

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

**MINUTES
WEDNESDAY, MARCH 5, 2014, 2:00 P.M.**

HEARING OFFICER MICHAEL GRATTAN

I. CALL TO ORDER

The meeting was called to order at 2:00 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. PAT Services, LLC dba The Park, 800 Mantlo Circle, Grand Junction, CO 81501, Retail 3.2% Beer (Off Premises)

No one was present representing the applicant.

The application for renewal for PAT Services, LLC dba The Park was found to be in order and approved.

2. PAT Services, LLC dba The Rock, 2057 S. Broadway, Grand Junction, CO 81507, Hotel and Restaurant with Three Optional Premises

No one was present representing the applicant.

City Attorney asked Ms. Kemp if the optional premises are identified to the City Clerk's office satisfaction. Ms. Kemp answered affirmatively.

The application for renewal for PAT Services, LLC dba The Rock was found to be in order and approved.

3. Tepanyaki Japanese Steak House, LLC dba Tepanyaki Steak House & Sushi Bar, 752 ½ Horizon Drive, Grand Junction, CO 81506, Hotel and Restaurant

Vichith Souhala, General Manager for Tepanyaki Steak House & Sushi Bar, was present.

Ms. Kemp advised that the Health Department found ten critical violations and are present to request continuance for the renewal of this application.

Heather Nara, Environmental Health Specialist for Mesa County Health Department, stated that the ten critical violations that were found during the inspection are violations which were repeated from a previous inspection;

therefore, they are requesting a two week continuance to allow time for a follow up inspection to ensure that the violations are not repeated.

City Attorney Shaver asked Ms. Nara if the ten violations include anything that is an immediate safety hazard. Ms. Nara explained that critical violations can impose a food borne illness risk at that time and need at the minimum immediate temporary correction. She advised that there were four of the ten violations that were very critical of the critical violations. They are hoping that, with the education the Health Department provided, the establishment has performed the permanent corrections and that is what the Health Department will look for during the follow up inspection.

Hearing Officer Grattan explained to Mr. Souhala what the Health Department is requesting.

The request for continuance for the renewal for Tepanyaki Japanese Steak House, LLC dba Tepanyaki Steak House & Sushi Bar was granted. It will be placed on the March 19, 2014 Liquor and Beer Meeting agenda. Hearing Officer Grattan asked Mr. Souhala to be present at that meeting. He asked Ms. Nara if she would be present then as well and Ms. Nara replied that if the violations have all been corrected and they are not seeking further continuance they will just provide a letter to the City Clerk's office, otherwise, they will be present.

4. Blazin Wings, Inc. dba Buffalo Wild Wings, 2412 Highway 6 & 50, Grand Junction, CO 81505, Hotel and Restaurant

Mitchell Mazzuca, representing Buffalo Wild Wings, was present.

Hearing Officer Grattan disclosed that Mr. Mazzuca's mother taught his wife, mother-in-law, and child piano lessons, but does not feel it is a conflict. City Attorney Shaver said he would waive the conflict and advised that Mr. Mazzuca's mother taught piano to his kids as well.

The application for renewal for Blazin Wings, Inc. dba Buffalo Wild Wings was found to be in order and approved.

III. APPLICATION TO RENEW LIQUOR AND BEER LICENSE WITH OUTDOOR DINING LEASE

1. Loree, LLC dba Loree's Seafood & Steakhouse, 336 Main Street, Suite 101-104, Grand Junction, CO 81501, Hotel and Restaurant

No one was present representing the applicant.

The application for renewal with outdoor dining lease for Loree, LLC dba Loree's Seafood & Steakhouse was found to be in order and approved.

IV. APPLICATIONS TO RENEW LIQUOR AND BEER LICENSE AND CHANGE IN CORPORATE NAME

1. CST Metro, LLC dba Diamond Shamrock Corner Store #4115, 599 29 ½ Road, Grand Junction, CO 81504, Retail 3.2% Beer (Off Premises)

Change corporate name from Valero Diamond Metro, Inc. to CST Metro, LLC – Master File has been established at the State level

No one was present representing the applicant.

