

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

**MINUTES**

**WEDNESDAY, SEPTEMBER 19, 2012, 2:00 P.M.**

**HEARING OFFICER MICHAEL GRATTAN**

I. **CALL TO ORDER** – The meeting convened at 2:00 p.m. Those present were Hearing Officer Mike Grattan, City Attorney John Shaver, and Deputy City Clerk Juanita Peterson.

II. **APPLICATION FOR SPECIAL EVENTS PERMIT – Continued from September 5, 2012**

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 – "3<sup>rd</sup> Annual Taste of Riverside" on October 6, 2012 from 10:00 a.m. to Midnight, located at 567 25 ½ Road, Grand Junction, CO 81505, Malt, Vinous, and Spirituous

Event Manager: Dennis Tobin, 2676 H Road, Grand Junction, CO 81506

Ms. Peterson reported that since the last hearing, the Moose Lodge and the Riverside Education Center concurred with the City Attorney and Hearing Officer Grattan to change the applicant to Riverside Education Center; all details are the same except the applicant is now Riverside Education Center.

Mr. Dennis Tobin, Administrator of the Moose Lodge and Ms. Mary Gonzales, Founder and Co-Executive Director of Riverside Education Center, as the new Event Manager, were present. Ms. Peterson reported the paperwork is in order and has been accepted.

City Attorney Shaver asked Ms. Gonzales who completed the Questionnaire for this event. Ms. Gonzales said that she did. City Attorney Shaver asked Ms. Gonzales to describe the event, how the alcohol would be controlled, and to describe the diagram and the area of the Lodge which contained the bar. Ms. Gonzales explained they were under a contract with the Moose Lodge and that this was the best venue for their event this year. City Attorney Shaver asked if, in the past two events, were there any issues that came up. Ms. Gonzales said no.

Hearing Officer Grattan said the applicant has met the statutory requirements and he approved the Special Events Permit for the Riverside Education Center on October 6, 2012.

III. **APPLICATIONS TO RENEW LIQUOR AND BEER LICENSES**

1. College Liquors Inc., dba College Liquors, 2695 Patterson Road #9, Grand Junction, CO 81501, Retail Liquor Store with Tasting Permit

Mr. John Stevenson, Manager, was present.

The application for renewal for College Liquors, Inc. dba College Liquors, was found to be in order and approved.

2. Loco, Inc. dba Loco Food Store No. 16, 2249 Broadway, Grand Junction, CO 81507, 3.2% Beer Retail (Off-Premises)

Ms. Ashly Ahlf, Manager, was present.

The application for renewal for Loco, Inc. dba Loco Food Store No. 16, was found to be in order and approved.

3. RLJII-C Grand Junction Lessee, LLC dba Courtyard by Marriott Grand Junction, 765 Horizon Drive, Grand Junction, CO 81506, Tavern

No one was present representing the applicant.

The application for renewal for RLJII-C Grand Junction Lessee, LLC dba Courtyard by Marriott Grand Junction was found to be in order and approved.

4. DOS, Inc. dba Dos Hombres, 421 Brach Drive, Grand Junction, CO 81507, Hotel and Restaurant

Scott Howard, Owner, and Stephan Schweissing, Attorney, were both present.

The application for renewal for DOS, Inc. dba Dos Hombres was found to be in order and approved.

5. Mill Inn, Inc. dba WW Peppers, LTD, 753 Horizon Drive, Grand Junction, CO 81506, Hotel and Restaurant

No one was present representing the applicant.

The application for renewal for Mill Inn, Inc. dba WW Peppers, LTD was found to be in order approved.

#### **IV. APPLICATIONS TO RENEW LIQUOR AND BEER LICENSES WITH OUTDOOR DINING LEASE**

1. Knaysi Enterprises, Inc. dba Pablo's Pizza, 319 Main Street, Grand Junction, CO 81501, Beer and Wine with Outdoor Dining Lease

No one was present representing the applicant.

The application for renewal and outdoor dining lease for Knaysi Enterprises, Inc. dba Pablo's Pizza was found to be in order approved.

2. 314 Main, LLC dba Dream Café, 314 Main Street, Grand Junction, CO 81501, Hotel and Restaurant with Outdoor Dining Lease

Stephan Schweissing, Attorney of record for the applicant, was present.

The application for renewal and outdoor dining lease for 314 Main, LLC dba Dream Café was found to be in order approved.

**V. APPLICATION TO RENEW LIQUOR AND BEER LICENSE WITH LATE FILING – 12 DAYS LATE**

1. Cinnamon Grill, LLC dba Cinnamon Grill, 624 Rae Lynn, Suite C, Grand Junction, CO 81505, Hotel and Restaurant

Mr. Jeff Hansen, Owner, was present.

