are in compliance with the exception of the Health Department and Ms. Monique Mull was present to address this issue.

Ms. Mull, Program Manager Consumer Protection Program with Mesa County Health Department, said in August the applicant had eleven critical violations, in September on re-inspection, they had ten, and in October they had 9. They have initiated civil penalties. Their next follow-up is in about 2 weeks. The facility has the most critical violations cited repeatedly for this year and maybe for all time with the Health Department. The language issue is a problem; they cannot demonstrate they understand food safety. Ms. Mull said they have these classes for food safety in different languages on line and they have been told about this.

Hearing Officer Grattan and City Attorney Shaver agreed with the public health significance of the numerous violations and agreed to continue this renewal until the next hearing on November 6, 2013. Hearing Officer Grattan said that if the Health Department notifies Ms. Peterson and advises the applicant has come into compliance, they won't need to appear at the November 6<sup>th</sup> hearing.

If they haven't, Ms. Peterson will request their presence at the hearing of November 6<sup>th</sup> and will have "LanguageLine" available for translation.

3. Thai Chili, Inc. dba Thai Chili & Pho, 2536 Rimrock Drive, Suite 700, Grand Junction, CO 81505, Hotel and Restaurant

No one was present representing the applicant.

Ms. Peterson reported that all the reports are in compliance with the exception of the Health Department and Ms. Monique Mull was present to address this issue. Due to the public health significance of the seven critical violations during their October 8<sup>th</sup> inspection, they would like to ask for a continuance of this renewal also. This establishment has not gotten to the civil penalty stage yet.

Hearing Officer Grattan and City Attorney Shaver both agreed to do the same with this applicant as with the previous. If they are in compliance this renewal will be approved, if not, they will be requested to be present.

Hearing Officer asked Ms. Mull to send Ms. Peterson a short paragraph regarding the status of both of these establishments on or before October 30, 2013 and Ms. Peterson will forward the status to both City Attorney Shaver and Hearing Officer Grattan.

### **III. APPLICATIONS TO RENEW LIQUOR AND BEER LICENSES WITH OUTDOOR DINING LEASE**

1. Boomers, LLC dba Boomers, 436 Main Street, Grand Junction, CO 81501, Tavern with Outdoor Dining Lease

Mr. Chester Allen, Owner, was present.

Ms. Peterson reported the police and sales tax reports and Outdoor Dining Lease are in compliance. The final inspection of the kitchen from the Health Department and Fire Department will be done prior to opening. The CO (Certificate of Occupancy) has been issued for the building but not the kitchen.

Hearing Officer Grattan advised Mr. Allen that due to the inactivity of this license, they would like to hear from Mr. Allen in regards to the renewal since it has been about 2 years.

Mr. Allen said that he hoped to have it sold within the next month or so or he would be opening it again as Boomers. He explained that with getting the establishment back in such bad condition, financial institutions were not lending any money at the time, and remodeling has been a very slow process.

Hearing Officer Grattan explained to Mr. Allen it was not his intent to cause additional hardship on this license but to find out what was going on. Hearing Officer Grattan asked City Attorney Shaver if he could approve the renewal but

have a review in January 2014. City Attorney Shaver agreed this would be appropriate. Hearing Officer Grattan advised Ms. Peterson to put this on the January 8, 2014 agenda for an update. It is his hopes all works out for Mr. Allen.

Hearing Officer Grattan approved the renewal and the Outdoor Dining Lease contingent a final inspection be done before it is opened or the review in January of 2014.

#### **IV. APPLICATION FOR TRANSFER OF OWNERSHIP**

1. Santos Enterprises, Inc. dba Café Sol, 420 Main Street, Grand Junction, CO 81501, Beer and Wine

Co-Owners:

Avery West, 130 Texas Avenue, Grand Junction, CO 81501

Nicholas Santos, 130 Texas Avenue, Grand Junction, CO 81501

Mr. Nick Santos, Owner, was present.

Ms. Peterson reported all the reports are in compliance along with all of the paperwork. The applicant is working on a Temporary Permit.

Hearing Officer Grattan asked where this establishment is. Mr. Santo's said in the previous Fins Grill location.

Hearing Officer Grattan asked if there was anyone present regarding this issue. Seeing none, Hearing Officer Grattan approved the Transfer of Ownership from Fins Grill to Café Sol.

