

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

**MINUTES
WEDNESDAY, NOVEMBER 16, 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. Bookcliff Country Club dba Bookcliff Country Club, 2730 G Road, Grand Junction, CO 81506, Hotel and Restaurant

No one was present representing the applicant. The renewal for Bookcliff Country Club dba Bookcliff Country Club was found to be in order and approved.

2. P & S, Inc., dba Orchard Mesa Lanes, 295 27 Road, Grand Junction, CO 81503, Hotel and Restaurant

No one was present representing the applicant. The renewal for P & S, Inc., dba Orchard Mesa Lanes was found to be in order and approved.

3. Fraternal Order of Eagles 595 dba Fraternal Order of Eagles 595, 1674 Highway 50, Grand Junction, CO 81503, Club

Larry Alley, Secretary, was present. Ms. Peterson reported all of the reports are in compliance except there are multiple violations from the Fire Department inspection. Mr. Alley addressed that some of these issues will be fixed with the annual inspection with Western States Fire Protection in the next couple of days.

Hearing Officer Grattan continued this item to the December 7, 2016 Liquor and Beer meeting.

4. El Balsante Inc., dba Mi Mexico Family Mexican Restaurant, 2480 Highway 6 & 50, Grand Junction, CO 81505, Hotel and Restaurant

Griselda Ramos, Manager, was present. Ms. Peterson reported all of the reports are in compliance except for the Fire Department. There are two fire

code violations. Mr. Ramos said he is just waiting for the Fire Department to come back to re-insect.

Hearing Officer Grattan continued this item to the December 7, 2016 Liquor and Beer meeting.

5. Mesa Mall BBQ, Inc. dba Famous Dave's Bar B Que, 2440 US Hwy. 6 & 50, Grand Junction, CO 81505, Hotel and Restaurant

No one was present representing the applicant. The renewal for Mesa Mall BBQ, Inc. dba Famous Dave's Bar B Que was found to be in order and approved.

III. APPLICATIONS TO RENEW LIQUOR AND BEER LICENSES – WITH LATE FILING

1. Thunder Mountain Tavern, LLC dba Thunder Mountain Tavern, 2701 Hwy. 50, Grand Junction, CO 81503, Tavern, Late Filing – 13 days

Ms. Billie Foust, Owner, was present. Ms. Peterson said the reports are in compliance and read the letter submitted by Ms. Foust for the late filing into the record (see attached).

Hearing Officer Grattan asked if this was the first late filing. Ms. Foust said yes. Hearing Officer Grattan found good cause for the late filing and approved the renewal for Thunder Mountain Tavern, LLC dba Thunder Mountain Tavern.

2. Oceanic Grand Junction, LLC dba Hideaway Lounge, 718 Horizon Drive, Grand Junction, CO 81506, Tavern, Late Filing – 17 days

Also requesting a Tavern Conversion to a Lodging and Entertainment License

Hearing Officer Grattan asked the applicant's representative if this could be moved to the end of the agenda and all items addressed at once.

Mr. Stephan B. Schweissing, was present representing the applicant. He said he was good with addressing everything at one time since there are several items.

IV. APPLICATION FOR CHANGE IN CORPORATE STRUCTURE

1. Loyal Order of Moose Grand Junction #270 dba Loyal Order of Moose Grand Junction Lodge 270, 567 25 ½ Road, Grand Junction, CO 81505, Club

Administrator: George S. Fuoco, 612 Grand Valley Drive, Grand Junction, CO 81504 replaces Frank K. Nelson

Mr. Fuoco, Administrator, was present.

Ms. Peterson reported the paperwork was in order but C.B.I./F.B.I. is still pending. Mr. Fuoco was recently on the license and that report was clear.

Hearing Officer Grattan approved the Change in Corporate Structure for the Loyal Order of Moose Grand Junction #270.

