

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

**MINUTES
WEDNESDAY, DECEMBER 4, 2013, 2:00 P.M.**

I. CALL TO ORDER

The meeting was called to order at 2:01 P.M. Those present were Hearing Officer Mike Grattan, City Attorney John Shaver, and Deputy City Clerk Debbie Kemp.

II. APPLICATIONS TO RENEW LIQUOR AND BEER LICENSES

1. Stoner Enterprises, LTD dba Andy's Liquor Mart, 922 N. 1st Street, Grand Junction, CO 81501, Retail Liquor Store

No one was present representing the applicant.

The application for renewal for Stoner enterprises, LTD dba Andy's Liquor Mart was found to be in order and approved.

2. GMRI, Inc. dba The Olive Garden Italian Restaurant, 2416 Hwy. 6 & 50, Grand Junction, CO 81505, Hotel and Restaurant

No one was present representing the applicant.

Ms. Kemp reported that the Fire Department had not had a chance to conduct an inspection and are requesting a conditional approval.

The application for renewal for GMRI, Inc. dba The Olive Garden Italian Restaurant was found to be in order and approved conditioned on a satisfactory inspection by the Fire Department.

3. Apple Colorado, LLC, dba Applebee's Neighborhood Grill & Bar, 711 Horizon Drive, Grand Junction, CO 81506, Hotel and Restaurant

No one was present representing the applicant.

Ms. Kemp reported that the Fire Department had not had a chance to conduct an inspection and are requesting a conditional approval.

The application for renewal for Apple Colorado, LLC, dba Applebee's Neighborhood Grill & Bar was found to be in order and approved conditioned on a satisfactory inspection by the Fire Department.

III. APPLICATIONS TO RENEW LIQUOR AND BEER LICENSES WITH TASTING PERMIT

1. JEMSKT, Inc. dba Country Club Liquors, 683 Horizon Drive, #105, Grand Junction, CO 81506, Retail Liquor Store

No one was present representing the applicant.

City Attorney Shaver asked Ms. Kemp if the area on the Wine Tasting Plan provided with the application for a Tastings Permit listed as the entry to the store is part of the licensed premises. Ms. Kemp stated that it is.

The application for renewal with Tasting Permit for JEMSKT, Inc. dba Country Club Liquors was found to be in order and approved.

IV. APPLICATIONS TO RENEW LIQUOR AND BEER LICENSES WITH LATE FILING

1. P and S, Inc. dba Orchard Mesa Lanes, 295 27 Road, Grand Junction, CO 81503, Hotel and Restaurant – **Filed 22 days late in the City Clerk's Office**

Eric Loeb, owner of Orchard Mesa Lanes, was present.

Ms. Kemp reported that the Fire Department had not had a chance to conduct an inspection and are requesting a conditional approval. Ms. Kemp provided the letter that was submitted by the applicant for the late filing to Hearing Officer Grattan and City Attorney Shaver and stated that the applicant had never been a late filer previously.

City Attorney Shaver advised that, according to the letter provided, the applicant had shown good cause for the late filing and recommended approval.

Hearing Officer Grattan asked Mr. Loeb if the statements on the letter are true and accurate to the best of his knowledge. Mr. Loeb said yes.

Hearing Officer Grattan found that there was good cause for the late filing and approved the application for renewal with late filing for P and S, Inc. dba Orchard Mesa Lanes conditioned on a satisfactory inspection by the Fire Department.

V. APPLICATIONS TO RENEW LIQUOR AND BEER LICENSES AND CHANGE IN CORPORATE STRUCTURE

1. Sang Garden, Inc. dba Sang Garden Chinese Restaurant, 687 Horizon Drive, Grand Junction, CO 81506, Hotel and Restaurant – **Renewal continued from November 20, 2013**

President Sang Cong Hong replaces JiBao Sun

No one was present representing the applicant. (Mr. Hong arrived after the findings were made.)

Ms. Kemp read a letter into the record from the Health Department requesting a conditional approval of the renewal to allow more time for a follow up inspection after December 7th. She also advised that the change in Corporate Structure was existing corporate officer Hong acquiring 100% of the shares of stock for Sang Garden, Inc.

The application for change in corporate structure for Sang Garden, Inc. dba Sang Garden Chinese Restaurant was found to be in order and approved.

The application for renewal for Sang Garden, Inc. dba Sang Garden Chinese Restaurant was found to be in order and approved conditioned on a satisfactory report from the Health Department.

2. Thai Chili, Inc. dba Thai Chili & Pho, 2536 Rimrock Drive, Suite 700, Grand Junction, CO 81505, Hotel and Restaurant – **Renewal continued from November 20, 2013**

President On Chi Ng replaces Mei Zhao
Secretary Tian Sheng Xiang replaces Mei Zhao

No one was present representing the applicant.

Ms. Kemp advised that the Health Department reported that all violations had been corrected. CBI/FBI reports are pending on the new corporate officers.