#### **V. APPLICATION FOR SPECIAL EVENTS PERMIT**

1. Western Equality, 740 Gunnison Avenue, Grand Junction, CO 81501, Malt, Vinous, and Spirituous for "A Sweet Ride to Freedom" on October 19, 2013 from 4:30 p.m. to 9:00 p.m. and "Out Fest 2013" on November 2, 2013 from 8:00 p.m. to Midnight located at 740 Gunnison Avenue, all were located at 740 Gunnison Avenue.

Officer and

Event Manager: Jerry Shelton, 1153 W. Paradise Way, Fruita, CO 81521

Mr. Jerry Shelton, Event Manager, was present.

Hearing Officer Grattan said he will hear these separately.

Ms. Peterson reported that all the paperwork is in order and the reports are in compliance.

City Attorney Shaver presented Mr. Shelton with three documents; two marked Exhibit A and one marked Exhibit B (see attached). City Attorney Shaver asked Mr. Shelton to look at the signature on Exhibit A and asked if that was his. Mr. Shelton said it was his signature. City Attorney Shaver asked Mr. Shelton if he represents the information in this document to be true and accurate. Mr. Shelton agreed. City Attorney Shaver asked Mr. Shelton to describe this event. Mr. Shelton said that it is a fund raiser to help purchase a handicap accessible van. They will have a spaghetti dinner and this will be a family oriented event.

City Attorney Shaver asked Mr. Shelton if they have had any issues in the past events they have held. Mr. Shelton said once, they had a person who was intoxicated when they arrived and they would not let him enter; he would not leave, so they called the police.

City Attorney Shaver asked Mr. Shelton to look at Exhibit B and to describe the area. Mr. Shelton described the diagram as the lower level of the building they lease with the main area being a gymnasium. City Attorney Shaver asked Mr. Shelton to describe how they are going to check ID's and to tell about the security. Mr. Shelton stated they will verify age and wrist bands will be applied; pink will indicate underage persons.

Hearing Officer Grattan found, under Colorado State Statutes 12-48-106, there is no evidence that the issuance of the permit would be injurious to the public welfare because of the nature of the special event, its location within the community, or the failure of the applicant in a past special event to conduct the event in compliance with applicable laws. He found that the application for a special event permit submitted by Western Equality for the "Sweet Ride for Freedom" be approved.

Mr. Jerry Shelton remained at the podium for the Out Fest 2013 Special Event Permit request.

City Attorney Shaver presented Mr. Shelton with three documents; two marked Exhibit A and one marked Exhibit B (see attached). City Attorney Shaver asked Mr. Shelton to look at the signature on Exhibit A and asked if that was his. Mr. Shelton said it was his signature. City Attorney Shaver asked Mr. Shelton if he represents the information in this document to be true and accurate. Mr. Shelton agreed. City Attorney Shaver asked Mr. Shelton to describe this event. Mr. Shelton said this is more of a dance venue but will still have food. With this event they will have two people at the door checking ID's and again issue pink bands for underage. They will have one person outside in the parking lot and four additional persons roaming the area inside. They will all be in bright orange vests.

City Attorney Shaver asked Mr. Shelton if this was the same diagram from the previous request. Mr. Shelton said yes and the event will be conducted in the same manner except with the added security.

City Attorney Shaver said he had no objections to this permit.

Hearing Officer Grattan found under Colorado State Statutes 12-48-106, there is no evidence that the issuance of the permit would be injurious to the public welfare because of the nature of the special event, its location within the community, or the failure of the applicant in a past special event to conduct the event in compliance with applicable laws. He found that the application for a special event permit submitted by Western Equality for the "Out Fest 2013" be approved.

2. Colorado Mesa University Foundation, 1100 North Avenue, Grand Junction, CO 81501, Malt, Vinous, and Spirituous for "Concert by the Grand Junction Rockestra" on October 19, 2013 from 6:00 p.m. to 10:00 p.m. in the Robinson Theater in the Moss Performing Arts Center.

Officer: Peggy Lamm, 507 Dove Court, Grand Junction, CO 81507  
Event Manager: Calvin Hofer, 721 ½ Willow Creek, Rd., Grand Junction, CO 81505

Mr. Calvin Hofer, Event Manager, was present.

City Attorney Shaver presented Mr. Hofer with several documents marked Exhibit A and B (see attached). City Attorney Shaver asked Mr. Hofer if he was familiar with Exhibit A, the questionnaire. Mr. Hofer said yes, he completed it. City Attorney Shaver asked Mr. Hofer to describe the event. Mr. Hofer said this is another one in the concert series. City Attorney Shaver asked Mr. Hofer to describe what type of security will be provided. Mr. Hofer said there will be at least four security personnel and they will be in green shirts with security on them.

