

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

**MINUTES
WEDNESDAY, APRIL 5, 2017, 2:00 P.M.**

HEARING OFFICER SAM STARRITT

I. CALL TO ORDER

The meeting was called to order at 2:00 p.m. Those present were Hearing Officer Sam Starritt, City Attorney John Shaver, and Deputy City Clerk Janet Harrell.

II. APPLICATIONS TO RENEW LIQUOR AND BEER LICENSES

1. Fantasy, LLC dba Fantasy, 2258 Colex Drive, Grand Junction, CO 81505, Tavern

Kevin Eardley, Manager, was present to represent the applicant. The Mesa County Health Department reported at two inspections food was not found at the establishment; Mr. Eardley explained that the bar manager had moved the sandwiches from the kitchen to the bar refrigerator. The renewal application for Fantasy, LLC dba Fantasy was found to be in order and approved.

2. Colorado Mesa University dba Colorado Mesa University Downtown Art Gallery, 437 Colorado Avenue, Grand Junction, CO 81501, Arts

No one was present to represent the applicant. The renewal application for Colorado Mesa University dba Colorado Mesa University Downtown Art Gallery was found to be in order and approved.

3. Grand Conjunction, LLC dba Doubletree – Grand Junction, 743 Horizon Drive, Grand Junction, CO 81506, Hotel and Restaurant

Doug Russo, General Manager, was present to represent the applicant. The renewal application for Grand Conjunction, LLC dba Doubletree – Grand Junction was found to be in order and approved.

4. Bank 8 Billiards, Inc. dba Bank 8 Billiards, 2460 Patterson, Unit #3, Grand Junction, CO 81505, Tavern

No one was present to represent the applicant. The renewal application for Bank 8 Billiards, Inc. dba Bank 8 Billiards was found to be in order and approved.

5. City of Grand Junction dba Canyon View Softball Complex, 728 24 Road, Grand Junction, CO, 81505, Beer and Wine

Shon Birch, Recreation Coordinator, was present to represent the applicant. The renewal application for City of Grand Junction dba Canyon View Softball Complex was found to be in order and approved.

III. APPLICATION FOR CHANGE IN CORPORATE STRUCTURE

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

Removal of Alma Y. Aguilar De Gomez, Member. Members Antonio Amador and Ramos Modesto will remain with Ramos Modesto taking over as Secretary in addition to Vice President and Treasurer.

Joe (no last name given), Assistant Manager, was present to represent the applicant. The change in corporate structure for El Balsante, Inc. dba Mí Mexico Family Mexican Restaurant was found to be in order and approved.

IV. APPLICATION FOR TRANSFER OF OWNERSHIP

1. Krosky Enterprises, LLC dba The Brass Rail Tavern, 2476 28 Road, Grand Junction, CO 81501, Tavern

Owner/Manager: John Krosky, 3462 G Road, Clifton, CO 81520

John Krosky, Owner/Manager, was present to represent the applicant. The transfer of ownership for Krosky Enterprises, LLC dba The Brass Rail Tavern was found to be in order and approved.

V. APPLICATION FOR SPECIAL EVENTS PERMITS

Hearing Officer Starritt disclosed a past professional relationship with Mesa Developmental Services (MDS) and by members of his firm, Dufford, Waldeck, Milburn, and Krohn; he stated all of these dealings were unrelated to liquor licensing and would not interfere with today's hearing. Hearing Officer Starritt then asked Doug Sorter, STRiVE Vice President of Development, who was there as MDS representative for Special Events Permits if he felt Mr. Starritt would be unbiased. Mr. Sorter said yes.

1. City of Grand Junction – Parks and Recreation Department (P&R), 1340 Gunnison Avenue, Grand Junction, CO 81501 – “Southwest Arbor Fest 2017”, 1340 Gunnison Avenue on April 22, 2017 from 11:00 a.m. to 5:30 p.m.

