



FRUITA

COLORADO

AGENDA ITEM COVER SHEET

TO: FRUITA CITY COUNCIL AND MAYOR

FROM: DEBRA WOODS, DEPUTY CITY CLERK

DATE: MAY 3, 2022

RE: LIQUOR LICENSE RENEWAL - A REQUEST TO APPROVE THE RENEWAL OF A HOTEL AND RESTAURANT LIQUOR LICENSE – MALT, VINOUS, AND SPIRITUOUS FOR STRAYHORN GRILL LOCATED AT 456 KOKOPELLI BLVD., UNIT J

BACKGROUND

The Hotel/Restaurant Liquor License for Strayhorn Grill located at 456 Kokopelli Blvd., Unit J is up for renewal. Their current license expires on **May 23, 2022**.

The Fruita Police Department report indicates that there have not been any violations or incidents at Strayhorn Grill reported to them in the last year and there is nothing unusual or of concern that would hinder renewal of the license.

On April 15, 2022, the City Clerk's office was advised by the Liquor Enforcement Division that Strayhorn Grill sold alcohol beverages to their minor operatives. The server was issued a summons and the establishment will be subjected to an administrative action that typically consists of a suspension of the license that is held in abeyance (set aside) for a period of one (1) year pending no further violations of the Colorado Liquor Code and the payment of a fine.

There are no current "Alcohol Responsibility Servers" Training certificates on file at the City Clerk's Office for Strayhorn Grill; however, it should be noted that beginning mid-to-late 2019, this training was no longer provided by the City of Fruita Police Department or the City of Grand Junction's Police Services Department. Subsequent to that, the COVID-19 pandemic in 2020 and 2021 resulted in the discontinuance of any training except for classes online, which are not accepted by the Liquor Enforcement Division for certification; certified training has to be completed in a classroom setting. The City of Grand Junction is once again offering classroom training twice per year and owner Sheryl Martin has assured the City Clerk's Office that she has registered her employees for the next training scheduled for May 27th.

This item is placed on the Consent Agenda for the Council to determine if there is any cause for a hearing to be held on the renewal of the liquor license. If there is no cause for a hearing, the City Council should approve the renewal of the existing license. If there is cause for a

hearing, the City Council should set a date to hold a quasi-judicial hearing to determine if there are sufficient grounds for suspension or revocation of the liquor license. The City Council may also temporarily suspend any license, without notice, pending any prosecution, investigation or public hearing. No such suspension shall be for a period of more than 15 days.

FISCAL IMPACT

None.

APPLICABILITY TO CITY GOALS AND OBJECTIVES

The City of Fruita is charged with protection of the public health, safety and welfare. The review and renewal of liquor licenses ensures that licensed establishments are operating by the rules and regulations adopted by the City and State concerning the sale or service of beer and alcoholic beverages.

OPTIONS AVAILABLE TO THE COUNCIL

1. Renewal of the Hotel/Restaurant Liquor License for Strayhorn Grill located at 456 Kokopelli Blvd., Unit J
2. Schedule a hearing date to determine if there is good cause for the license to be suspended or revoked.

RECOMMENDATION

It is the recommendation of staff that the Council move to:

- **RENEW THE HOTEL AND RESTAURANT LIQUOR LICENSE FOR STRAYHORN GRILL LOCATED AT 456 KOKOPELLI BLVD., UNIT J**