V. APPLICATION FOR NEW LICENSE – RESOLUTION, FINDINGS, AND DECISION

1. Maverik Inc. dba Maverik, #482, 2902 D Road, Grand Junction, CO 81504, 3.2% Beer Off-Premises, Master File in Denver

President: Thomas K. Welch, 2343 Dallin St., SLC, UT 84109

VP Fuel: 1801 S. 200 W., Kaysville, UT 84307

Director: Crystal C. Maggelet, 4 Dartmoor Lane, SLC, UT 84103

Ms. Tina Urban, District Representative, and Crystal Porter, Store Director with Maverik, Inc., and Susan Duffy Schwall with Liquor Pros were all present.

Ms. Peterson reported that the application is in order and sent to the State for a concurrent review, all reports are in compliance, just waiting for the building to be completed for the Final Inspection for the Certificate of Occupancy (CO) to be issued. Ms. Peterson read the results of the survey into the record (see attached which also included results from Liquor Pros).

City Attorney Shaver asked who conducted the survey. Ms. Schwall with Liquor Pros said her company did. City Attorney Shaver asked Ms. Schwall if she believed what Ms. Peterson read into the record was true and accurate. Ms. Schwall said she did. The results that her company came up with matched the City's results completely. Ms. Schwall gave a background of the methodology of the process. They conducted the survey with three circulators on October 21st and 22nd with a total of 483 contacts. The survey shows 93% overall in favor of the license being issued.

City Attorney Shaver asked Ms. Schwall to describe the area. She said it is fairly rural, with several nice subdivisions. City Attorney Shaver asked how many of these types of surveys Ms. Schwall had experience with. She said they have conducted about 600 survey petitions in the past. It is her opinion that there is strong evidence of the need in this area.

Hearing Officer Grattan asked if there was anyone present in opposition of this license being issued. There was none.

Hearing Officer Grattan found that the application for a 3.2% Beer Retail (Off-Premise) located at 2902 D Road, Grand Junction, CO 81504, was in order and approved it. The City Clerk's office will prepare a resolution for Hearing Officer Grattan's signature.

VI. OTHER BUSINESS

1. Oceanic Grand Junction, LLC dba Hideaway Lounge, 718 Horizon Drive, Grand Junction, CO 81506, Tavern, Response to Order

Mr. Stephan Schweissing, Attorney, was present representing the applicant along with Susan Meders, Operating Manager, and Nathan (no last name) who is the Director of Safety with Hideaway Lounge.

Ms. Peterson reported the applicant filed the renewal 17 days late. There was a citation issued on August 13, 2016 for unnecessary loud noise and the Fire Department is asking for a continuance for several issues. Also there is a need to enter the Motion for Brief Stay of Order dated August 30, 2016 into the record. This is also a request for a conversion of a Tavern Liquor License to a Lodging and Entertainment License (L&E).

Ms. Peterson said the reports are in compliance except there are numerous Fire Department issues. There was a citation issued on August 13, 2016 for unnecessary loud noise. Ms. Peterson read the letter for the late filing into the record (see attached).

Mr. Schweissing stated with Mr. Raj Choksi is no longer with Hideaway Lounge and that Ms. Meders has taken over.

Hearing Officer Grattan said he will find good cause for the late filing and then address each one of the issues separate.

Mr. Schweissing said that he has been updated with the previous issues and believes now with Mr. Choksi gone, that Travel Lodge/Hideaway Lounge will be getting on the right track.

The noise issues that were addressed back in August with the Order dated August 30, 2016, is being addressed with a sound engineer, a local company called Snob Productions. Mr. Schweissing said that Oceanic has made good faith attempts to organize and comply with the Orders. Mr. Schweissing believes now with Mr. Choksi being gone, all of the issues before the Authority can be addressed. He is not asking for additional time on the completion of the Order on March 31, 2017, but now there are several other Fire Department issues to also address.

City Attorney Shaver asked Ms. Peterson if there is an issue on the license with Mr. Choksi being gone. Ms. Peterson said Ms. Meders has been the operating manager for at least one renewal period.

Hearing Officer Grattan asked about the relatively new fire issues and asked someone to address these. Nathan (no last name) said he has been the Director of Safety at Travel Lodge/Hideaway Lounge for the last 3 ½ months. He has been working with Fire Marshall Chuck Mathis regarding the "fire alarm sounders" upgrade. All of the other fire issues are being addressed, repaired or replaced. The sounders will take several months. The Safety Director said the sounders are the items that give off a low level sound in the event of a fire to

the sleeping rooms. He will continue to work with the Fire Marshall on these issues.