Department Head: Rob Schoeber, 2598 Kayden Court, Grand Junction, CO 81505

Event Manager: Emily Krause, 325 Northridge Drive, Grand Junction, CO 81506

Emily Krause, event manager, was present. City Attorney Shaver asked Ms. Krause what her relationship is to the event; she said she has been responsible for most of the 13 years this event has been held through her position as Recreation Supervisor for the City's P&R. City Attorney Shaver then asked her to describe the event. Ms. Krause gave details of the event including the craft beer tasting, who will make up the security detail, how those duties will be executed, how the physical tasting location will be secured, and that they had not had any issues with alcohol service in the past. City Attorney Shaver provided Ms. Krause with three documents, two marked with an "A" and the other marked with a "B" and asked her what the documents were and if she had personal knowledge of them. She said "A" is the application questionnaire and "B" is the event diagram that she completed and submitted as part of the complete application. City Attorney Shaver asked whose signature was on the questionnaire and if the information on the questionnaire and diagram are true and accurate. Ms. Krause said it was her signature and both documents are true and accurate. City Attorney Shaver then asked her to describe the event diagram. Ms. Krause reviewed the diagram detailing the beer tasting location, entrance/exit, fencing, and vendor locations.

Hearing Officer Starritt asked Ms. Krause to describe the security detail and to show on the diagram where they would be located. Ms. Krause explained two uniformed Citidel security guards would be hired and positioned at the tasting venue (Ms. Krause circled the area on the diagram) to monitor the location and ensure access is only afforded to those 21 and over. There will also be 12-16 P&R staff in uniform working in shifts as security at the tasting area and the event as a whole.

No one was present that opposed the application.

Hearing Officer Starritt admitted Exhibits A and B into the record (attached) and found that pursuant to Colorado Revised 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 community activity centered around trees), its location within the community (Lincoln Park is regularly used and is appropriate for such large events), or the failure of the applicant in a past special event to conduct the event in compliance with applicable law. He found the application for a special events permit submitted by the City of Grand Junction for Southwest Arbor Fest 2017 in order and approved it.

2. Mesa Developmental Services, 950 Grand Avenue, Grand Junction, CO 81501 – "Tulips and Juleps Derby Party", 641 Struthers Avenue on May 6, 2017 from 11:00 a.m. to 5:00 p.m.

CEO: Sharon Jacksi, 486 Tiara Drive, Grand Junction, CO 81507
Event Manager: Doug Sorter, 349 Lilac Lane, Grand Junction, CO 81505

Doug Sorter, event manager and Vice President of Development for STRiVE, was present. City Attorney Shaver provided Mr. Sorter with three documents, two marked with an "A" and the other marked with a "B" and asked him what the documents were, if he had personal knowledge of them, and if his signature was on them. Mr. Sorter said they were the application questionnaire with his signature and the event diagram. City Attorney Shaver then asked if his signature attested the information on the documents is true and accurate. Mr. Sorter said yes. City Attorney Shaver asked Mr. Sorter to describe the Tulips and Juleps Derby Party event and if they had encountered any issues regarding the alcohol service. Mr. Sorter detailed the Kentucky Derby themed event and estimated 400 people would attend what will be its 4th year and said they have not had any issues regarding the alcohol service. City Attorney Shaver then asked Mr. Sorter to explain how the alcohol service will be conducted. Mr. Sorter said in addition to two uniformed security guards from CSI and three uniformed volunteers, they have instituted three procedures to ensure safe service: upon admission, proper identification will be required and those over 21 will be wrist banded, identification will also be required to purchase drink tickets, and bartenders are instructed not to serve anyone without a wristband. City Attorney Shaver asked Mr. Sorter to describe the event diagram. Mr. Sorter showed locations of the event entrance/exit, the area to be fenced, security guard locations, and the stage.

Hearing Officer Starritt then asked Mr. Sorter to describe the Garden Groove Series. Mr. Sorter clarified that all MDS events listed will be held at the same location, have the same security and provisions; the only difference regarding the Garden Groove Series is that tickets will also be sold to those under 21, but they will not be given wristbands.

City Attorney Shaver asked Mr. Sorter the purpose for these events. Mr. Sorter said the primary purpose for all these events is fundraising and the alcohol service is secondary.

No one was present that opposed the application.

Hearing Officer Starritt admitted Exhibits A and B into the record (attached) and found that pursuant to Colorado Revised 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, 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. The application for special events permits submitted by the Mesa Developmental Services for the 2017 Tulips and Juleps Derby Party and Garden Groove Concert Series was found to be in order and approved.

