

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

M I N U T E S

*****NOTE SPECIAL TIME FOR THIS HEARING ONLY*****

WEDNESDAY, OCTOBER 3, 2007 8:00 a.m.

I. CALL TO ORDER – The meeting convened at 8:00 a.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. Feather Petroleum Company dba Stop N Save No. 2, 2050 North Avenue, Grand Junction, CO 81501, 3.2% Beer Retail (Off-Premises)

The application was found to be in order and approved.

2. DR Bowling, LLC dba Freeway Bowl, 1900 Main Street, Grand Junction, CO 81501, Tavern

The application was found to be in order and approved.

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

1. College Liquors, Inc., dba College Liquors, 1133 Patterson, Unit #9, Grand Junction, CO 81501, Retail Liquor Store with Tasting Permit

John Stevens, Manager, was present. The application was found to be in order and approved along with the Tasting Permit.

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

1. Modern World Cabaret, LLC dba The Cabaret, 701 Main Street, Grand Junction, CO 81501, Tavern

Kirk McConnell replaces Kevin McConnell as Managing Member. Kevin McConnell is still a member of the LLC.

The application for renewal was found to be in order and approved along with the change in corporate structure.

V. APPLICATIONS TO RENEW LIQUOR AND BEER LICENSES AND MODIFICATION OF PREMISES

1. TYLUK, Inc. dba Whiskey River, 490 28 ¼ Road, Grand Junction, CO 81501, Tavern

Modification of premises to add a fenced in patio on the north side of building.

Louis Boyd, Owner, was present. Ms. Peterson reported all of the reports were fine for the renewal except the report from Mesa County Health Department was not in. Ms. Peterson read the summary of the police report into the record (see attached). Ms. Peterson read the results of the survey for the modification of premises into the report (see attached), and reported that Monday night, October 1, 2007, the City Council approved the Revocable Permit which allows for 10 existing parking spaces and an existing free standing sign to exist within the 28 ¼ Road right of way.

City Attorney Shaver asked Mr. Boyd to describe the neighborhood around his establishment. Mr. Boyd said there are two trailer parks, Jamestown and Niagara Village, a daycare across the street, along with a bank and hair salon. Mr. Boyd said the trailer park closest to him is a "rent by the week" and Mr. Boyd concentrated on that area for his survey as he felt they would be the ones who would be most impacted on the modification. Mr. Boyd said the sole purpose of the modification is to add an area where the smokers could go to smoke and to drink. The smoking ordinance really affected his business.

City Attorney Shaver referred to the police summary Ms. Peterson read into the record regarding all calls not related to the bar itself and asked Mr. Boyd if these calls could be related to the type of dwellings in the area. Mr. Boyd said he would agree that it could, but the overall area has improved in the last 8 years.

Hearing Officer Grattan and City Attorney Shaver concurred with the approval of the renewal and the modification of premises. Hearing Officer Grattan noted there was no one in the audience to oppose or to contest this modification. Both were approved.

VI. ADJOURNMENT – 8:12 a.m.

NEXT REGULAR MEETING – October 17, 2007

Grand Junction Police Department

Memorandum

To: Juanita Peterson
From: T. J. Rix
Date: January 23, 2012
Subject: Liquor License/Renewal-Whiskey River

The following background information check was completed through local computer records information from both the Mesa County Sheriff's, Grand Junction Police departments, and based only on the information contained below as provided to include Individual History Record when provided.

I have checked the local criminal history for the last year on the person(s) and business(es) listed below. I have found nothing unusual or derogatory which would hinder the issuance of these license(s) for the persons or businesses listed below.

The following summary and attached reports document police calls for service between September 01, 2006 and September 12, 2007 for the Whiskey River bar, 539 490 28 ¼ Rd, GJ.CO.

Summary:

A total of 85 police service calls were compiled through researching the GVCC (Grand Valley Communication Center, and GJPD records. The service calls are further broken down for each month in to number of arrests made with brief narrative summaries. Of the 85 police service calls, only 28 had actual documented involvement directly with Whiskey River bar.

The remaining 57 police service calls to 490 28 ¼ Rd had no reports to further explain the call or its relation to the call address. A majority of these calls involve the area within the block of 490 28 ¼ Rd, and were cleared by the officer as an assist, verbal warning, or gone on arrival.

There were a total of 13 arrests made from the 57 police calls for service and only involved patrons of the bar, none were employees, and no reports of any unlawful acts by employees.

