

**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, 2016, 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 Michael Grattan, City Attorney John Shaver, and Deputy City Clerk Juanita Peterson.

II. APPLICATIONS TO RENEW LIQUOR AND BEER LICENSES

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

No one was present representing the applicant. The renewal for Yummy, LLC dba Enzo's Pizzeria and Italian Café was found to be in order and approved.

2. Western Colorado Center for the Arts, Inc. dba Western Colorado Center for the Arts, 1803 N. 7th Street, Grand Junction, CO 81501, Arts

No one was present representing the applicant. The renewal for Western Colorado Center for the Arts, Inc. dba Western Colorado Center for the Arts was found to be in order and approved.

3. Pete's House of Spirits, Inc. dba Pete's House of Spirits, 1560 North Avenue, Grand Junction, CO 81501, Retail Liquor Store

No one was present representing the applicant. The renewal for Pete's House of Spirits, Inc. dba Pete's House of Spirits was found to be in order and approved. Ms. Peterson said they did not renew their tasting permit which will then expire on June 23, 2016.

III. APPLICATION FOR CHANGE OF LOCATION – CONTINUED FROM APRIL 6, 2016

1. SIHN, LLC dba Redlands Liquor, 2500 Broadway, Space A8, Grand Junction, CO, 81507, Retail Liquor Store is requesting to relocate to 2518 Broadway, Space B7, which is in the same shopping center.

Owner: Vuthy Sihm, 584 Jesse Way, Grand Junction, CO 81507

Vuthy Sihm, owner, was present.

Ms. Peterson reported the applicant just renewed the liquor license and the reports are compliant. The applicant had permission from the Authority to not provide a needs and desires survey for this move since it is in the same shopping center. Mr. Sihm said construction would be completed by the end of June.

Ms. Peterson reminded Mr. Sihm that he would not be able to sell out of both locations, timing would be everything once the new location was completed but the City Clerk's office would work with him on that once he was approved and closer to moving. Mr. Sihm said he understood.

Hearing Officer Grattan approved the change of location for SIHN, LLC dba Redlands Liquor, 2500 Broadway Space A8 to 2518 Broadway Space B7 which is just on the other side of Albertson's.

IV. APPLICATION FOR TRANSFER OF OWNERSHIP AND A MODIFICATION

1. From Grand Junction Regional Airport Authority dba Grand Junction Regional Airport Authority to Tailwind GJT, LLC dba Tailwind GJT, LLC, 2828 Walker Field Drive, Grand Junction, CO 81506

CEO, Alan Giaquinto, 211 Water St. Wrightsville Beach, NC 28412
COO, Jeff Switzer, 3600 E. Belleview Ave., Greenwood Village, CO 80121
Reg. Manager: Garrett Stealey, 627 Bayberry Ct., Fruita, CO 81521

Modification:

Expanding Licensed Premises and Adding a staffed bar in the Gates 3-5 area

Mr. Jeff Switzer, COO, and Mr. Garrett Stealey, registered manager, were both present.

Ms. Peterson reported the application is in order and complete and the reports are in compliance for the Transfer of Ownership. Mr. Stealey amended his Individual History Record to include a charge of contributing to the delinquency of a minor in 2007 that was deferred and dismissed. Mr. Stealey believed this was not to be on his record. The applicant has a temporary permit.

Hearing Officer Grattan asked if there was any one present who objects to this transfer being approved. There was no one.

Hearing Officer Grattan asked City Attorney Shaver if he had any concerns. City Attorney Shaver did not. Hearing Officer Grattan approved the Transfer of Ownership to Tailwinds, GJT LLC.

Ms. Peterson said the paperwork for the modification is in order; a survey of the neighborhood was conducted as in the past modification of the Airport facility. The visitors of the Airport were considered the neighborhood and Ms. Peterson read the results into the record (see attached).

City Attorney Shaver asked about the bar, the size, containment, and location. Mr. Switzer said it is a 24' bar in the gates 3-5 area. Mr. Switzer said it is completely self-contained. He also said there is a fenced area around the bar to keep the alcohol contained with two high top tables and chairs within that fenced area.

Ms. Heather Nara with Mesa County Health Department asked Ms. Peterson how this bar had water and ice. Mr. Switzer said he would visit with Ms. Nara on this. Ms. Nara said this is the first time she has heard about it.