3. Mesa Developmental Services, 950 Grand Avenue, Grand Junction, CO 81501 – “Garden Groove Concert Series”, 641 Struthers Avenue on May 21, May 27, June 10, June 24, July 22, July 28, and August 26, 2017 all from 7:00 p.m. to 9:00 p.m.

CEO: Sharon Jacksi, 486 Tiara Drive, Grand Junction, CO 81507
Event Manager: Doug Sorter, 349 Lilac Lane, Grand Junction, CO 81505

Approved under item 2.

VI. APPLICATION FOR CHANGE IN TRADE NAME

1. Albertson’s, LLC dba Albertson’s Food Center #897, 2512 Broadway, Grand Junction, CO 81507, 3.2% Beer Off Premises

Change Trade Name from Albertson’s Food Center #897 to Safeway Store #897

No one was present to represent the applicant. The change in trade name for Albertson’s, LLC dba Albertson’s Food Center #897 was found to be in order and approved.

VII. OTHER BUSINESS

1. STIX Bar & Grill, LLC dba STIX Bar & Grill, 509 28 ½ Road, Grand Junction, CO 81501, Tavern - Review of Noise Issues and Status Update of Proposed Modification of Premises

Ernest Heath, owner, was present to represent the applicant.

Hearing Officer Starritt reviewed STIX Bar & Grill noise issue documentation: previous meeting minutes from October 5, October 19, and December 7, 2016; emails dated October 18, 2016 and March 28, 2017 from Meghan Woodland of the Grand Junction Police Department regarding complaint calls and issued citations; neighborhood complaints from Brian Scheib and Shay West; and an email from Assistant City Attorney Jamie Beard dated March 29, 2017. City Attorney Shaver stated, unless new citations have been issued regarding noise, based on the most recent documentation (attached) prior matters have been resolved. Hearing Officer Starritt added the last three times the GJPD was called to the establishment regarding noise issues, no citations were issued. He then said the only remaining issue to be addressed is the proposed patio and asked Mr. Heath the status. Mr. Heath said he is finalizing the patio design, verifying the property lines with the owners, and working with Community Development regarding the neighborhood meeting scheduled for April 17th. The status of the proposed patio will be reviewed in 90 days at the July 5, 2017 meeting.

VIII. **ADJOURNMENT** – 2:40 p.m.

NEXT REGULAR MEETING – April 19, 2017

A

SPECIAL EVENT PERMIT
QUESTIONNAIRE AND AFFIDAVIT

1. Name of Event: Southwest Arbor Fest

2. How many attendees are expected at the event? 4000 - 5000

3. Has the event been held in the past? If so, how many years? Yes, 13 years

4. Have there ever been any violations or citations issued during the event in the past?
None to my knowledge

5. Describe the premises at which the event will take place.
The event is held in Lincoln Park, south of the Lincoln Park Barn and west of the Lincoln Park Pool.

6. What type of and how many security will be provided at this event and how will they be identified?
Parks and Recreation Staff and hired Citadel Security Officers

7. What is the Control Plan for security at this event? (Use additional sheet if necessary)
The beer area will be completely fenced with one entrance to the beer area. This gate will have permanent Citadel Security and Parks and Recreation staff. All of the other hired Citadel staff will be inside of the beer area looking for over serving and monitoring the participants.

8. How will security personnel be identified?
All security will have on staff uniforms or security uniforms.

9. If this event is being held outdoors, how will the exterior boundaries of the premises be marked (i.e., roped, fenced, etc.)?
Portable fencing provided by FCI. Gate will be staffed by event personnel and security personnel. Signs will be posted for control of alcohol limits.

A

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.)

Drivers licenses or other acceptable photo ID will be required and checked by trained staff. Wristbands will be used to verify that patrons have been checked and area able to be served.

11. How will the conduct and level of intoxication of attendees be monitored and by whom?

City and security staff will be monitoring behavior and watching for signs and symptoms as they have been trained.

12. Have the volunteers or members of your organization been trained in the sale/service of alcohol beverages?

Yes, they have been certified by the Sate of Colorado.

13. What types of alternate beverages and food/snacks will be available?

Mac & Cheese contest, conessions type food, soft drinks, and water

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.

State: 41-74953-0000, City: 4890

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.