Ms. Peterson read the letter submitted by the applicant into the record for the late filing.

Hearing Officer Grattan asked Ms. Peterson if this was the first time this applicant had filed late. Ms. Peterson said yes. Hearing Officer Grattan said he found good cause for the late filing and approved the renewal for Cinnamon Grill, LLC dba Cinnamon Grill.

**VI. APPLICATION FOR CHANGE IN CORPORATE STRUCTURE**

1. Genius Loci, LLC dba Tenacious Brothers Pub, 118 S. 7<sup>th</sup> Street, Grand Junction, CO 81501, Tavern

Removal of Michelle Knapton as member

No one was present representing the applicant. Ms. Peterson reported this is just the removal of one member and all the paperwork is in order.

Hearing Officer Grattan approved the change in corporate structure for Genius Loci, LLC dba Tenacious Brothers Pub.

**VII. APPLICATION FOR SPECIAL EVENTS PERMIT**

1. Colorado Mesa University Foundation, 1450 N. 12<sup>th</sup> Street, Grand Junction, CO 81501 - "2012 Homecoming Tailgate" on September 29, 2012 from 10:00 a.m. to 10:00 p.m., located at CMU Academic Quad Area on grassy area between Houston Hall and 12<sup>th</sup> Street, Malt, Vinous, and Spirituous

Foundation Officer: Peggy Lamm, 507 Dove Court, Grand Junction, CO 81507  
Event Manager: Rick Adleman, 3021 Oakwood Drive, Grand Junction, CO 81504

Mr. Rick Adleman, Event Manager, was present.

Ms. Peterson said the application was in order and met the requirements for the Special Events Permit.

City Attorney Shaver passed Mr. Adleman a packet of documents and asked Mr. Adleman if he was familiar with these items (Exhibit A). City Attorney Shaver asked Mr. Adleman if he completed the Questionnaire. Mr. Adleman said his staff assistants completed the form for him. Mr. Adleman described the venue and stated that this is a different location than last year, the area will be contained by a ski fence, and that volunteer's have been TIPS trained and will be in CMU volunteer t-shirts.

Police Department Liquor Investigations Officer Joe Patrick voiced concerns regarding the time of the event from 10:00 a.m. to 10:00 p.m. and going from this area, crossing 12<sup>th</sup> Street over to Stocker Stadium. Mr. Adleman said that he will adjust the time from 10:00 a.m. to 2:00 p.m. When the application was submitted it was not known if the game would be at 1:00 p.m. or 6:00 p.m. and they wanted to make sure they had the entire time covered. This relieved the concerns of Officer Patrick but he reminded the applicant of pedestrian controls for crossing 12<sup>th</sup> Street.

Hearing Officer Grattan approved the application for a Special Events Permit for Colorado Mesa University Foundation for 2012 Homecoming Tailgate Party on September 29, 2012.

## **VIII. REVIEW AND AUTHORIZE STIPULATION, AGREEMENT AND ORDER**

1. Fins Grill, LLC dba Fins Grill, 420 Main Street, Grand Junction, CO 81501, Beer and Wine

Pursuant to Colorado Revised Statutes §12-47-901(1)(a.5)(I), it is unlawful for any person, including a licensee, manager, or agent of any licensed establishment to sell, serve, exchange, or permit the sale and procurement of any alcohol beverage to or for any person under the age of twenty-one years.

Mr. Ron Hegge, Owner, was present.

Staff Attorney DeLayne Merritt was also present and said that Mr. Hegge was very cooperative regarding the conduct and policies of his establishment. The Licensee has a written policy regarding employee conduct, laws, and regulations and it is reviewed with all staff; there is only 1-2 staff persons who serve alcohol; a new manager was hired recently and the business has relocated to a downtown location.

The Licensee agrees to a seven day suspension of its license as penalty for the violation. Five days of the suspension shall be held in abeyance for a period of one year from the date of the approval of this agreement. The Licensee may pay a fine equivalent to 20% of the Licensee's estimated gross revenue from

the sale of alcohol beverages during a period of two days, except that the fine shall not be less than \$200 or more than \$5,000. The fine shall be calculated on the average days' sales for the month of July, 2012 and based on the financial report provided by the Licensee. The fine is determined to be \$200 which will be required to be paid by September 19, 2012.

Hearing Officer Grattan asked Mr. Hegge if he agreed with the contents of the stipulation. Mr. Hegge said he did. Hearing Officer Grattan signed the presented Stipulation, Agreement, and Order and asked the Clerk to submit it in accordance with the Certificate of Mailing.