City Attorney Shaver asked Mr. Hofer to look at Exhibit B and describe this for the Authority. Mr. Hofer said this is the area in front of the theater marked in red which will be the alcohol permitted area. The green asterisk's on the diagram show where security personnel will be posted.

Hearing Officer Grattan asked Mr. Hofer which direction North was. Mr. Hofer said to the right side of the diagram.

City Attorney Shaver asked Mr. Hofer if there have been issues in the past with any of these events. Mr. Hofer said no.

Hearing Officer Grattan found, under Colorado State Statutes 12-48-106, there is no evidence that the issuance of the permit would be injurious to the public welfare because of the nature of the special event, its location within the community, or the failure of the applicant in a past special event to conduct the event in compliance with applicable laws. He found that the application for a special event permit submitted by Colorado Mesa University Foundation for the "Concert by the Grand Junction Rockestra" be approved.

3. Colorado Mesa University Foundation, 1100 North Avenue, Grand Junction, CO 81501, Malt, Vinous, and Spirituous for "Steak and Crab Feast-2013" on

October 26, 2013 from 10:30 a.m. to 5:00 p.m. in the grassy area east of Houston Hall between the building and 12<sup>th</sup> Street.

Officer: Peggy Lamm, 507 Dove Court, Grand Junction, CO 81507  
Event Manager: Chuck Pipfer, 37520 Hwy. 92, Crawford, CO 81415

Mr. Rick Adleman, Colorado Mesa University (CMU) Facilities Representative, was present.

City Attorney Shaver presented Mr. Adleman with several documents marked Exhibit A and B (see attached). City Attorney Shaver asked Mr. Adleman if he was familiar with Exhibit A, the questionnaire. Mr. Adleman said yes as he has completed one of these for other events, but not this one. City Attorney Shaver asked Mr. Adleman if he was familiar with this event and if so to describe the event. Mr. Adleman said he is; Peggy Lamm is his boss who asked him to attend this hearing but he has attended this event in the past. It is a pre-game event fundraiser. City Attorney Shaver asked Mr. Adleman to describe what type of security will be provided. Mr. Adleman said the CMU wrestling team along with two TIPS trained volunteers all will be identified by wrestling shirts and CMU volunteer shirts will be the security. ID's will be checked at the gate entrance and those over 21 will be issued a wristband. Mr. Adleman said Coach Pipfer was also not available for the hearing today.

City Attorney Shaver asked Mr. Adleman to look at Exhibit B and describe the area. Mr. Adleman said the dotted area is the fenced in area with orange temporary fencing. The bar and food service area are located within the area.

Hearing Officer Grattan asked Mr. Adleman to draw on the diagram with his colored pen a better representation of the area. Mr. Adleman outlined the entire area in green, the alcohol will be served from the area in blue, and the red is where the food will be served from. Hearing Officer Grattan asked what the size of the area is. Mr. Adleman said approximately 150' by 150', which was written on the diagram, but the entire green area will be the alcohol service area.

Hearing Officer Grattan asked if Mr. Adleman knew of any issues in the past for this event. Mr. Adleman said no. Hearing Officer Grattan noted there was no one else but Officer David Keech in the audience and asked if he had any issues. Officer Keech indicated no.

Hearing Officer Grattan found under Colorado State Statutes 12-48-106, there is no evidence that the issuance of the permit would be injurious to the public welfare because of the nature of the special event, its location within the community, or the failure of the applicant in a past special event to conduct the event in compliance with applicable laws. He found that the application for a special event permit submitted by Colorado Mesa University Foundation for the "Steak and Crab Feast 2013" be approved.

**VI. OTHER BUSINESS**

Hearing Officer Grattan asked City Attorney Shaver about giving persons who speak a general oath before they give testimony, as there are some contentious matters coming up in the near future. City Attorney said this has been discussed and he believes it to be a good idea; just a general oath of asking the speaker if they swear or affirm. Hearing Officer Grattan asked if he could just perform this and City Attorney Shaver responded affirmatively. Hearing Officer Grattan said he is inclined to do this in the future.