Applicant's Signature

1-18-17

Date

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

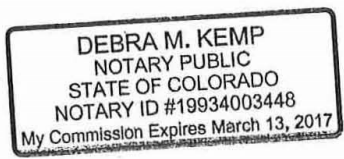
Subscribed and sworn to before me this 18th day of January, 20 17.

Witness my hand and official Seal.

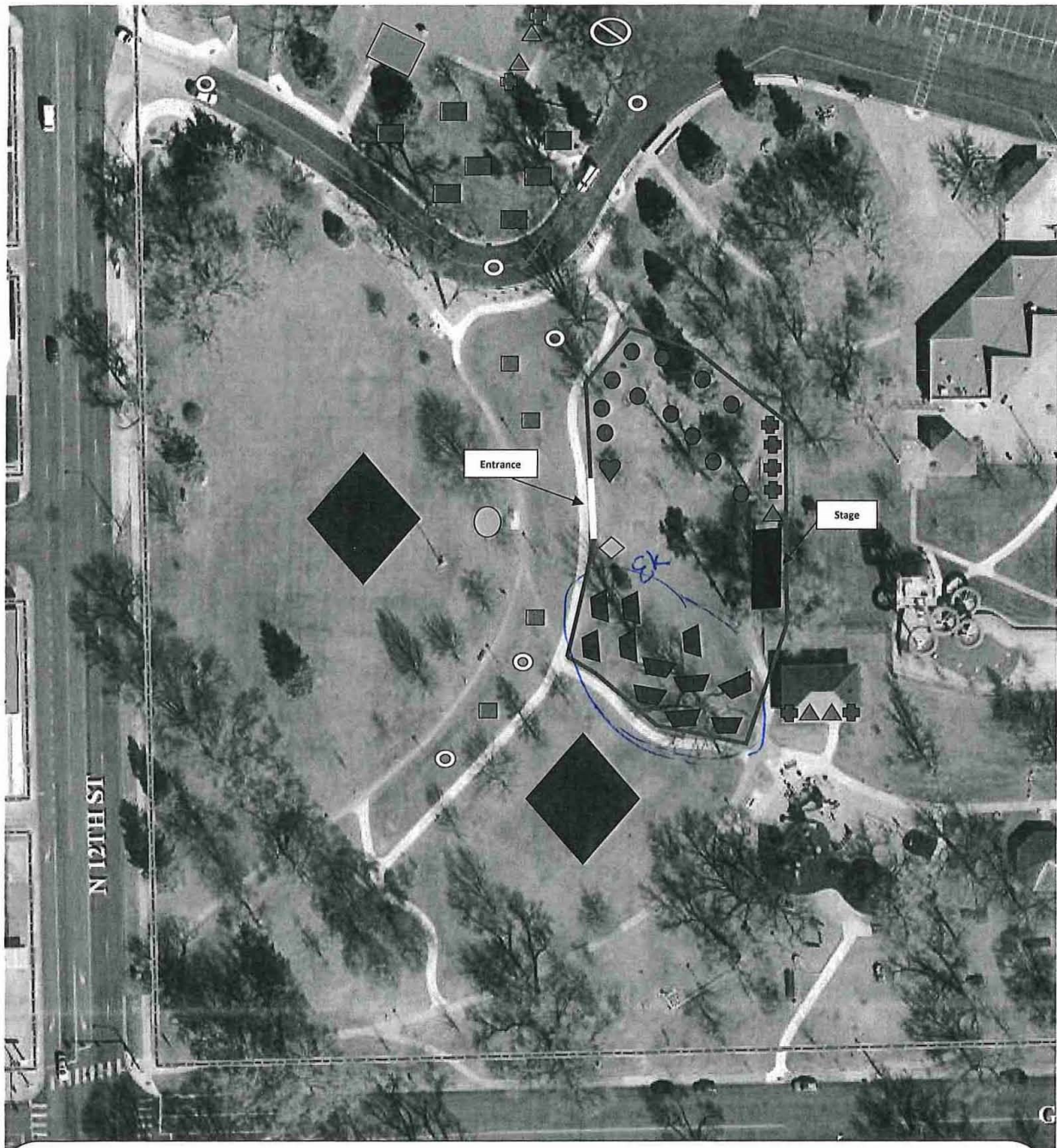
Notary Public

3/13/17

My commission expires



B



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|---|--|
| <ul style="list-style-type: none"> ⊕ Restrooms ▲ Hand Washing Station ▼ Beer Vendors ● Mac & Cheese Cook Off Judging ● Mac & Cheese Vendor ■ Food Vendor ◇ Beer Tokens and ID Checking | <ul style="list-style-type: none"> ♥ Mac & Cheese Tasting Tickets ■ Tree Give-a-Way ■ Arbor Booths ○ Touch-A-Truck and Kids Activities ◆ Booths and Earth Day Vendors ⊗ Trash Dumpster ○ Tree Climbing Demo |
|---|--|

C

A

SPECIAL EVENT PERMIT
QUESTIONNAIRE AND AFFIDAVIT

1. Name of Event: 5/6/17 Tulips & Juleps Derby Party/ Garden Groove Concert Series 5/21/17 - 8/24/17

2. How many attendees are expected at the event? 300

3. Has the event been held in the past? If so, how many years? 5 years

4. Have there ever been any violations or citations issued during the event in the past?
None

5. Describe the premises at which the event will take place.
It is located on the front lawn area of the Western Colorado Botanical Gardens south of Struthers Ave and 7th street.

6. What type of and how many security will be provided at this event and how will they be identified?
We use 2 paid security personnel from CSI security and we have three volunteer security personnel which wear yellow vest with the word security in bold black letters on the back.

7. What is the Control Plan for security at this event? (Use additional sheet if necessary)
We position one paid security guard at the front entrance/exit of the event from start to finish. The additional paid security person is positioned in the area where the alcohol is served and tickets are purchased. The three volunteer security personnel are positioned at the following locations: 1.) ID check and banding area 2.) behind the stage area 3.) front stage area. All possible issues observed will be brought to my attention and dealt with accordingly with paid security staff and myself.

