

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

MINUTES

WEDNESDAY, MAY 18, 2011, 2:00 P.M.

I. CALL TO ORDER

The meeting convened at 2:00 p.m. Those present were Hearing Officer Mike Grattan and Deputy City Clerk Debbie Kemp.

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. DLK Enterprises, Inc. dba Brass Rail Lounge, 476 28 Road, Grand Junction, CO 81501, Tavern

No one was present representing the applicant.

The application for renewal for DLK Enterprises, Inc. dba Brass Rail Lounge was found to be in order and approved.

3. Thrifty Payless, Inc., Rite Aid #6258, 2992 F Road, Grand Junction, CO, 81504, 3.2 Beer Retail (Off-Premises)

No one was present representing the applicant.

The application for renewal for Thrifty Payless, Inc., Rite Aid #6258 was found to be in order and approved.

4. Red Robin International, Inc., dba Red Robin America's Gourmet Burgers and Spirits, 2530 Rimrock Avenue, Grand Junction, CO 81505, Hotel and Restaurant

No one was present representing the applicant.

Ms. Kemp reported that there were outstanding violations noted by the Health Department and that a follow up inspection will be done later in the week.

The application for renewal for Red Robin International, Inc., dba Red Robin America's Gourmet Burgers and Spirits was found to be in order and approved subject to an appropriate response from the Health Department.

5. RLJ II – R Grand Junction Lessee, LLC White Lodging Services dba Residence Inn by Marriott Grand Junction, 767 Horizon Drive, Grand Junction, CO 81506, Tavern

Sharah Russell, General Manager for Residence Inn by Marriott Grand Junction, was present representing the applicant.

The application for renewal for RLJ II – R Grand Junction Lessee, LLC White Lodging Services dba Residence Inn by Marriott Grand Junction was found to be in order and approved.

6. Aerios Western Slope Colorado, LLC dba Smash Burger, 115 A and B W. Grand Avenue, Grand Junction, CO 81501, Beer and Wine

Abigail Shoup, General Manager for Smash Burger, was present representing the applicant.

The application for renewal for Aerios Western Slope Colorado, LLC dba Smash Burger was found to be in order and approved.

III. APPLICATION FOR A SPECIAL EVENTS PERMIT

1. Western Equality, P.O. Box 3335, Grand Junction, CO 81502, "Pride Fest West" on June 11, 2011 from 9:00 p.m. to 2:00 a.m., 740 Gunnison Avenue, Suite 212, Grand Junction

President: Jerry Shelton, 1153 W. Paradise Way, Fruita, CO 81521
Event Manager: Leslie Harlan, 661 Laredo Ct., Unit A, Grand Junction, CO 81505

Jerry Shelton, Board President of Western Equality, and Leslie Harlan, Event Manager for "Pride Fest West", were present representing the applicant.

Hearing Officer Grattan asked for information about the event, where it is, what it is, how they are going to prevent minors from drinking alcoholic beverages, and to explain the diagram that is labeled Exhibit A (attached).

Mr. Shelton explained that Western Equality is gay, lesbian, bi-sexual, transgender advocacy and support education group. The month of June is "Pride" month and around the nation they celebrate "Pride". They have five people who will be security and will be wearing ugly green shirts. They will be doing a training the week before the event. They have two people who have been bartenders before and know what to do. There are two doors, one is the entrance into the gymnasium and the other door is access to the bathrooms and there will be two people at each door. The building is an old Mormon church that is now the Center for Independence. There is a large gymnasium at the rear of the building where they will hold the event. Mr. Shelton explained the diagram indicating where the entrance is and that there will be two people there for age identification. Everyone

attending will wear a wrist band. The underage wrist band is bright pink and has underage written on it. The 21 year olds and over will have a different color wrist band. Alcohol will be served and consumed in the gymnasium only.

Hearing Officer Grattan asked Mr. Shelton to indicate, in writing, on the diagram where the alcohol will be served.