Tyluk Inc., dba Whiskey River, 490 28 ¼ Road, Grand Junction CO 81501

Louis Boyd
3 ½ Hartford Court
Fruita CO 81521
DOB: 1/4/55

Whiskey River/2006

SEPTEMBER INCIDENTS: 5
INCIDENTS, YEAR TO DATE: 5
SEPTEMBER ARRESTS: 3
ARRESTS, YEAR TO DATE: 3

<u>Date</u>	<u>Incident Number</u>	<u>Type</u>	<u>Dispo</u>	<u>Arrests</u>
09-06-06	06-056330	FIGHT	D-5	1
(1 36yr, M, released on summons after fighting with employee inside bar while intoxicated after being cut off from alcohol by employee)				
09-08-06	06-057076	FRAUDI	D-5	2
(26 yr, M, and under 21 yr M, arrested/rel's'd summons, 1 for allowing under 21 yr person to use his ID to obtain alcohol and 1 for attempting to gain alcohol using another's ID when under age)				
09-13-06	06-057941	ASSIST	D-5	
(Report of found ID inside bar by employee-no alcohol or unlawful acts by employees reported)				
09-23-06	06-060340	THEFT	D-5	
(Victim report'd theft of jacket w/billfold while inside bar-no alcohol or unlawful acts by employees reported)				
09-23-06	06-060553	VAND	D-5	
(Employee report'd damage to bar property-no alcohol or unlawful acts by employees reported)				

Note:

4 additional police calls to bar address with out report info as to RP or directly relating to the bar.

Whiskey River/2006

OCTOBER INCIDENTS: 1
INCIDENTS, YEAR TO DATE: 5
OCTOBER ARRESTS: 0
ARRESTS, YEAR TO DATE: 3

<u>Date</u>	<u>Incident Number</u>	<u>Type</u>	<u>Dispo</u>	<u>Arrests</u>
10-12-06	06-064776	FAUTO	D-5	

(Victim rept'd theft from auto connecting to multiple theft case with other victims-no alcohol or unlawful acts by employees reported)

Note:

2 additional police calls to bar address with out report info as to RP or directly relating to the bar.

Whiskey River/2006

NOVEMBER INCIDENTS: 1
INCIDENTS, YEAR TO DATE: 6
NOVEMBER ARRESTS: 0
ARRESTS, YEAR TO DATE: 3

<u>Date</u>	<u>Incident Number</u>	<u>Type</u>	<u>Dispo</u>	<u>Arrests</u>
11-14-06	06-072104	VAND	D-5	

(Victim vehicles hit w/eggs while parked in bar parking lot-no alcohol or unlawful acts by employees reported)

Note:

5 additional police calls to bar address with out report info as to RP or directly relating to the bar.

Whiskey River/2006

**DECEMBER INCIDENTS: 1
INCIDENTS, YEAR TO DATE: 7
DECEMBER ARRESTS: 0
ARRESTS, YEAR TO DATE: 3**

<u>Date</u>	<u>Incident Number</u>	<u>Type</u>	<u>Dispo</u>	<u>Arrests</u>
12-26-06	06-080331	REMOVE	D-5	
<small>(41 yr, M, in custody by police on alcohol hold, highly intoxicated during disturbance inside bar reported by employee-no amount of alcohol use or unlawful acts by employees reported)</small>				

Note:

3 additional police calls to bar address with out report info as to RP or directly relating to the bar.

Whiskey River/2007

JANUARY INCIDENTS: 0
INCIDENTS, YEAR TO DATE: 7
JANUARY ARRESTS: 0
ARRESTS, YEAR TO DATE: 3

<u>Date</u>	<u>Incident Number</u>	<u>Type</u>	<u>Dispo</u>	<u>Arrests</u>
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Note:

1 additional police call to bar address with out report info as to RP or directly relating to the bar.

Whiskey River/2007

FEBRUARY INCIDENTS: 2
INCIDENTS, YEAR TO DATE: 9
FEBRUARY ARRESTS: 1
ARRESTS, YEAR TO DATE: 4

<u>Date</u>	<u>Incident Number</u>	<u>Type</u>	<u>Dispo</u>	<u>Arrests</u>
02-12-07	07-009019	FAUTO	D-5	
(Victim reported damage/no prop loss to veh while parked in bar parking lot-no alcohol use or unlawful acts by employees reported)				
02-21-07	07-010973	ASSLTI	D-5	1
(34 yr old female arrested/rls'd on summons after she assaulted another person inside the bar-no alcohol use or unlawful acts by employees reported)				

Note:

6 additional police calls to bar address with out report info as to RP or directly relating to the bar.