2. Dancing Spirits, LLC dba Horizon Liquors, 715 Horizon Drive, Grand Junction, CO 81506, Retail Liquor Store

Pursuant to Colorado Revised Statutes §12-47-901(1)(a.5)(I), it is unlawful for any person, including a licensee, manager, or agent of any licensed establishment to sell, serve, exchange, or permit the sale and procurement of any alcohol beverage to or for any person under the age of twenty-one years.

Ms. Becky Jackson, Owner, was present.

Staff Attorney DeLayne Merritt was also present and said that Ms. Jackson was very cooperative regarding the conduct and policies of her establishment. The Licensee has a policy that all employees must check identification of customers who appear under 35 years of age; there are only four employees, plus the owner. The Licensee has encouraged employees to take the City's server responsibility class or a TIPS class and has monthly meetings for staff to review weekly business. There is video surveillance of the licensed premises and she reviews this to observe employee conduct and employee adherence to internal policies and liquor laws and regulations.

The Licensee agrees to a seven day suspension of its license as penalty for the violation. Five days of the suspension shall be held in abeyance for a period of one year from the date of the approval of this agreement. The Licensee may pay a fine equivalent to 20% of the Licensee's estimated gross revenue from the sale of alcohol beverages during a period of two days, except that the fine shall not be less than \$200 or more than \$5,000. The fine shall be calculated on the average days' sales for the month of July, 2012 and based on the financial report provided by the licensee. The fine is determined to be \$894.80 which will be required to be paid by October 31, 2012.

Hearing Officer Grattan asked Ms. Jackson if she agreed with the contents of the stipulation. Ms. Jackson said she did. Hearing Officer Grattan signed the presented Stipulation, Agreement, and Order and asked the Clerk to submit it in accordance with the Certificate of Mailing.

3. Top East Restaurant, Inc. dba Top East Restaurant, 707 Horizon Drive, Grand Junction, CO 81506, Hotel and Restaurant

Pursuant to Colorado Revised Statutes §12-47-901(1)(a.5)(I), it is unlawful for any person, including a licensee, manager, or agent of any licensed establishment to sell, serve, exchange, or permit the sale and procurement of any alcohol beverage to or for any person under the age of twenty-one years.

Quan Bei Zhao, Owner, and his daughter Mei Zhao, who is acting as the Interpreter for Mr. Zhao, were present.

Staff Attorney DeLayne Merritt was also present and said that Mr. Zhao and his daughter who acted as Interpreter were very cooperative regarding the conduct and policies of his establishment. The Licensee has a policy of checking identification of all customers that appeared under 40 years of age, conducts internal training regarding job duties as well as liquor laws/regulations; encourages staff to take the City's alcohol server responsibility program; and requires all servers to be TIPS certified prior to hiring. Current staff will take the TIPS class within the next two months. He also conducts monthly staff meetings.

The Licensee agrees to a seven day suspension of its license as penalty for the violation. Five days of the suspension shall be held in abeyance for a period of one year from the date of the approval of this agreement. The Licensee may pay a fine equivalent to 20% of the Licensee's estimated gross revenue from the sale of alcohol beverages during a period of two days, except that the fine shall not be less than \$200 or more than \$5,000. The fine shall be calculated on the average days' sales for the month of July, 2012 and based on the financial report provided by the Licensee. The fine is determined to be \$200 which will be required to be paid by September 19, 2012.

Hearing Officer Grattan asked Ms. Zhao to translate to Mr. Zhao if he agrees with the contents of the stipulation. Ms. Zhao did and Mr. Zhao said he does. Hearing Officer Grattan signed the presented Stipulation, Agreement, and Order and asked the Clerk to submit it in accordance with the Certificate of Mailing.

4. Cinnamon Grill, LLC dba Cinnamon Grill, 624 Rae Lynn Road, Grand Junction, CO 81505, Hotel and Restaurant

Pursuant to Colorado Revised Statutes §12-47-901(1)(a.5)(I), it is unlawful for any person, including a licensee, manager, or agent of any licensed establishment to sell, serve, exchange, or permit the sale and procurement of any alcohol beverage to or for any person under the age of twenty-one years.

Mr. Jeff Hansen, Owner, was present.

Staff Attorney DeLayne Merritt was also present and said that Mr. Hansen and Mr. Martinez, his manager, were very cooperative regarding the conduct and policies of his establishment. The Licensee has a new training program, requests that all staff attend either the City of Grand Junction alcohol server program or comparable, and developed an incentive program to take the classes. They have also developed a policy that every person requesting

alcohol must be identified prior to the sale; implemented a no tolerance policy regarding violations; and holds daily staff meetings during shift changes.