**VII. ADJOURNMENT – 2:55 p.m.**

**NEXT REGULAR MEETING – November 6, 2013**

A

### SPECIAL EVENT PERMIT QUESTIONNAIRE AND AFFIDAVIT

1. Name of Event: A Sweet Ride to Freedom -10-19-13
2. How many attendees are expected at this event?  
300
3. Has the event been held in the past? If so, how many years?  
No
4. Have there ever been any violations or citations issued during the event in the past?  
No
5. Describe the premises at which this event will take place.  
Center for Independence which is a converted Church the event will be held in the large Gym
6. What type of security will be provided at this event?  
6 volunteers trained from previous events that will be wearing orange vests
7. How many security personnel will be on hand?  
Six
8. How will security personnel be identified?  
They will be wearing bright orange vests
9. If this event is being held outdoors, how will the exterior boundaries of the premises be marked (i.e., roped, fenced, etc.)?  
No Indoors
10. What method will be used in checking identification for proper age of attendees (i.e., at the door, at the bar, etc.) and how will underage patrons be identified so as not to be served alcohol beverages (i.e., stamp or mark on the hand, etc.)  
We will verify age at the entrance and then wrists bands will be applied indicating under age and over 21 years of  
Age



A

- 11. How will the conduct and level of intoxication of attendees be monitored and by whom?  
 Security and bar tenders have been trained to watch for and person that is seen slurring words or staggering. They  
 have also been instructed to watch for any person that is binge drinking
- 12. Have the volunteers or members of your organization been trained in the sale/service of alcohol beverages?  
 Yes
- 13. What types of alternate beverages and food/snacks will be available?  
 Spaghetti Dinner benefit
- 14. Has a State and City Sales Tax Number been initiated by you or a member of your organization? If so, provide those numbers in the space provided.  
 9428

I hereby certify, under penalty of perjury, that the information provided to the Grand Junction Liquor Licensing Authority contained in this affidavit is true and accurate to the best of my knowledge.

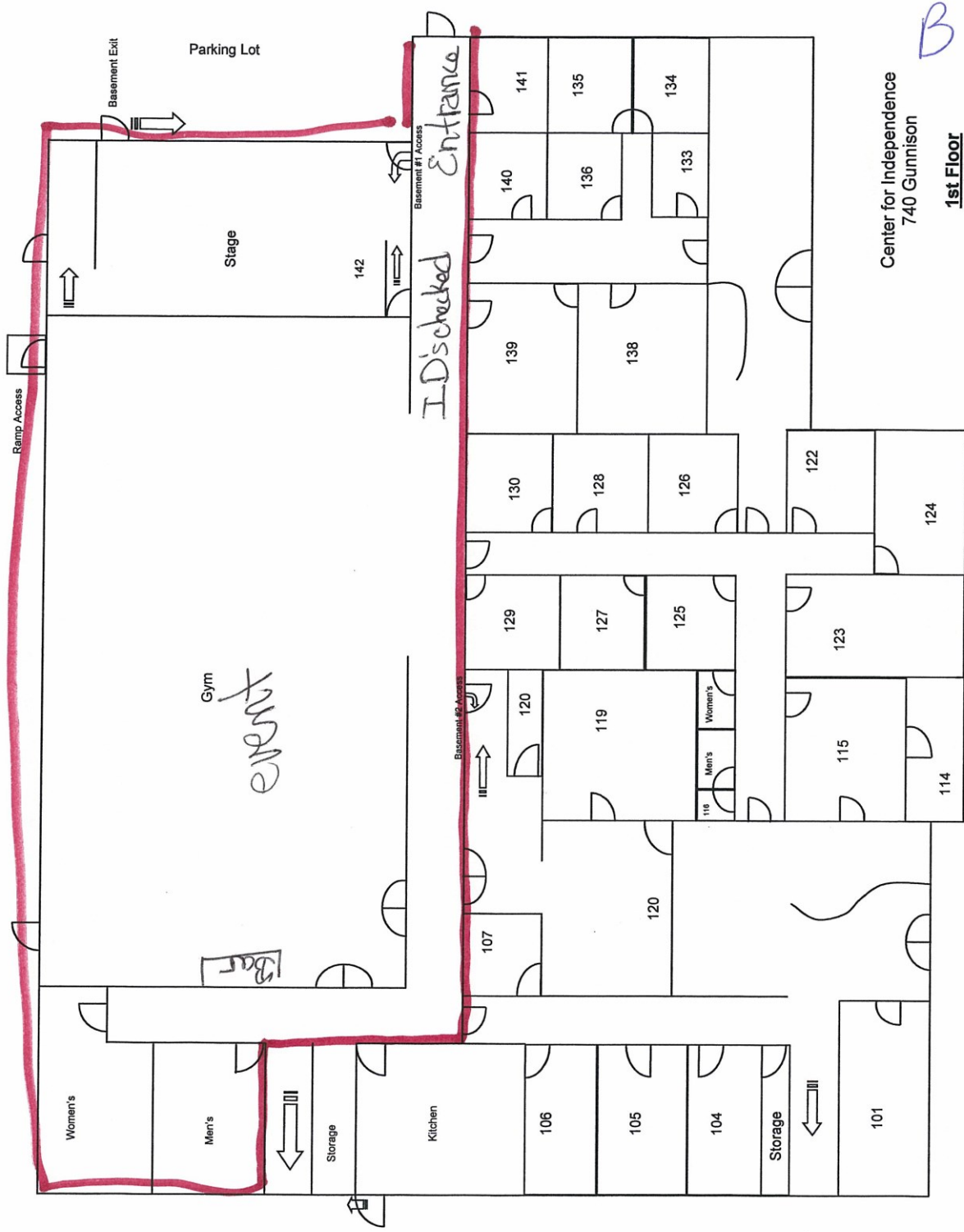
[Signature] Date 9/16/2013  
Applicant's Signature