Hearing Officer Grattan said asked if there was anyone present who objected to this modification being approved. There was no one.

Ms. Peterson reminded the applicant that both the Transfer of Ownership and the Modification both need approval from the State. They can continue with serving at the restaurant location but until the State approves the modification they won't be able to use the bar area at Gates 3-5.

Hearing Officer Grattan approved the modification of premises to add the additional bar area for Tailwinds GJT, LLC dba Tailwind GJT, LLC.

V. APPLICATION FOR SPECIAL EVENT PERMIT

1. City of Grand Junction, 250 N. 5th Street, Grand Junction, CO 81501 – “Grand Junction Off-Road and Downtown Music Festival”, May 20, 2016, 12:00 p.m. to 11:00 p.m., May 21, 2016, 12:00 p.m. to 11:00 p.m., and May 22, 2016, 10:00 a.m. to 4:00 p.m., located on Main Street between 3rd and 7th Streets, Grand Junction, CO, Malt and Vinous

Division Manager: Stuart Taylor, 2353 W. View, Grand Junction, CO 81507
Event Manager: Robin Brown, 2352 E Road, Grand Junction, CO 81507

Stuart Taylor, division manager, and Robin Brown, event manager, were present.

City Attorney Shaver provided Ms. Brown with three documents, the first two marked with an “A” and the third one marked with a “B” and asked Ms. Brown if she has personal knowledge of those documents. Ms. Brown said yes, she completed them for this event. City Attorney Shaver asked Ms. Brown how she arrived at the number of attendees for the event. She said from the count of last year's alcohol sales, she believes it to be about half alcohol service at the event. City Attorney Shaver asked about violations in the past events. Ms. Brown said a few years back they had someone take alcohol onto a licensed premise (Boomer's) which they were using to count their money but no citation was issued. Ms. Peterson said this event has changed over the last several years to include the GJ Off-road bike event along with what was once the Art and Jazz Festival. That event was held for numerous years, not this current event. City Attorney Shaver asked Ms. Brown questions regarding the security. Ms. Brown explained that she has hired Mr. Don Bedford to be in charge of the T-shirt security which they will have 15 with three roving security from Citadel

Security. City Attorney Shaver said the questionnaire stated the security would be from LoneStar. Ms. Brown said she changed as Citadel had a lower bid. Ms. Brown explained it is a family friendly festival. ID's will be checked at both bars; those over 21 will be given a wristband. Staff of Two Rivers Convention Center will be serving and monitoring attendees and have been trained to watch for intoxication levels. City Attorney Shaver asked Ms. Brown to describe Exhibit "B" and the security indicated on the map. Ms. Brown said there are 12 positions for security labeled on the map and they will add security behind each stage area Friday and Saturday nights. Ms. Brown said there will be multiple approved food vendor trucks for this event.

City Attorney Shaver asked Ms. Brown to clarify on the application whether she is the event manager or the event director. Ms. Brown said she is the event director.

Hearing Officer Grattan entered Exhibits "A" and "B" (see attached) into the record. He asked if there was anyone present in opposition of this application.

Hearing Officer Grattan found that pursuant to Colorado State Statutes 12-48-106, there are no grounds to deny the special events permit, it would not be injurious to the public welfare because of the nature of the special event (it is a family friendly event), its location within the community, or the failure of the applicant in a past special event to conduct the event in compliance with applicable law. He found that the application for a special events permit submitted by the City of Grand Junction for the Grand Junction Off-Road and Downtown Music Festival was in order and approved it.

VI. APPLICATIONS FOR NEW LICENSE – RESOLUTION, FINDINGS, AND DECISION

1. Pink's BBQ, LLC dba Pink's BBQ, 1012 and 1014 N. 5th Street, Grand Junction, CO 81501, Hotel and Restaurant

Member: Sharon Petty, 994 Kestrel Court, Grand Junction, CO 81501

Ms. Sharon Petty, owner, was present.

Ms. Peterson reported the application was in order and sent to the State for concurrent review. The police report is in compliance along with the premises being noticed and sales tax is compliant. Ms. Peterson reported there are multiple issues regarding fire, code enforcement, and the health department. Ms. Heather Nara is present to address the health department issues.