8. How will security personnel be identified?
The paid security staff will be dressed in the CSI uniform and the volunteer staff will wear a yellow vest with the word in bold black letters security.

9. If this event is being held outdoors, how will the exterior boundaries of the premises be marked (i.e., roped, fenced, etc.)?
There is a permanent six foot high steel fence surrounding the entire area of the gardens. There is only one entrance and exit during the event, which is located at the east end of the garden area.

A

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.)

ID checks will be made by TIPS trained volunteer staff as the patrons enter through a second gated area onto the lawn. Wrist bands will be applied after ID check is verified to those 21 years of age and older. Ticket sale volunteers will check for bands before sale and servers will check bands before serving.

11. How will the conduct and level of intoxication of attendees be monitored and by whom?

I will be present and am TIPS trained, as well as 2 other volunteer staff members. We will all be positioned at the tents where the alcohol is served and will address issues as they arise.

12. Have the volunteers or members of your organization been trained in the sale/service of alcohol beverages?

Yes we have three TIPS trained volunteers. We also use the TIPS training information at each event for those people who are volunteering to educate them before each event.

13. What types of alternate beverages and food/snacks will be available?

Water, soda and a food truck certified by city and county.

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.

No we are a 501 c 3 non profit organization

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]
Applicant's Signature

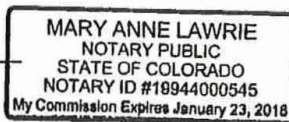
2/23/17
Date

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

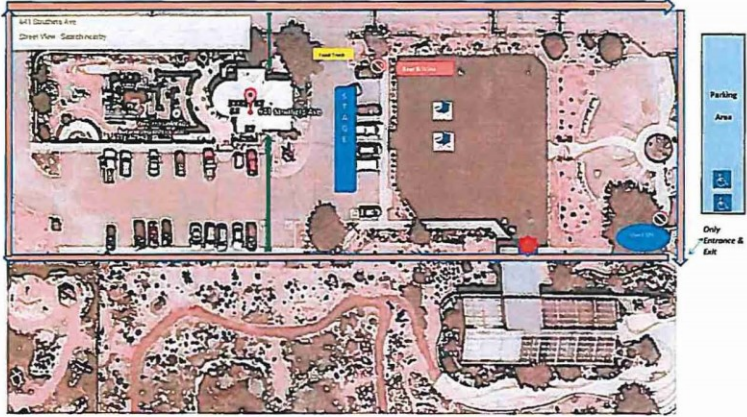
Subscribed and sworn to before me this 23 day of FEBRUARY, 2017.