Whiskey River/2007

MARCH INCIDENTS: 5

INCIDENTS, YEAR TO DATE: 14

MARCH ARRESTS: 2

ARRESTS, YEAR TO DATE: 6

<u>Date</u>	<u>Incident Number</u>	<u>Type</u>	<u>Dispo</u>	<u>Arrests</u>
03-02-07	07-012902	THEFT	D-5	
(Victim reported cold theft of purse while in bar-no alcohol or unlawful acts by employee reported)				
03-03-07	07-013034	ASSLT	D-5	1
(23 yr old male arrested/rls'd on summons for harassment inside bar-no alcohol use or unlawful acts by employees reported)				
03-21-07	07-017278	CRASH	D-5	
(2 vehicle accident in parking lot of bar-no alcohol use or unlawful acts by employees reported)				
03-23-07	07-017639	FAUTO	D-5	
(Victim reported cold theft from vehicle parked in bar parking lot-no alcohol use or unlawful acts by employees reported)				
03-28-07	07-018834	FIGHT	D-5	1
(22 yr old male was arrested/rls'd on summons when refusing to leave the bar - found to be in violation of protection order – admitting to alcohol use but no amount noted or unlawful acts by employees reported)				

Note:

No additional police calls to bar address

Whiskey River/2007

APRIL INCIDENTS: 2
INCIDENTS, YEAR TO DATE: 16
APRIL ARRESTS: 1
ARRESTS, YEAR TO DATE: 7

<u>Date</u>	<u>Incident Number</u>	<u>Type</u>	<u>Dispo</u>	<u>Arrests</u>
04-15-07	07-023142	DUI	D-5	1
(41 yr, male arrested/rls'd on summons for DUI/DUI-PERSE with BAC of .085%, admitted to drinking beer inside bar during traffic stop in bar parking lot-no unlawful acts by employees reported)				
04-24-07	07-025497	THEFT	D-5	
(Bar employee saw and reported to police, female stealing property from a patron inside bar-victim didn't want to prosecute- no alcohol use or unlawful acts by employees reported)				

Note:

6 additional police calls to bar address with out report info as to RP or directly relating to the bar.

Whiskey River/2007

MAY INCIDENTS: 3

INCIDENTS, YEAR TO DATE: 19

MAY ARRESTS: 1

ARRESTS, YEAR TO DATE: 8

<u>Date</u>	<u>Incident Number</u>	<u>Type</u>	<u>Dispo</u>	<u>Arrests</u>
05-05-07	07-027961	VAND	D-5	
(Victim reported damage to his vehicle witnessed by another patron-no alcohol use or unlawful acts by employees reported)				
05-30-07	07-033871	FIGHT	D-5	1
(44 yr, male highly intoxicated escorted off property by employee-arrested/rls'd on summons after returning to bar -refused to leave-alcohol amount of use not reported-no unlawful acts by employees reported)				
05-30-07	07-033988	AUTO THEFT	D-5	
(Victim reporting veh stolen bar lot where parked the night before- was held on alcohol hold night before during his arrest/rls on summons at bar for trespassing-no amount of alcohol use noted or unlawful acts by employees reported)				

Note:

6 additional police calls to bar address with out report info as to RP or directly relating to the bar.

Whiskey River/2007

JUNE INCIDENTS: 1
INCIDENTS, YEAR TO DATE: 20
JUNE ARRESTS: 0
ARRESTS, YEAR TO DATE: 8

<u>Date</u>	<u>Incident Number</u>	<u>Type</u>	<u>Dispo</u>	<u>Arrests</u>
06-10-07	07-036715	ASSLT	D-5	
(38 yr old male victim, came outside from bar, throwing up and was assaulted/robbed of wallet's contents by unknown suspects-no alcohol amount use noted-no unlawful acts by employees reported)				

Note:

7 additional police calls to bar address with out report info as to RP or directly relating to the bar.

Whiskey River/2007

JULY INCIDENTS: 0

INCIDENTS, YEAR TO DATE: 20

JULY ARRESTS: 0

ARRESTS, YEAR TO DATE: 8

<u>Date</u>	<u>Incident Number</u>	<u>Type</u>	<u>Dispo</u>	<u>Arrests</u>
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Note:

1 additional police call to bar address with out report info as to RP or directly relating to the bar.