Heather Nara, Mesa County Environmental Health Specialist, was present. Ms. Nara said Pink's BBQ has been cited with eleven critical violations and voluntarily closed due to imminent public health hazards from May 4th to 6th. On May 7, 2016 a follow-up inspection was conducted to verify correction of all violations. Ms. Nara said long term correction has not been verified at this time. It has been recommended a third party food safety consultant be hired to work with the establishment for long-term compliance. The next follow-up inspection will be after June 16, 2016. Ms. Nara is recommending a continuance until these issues can be resolved.

Frank Francese, 527 Belford Avenue, was present to address the Authority regarding the issues with a liquor license being issued. He brought up issues from a previous liquor establishment being in the area. He said the issue with him and the neighborhood is the commercial smoker being used. He feels like he is held hostage in his own home as they can't open their windows or use their swamp cooler. He is representing several people in his area as they work during the day and cannot attend this meeting. He has since called and talked to Code Enforcement Officer Mike Ferguson who told him he is working with the City Attorney's office regarding air quality from this facility.

Hearing Officer Grattan asked Ms. Nara if this is something the health department would also address. She said not her area, it would be the consumer protection part of the health department. City Attorney Shaver said since it has been sent to the City Attorney's office, which would be a separate issue from the liquor license, he would be hesitant to address that issue at this time. Hearing Officer Grattan asked Ms. Petty if she had received a copy of this letter from the Health Department. Ms. Petty responded she has not. Hearing Officer Grattan gave her a copy (see attached). Hearing Officer Grattan asked Ms. Petty if she believes she would be able to come into compliance before the July 6th Liquor and Beer meeting. She said she thought she could.

Hearing Officer Grattan continued this item until July 6, 2016. Hearing Officer Grattan also reminded Ms. Petty she will need to be in compliance with all agencies to hold a liquor license. She said she understood.

III. OTHER BUSINESS

1. Liokve, LLC dba The Sports Vortex, 2880 North Avenue, Grand Junction, CO 81501, Hotel and Restaurant – **Review/Status Update**

Ms. Tiffany Blecha, general manager, was present.

Ms. Meghan Woodland, GJPD was present and said she is happy to report there is nothing to report. Hearing Officer Grattan and City Attorney Shaver concurred with this being a very positive thing.

Hearing Officer Grattan did not think there needed to be another review/status update until the license is renewed.

2. Hearing Officer Grattan asked City Attorney Shaver regarding the citizen who spoke earlier on Pink's BBQ on behalf of the neighborhood who stated everyone works and the 2:00 p.m. time was not convenient for anyone else to attend this meeting.

City Attorney Shaver said it would be to the Hearing Officers discretion regarding the time to change or make time modifications when needed.

IV. ADJOURNMENT – 2:48 p.m.

NEXT REGULAR MEETING – June 1, 2016

A

SPECIAL EVENT PERMIT QUESTIONNAIRE AND AFFIDAVIT

1. Name of Event: Grand Junction Off-Road and Downtown Music Festival
2. How many attendees are expected at this event?
8,000
3. Has the event been held in the past? If so, how many years?
yes, 28 years
4. Have there ever been any violations or citations issued during the event in the past?
No violations or citations.
5. Describe the premises at which this event will take place.
The Downtown Shopping Park- we have Main Street closed for the festival from 3rd to 7th streets with a main stage at 4th and two side stages on the 500 and 600 block. We have 2 beer tents- one at each end.
6. What type of security will be provided at this event?
We will have t-shirt security at all entry/exit points as well as roving security from LoneStar Security.
7. How many security personnel will be on hand?
12-15
8. How will security personnel be identified?
Event staff t-shirts on t-shirt security and ~~LoneStar~~ *Capital* uniforms on roving security.
9. If this event is being held outdoors, how will the exterior boundaries of the premises be marked (i.e., roped, fenced, etc.)?
Pedestrian fencing will be used between buildings and on cross streets- see site layout. "Yourway"
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.)
Underage attendees are allowed into the festival- it is a family-friendly festival. IDs will be checked at both bars and those over 21 will be given a wristband. Wristbands are required for all who are drinking alcohol.

A

11. How will the conduct and level of intoxication of attendees be monitored and by whom?
Bartenders and ID checkers are TIPS trained. Bartenders and security will be monitoring attendees.

