

**LIQUOR AND BEER INFORMATIONAL MEETING
LOCAL LICENSING AUTHORITY
CITY OF GRAND JUNCTION, COLORADO
TRAVELODGE INDEPENDENCE BALLROOM, 718 HORIZON DRIVE**

**S U M M A R Y
TUESDAY, AUGUST 9, 2016, 7:00 P.M.**

HEARING OFFICER MICHAEL GRATTAN

I. WELCOME

Hearing Officer Grattan welcomed the staff present from the Travelodge Hotel and the three people from the neighborhood who were present. Also present were City Attorney John Shaver and Deputy City Clerk Juanita Peterson. The time was 7:05 p.m.

II. OCEANIC GRAND JUNCTION, LLC DBA HIDEAWAY LOUNGE, 718 HORIZON DRIVE – SITE VISIT AND GENERAL INFORMATIONAL MEETING DUE TO NOISE ISSUES AT THE ESTABLISHMENT

Hearing Officer Grattan reviewed what he had done prior to this meeting. He reviewed the minutes from November 4, 2015, December 2, 2015, January 6, 2016, February 17, 2016, and June 16, 2016. He also reviewed the City of Grand Junction's Code on noise. The City Clerk's office sent out approximately 75 letters to the neighborhood inviting them to this informational meeting. Ms. Peterson reported that five of these letters were returned as undeliverable.

The three citizens from the neighborhood in attendance were Debbie Booher, 703 Putter Drive, and Laura and Drew Luke, 702 Putter Drive. Ms. Luke presented a letter from the Chaney's, 707 Putter Drive, which Hearing Officer Grattan entered into the record as Exhibit "A".

Ms. Booher stated she is concerned about people walking up into her yard and the noise has been a big issue.

Ms. Luke stated she called the Police and the Hideaway Lounge several times regarding the noise, most recently on Saturday, August 6, 2016. In her opinion, the noise should stop after 8:00 p.m. She doesn't feel the hotel respects the neighborhood. She has attended several Liquor Hearings expressing her concerns and does not believe the hotel should have a liquor license. She has lived in this house 9 years and never had any issues with the previous owners. She is pleading to have their liquor license taken away.

Drew Luke explained that his room is on the north side of the house where the noise is worse and it is hard for him to focus on his studies. He doesn't believe the hotel has met them halfway regarding this issue.

Ms. Luke said she has talked with Ms. Chaney and her daughter Cora in the last 3-4 weeks regarding the issue.

Mr. Ryan Beaver, Citadel Security, explained that Citadel Security works for several businesses in the valley and believes they can be a neutral party in this matter. He explained he or their staff records decibel readings from the property and the neighborhood. He explained how he interpreted the sound levels and "spikes" in the readings, how ambient noise is recorded with the decibel readings, and what an acceptable decibel reading should be during an event. On July 9th a video was taken and he played the video. He and Mr. David Miller, also with Citadel Security, explained what has been done to the room to make it soundproof. Sound board was applied to all of the windows and sealed with tape and the drapes are kept drawn.

Ms. Susan Meders, General Manager of the hotel, said she gave nearby residents her personnel cell phone number hoping by giving out her number, the residents would feel more comfortable calling when there is an issue. The hotel has worked hard to come into compliance with the noise issue. Ms. Meders said she was impressed how quiet the neighborhood was when she was up there. She did hear noise from the interstate including a semi-truck. She said the volume is down from past ownership. She has worked at the hotel since 2002 in her current position. They have made a change to the policy and do not let the bands go outside in the back; the bands sign a contract, and agree that the decibel reading cannot go over 85.

Drew Luke said he sees the efforts the hotel is trying to make with the sound, but it is still not fixing the problem.

Ms. Luke explained she does not care what the decibel reading is, she wants the noise ordinance enforced by the City.

Hearing Officer Grattan wondered if there is an enforcement issue; typically, the Grand Junction Police Department (GJPD) would respond. Ms. Meders said the hotel has only received one citation and that was in December. Ms. Luke said the GJPD said the only thing they can do is issue citations.

City Attorney Shaver said the noise ordinance covers the hours between 8:00 p.m. and 6:00 a.m. for any unnecessary, unusually loud, or unusual noise between those hours. He will follow through with the Police Department to see what is happening on that end.