STATE OF COLORADO )  
COUNTY OF MESA ) SS.  
CITY OF GRAND JUNCTION)

Subscribed and sworn to before me this 16th day of September, 20 13.

Witness my hand and official seal.

[Signature] My commission expires 8/1/15  
Notary Public



Center for Independence  
740 Gunnison

B

1st Floor

A

### SPECIAL EVENT PERMIT QUESTIONNAIRE AND AFFIDAVIT

1. Name of Event: Out Fest 2013 11-2-2013
2. How many attendees are expected at this event?  
250
3. Has the event been held in the past? If so, how many years?  
Yes 6 years
4. Have there ever been any violations or citations issued during the event in the past?  
No
5. Describe the premises at which this event will take place.  
Center for Independence which is a converted Church the event will be held in the large Gym
6. What type of security will be provided at this event?  
6 volunteers trained from previous events that will be wearing orange vests
7. How many security personnel will be on hand?  
Six
8. How will security personnel be identified?  
They will be wearing bright orange vests
9. If this event is being held outdoors, how will the exterior boundaries of the premises be marked (i.e., roped, fenced, etc.)?  
No Indoors
10. What method will be used in checking identification for proper age of attendees (i.e., at the door, at the bar, etc.) and how will underage patrons be identified so as not to be served alcohol beverages (i.e., stamp or mark on the hand, etc.)  
We will verify age at the entrance and then wrists bands will be applied indicating under age and over 21 years of  
Age

A

- 11. How will the conduct and level of intoxication of attendees be monitored and by whom?  
 Security and bar tenders have been trained to watch for and person that is seen slurring words or staggering. They  
 have also been instructed to watch for any person that is binge drinking
- 12. Have the volunteers or members of your organization been trained in the sale/service of alcohol beverages?  
 Yes
- 13. What types of alternate beverages and food/snacks will be available?  
 Hot dogs and chips and also pub mix
- 14. Has a State and City Sales Tax Number been initiated by you or a member of your organization? If so, provide those numbers in the space provided.  
 9428

I hereby certify, under penalty of perjury, that the information provided to the Grand Junction Liquor Licensing Authority contained in this affidavit is true and accurate to the best of my knowledge.