12. Have the volunteers or members of your organization been trained in the sale/service of alcohol beverages?
Yes, most of the staff has been trained- we are using TRCC bartenders who are trained.

13. What types of alternate beverages and food/snacks will be available?
We will have multiple food trucks which will sell water and non-alcoholic beverages

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.
Yes. 11569 City
306 99 885 State

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.

[Signature] Date 3/7/16
Applicant's Signature

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

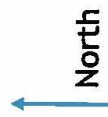
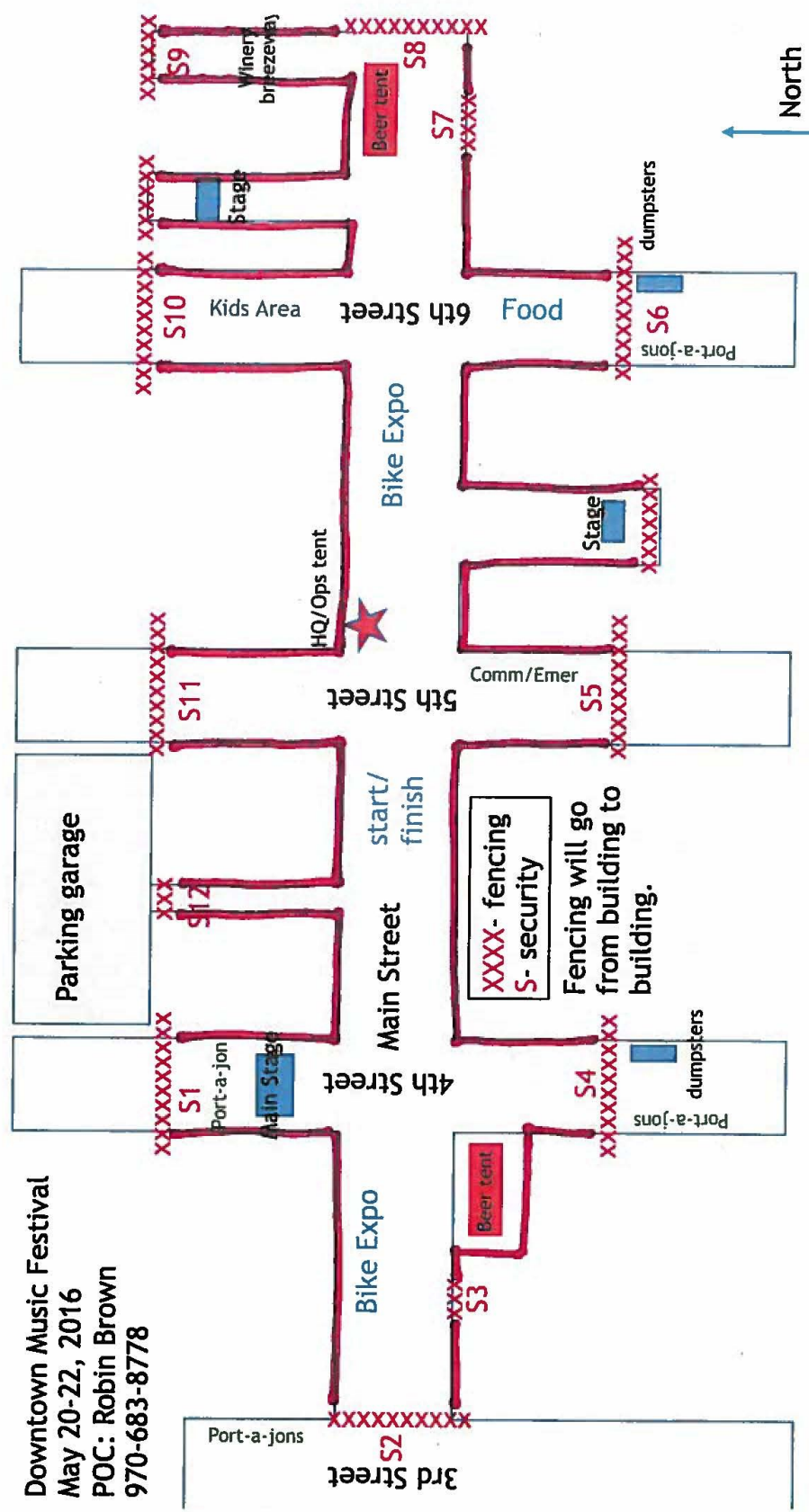
Subscribed and sworn to before me this 7th day of March, 2016.