Hearing Officer Grattan said he will continue the renewal and conversion of this license to a Lodging and Entertainment License until the review again on December 21, 2016.

Mr. Schweissing was in agreement with this. He feels very confident these issues will all be addressed and thanked the Authority.

VII. ADJOURNMENT – 2:51 p.m.

NEXT REGULAR MEETING – December 7, 2016

October 24, 2016

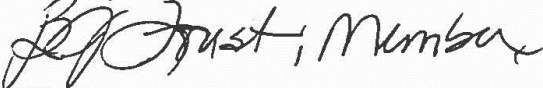
OCT 25 2016 AM 8:51

Juanita Peterson, MMC
Deputy City Clerk
Office of the City Clerk
250 North 5th Street
Grand Junction, CO 81501

Dear Juanita,

The reason I was late on submitting my liquor license renewal was because I looked at the date wrong. I was looking at the liquor license expiration date instead of the renewal date – so thought I had lots of time. So sorry for this mess up. I will attend the rescheduled meeting on November 16, 2016 at 2:00 P.M.

Sincerely,

A handwritten signature in black ink that reads "Billie Foust, Member". The signature is written in a cursive style.

Billie Foust

Thunder Mountain Tavern, LLC

Liquor License # 15121470000

MEMO: Local Licensing Authority
FROM: Juanita Peterson, Deputy City Clerk
DATE: November 1, 2016
SUBJECT: Application for a new 3.2% Beer Off Premises license by Maverik Inc. dba Maverik #482, 2902 D Road, Grand Junction, CO

Maverik, Inc. filed an application with the Local Licensing Authority on October 7, 2016 for a new 3.2% Beer Off Premises license permitting the sale of fermented malt beverage for sell in sealed containers not for consumption at place where sold at 2902 D Road under the trade name of Maverik #482. The application and supplementary documents were reviewed, found to be in order and accepted. Copies were sent to the State Liquor Enforcement Division for a Concurrent Review. The hearing date was set for November 16, 2016. A "Notice of Hearing" was given by posting a sign on the property on or before November 2, 2016 at noon and by publishing a display ad in the Daily Sentinel on November 2, 2016.

In order to address the reasonable requirements of the neighborhood and the desires of the adult inhabitants of the neighborhood, the applicant hired Liquor Pros out of Manitou Springs, CO to conduct the survey. The neighborhood was defined as the area bounded by I-70 Business on the North, 30 Road on the East and 28 Road on the West, and C ½ Road on the South, and included both sides of the streets as the outer boundaries. The results of that survey are as follows:

If you favor and support this type of license being issued because the existing outlets do not adequately serve the reasonable requirements of the designated area or if you oppose this type of license being issued because of the existing outlets adequately serve the reasonable requirements of the designated area.

Business Results:	FAVOR:	12
	OPPOSE:	1
Residential Results:	FAVOR:	146
	OPPOSE:	11

The results provided by Liquor Pros regarding the petition/opinion poll to determine needs and desires is attached. The results calculated by the City of Grand Junction City Clerk's office coordinated with their results.

No letters of opposition or counterpetitions have been filed to date.

The background will be done on the owners of Maverik, Inc. The Grand Junction Police Department will have inspected the property and verified the Notice of Hearing was posted in a timely manner and will be verifying that the diagram matches the establishment once the construction is completed. Reports have been requested by the City of Grand Junction Sales

Tax Department. A final Certificate of Occupancy (CO) will be needed before the Liquor License will be issued.