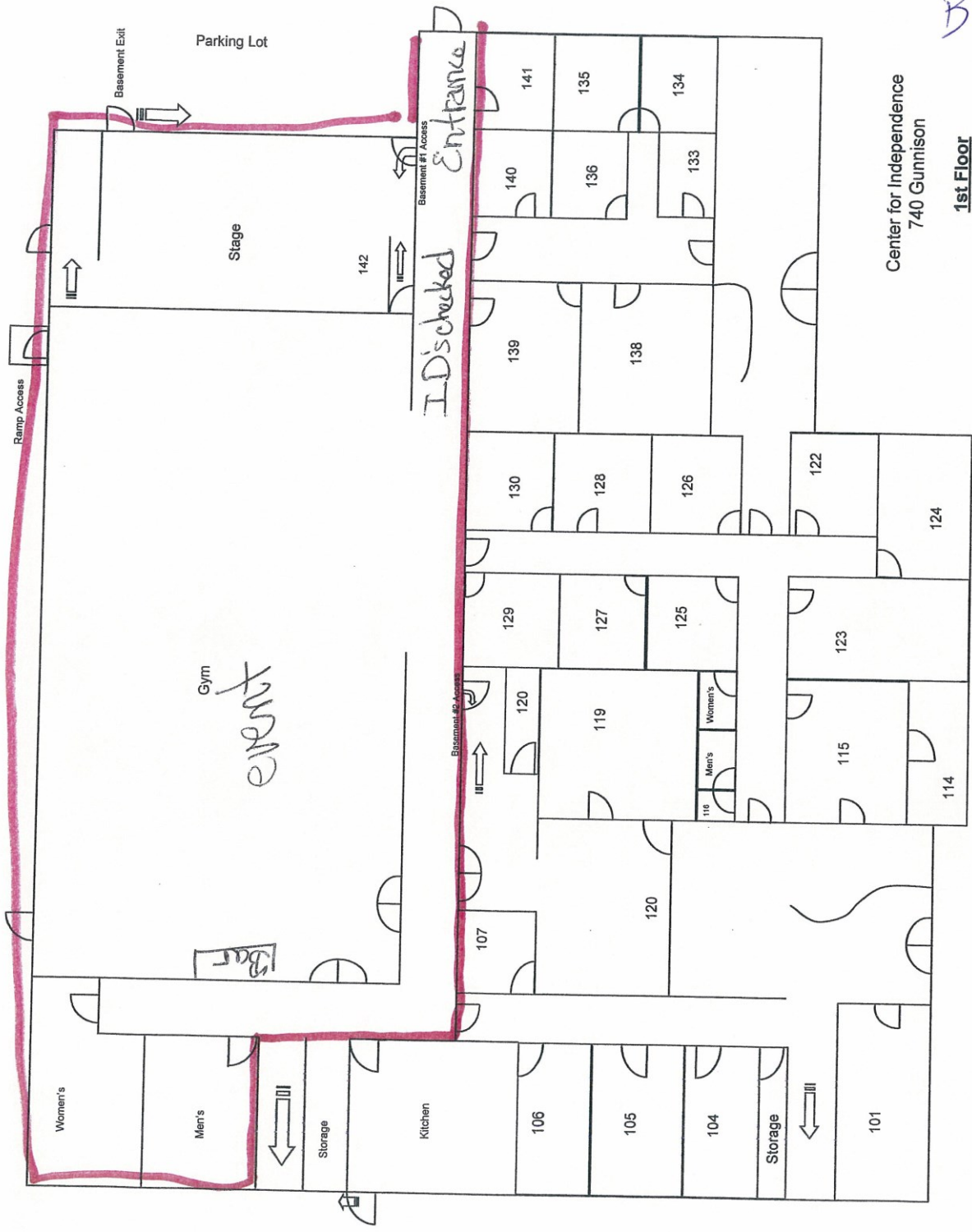
George Skelton Date 9/16/2013  
Applicant's Signature

STATE OF COLORADO )  
COUNTY OF MESA ) SS.  
CITY OF GRAND JUNCTION)

Subscribed and sworn to before me this 16th day of September, 20 13.

Witness my hand and official seal.

Peter Herland My commission expires 8/1/15  
Notary Public



Center for Independence  
740 Gunnison

**1st Floor**

B

A

**SPECIAL EVENT PERMIT  
QUESTIONNAIRE AND AFFIDAVIT**

1. Name of Event: Concert by the Grand Junction Rockestra
2. How many attendees are expected at this event?  
500
3. Has the event been held in the past? If so, how many years?  
Yes - 5 concerts in this venue dating back to June of 2011
4. Have there ever been any violations or citations issued during the event in the past?  
No!
5. Describe the premises at which this event will take place.  
Robinson Theater in the Moss Performing Arts Center on the campus of Colorado Mesa University
6. What type of security will be provided at this event?  
There will be at least 4 staff members in bright green shirts patrolling the designate area
7. How many security personnel will be on hand?  
At least 4
8. How will security personnel be identified?  
Bright green shirts that have "security" on them
9. If this event is being held outdoors, how will the exterior boundaries of the premises be marked (i.e., roped, fenced, etc.)?  
N/A
10. What method will be used in checking identification for proper age of attendees (i.e., at the door, at the bar, etc.) and how will underage patrons be identified so as not to be served alcohol beverages (i.e., stamp or mark on the hand, etc.)  
There will be two staff members checking ID's before they can enter the area in which beer and wine is served

A

11. How will the conduct and level of intoxication of attendees be monitored and by whom?  
The T.I.P.S trained servers (2 for beer; 1 for wine) will monitor this before serving people alcohol

12. Have the volunteers or members of your organization been trained in the sale/service of alcohol beverages?

Yes

13. What types of alternate beverages and food/snacks will be available?

Snacks will be available - pretzels, peanuts, bottled water and soda;

Also there are numerous drinking fountains in the venue

14. Has a State and City Sales Tax Number been initiated by you or a member of your organization? If so, provide those numbers in the space provided.