Witness my hand and official Seal.

[Signature]
Notary Public



01-23-2018
My commission expires



- Food Vendors
- Restrooms
- ID check, Ticket Area
- Permanent Fenced Area
- Beer & Wine Sales
- Temporary Fenced Area
- Security Guard (CSI)
- Seating Area

B



Grand Junction Police Department

Memorandum

To: Juanita Peterson
From: Meghan Woodland
Date: March 28, 2017
Subject: Liquor License Background check

The following background information was completed by searching public records, and records from both Mesa County Sheriff's Office, and Grand Junction Police Department records. The following establishment has been searched for any completed or pending criminal or administrative cases.

STIX Bar & Grill, LLC dba STIX Bar & Grill, 509 28 ½ Road, Grand Junction, CO 81501

Ernest James Heath

3031 ½ Colorado Avenue

Grand Junction CO 81504

DOB: 11/17/1975

Calls regarding complaints/noise since last hearing, 12/07/16:

01/11/17: fight reported at address 10-15 people (PD case 17-2276), broken front window. Neighbors complained of fight/noise. No citations given, owners reached agreement with suspect of broken window, and did not wish to press charges. (Email complaint from neighbors on 01/17/17.)

01/20/17: neighbors complained about people in parking lot making noise. Officers responded within 20 minutes and people were not being loud. Officers were unable to hear them from the street.

02/25/17: neighbors complained about music. Officer responded and no music was heard at that time.

03/22/17: neighbors complained of people hanging out in parking lot making noise (at 0218 hrs). Officers responded and everything was fine.

Janet Harrell

From: Jamie Beard
Sent: Wednesday, March 29, 2017 5:54 PM
To: Janet Harrell
Cc: John Shaver
Subject: RE: STIX Bar & Grille

Janet:

We did resolve the pending matters in Municipal Court for the Unnecessary and/or Unusual Loud Noise citations.

Christopher Heath has entered into an agreement for a deferred judgment and sentence on his citation (Case No. 16-1055). He received a \$1,000 fine but \$850.00 of the fine was suspended. He must make all payments timely and have no further criminal violations. The period of the deferred is for 364 days.

Ernest Heath had the deferred judgment and sentence in his original action from last summer revoked and he has a conviction for the Unnecessary and/or Unusual Loud Noise citation in that case (Case No. 16-484). The suspended fine of \$850.00 was reinstated. He was also convicted in the new case with the same type of citation and was ordered to pay \$1000.00 with \$700.00 suspended as long as he have no other criminal violations in the next 364 days.

All matters were resolved on March 9, 2017. Two of the complainants, Shay West and Linda Plunkett were present and found the resolutions to be acceptable. Both are hopeful this will reduce the problem but neither are convinced that the problem will be eliminated. Both appreciated that Christopher and Ernest have tried to work with them, but believe some of the employees have failed to do their jobs.

If you need further explanation, please let me know.

Jamie

From: Janet Harrell
Sent: Monday, March 13, 2017 1:57 PM
To: Jamie Beard <jamieb@gjcity.org>
Cc: Stephanie Tuin <stepht@gjcity.org>
Subject: STIX Bar & Grille

Hi Jamie,
STIX is scheduled for the April 5th Liquor and Beer meeting for follow-up regarding the noise issues. I am working on compiling background information from past Liquor and Beer meetings for Sam to review; if there is any other information I can pass along to him would you please let me know.

Thanks.

Janet Harrell
Deputy City Clerk
City of Grand Junction
City Clerk's Office
970-244-1509

Janet Harrell

From: Scott Peterson
Sent: Tuesday, April 04, 2017 8:02 AM
To: Janet Harrell
Subject: STIX Bar

Janet,

Just wanted to let you know that Ernest has scheduled his Neighborhood Meeting for Monday, April 17th at 5:30 PM in preparation for his submittal to obtain a Conditional Use Permit in order to construct a new outside patio to be located on the southside of the existing building.

I will keep you informed if anything changes.

Thank you.

Scott Peterson
Senior Planner
City of Grand Junction
scottp@gjcity.org
(970) 244-1447