Hearing Officer Grattan asked why the chosen facility is more appropriate for the event than any other liquor licensed facility. Ms. Shelton stated that they operate on an extremely limited budget. They have used Mesa Theatre in the past. They charge \$500 but they are closed at this time and the two other facilities, Two Rivers Convention Center and Double Tree Hotel, were not available and incredibly expensive. Hearing Officer Grattan made note that there was a Venue Grid that was submitted by the applicant stating no other facilities were available or adequate for the event.

The application for a special events permit for Western Equality was found to be in order and approved.

IV. REVIEW AND AUTHORIZE STIPULATION, AGREEMENT AND ORDER

1. Thai Chili, Inc. dba Thai Chili and Pho, 2536 Rimrock Drive, Grand Junction, CO 81505, Beer and Wine

January 15, 2011 – sale to a person under the age of twenty-one years

Hearing Officer Grattan disclosed that he represents Ms. Zhang who is present with Mr. Zhao, the owner of Thai Chili and Pho and asked Ms. Merritt if she has a problem with him hearing this case. DeLayne Merritt, Staff Attorney, asked Hearing Officer Grattan what his relationship is with Ms. Zhang and Thai Chili together. Hearing Officer Grattan said he represents Ms. Zhang on other business matters and in reference to Thai Chili, Ms. Zhang has asked him to review a sub-lease that she has with Mr. Zhao for the Thai Chili premises. There is also some talk of Ms. Zhang acquiring some interest in Thai Chili, Inc. in the future and he has been asked to look at that. There is no relationship in any way regarding an alcohol violation. Ms. Merritt stated that she does not feel that Hearing Officer Grattan's relationship with Ms. Zhang would have any effect on the decision for the agreement for Mr. Zhao.

Ms. Merritt stated that a standard agreement has been reviewed and agreed on for the sale of alcohol to a minor. Mr. Zhao has agreed to take the two days suspension instead of paying a fine in lieu of. There is a possible language barrier with Mr. Zhao and there has been an affidavit signed by an interpreter who interpreted the agreement for Mr. Zhao. The interpreter was asked to be at this hearing but could not make it because she is attending school in Denver.

Hearing Officer Grattan asked Ms. Merritt if the agreement is what the City would like for him to sign. Ms. Merritt said yes, the City believes it is fair and there have not been any prior violations.

Hearing Officer Grattan asked Ms. Zhang what her current relationship is with Thai Chili. Ms. Zhang replied that she is the manager and helps them out.

Hearing Officer Gratten asked Mr. Zhao and Ms. Zhang if they wish for him to enter the stipulation regarding the improper service as an order of the Authority. They both replied affirmatively.

Ms. Merritt advised that she has contact information for the interpreter if there is a language issue in the future. Hearing Officer Grattan asked Ms. Merritt to provide that information to Ms. Kemp.

Hearing Officer Grattan asked Ms. Zhang to ask Mr. Zhao if he would prefer to have his daughter (the interpreter) present to interpret this information or is he comfortable with proceeding with the agreement at this time. Mr. Zhao advised that he is comfortable with proceeding at this time.

Hearing Officer Grattan signed the presented Stipulation, Agreement, and Order and asked the Clerk to submit it in accordance with the Certificate of Mailing.

Ms. Kemp advised Mr. Zhao and Ms. Zhang that they can stop by the City Clerk's office to pick up a sign that will need to be posted during the days of suspension.

V. OTHER BUSINESS

Hearing Officer Grattan asked Ms. Kemp to add "discussion regarding who is the appropriate person needed to be present representing the applicant at a hearing when there is a management company involved" to Other Business on the agenda for the June 1st Liquor and Beer meeting.

VI. ADJOURNMENT

The liquor and beer meeting was adjourned at 2:25 p.m.

NEXT REGULAR MEETING – June 1, 2011

Center

(A)