98-05973

I hereby certify, under penalty of perjury, that the information provided to the Grand Junction Liquor Licensing Authority contained in this affidavit is true and accurate to the best of my knowledge.

Calvin Hope Date 9/16/13  
Applicant's Signature

STATE OF COLORADO )  
COUNTY OF MESA ) SS.  
CITY OF GRAND JUNCTION)

Subscribed and sworn to before me this 16<sup>th</sup> day of September, 2013.

Witness my hand and official seal.

Gail K. Howe My commission expires 12-14-14  
Notary Public



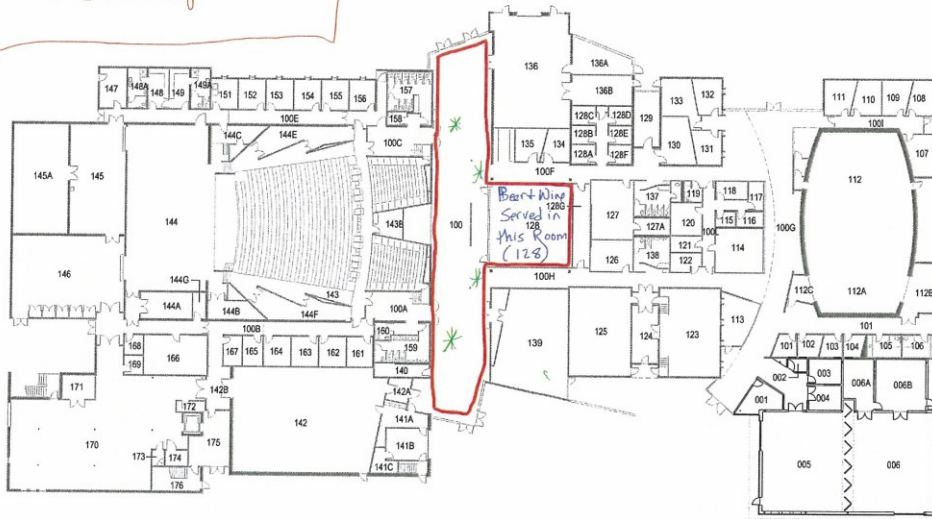
My Commission Expires 12-14-14

B

Grand Junction Rockestra Concert  
January 19, 2013

Alcohol permitted only within  
Red boundary

\* = Security Personnel (4)  
2 JIPS Trained Personnel  
in Room 128





A

### SPECIAL EVENT PERMIT QUESTIONNAIRE AND AFFIDAVIT

1. Name of Event: Steak & Crab Feast
2. How many attendees are expected at this event?  
200-250
3. Has the event been held in the past? If so, how many years?  
6
4. Have there ever been any violations or citations issued during the event in the past?  
NO
5. Describe the premises at which this event will take place.  
The grassy area between the East side of Houston hall and 12<sup>th</sup> St.
6. What type of security will be provided at this event?  
CMU wrestling Team and 2 TIPS trained volunteers
7. How many security personnel will be on hand?  
20-25
8. How will security personnel be identified?  
CMU wrestling shirts & CMU volunteer shirts
9. If this event is being held outdoors, how will the exterior boundaries of the premises be marked (i.e., roped, fenced, etc.)?  
Fenced in with orange Be-nit-fencing
10. What method will be used in checking identification for proper age of attendees (i.e., at the door, at the bar, etc.) and how will underage patrons be identified so as not to be served alcohol beverages (i.e., stamp or mark on the hand, etc.)  
I.D. will be checked at the door, those over 21 will be issued a wristband identifying them as such.

A

11. How will the conduct and level of intoxication of attendees be monitored and by whom?  
There will be 2 TIPS trained Volunteers  
that are on staff @ Cmu

12. Have the volunteers or members of your organization been trained in the sale/service of alcohol beverages?  
Yes, they are TIPS trained

13. What types of alternate beverages and food/snacks will be available?  
Steak, crab, rolls, <sup>Baked</sup> potatoes, <sup>corn</sup>, water, sodas

14. Has a State and City Sales Tax Number been initiated by you or a member of your organization? If so, provide those numbers in the space provided.  
26665373-0000

I hereby certify, under penalty of perjury, that the information provided to the Grand Junction Liquor Licensing Authority contained in this affidavit is true and accurate to the best of my knowledge.