Whiskey River/2007

AUGUST INCIDENTS: 5
INCIDENTS, YEAR TO DATE: 25
AUGUST ARRESTS: 5
ARRESTS, YEAR TO DATE: 13

<u>Date</u>	<u>Incident Number</u>	<u>Type</u>	<u>Dispo</u>	<u>Arrests</u>
08-01-07	07-049909	DUI/CRASH	D-5	1
(21 yr male, arrested/rls'd on summons for DUI/DUI PER SE, BAC .223%, after involved in hitting other veh in bar parking lot-after being in bar, consuming mixed drinks/beer-no unlawful acts by employees reported)				
08-01-07	07-049912	FIGHT	D-5	1
(31 yr male, arrested/rls'd on summons for disorderly conduct after fighting inside bar-no alcohol used or unlawful acts by employees reported)				
08-08-07	07-051610	THEFT	D-5	1
(23 yr, male, arrested/rls'd on summons for theft of whiskey in bottle from inside bar-no alcohol use or unlawful acts by employees reported)				
08-29-07	07-056954	TRESP	D-5	1
(26 yr, male arrested/rls'd on summons for trespassing after told by both employees and police to leave the bar property but refused to do so-highly intoxicated-no amount of alcohol use noted or unlawful acts by employees reported)				
08-29-07	07-056946	TS	D-5	1
(25 yr, male arrested/rls'd on summons for DUI/DUI PERSE, after traffic stop in bar parking lot, BAC of .143%-no alcohol use within bar noted in report-no unlawful acts by employees reported)				

Note:

12 additional police calls to bar address with out report info as to RP or directly relating to the bar.

Whiskey River/2007

SEPTEMBER INCIDENTS: 3
INCIDENTS, YEAR TO DATE: 28
SEPTEMBER ARRESTS: 0
ARRESTS, YEAR TO DATE: 13

<u>Date</u>	<u>Incident Number</u>	<u>Type</u>	<u>Dispo</u>	<u>Arrests</u>
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09-07-07	07-059601	INTOX	D-5	
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Officer's notes:

On 090707 at approximately 2314 hours I, Officer Daugherty, observed Jeffrey Bruce (102461) lying on the ground in the parking lot of 490 28 1/4 Rd. He was lying, apparently unconscious, on the ground with his head about 6 inches from the front tire of a truck in the parking lot.

Bruce appeared to be unconscious. I attempted to wake Bruce and was unable. I called for GJFD and they responded. They were able to wake Bruce and he appeared to be intoxicated. Bruce had a strong odor of alcohol from his breath and he did not know where he would stay for the night nor how he would get there.

Bruce refused any medical evaluation and was taken to Colorado West for an M1 Alcohol Hold. **Bruce was clearly intoxicated and a clear danger to himself and others due to his level of intoxication.**

09-12-07	07-060505	THEFT/VERB	D-5	
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(25 yr, female highly intox verb argument w/boyfriend in parking lot after both drinking alcohol inside bar-no amount of alcohol use noted-no unlawful acts by employees reported)

09-12-07	07-060684	WELFAR	D-5	
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(40 yr, male (transient), passed out on sidewalk by the bar, highly intox-admitted to drinking alcohol beverages earlier but no mention in report where consumption took place, placed into detox center on alcohol hold-no unlawful acts by employees reported)

Note:

4 additional police calls to bar address with out report info as to RP or directly relating to the bar.

MEMO: Local Licensing Authority
FROM: Juanita Peterson, Deputy City Clerk
DATE: September 21, 2007
SUBJECT: Application for a modification of premises for a tavern liquor license by Tyluk, Inc., dba Whiskey River, 490 28 ¼ Road

Tyluk, Inc., filed an application with the Local Licensing Authority on September 10, 2007 for a modification of premises for a tavern liquor license permitting sales of malt, vinous and spirituous liquors by the drink for consumption on the premises at 490 28 ¼ Road, under the trade name of Whiskey River. The modification is to include an outdoor patio area in their licensed area. The supplementary documents were reviewed, found to be in order and accepted. The hearing date was set for October 3, 2007.

In order to address the reasonable requirements of the neighborhood and the desires of the adult inhabitants of the neighborhood, the applicant conducted a survey. The neighborhood was defined as the area bounded on the North by Texas Avenue, on the South by I-70 Business Loop, on the East by Melody Lane, and on the West by 23rd Street (if extended). The results of that survey are as follows:

1. As an owner of property in the neighborhood, an employee or business lessee of property in the neighborhood and/or an inhabitant who resides in the neighborhood for more than six months each year, I believe the proposed modification of premises to increase patio seating will not conflict with the reasonable requirements of the neighborhood or the desires of the inhabitants. (Yes or No)

Yes	36
No	0

2. As an inhabitant who resides in the neighborhood for more than six months each year, it is my desire that the modification of premises be approved.

Yes	21
No	0

That concludes this report.

cc: Applicant
John Shaver, City Attorney
TJ Rix, Grand Junction Police Department
File