Ms. Luke said at the December 2, 2015 Liquor and Beer meeting, the Authority referenced the Municipal Court documents regarding this noise issue. Ms. Luke said at the meeting, she was assured by Mr. Raj Chokshi that he will keep the noise levels as low as possible. Ms. Luke explained the long hours she works, the price she paid for her home, and that she is not able to sell with this outstanding issue.

Hearing Office Grattan had Ms. Meders explain a typical event, how often they happen, the duration, and the cost to whomever is renting the facilities.

Ms. Booher said she has had people from the hotel who are drinking and smoking, and animals come into her yard.

Mr. Beaver explained that the readings are taken at Citadel's discretion throughout the evening. The logs are available to the hotel approximately one week after the event, but if the decibel reading is higher than 85, the band is asked to turn the music down right then.

Hearing Officer Grattan referenced the January 6, 2016 minutes from the Liquor and Beer meeting with five conditions given to the hotel. Hearing Officer Grattan said item #4 "Hire a sound engineer to address the noise issue", and #5 "encouraged Mr. Chokshi and the sound engineer to work with and communicate with Ms. Luke and the other neighbors" and provide the Authority a memo or documentation provided by the sound engineer.

Mr. Chokshi said the corporate office who said financially the corporation could not afford the \$9,395 for the Acoustical Consulting Services with Associates in Acoustics, Inc. which he had submitted to the Authority after the January 6, 2016 Liquor and Beer meeting.

City Attorney Shaver asked Mr. Chokshi to describe what Oceanic Grand Junction, LLC is. Mr. Chokshi said they own 8 or 9 hotels across the country. City Attorney Shaver asked Mr. Chokshi if there are minutes where this was discussed with the main office? Mr. Chokshi said the only thing he knows about would be emails back and forth between him and the office, and them denying the request.

Ms. Luke said she is very outspoken and cannot speak to the board's priorities. Ms. Luke indicated that GJPD officers told her they are frustrated.

Ms. Meders again explained that the hotel is trying very hard.

Hearing Officer Grattan entered Exhibits A, B, and C (Exhibits B & C are sound level readings), into the record.

Hearing Officer Grattan said he would issue a written decision as soon as possible.

III. ADJOURNMENT

The meeting was adjourned at 8:25 p.m. Those remaining were Ryan Beaver and David Miller with Citadel Security, Hearing Officer Grattan, City Attorney Shaver, and Deputy City Clerk Juanita Peterson.

Hearing Officer Grattan, City Attorney Shaver, and Deputy City Clerk Peterson walked around the building with Ryan Beaver and David Miller with Citadel Security, they showed where the decibel readings have been taken during events.

(A)

City of Grand Junction
& Liquor License Authority
250 N. 5th Street
Grand Junction, CO. 81506
(970)244-1503

To Whom it may Concern,

We have been subjected to the intermittent music from the Travelodge for more than a year. I think it is important that I impress upon you where exactly our property is located... We are directly behind and above the hill from the Hideaway Lounge of the Travelodge. Our property endures the greatest impact.

I went to the city to attend the liquor license hearing to talk to them about the problem. At that time, the Travelodge promised us they would have the establishment adequately sound proofed, so well that we would not have to hear their music in our home again. They were told by the City Attorney and Judge to have the modifications completed by January 2016. It was also recommended by the City Attorney that the Travelodge hire a sound specialist and have that specialist contact us directly for input. No surprise, they did not heed the City Attorney's advice, and our family and none of our neighbors were contacted. However, the problem continued and even after contacting law enforcement several times (and officers issuing the Travelodge citations) they still continue to play their music so loud we have no peace in our home whenever they choose to have events there. Further, they play their obscenely loud music until shortly after 2:00 AM irregardless whether or not law enforcement has been contacted; demonstrating they have no respect for what they are putting us through, and no fear of repercussion for violating the noise ordinance.

The Travelodge usually has their parties on Saturday nights, but we've heard them on Friday nights as well. Part of the reason I haven't complained as much is because this year my husband and I have been on the road for his job. My husband is a truck driver and I go with him. If we do get to come home, it's usually on a weekend which means we end up enduring their rude, loud music on our days off. I've given up calling the police because they've made it clear they can't help do much more than issue citations - and that does not seem to be effective. However, because our daughters occupy our home while we are away traveling for my husband's job, they complain to us any time the music is playing at the Travelodge. So it's not as if we are unaware of what is taking place in our absence.