Hearing Officer Grattan and City Attorney Shaver asked about the change in corporate name. Ms. Kemp advised that they have changed the corporate name for all of the stores they have in Colorado. The State has already approved the change in corporate name on their Master File at the State level.

The application for renewal and change in corporate name for CST Metro, LLC dba Diamond Shamrock Corner Store #4115 were found to be in order and approved.

V. APPLICATION FOR A SPECIAL EVENTS PERMIT

1. Grand Valley Public Radio Company, 1310 Ute Avenue, Grand Junction, CO 81501 – KAFM Radio Room Concert Series on March 8, 2014 from 7:00 p.m. to 11:00 p.m., March 22, 2014 from 9:00 p.m. to Midnight, and March 26, 2014 from 7:00 p.m. to 11:00 p.m. 1310 Ute Avenue, Grand Junction, CO 81501, Malt, Vinous, and Spirituous

Pres./Sec’y. of Org.: Tedi Gillespie, 630 Sage Court, Grand Junction, CO 81506
Event Manager: Ramona Winkeller, 2461 F ¼ Road, Grand Jct., CO 81505

Tedi Gillespie, Executive Director for KAFM Radio, Grand Valley Public Radio Company, was present.

Ms. Gillespie advised that they are canceling the March 22, 2014 concert. Hearing Officer Grattan stated that he will amend the application to only request March 8, 2014 and March 26, 2014.

City Attorney Shaver handed Ms. Gillespie two documents labeled with letters “A” and “B”. He asked Ms. Gillespie to tell the Authority what the events are that they are applying for a special events permit. Ms. Gillespie advised that both dates being requested are for concerts (musical performances) in the radio room at KAFM. City Attorney Shaver asked if that is located at 1310 Ute Avenue within the City of Grand Junction, CO. Ms. Gillespie said that is correct. City Attorney Shaver asked Ms. Gillespie what the document marked “A” is, does she have personal knowledge of the document, and if so, how. Ms. Gillespie said it is a special event permit questionnaire and affidavit and she does have personal knowledge about it because she is the one who filled it out. City Attorney Shaver asked Ms. Gillespie to describe the nature of the events

proposed. Ms. Gillespie said that March 8th is a musical performance with singer/songwriter Chris Proctor, which is an event they have held for about the last six years. City Attorney Shaver asked if the event is open to the public. Ms. Gillespie said it is. City Attorney Shaver asked Ms. Gillespie about the service of alcohol and how many people are expected at the event. Ms. Gillespie said they will serve beer and wine and currently only have 29 tickets sold but hopefully will have around 80 people which is their seating capacity. City Attorney Shaver asked how they will ensure the alcohol is served lawfully and consistent with Colorado law. Ms. Gillespie said they have read the law and regulation for special events permits, they have posted the rules to be followed during the event at both the entry way and the counter where the alcohol will be served. They have lined up TIPS certified volunteers to serve. City Attorney Shaver asked if persons both under 21 and over 21 years of age will be allowed at the concert and, if so, asked her to describe the process. Ms. Gillespie said generally they do not get persons under 21 years of age, but if they do, there will be someone at the door checking identification and anyone under 21 will have their hand marked with an "X" using an indelible marker to exclude them from being served any alcohol. City Attorney Shaver asked if people that are over 21 years of age will be marked in anyway. Ms. Gillespie stated that they can use wrist bands for those 21 and over.

City Attorney Shaver asked Ms. Gillespie if there is anything different proposed for the event on March 26th. Ms. Gillespie said there is not. City Attorney Shaver asked if the sponsor of these events has had anything similar in the past. Ms. Gillespie said that they have had musical events, but not with alcohol.

Hearing Officer Grattan asked what Exhibit B is. Ms. Gillespie said it is a map of the radio room showing the stage and the area where beverages and light snacks will be served. Hearing Officer Grattan noted that in Exhibit A, it does indicate that wrist bands will be used for those 21 years of age and older. Ms. Gillespie stated that they will use wrist bands.