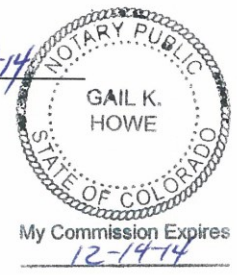
[Signature] Date 9.9.13  
Applicant's Signature

STATE OF COLORADO )  
COUNTY OF MESA ) SS.  
CITY OF GRAND JUNCTION)

Subscribed and sworn to before me this 9<sup>th</sup> day of September, 20 13.

Witness my hand and official seal.

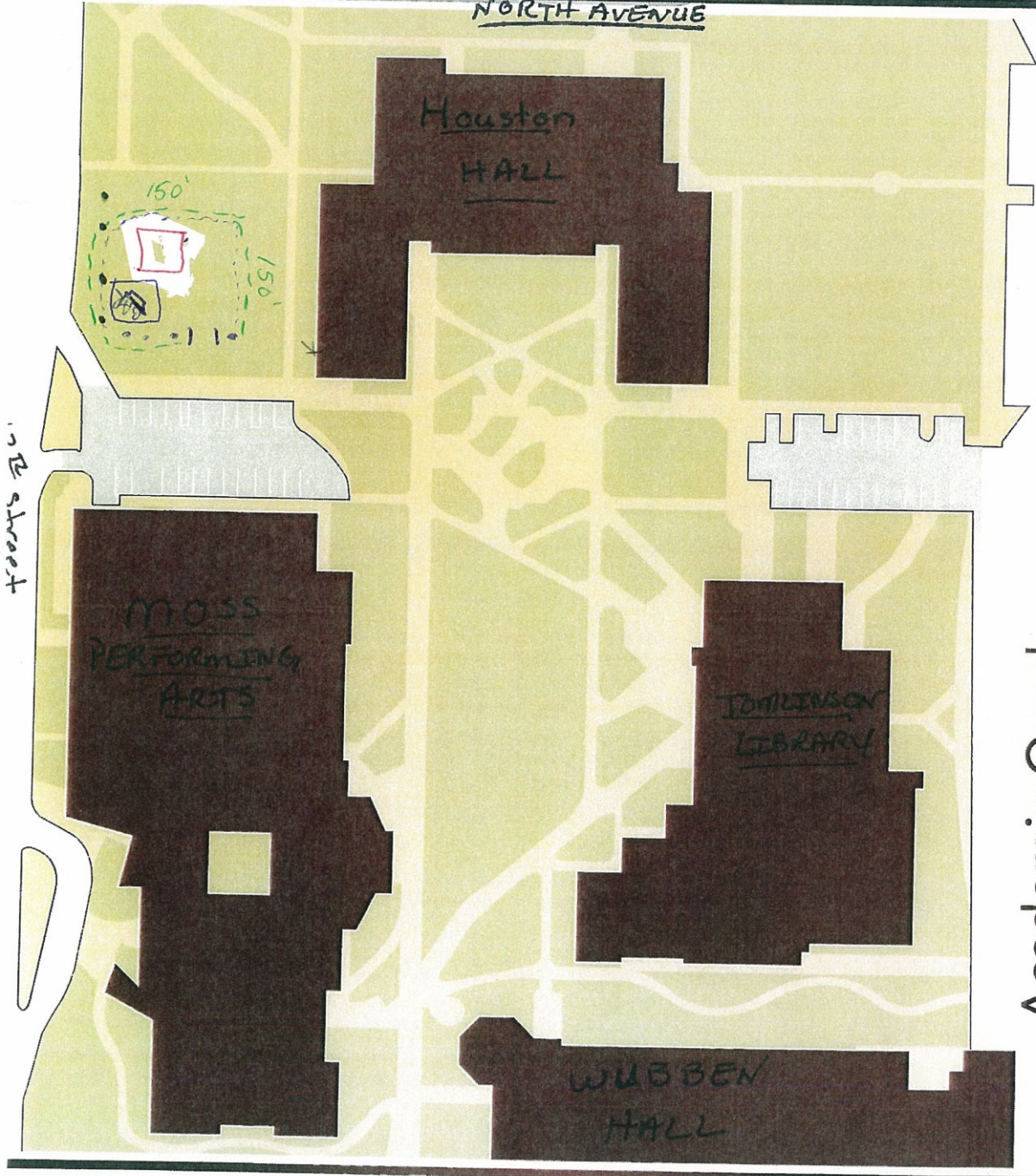
[Signature] My commission expires 12-14-14  
Notary Public



(15)

coloradomesa.edu

NORTH AVENUE



Academic Quad

B

UNIVERSITY  
COLORADO MESA