Witness my hand and official seal.

[Signature] My commission expires 7-11-2018
Notary Public

JANET HARRELL
NOTARY PUBLIC
STATE OF COLORADO
NOTARY ID #20144027406
My Commission Expires July 11, 2018

Downtown Music Festival
 May 20-22, 2016
 POC: Robin Brown
 970-683-8778



3



**MESA COUNTY
HEALTH DEPARTMENT**
Working Together for a Healthy Community

P.O. Box 20,000
Grand Junction, CO 81502-5033
(970) 248-6900
www.health.mesacounty.us

May 18, 2016

City of Grand Junction
250 North 5th Street
Grand Junction, CO 81501
Attn: Juanita Peterson, City Clerk's Office

RE: New beer and wine liquor license
Pink's BBQ LLC
dba Pink's BBQ
1014 N 5th St.
Grand Junction, CO 81501

Dear Juanita:

A regular inspection for the above referenced facility was conducted on May 4, 2016. The following eleven critical violations were cited and the facility was voluntarily closed due to imminent public health hazards.

2d Hygienic practices: Hands sinks are used for other task than just hand washing. Utensils are stored in the hand sink.

2e Smoking, Eating and Drinking: Employee food/beverage is stored with single service items on top of blue cooler in storage room.

2f Demonstration of Knowledge: The person-in-charge and food employees does not demonstrate a clear understanding of safe food handling. Basic food safety practices are not being conducted at the facility such as proper storage and cleaning of utensils, proper maintenance of plumbing, proper wash, rinse and sanitize process of food contact surfaces, proper use of sinks, proper cleaning of equipment and proper storage of toxics. The facility is very soiled throughout and routine cleaning does not appear to be taking place. Education provided and a list of third party food safety consultants is provided and facility is encouraged to contact a third party to create adequate food safety procedures in the facility.

3c Hot holding at 135°F or greater: The hot hold temperature of potentially hazardous food is less than 135°F.

3e Cold hold 41°F or less: Potentially hazardous foods are held at temperature greater than 41°F during cold storage.

3g Adequate equipment is not provided to maintain food temperatures: Equipment is not sufficient for holding foods at required temperatures. No refrigeration is provided on the line for cole slaw.

4a Manual dish washing: Food utensils and equipment are not washed, rinsed and sanitized every four hours. Three compartment sink is leaking and is not usable at the time of the inspection. Facility also did not have any clean cloths or scrubbers to conduct utensil washing.

5d Sewage disposal: Toilets are not maintained properly and there is a sewage disposal problem. Water and soil is present on bathroom floor located in the kitchen and it is unclear where the water originated and staff do not know the source. Water is present in the dry storage closet immediately outside of the kitchen and it is unclear where the water originated and staff do not know the source.

6c Soap and drying devices: Only hand sink on the food service line is not equipped with paper towels or other approved hand drying device.

8a Toxics properly stored: Spray bottles of cleaning chemicals are stored above food preparation table in the kitchen and with clean utensils under the food preparation table.

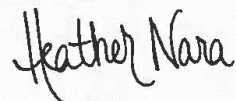
8b Properly labeled: Observed unlabeled spray bottles stored on a shelf with food on the serving line.

A follow-up inspection of the facility was conducted on May 6, 2016 in order to reopen the facility. Imminent health hazards had been corrected in order to open the facility. A follow-up was conducted on 5/17/16 to verify correction of all violations. Long-term correction has not been verified at this time. An additional follow-up inspection will be conducted on or after June 16, 2016 to determine long-term compliance. The facility has been encouraged to contact a third-party food safety consultant since the owners stated they do not have the experience or knowledge to create a long-term corrective action plan on their own.

Due to the public health significance of the criticals cited, the need for a third-party food safety consultant and the need for additional time to confirm long-term compliance, Mesa County Health Department asks for a continuance for the application referenced above.

Please contact me if you need copies of the inspection report or if you have any questions regarding this information.

Sincerely,



Heather Nara, CP-FS
Environmental Health Specialist, Consumer Protection
Mesa County Health Department
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Grand Junction, CO 81502
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