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 (the location is relatively small and contained), its location within the community (which is appropriate for the type of event), or the failure of the applicant in a past special event to conduct the event in compliance with applicable laws (there is no history whatsoever). He found that the application for a special events permit submitted by Grand Valley Public Radio Company was in order and approved it as modified.

2. Grand Junction Elks Home Association, 249 S. 4th Street, Grand Junction, CO 81501 – St. Patrick's Days on March 15, 16, and 17, 2014 from 10:00 a.m. to 10:00 p.m. at the Parking Lot between St. Regis and Melrose Hotels at 359 Colorado Avenue, Grand Junction, CO 81501, Malt Vinous, and Spirituous

Secretary of Org.: Edward Crilly, 511 Crawford Lane, Palisade, CO 81526
Event Manager: Don Mear, 627 Darren Way, Grand Junction, CO 81504

Ed Crilly, Secretary of the Elks Home Association, was present.

City Attorney Shaver handed Mr. Crilly two documents marked A and B and asked him if he is familiar with the documents and believes them to be true and correct. Mr. Crilly said yes because he filled them out. City Attorney Shaver asked Mr. Crilly to describe the proposed event. Mr. Crilly stated that it is a celebration for St. Patrick's Day. They did get permission from the St. Regis Association to use the parking lot for the event. The people who normally park in that parking lot will be able to park in the Elks Lodge parking lot. There will be beer, food, and Irish bands will play.

City Attorney Shaver asked if the Elks Home Association is the applicant, if the permission to use the parking lot was in writing to the Elks Home Association, and if 359 Colorado Avenue is within the City of Grand Junction. Mr. Crilly said yes to all three questions.

City Attorney Shaver asked how they came up with an estimated 300 people that will attend the event. Mr. Crilly said it was just a guess, they really are not sure how many will attend. The weather could be a factor. City Attorney Shaver asked if the Elks Home Association has experience in conducting this type of event. Mr. Crilly said that they do, they have done Oktoberfest, Grand Valley Rally, and a few at their lodge. City Attorney Shaver asked if there have been problems with the past events. Mr. Crilly said that there has not, except it is his understanding that there were some intoxicated women who showed up at the last Oktoberfest that were refused service of alcohol at the Oktoberfest and got into trouble at another area on Main Street. No official action was taken on the Elks Home Association for that incident.

City Attorney Shaver asked Mr. Crilly to describe the document marked Exhibit B. Mr. Crilly stated that it is the parking lot between Naggy McGee's/St. Regis and the Melrose. The south side will be all fenced off, and will only be used in the event of an emergency. The north side will be the entrance/exit. People will have to be 21 years of age to enter and will have to have identification to prove it. A wrist band will be put on everyone who enters the venue. City Attorney Shaver asked more about the event itself. Mr. Crilly said there will be food in the event, burgers, brats, reuben sandwiches, etc. Tables and chairs will be provided by the Elks and Budweiser. City Attorney Shaver asked why the event is being held in the parking lot instead of the Elks home. Mr. Crilly said that it is a larger area and will allow everyone to park in the Elks parking lot.

There was no one present in opposition to the application.

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 (St. Patrick's Day parties are regularly held), its location within the community (which would allow parking at the Elks and perhaps a better location given the limited access to the location), or the failure

of the applicant in a past special event to conduct the event in compliance with applicable laws (there is no extensive history). He found that the application for a special events permit submitted by Grand Junction Elks Home Association for St. Patrick's Day March 15, 16, and 17, 2014 was in order and approved it.

VI. OTHER BUSINESS

Meghan Woodland, Police Service Technician, said she will be taking on the administrative duties of liquor enforcement. She will perform all of the background checks and will organize any compliance or complaint checks needed with patrol officers.

Sergeant Norcross was also present.

Hearing Officer Grattan asked if Officer Keech will no longer be joining the Liquor and Beer Meetings. City Attorney Shaver explained that Officer Keech has a particular interest in alcohol enforcement and could be called on for special expertise but the day to day routine will be handled through Ms. Woodland. Sergeant Norcross concurred with City Attorney Shaver.