I no longer believe any amount of insulation will buffer our property from whatever the Travelodge decides to do. Our neighbor down the block called to complain recently and the manager came up into our neighborhood with some type of decidable reading instrument to read the noise level. But it makes no difference what-so-ever what type of instrument they use... The bottom line is we want all noise to cease from that location after 8:00 PM. The noise ordinance as we understand it is supposed to protect us from this very type of intrusion. I would implore the City of Grand Junction to not reinstate the liquor license of the Travelodge as we have been and continue to be, victimized by their establishment.

Sincerely,




Mike and Patty Chaney
707 Putter Drive
Grand Junction, CO. 81507
(970)238-0400



Sound Level Readings

For

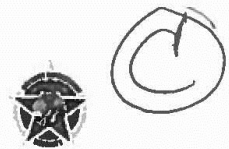
Travel Lodge Events

Date: 8-6-2016

Post locations

Post 1 (back of ball room), Post 2 (7-10 feet from outside N side of building), Post 3 (10-12 feet from outside sliding glass doors, Post 4 (Near trash container)

Time/initial	Post 1	Post 2	Post 3	Post 4	Other(description/reading)
<u>2000</u> dx	<u>91.2</u>	<u>71.2</u>	<u>64.4</u>	<u>71.3</u>	_____
<u>2027</u> dx	<u>92.3</u>	<u>72.4</u>	<u>61.3</u>	<u>70.1</u>	_____
<u>2106</u> dx	<u>94.2</u>	<u>73.1</u>	<u>62.2</u>	<u>71.1</u>	_____
<u>2121</u> dx	<u>95.2</u>	<u>72.2</u>	<u>64.2</u>	<u>71.3</u>	_____
<u>2152</u> dx	<u>91.3</u>	<u>73.2</u>	<u>65.1</u>	<u>70.1</u>	_____
<u>2214</u> dx	<u>85.1</u>	<u>73.6</u>	<u>60.1</u>	<u>70.1</u>	_____
<u>2243</u> dx	<u>85.1</u>	<u>70.6</u>	<u>61.1</u>	<u>68.3</u>	_____
<u>2310</u> dx	<u>91.3</u>	<u>70.8</u>	<u>62.3</u>	<u>69.9</u>	_____
<u>2349</u>	<u>95.2</u>	<u>70.4</u>	<u>65.7</u>	<u>70.6</u>	_____
<u>0008</u>	<u>92.3</u>	<u>68.0</u>	<u>69.9</u>	<u>74.1</u>	_____
<u>0058</u>	<u>95.4</u>	<u>75.1</u>	<u>63.8</u>	<u>70.8</u>	_____
<u>0130</u>	<u>92.2</u>	<u>71.1</u>	<u>63.2</u>	<u>71.5</u>	_____
<u>0210</u>	<u>91.4</u>	<u>72.1</u>	<u>62.2</u>	<u>69.9</u>	_____
			ESO	<u>[Signature]</u>	_____



Sound Level Readings

For

Travel Lodge Events

Date: 7-15-16

Post locations

Post 1 (back of ball room), Post 2 (7-10 feet from outside N side of building), Post 3 (10-12 feet from outside sliding glass doors, Post 4 (Near trash container)

Time/initial	Post 1	Post 2	Post 3	Post 4	Other(description/reading)
<u>2200/CM</u>	<u>94.6</u>	<u>67.4</u>	<u>65.6</u>	<u>61.3</u>	
<u>2315</u>	<u>96.1</u>	<u>68.2</u>	<u>65.9</u>	<u>57.9</u>	
<u>2335</u>					<u>Putter House 54.2</u>
<u>2339</u>					<u>Noble House 47.9</u>
<u>0015</u>	<u>96.2</u>	<u>66.0</u>	<u>67.4</u>	<u>65.3</u>	
<u>0056</u>	<u>94.3</u>	<u>59.0</u>	<u>69.0</u>	<u>55.0</u>	

ESQ 