The application for renewal and change in corporate structure for Thai Chili, Inc. dba Thai Chili & Pho was found to be in order and approved conditioned on a satisfactory report from CBI/FBI.

VI. APPLICATION FOR SPECIAL EVENTS PERMIT

1. Grand Junction Elks Home Association, 249 S. 4th Street, Grand Junction, CO 81501, X-Mas at the Elks / 100 Year Anniversary of Building at 249 S. 4th Street, on December 14, 2013 from 6:00 p.m. to 12:00 a.m., Malt, Vinous, and Spirituous

Secretary and Event Manager: Edward Crilly, 511 Crawford Lane, Palisade, CO 81526

Edward Crilly, Secretary and Event Manager, was present.

City Attorney Shaver handed Mr. Crilly two documents marked A and B. He asked Mr. Crilly to describe the documents. Mr. Crilly said that the document marked A is the special event permit questionnaire and affidavit. City Attorney Shaver asked Mr. Crilly if he is familiar with the document, asked him whose signature is on the affidavit, and asked him to describe the event. Mr. Crilly said he is familiar with the document as he is the one who completed and signed it. The event will be a Christmas party opened to the public and it is also a 100 year anniversary for the building. It is a chance for people to see the lodge and some of the history of the building. City Attorney Shaver asked Mr. Crilly how many people they expect to attend. Mr. Crilly said they don't have

any idea, but they plan on having two security guards and six of the Elks Lodge members present. City Attorney Shaver asked Mr. Crilly to describe the document marked as Exhibit B. Mr. Crilly said that it is the floor plan of the second floor of the building. City Attorney Shaver asked Mr. Crilly what the red line indicates on the diagram. Mr. Crilly said that is the area that liquor will be served. City Attorney Shaver asked Mr. Crilly if the security will be present to make sure that the service of alcohol is done in accordance to the law. Mr. Crilly said yes and they will also help in checking identification at the front and back door. City Attorney Shaver asked what their process will be to make sure people are lawfully served. Mr. Crilly said the members of the Elk's Lodge that are assigned to the event will either use stamps or wristbands. City Attorney Shaver asked Mr. Crilly to describe what experience the Elk's Lodge has with special events. Mr. Crilly said that they have done Oktoberfest for thirty some odd years, two or three weddings at their facility, and the Grand Valley Ralley this year. City Attorney Shaver asked if they have ever had any problems with underage or over-service or any other violations of the law at any of the events. Mr. Crilly said no, however, there were some ladies at this year's Oktoberfest that were intoxicated and were refused service.

Hearing Officer Grattan asked if the four rooms on the diagram which are shown as not opened to the public are still being requested as part of the licensed premises. Mr. Crilly said yes, however, they are offices and will be locked for the event.

Hearing Officer Grattan admitted Exhibits A and B into the record and found that pursuant to 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 (it seems appropriate for a historic event and the applicants existence), its location within the community (which he noted that multiple special event permits have been approved in the past), 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 events permit submitted by Grand Junction Elks Home Association for X-Mas at the Elks / 100 Year Anniversary of Building was in order and approved it.

VII. 90 DAY REVIEW

1. Erich and Connie LLC dba Rocky Mountain Pub, 539 Colorado Avenue, Grand Junction, CO 81501, Tavern

Connie Frei, owner of Rocky Mountain Pub, was present.

Hearing Officer Grattan stated that he had reviewed a short report from Officer Keech immediately prior to the hearing.

Hearing Officer Grattan asked Ms. Frei how things were going. Ms. Frei said things are going a lot better.

Officer Keech apologized for getting Ms. Frei's name wrong on his report. He had written Plum instead of Frei. He said that the security at Rocky Mountain

Pub have been very quick to call police for public safety when they see people who are too intoxicated to drive. There have been very few fights at the establishment. He said there was no security working the night of Oktoberfest at the bar. Ms. Frei said that security came in later. Officer Keech said that the conduct of the patrons is definitely a lot better, a lot more controlled, and calls for service are a lot less. The only things that he has seen that are violations are there has not been the two security personnel working that Ms. Frei said there would be and he found employees of the bar drinking after hours at 2:15 a.m. which he has filed a report with the City Attorney's office.

City Attorney Shaver said that his office has received the report from Officer Keech regarding the consumption after hours and due to their office being short-handed, that will be dealt with separately by another attorney in his office.

City Attorney Shaver recommended looking at a review one more time in 90 days. Hearing Officer Grattan agreed and requested that another review be conducted on March 5, 2014. He asked Officer Keech to provide another report for the review on March 5th.

VIII. OTHER BUSINESS

There was none.

IX. ADJOURNMENT

The meeting was adjourned at 2:33 p.m.

