

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

**MINUTES
WEDNESDAY, JUNE 18, 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 Juanita Peterson.

II. APPLICATIONS TO RENEW LIQUOR AND BEER LICENSES

1. Tequila's II, Inc. dba Tequila's, 2560 North Avenue, Grand Junction, CO, 81501, Hotel and Restaurant

No one was present representing the applicant.

The application for renewal for Tequila's II, Inc., dba Tequila's was found to be in order and approved.

2. Dancing Spirits, LLC dba Horizon Liquor, 715 Horizon Drive, Suite #207, Grand Junction, CO 81506, Retail Liquor Store

Sue Springer, mom to the owner Sara Taylor, was present.

The application for renewal for Dancing Spirits, LLC dba Horizon Liquor was found to be in order and approved.

3. Grand Junction Hooters, L.P., dba Hooters, 2880 North Avenue, Grand Junction, CO 81501, Hotel and Restaurant

Mike Dickey, General Manager, was present.

The application or renewal for Grand Junction Hooters, L.P. dba Hooters was found to be in order and approved.

4. Yummy, LLC dba Enzo's Pizzeria and Italian Café, 759 Horizon Drive, Grand Junction, CO 81506, Hotel and Restaurant

Vincenzo Favale, Owner, was present.

Ms. Peterson said she asked Mr. Favale to appear today due to the incident on the Police Report regarding an employee of the establishment. All other reports are in compliance.

In reference to a report that an employee was intoxicated on the job, Hearing Officer Grattan said the BAC number shows it was .288 which is very alarming and asked Mr. Favale to explain.

Mr. Favale said he was told that this employee was in a car accident, but not that it was a DUI crash; this was approximately 2 months ago. He started looking into the employee's behavior and talking to other employees. She was one of his bartenders. She was apparently going across the street on her breaks and drinking at Bailey's. Mr. Favale said he allows one end of shift drink. After further investigation, there was alcohol unaccounted for. He confronted her and she ended up quitting. He said others have said that this was not her first DUI.

Hearing Officer Grattan was concerned on how this happened when she was working. City Attorney Shaver said this could be referred to his office for further investigation.

Hearing Officer Grattan approved the renewal application for Yummy, LLC dba Enzo's Pizzeria and Italian Café.

5. Danner Clark, LLC dba Fly'n Roosters, 200 W. Grand Avenue, Units 4 & 5, Grand Junction, CO 81501, Hotel and Restaurant

Ann Danner, Owner, was present.

The application for renewal for Danner Clark, LLC dba Fly'n Roosters was found to be in order and approved.

6. SINH, LLC dba Redlands Liquor, 2500 Broadway, Space A8, Grand Junction, CO 81507, Retail Liquor Store

No one was present representing the applicant.

The application for renewal for SINH, LLC dba Redlands Liquor was found to be in order and approved.

II. APPLICATION TO RENEW LIQUOR AND BEER LICENSES WITH OUTDOOR DINING LEASE

1. Main Street Management, LLC dba Spring Hill Suites, 236 Main Street, Grand Junction, CO 81501, Tavern with Outdoor Dining Lease

No one was present representing the applicant.

The application for renewal for Main Street Management, LLC dba Spring Hill Suites was found to be in order and approved.

2. Rockslide Brew Pub, Inc. dba Rockslide Brew Pub, 401 Main Street, Grand Junction, CO 81501, Brew Pub with Outdoor Dining Lease

Mr. Jack Ballenger, General Manager, was present.

Ms. Peterson said the Fire and Sales Tax reports are in compliance. The Health Department is asking for a continuance until an additional inspection can be conducted after July 18, 2014. Ms. Peterson also said there were numerous incidents on the police report for the last year, which are pending.

Hearing Officer Grattan asked Mr. Ballenger what he knew of these issues. Mr. Ballenger said he knew about the Health Department issues which had to do with the cold hold for foods and that is being addressed with repairs. He did not know anything about any pending incidents.

Megan Woodland, Police Department, said the Police call list for the last year shows several failures to report from the establishment. Hearing Officer Grattan asked Ms. Woodland about dates, and she did not have specific dates, just that this was within the last year. Staff Attorney DeLayne Merritt was present. She informed the Hearing Officer there were several of these upstairs in the attorney's office pending investigation.

Hearing Officer Grattan said he is inclined to continue this until July 2, 2014 to get further information from the City Attorney's office and the Health Department on these issues. He told Mr. Ballenger to contact Ms. Woodland for further details on these police involved incidents.