VII. ADJOURNMENT

The meeting was adjourned at 2:34 p.m.

NEXT REGULAR MEETING – March 19, 2014

(A)

**SPECIAL EVENT PERMIT
QUESTIONNAIRE AND AFFIDAVIT**

1. Name of Event: KACM Radio Room Concert Series

2. How many attendees are expected at this event?
30 - 75

3. Has the event been held in the past? If so, how many years?
Concerts and Community Events - 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.
The Radio Room and Art Gallery is a small
concert venue on the first floor of KACM Community
Radio

6. What type of security will be provided at this event?
A security person will be stationed
at the door to check identification.

7. How many security personnel will be on hand?
one to two security depending on ticket
sales

8. How will security personnel be identified?
Clearly labeled KACM Security T-shirts

9. If this event is being held outdoors, how will the exterior boundaries of the premises be marked (i.e., roped, fenced, etc.)?
Not Applicable

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.)
ID's checked at the door. 21 and up
get a wristband, under 21 get an
"X" on their hand with permanent marker

(A)

11. How will the conduct and level of intoxication of attendees be monitored and by whom?

Event Coordinator will monitor attendees as well as other KAFM volunteers

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

Yes, Servers TIP certified and/or extensive training at establishments serving alcohol.

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

Water, Soda, Chips, granola bars and other snacks Meat, Cheese & Crackers

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.

Multiple location license #: 0140-750
Single location license #: 0120-750
(for 1310 sites)

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.

Cash Kraw
Applicant's Signature

Date 2/4/14

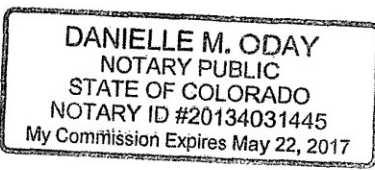
STATE OF COLORADO)
COUNTY OF MESA) SS.
CITY OF GRAND JUNCTION)

Subscribed and sworn to before me this 4th day of February, 20 14.

Witness my hand and official seal.