The Licensee agrees to a seven day suspension of its license as penalty for the violation. Five days of the suspension shall be held in abeyance for a period of one year from the date of the approval of this agreement. The Licensee may pay a fine equivalent to 20% of the Licensee's estimated gross revenue from the sale of alcohol beverages during a period of two days, except that the fine shall not be less than \$200 or more than \$5,000. The fine shall be calculated on the average days' sales for the month of July, 2012 and based on the financial report provided by the licensee. The fine is determined to be \$200 which will be required to be paid by September 19, 2012.

Hearing Officer Grattan asked Mr. Hansen if he agrees with the contents of the stipulation. Mr. Hansen said he does. Hearing Officer Grattan signed the presented Stipulation, Agreement, and Order and asked the Clerk to submit it in accordance with the Certificate of Mailing.

5. Providence Project, Inc. dba La Bamba Mexican Restaurant, 546 Main Street, Grand Junction, CO 81501, Hotel and Restaurant

Pursuant to Colorado Revised Statutes §12-47-901(1)(a.5)(I), it is unlawful for any person, including a licensee, manager, or agent of any licensed establishment to sell, serve, exchange, or permit the sale and procurement of any alcohol beverage to or for any person under the age of twenty-one years.

Mr. Francisco Cervantes, Owner, was present.

Staff Attorney DeLayne Merritt was also present and said that Mr. Cervantes was very cooperative regarding the conduct and policies of his establishment. The Licensee has had one prior liquor violation that occurred in November 2009 for sale to a minor. The Licensee successfully completed the terms of that agreement. The Licensee has adopted a policy that every person requesting alcohol must be identified prior to the sale, requires that all servers be certified responsible alcohol servers by attending either the City class or one comparable; currently they only have three servers, and they conduct internal training for approximately one week for new staff which includes reviewing policies, liquor laws, and regulations.

The Licensee agrees to a ten day suspension of its license as penalty for the violation. The Licensee shall actively suspend for three days from 12:01 a.m. on the 11<sup>th</sup> of October 2012 until 11:59 p.m. on the 13<sup>th</sup> of October 2012. Seven days of the suspension shall be held in abeyance for a period of one year from the date of the approval of this agreement.

Hearing Officer Grattan asked Mr. Cervantes if he agrees with the contents of the stipulation. Mr. Cervantes said he does. Hearing Officer Grattan signed the presented Stipulation, Agreement, and Order and asked the Clerk to submit it in accordance with the Certificate of Mailing.

**IX. OTHER BUSINESS**

Ms. Peterson reported the decision was made on September 18, 2012 to grant the new retail liquor license to Junction Liquors, LLC dba Fun Junction Liquors by Alternate Hearing Officer Starritt.

**X. ADJOURNMENT – 2:50 p.m.**

**NEXT REGULAR MEETING – October 3, 2012**



(A)

## SPECIAL EVENT PERMIT QUESTIONNAIRE AND AFFIDAVIT

1. Name of Event: 2012 Homecoming Tailgate
  
2. How many attendees are expected at this event?  
500
  
3. Describe the premises at which this event will take place.  
Colorado Mesa University Academic Quad adjacent to Houston Hall Building Located at North Avenue and 12th st.
  
4. What type of security will be provided at this event?  
TIPS trained volunteers
  
5. How many security personnel will be on hand?  
6 TIPS trained volunteers and 6 security volunteers.
  
6. How will security personnel be identified?  
Maroon CMU volunteer T-shirts.
  
7. If this event is being held outdoors, how will the exterior boundaries of the premises be marked (i.e., roped, fenced, etc.)?  
Snow fencing will be used to gate the premises.
  
8. 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's will be checked at the entrances and wrist bands placed on attendees over 21 years of age.

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

By TIPS trained volunteers.

\_\_\_\_\_  
\_\_\_\_\_

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

Yes.

\_\_\_\_\_  
\_\_\_\_\_

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

Soda, water, BBQ, buns, chips, etc.

\_\_\_\_\_  
\_\_\_\_\_

12. 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.

98-05973

\_\_\_\_\_  
\_\_\_\_\_

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.

*[Handwritten Signature]*

Date 8/16/2012

Applicant's Signature

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

Subscribed and sworn to before me this 16<sup>th</sup> day of August, 20 12.

Witness my hand and official seal.

*[Handwritten Signature: Gail K. Howe]*  
Notary Public

My commission expires 12-14-14



My Commission Expires 12-14-14



# COLORADO MESA UNIVERSITY

Academic Quad