NEXT REGULAR MEETING – December 18, 2013

A

**SPECIAL EVENT PERMIT
QUESTIONNAIRE AND AFFIDAVIT**

1. Name of Event: X-MAS AT THE ELKS / 100yr. ANNIVERSARY of Building
2. How many attendees are expected at this event?
100-150
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?
N/A
5. Describe the premises at which this event will take place.
THE ELKS LODGE @ 249. S. 4th ST, GRAND JUNCTION
6. What type of security will be provided at this event?
IN House and Lone Star Security
7. How many security personnel will be on hand?
2 from Lone Star and 6 from Grand Junction Lodge #575
8. How will security personnel be identified?
Elks members will be wearing red vests and Lone Star personnel will be wearing uniforms
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.)
AT DOOR, ID. Required & checked on everyone who seeks admittance. wrist bands or stamps applied to properly ID'ed people.

A

11. How will the conduct and level of intoxication of attendees be monitored and by whom?
Security personnel, bartenders, and waitresses will all be watching for excesses and handled accordingly.

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?
Soft Drinks, Iced Tea, Water
Hamburgers/Chesburgers/dips, popcorn

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.
00401746-0000

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.

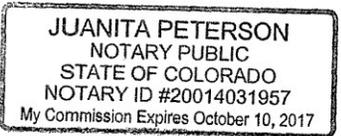
Edwarda C. Kelly Date 10/31/13
Applicant's Signature

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

Subscribed and sworn to before me this 8th day of Nov., 2013.

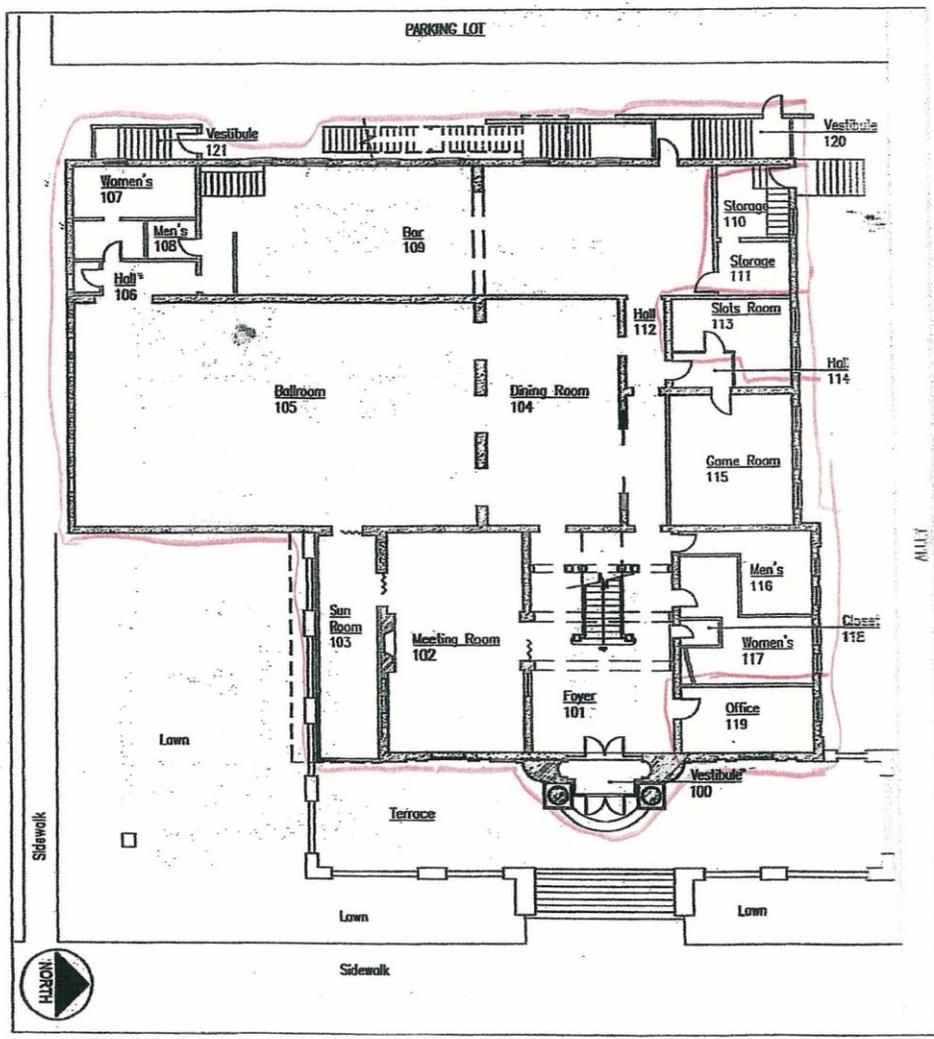
Witness my hand and official seal.

Juanita Peterson My commission expires 10-10-2017
Notary Public



B

First Floor As-Built Plan



NOT TO SCALE

Room 119, 113, 111, 110 ARE NOT OPEN TO THE Public.

*Benevolent Protective Order of Elks, 575
Grand Junction, Colorado*