The number of liquor licensed outlets in the survey area are:

3.2% Beer (Off Premises) = 0

Retail Liquor Store = 1 (Kokopelli Liquors)

That concludes this report.

cc: Applicant
John Shaver, City Attorney
Meghan Woodland, Grand Junction Police Department
File

November 1, 2016

RESULTS OF THE LIQUOR LICENSE SURVEY REGARDING: **Maverik #482**
 2902 D Road
 Grand Junction, CO 81504

Applicant: Maverik, Inc.
 Purpose: Needs & Desires Survey Results
 Application for a 3.2% Beer Off-Premises License

ISSUE: A petition was circulated to determine if the needs of the neighborhood and desires of the inhabitants were or were not being presently met by existing similar alcoholic beverage outlets. Those in favor of Maverik #482 being granted a 3.2% Beer Off-Premises License indicated by checking the "Favor – YES" column of the signature sheet and those opposed checked the "Oppose - NO" column. The results were as follows:

Favor "YES"		Oppose "NO"		TOTAL SIGNATURES
93%	158	7%	12	170

SURVEY STATISTICS

	Favor "YES"		Oppose "NO"		TOTAL
Business Survey Results	92%	12	8%	1	13
Residential Survey Results	93%	146	7%	11	157

Percentages in this report have been rounded to the nearest whole number.

	BUSINESS	RESIDENTIAL	TOTAL
No Response	10	230	240
Declined to Participate	0	13	13
Not Qualified to Sign	0	14	14
Disqualified	0	1	1
"No" Signatures	1	11	12
"Yes" Signatures	12	146	158
TOTAL CONTACTS & ATTEMPTS	23	415	438

>Number of Businesses and Residents Contacted:	438	Attempts –	240	No Response =	198
>Business Survey Participation Rate:	13	Signatures/	13	Qualified Contacts =	100%
>Residential Survey Participation Rate:	157	Signatures/	170	Qualified Contacts =	92%
>Percentage of People Home During Survey:	185	Contacts/	415	Attempts =	45%

SURVEY STATISTICS (Maverik #482)

REASONS FOR OPPOSITION SIGNATURES		REASONS FOR DECLINING TO PARTICIPATE	
No Reason	3	Refuse to Sign	7
Enough/Too Many	1	No Trespassing	4
KIDS / UNDER AGED DRINKING	2	Moving	1
AGAINST ALCOHOL	1	No Solicitors	1
COMPETITION	1	Total	13
NO LIQUOR/ JUST GAS	1	CONTACTS NOT QUALIFIED TO SIGN	
No Need	1	Owner / Manager Unavailable	7
NOT IN NEIGHBORHOOD	1	Under 21	5
TOO CONVENIENT FOR ALCOHOL	1	Government	1
Total	12	Non-Resident	1
		Total	14

Reasons for opposition in **BOLD** may be considered as invalid or irrelevant to the needs and desires issue of this survey. If irrelevant or invalid reasons are discounted from the final tally, the results would be:

FAVOR "YES"		OPPOSE "NO"		TOTAL
97%	158	3%	5	163

PETITION METHODOLOGY

- Survey Dates and Times:

Residential & Business:	Friday	October 21, 2016	2:00 pm - 6:00 pm
Residential & Business:	Saturday	October 22, 2016	10:00 am - 3:00 pm

- Survey Areas: The circulators surveyed residents and businesses closest to the site and worked their way out, taking samples from locations throughout the defined area. All contacts and attempts were within the defined boundaries of the survey. Please see attached map.
- Circulators of the Survey: There were three circulators of this survey. Prior to the start of the survey, the circulators were briefed on the type of liquor license application, the areas to be surveyed and reminded to remain unbiased in their approach to residents and business people. The circulators had with them a face sheet with the applicant business name, location and hearing information, instructions and the petition/survey issue along with signature sheets and a map of the proposed location. The circulators used tally sheets to record all contacts, attempts and reasons for opposition signatures and refusals. At the conclusion of the survey, the circulators signed notarized affidavits of circulation.