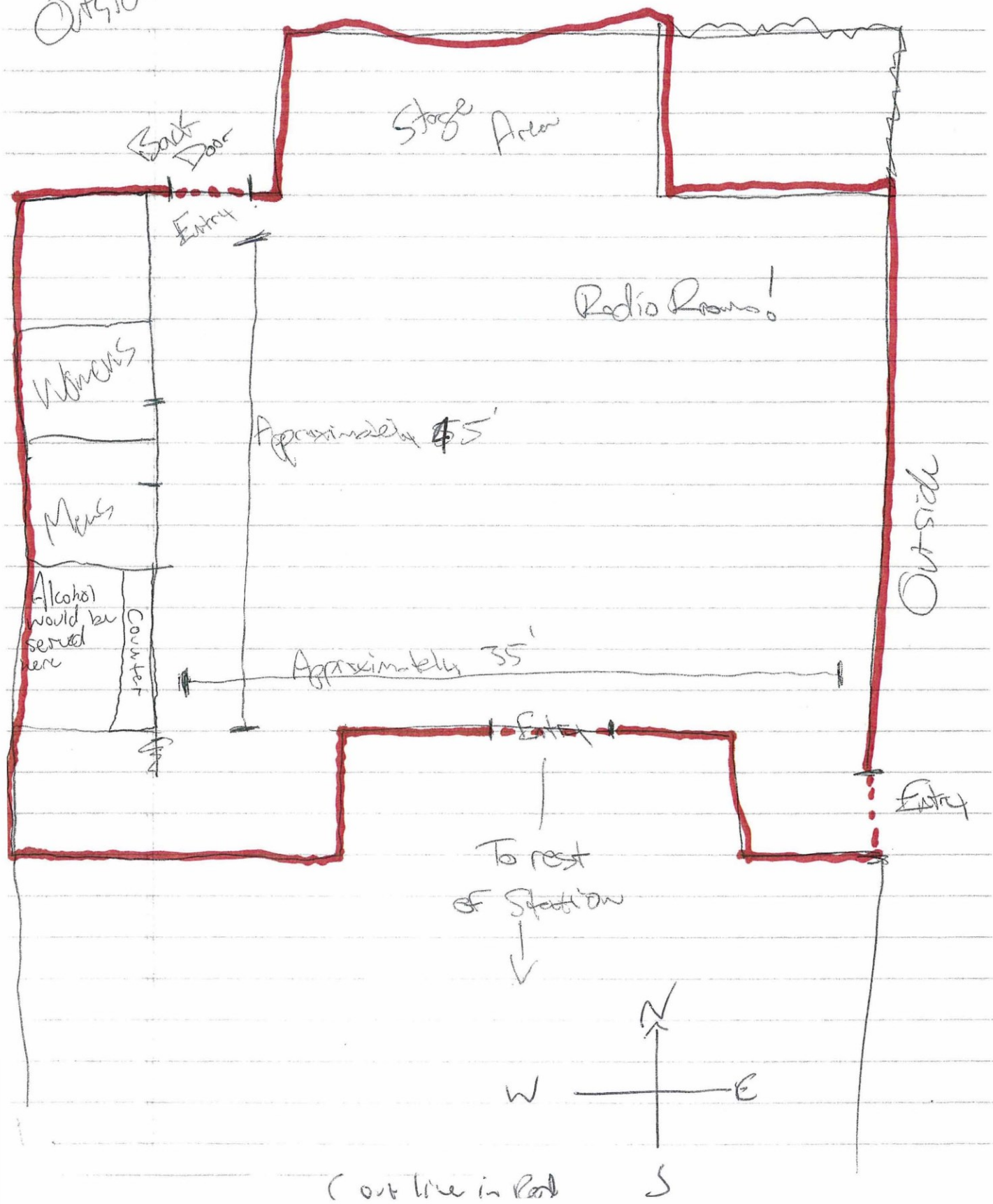
Danielle M. Oday
Notary Public

My commission expires May 22, 2017



(B)

Outside



(out line in Red)

(A)

SPECIAL EVENT PERMIT QUESTIONNAIRE AND AFFIDAVIT

1. Name of Event: St. PATRICKS Days

2. How many attendees are expected at this event?
300 per day? (First Time event, guessing at attendance)

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.
Parking lot west of St Regis Hotel at 359 Colorado Ave (Between St Regis and Melrose Hotel) (~~Hard to Observe, 24/7, if weather gets too dark for outside vision~~)

6. What type of security will be provided at this event?
Two guards from Lonestar, one at entrance to event and one roving the area.

7. How many security personnel will be on hand?
2 from Lonestar and our own members.

8. How will security personnel be identified?
Uniformed

9. If this event is being held outdoors, how will the exterior boundaries of the premises be marked (i.e., roped, fenced, etc.)?
Fenced with one entrance off of Colorado Ave. There will be an exit on the alley between the Elk Lodge and the St. Regis parking lot

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.)
Must be 21 to enter and must have current pictured I.D. Everyone will be checked for I.D.'s. A wrist band will be placed on all who qualify to enter area.

(A)

11. How will the conduct and level of intoxication of attendees be monitored and by whom?

Monitored by Elks members and security personnel.

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?

Water, coffee, and Sodas. Also available are burgers, brats, and Reubin sandwiches.

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.

State # 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.

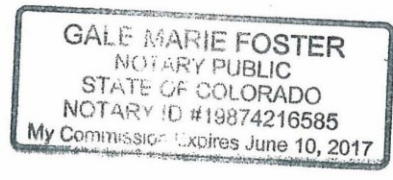
Edward W. Kelly Date 1/27/14
Applicant's Signature

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

Subscribed and sworn to before me this 27th day of January, 20 14.

Witness my hand and official seal.
Gale Marie Foster
Notary Public

My commission expires 6-10-17





(B)