III. APPLICATION FOR A TRANSFER OF OWNERSHIP WITH OUTDOOR DINING LEASE

1. MZ Entertainment, LLC dba Thunderstruck Valley, 436 Main Street, Grand Junction, CO 81501, transferring from Boomers, LLC dba Boomers, Tavern with Outdoor Dining Lease

Member: Mark Towner, 1043 Echo Canyon St., Fruita, CO 81521

Member: Zhanna Shearwood, 592 ½ Pacino Way, Grand Jct., CO 81501

Mr. Mark Towner and Ms. Zhanna Shearwood, Owners, were both present.

Ms. Peterson reported that the paperwork is in order. The applicant has a temporary permit and has opened. The reports are in compliance except the issuance of the Certificate of Occupancy (CO) for the kitchen area. A temporary CO was given to Thunderstruck Valley for the establishment as the existing hood assembly needs to bring in tempered air to make it work. The new assembly has been ordered.

Mr. Towner said they can use the existing hood it during the summer as is, but when the temperatures get colder outside, it will not work. They will install the new assembly to meet code.

City Attorney Shaver asked about the incident that happened Friday night. Mr. Towner said they had police there; they were not prepared for the amount of people who showed up. He estimated there were around 700 people. Hearing Officer Grattan said he drove by before 10:00 p.m. and there was quite a crowd. Mr. Towner said they hired additional security for Saturday night and began closing down sooner and in a different manner which seemed to work.

Ms. Woodland said she was still processing the reports from the Friday night incident and had nothing to report at this time.

Hearing Officer Grattan approved the Transfer of Ownership pending the final CO to being issued within 60 days or else he would see the applicant back before him. City Attorney Shaver concurred.

IV. APPLICATIONS FOR A CHANGE IN CORPORATE STRUCTURE

1. Blazin Wings, Inc. dba Buffalo Wild Wings, 2412 Highway 6 & 50, Grand Junction, CO 81505, Hotel and Restaurant – ***MASTER FILE IN DENVER***

Remove Matthew K. Brokl, Vice President, no replacement at this time

Ms. Peterson reported this is a formality since they have a Master File in Denver and they are just removing an officer.

Hearing Officer Grattan approved the Change in Corporate Structure for Blazin Wings, Inc., dba Buffalo Wild Wings.

2. Myths and Legends, Inc. dba Quincy Bar & Grill, 609 Main Street, Grand Junction, CO 81501, Tavern

President and CEO: Tia O'Neil, 659 Crossing St., Grand Junction, CO 81505, replaces William Lloyd

V. President and Secretary: Pete O'Neil, 659 Crossing St., Grand Junction, CO 81505

Tia and Pete O'Neil were present; they have purchased the establishment from Mr. Bill Lloyd. Ms. Peterson said the paperwork is in order for the Change in Corporate Structure.

City Attorney Shaver asked Ms. O'Neil if they purchased the stock and everything. Ms. O'Neil said yes.

Ms. Peterson said this was a 3 month review for the establishment. Hearing Officer Grattan reviewed the list and was very pleased he was not looking at a 10 page report as he has in the past.

Ms. O'Neil said she has made lots of changes since taking over which she believes has made a significant change.

Staff Attorney Delayne Merritt said she has nothing to report but has been working with Ms. O'Neil regarding the conduct of the establishment and two administrative actions for consuming alcohol after hours. Ms. Merritt said a formal agreement will be made with the O'Neil's. If they have no other issues for a year, her office will not pursue the administrative actions.

Hearing Officer Grattan said that he views this change as a positive and changing the operation has helped.

Ms. O'Neil said the biggest change is in management. She is not bartending so she is working on keeping the staff on task. She can see more of all of the happenings doing what she is doing now.

Hearing Officer Grattan and City Attorney Shaver concurred they are pleased with the progress and approved the Change in Corporate Structure. They will review again upon the annual renewal in November.

V. OTHER BUSINESS

Hearing Officer Grattan said back to the involvement of the high BAC level of an employee at Enzo's, he is inclined to have this go back to conduct of the establishment and relate these back to the ownership's responsibility. City Attorney Shaver said there would be several ways to look at this.

Ms. Woodland said she wasn't sure if it was her responsibility to investigate these issues when they come up. When she pulled the reports for the renewal is when she discovered this one. Staff Attorney Merritt said that it would be best for Ms. Woodland to do an investigation when these come up, and if need be refer them to the City Attorney's office to process or investigate further.

VI. ADJOURNMENT – 2:45 p.m.

NEXT REGULAR MEETING – July 2, 2014