Report prepared and respectfully submitted by,

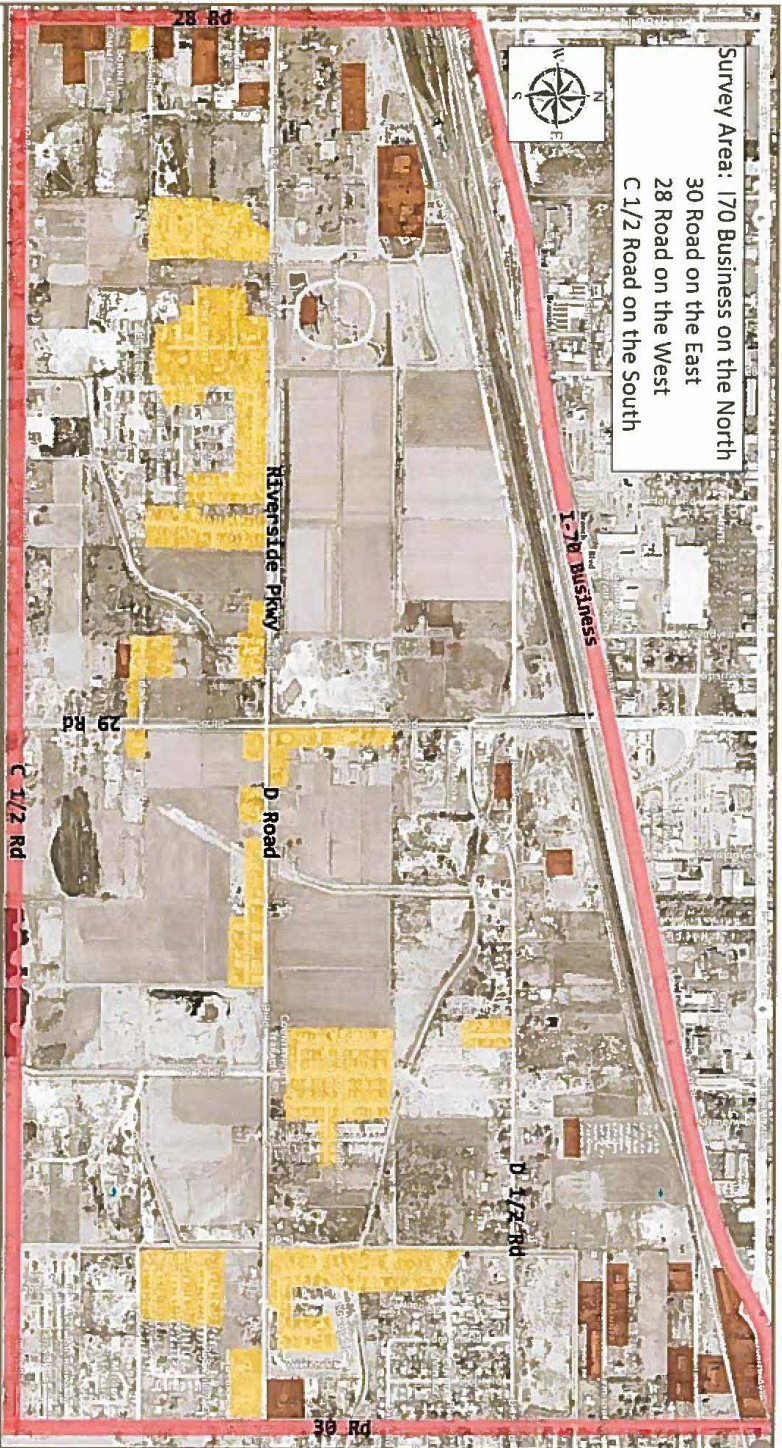


Eva L. Garretson
Liquor Licensing Professionals, LLC

Need & Desires Surveys / Petitions
Colorado Responsible Vendor Trainer

24 Via Sierra Grande
Manitou Springs, CO 80829

719.390.8844
LiquorPros@msn.com



Survey Area: 170 Business on the North
 30 Road on the East
 28 Road on the West
 C 1/2 Road on the South



Residential Areas Covered in the Survey

Business Areas Covered in the Survey

Survey Dates:
 October 21 & 22, 2016

Maverik, Inc., d/b/a: Maverik #482
 2902 D Road
 Grand Junction, CO 81504

Application for a
 3.2% Beer License
 for OFF-Premise Consumption



To the Liquor Board,

The reason we filed our liquor license renewal late is because our corporate office mis understood the date of 15 day prior to the expiration date and were under the impression of renewing before the license expires.

Hospitably
Raj Choksi
for everybody.