

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

MINUTES

WEDNESDAY, JULY 6, 2011, 2:00 P.M.

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 Debbie Kemp.

II. APPLICATIONS TO RENEW LIQUOR AND BEER LICENSES

1. Feather Petroleum Company dba Stop N Save No. 4, 2700 Highway 50, Grand Junction, CO 81503, 3.2% Beer Retail (Off Premises)

No one was present representing the applicant.

The application for renewal for Feather Petroleum Company dba Stop N Save No. 4 was found to be in order and approved.

2. Dillon Companies, Inc. dba City Market #51, 630 24 Road, Grand Junction, CO 81505, 3.2% Beer Retail (Off Premises)

No one was present representing the applicant.

The application for renewal for Dillon Companies, Inc. dba City Market #51 was found to be in order and approved.

3. Safeway Stores 46, Inc. dba Safeway Store #2625, 681 Horizon Drive, Grand Junction, CO 81506, 3.2% Beer Retail (Off Premises)

No one was present representing the applicant.

The application for renewal for Safeway Stores 46, Inc. dba Safeway Store #2625 was found to be in order and approved.

4. City of Grand Junction dba Avalon Theater, 645 Main Street, Grand Junction, CO 81501, Arts

Darren Starr, General Manager for Two Rivers Convention Center and Avalon Theater, was present.

City Attorney Shaver asked Ms. Kemp if there is appropriate paperwork on file designating Mr. Starr as manager. Ms. Kemp stated that an Arts Liquor License does not require a registration of a manager. Sheryl Thompson is listed on the application for renewal as the operating manager.

The application for renewal for City of Grand Junction dba Avalon Theater, 645 Main Street was found to be in order and approved.

5. Black Dog Grills, LLC dba Genghis Grill, 2474-C Hwy. 6 and 50, Grand Junction, CO 81505, Hotel and Restaurant

No one was present representing the applicant.

The application for renewal for Black Dog Grills, LLC dba Genghis Grill was found to be in order and approved.

6. El Tapatio, LLC dba El Tapatio, 1145 North Avenue, Grand Junction, CO 81501, Hotel and Restaurant

Dennis Cervantes, General Manager for El Tapatio, was present.

City Attorney Shaver asked Ms. Kemp if Mr. Cervantes is the registered manager. Ms. Kemp said that he is not; the owner is listed on the application as the operating manager. City Attorney Shaver advised Mr. Cervantes to see Ms. Kemp after the meeting to pick up paperwork for registering him as general manager.

The application for renewal for El Tapatio, LLC dba El Tapatio was found to be in order and approved.

7. CEC Entertainment, Inc. dba Chuck E Cheese's 708, 2424 Hwy. 6 and 50, Grand Junction, CO 81505, Hotel and Restaurant

No one was present representing the applicant.

The application for renewal for CEC Entertainment, Inc. dba Chuck E Cheese's 708 was found to be in order and approved.

8. Vin Hospitality, LLC. dba 626 On Rood Modern American Cuisine and Wine Bar, 626 Rood Avenue, Grand Junction, CO 81501, Hotel and Restaurant

Theo Otte and Brenda Wray, primary owners of Vin Hospitality, LLC, owning 98% of the company, were present.

Ms. Kemp reported that the police department noted a violation that occurred on January 15, 2011 for procuring alcohol to an underage person. The violation was disclosed on the renewal application and a letter was provided by the applicant explaining the violation which both Hearing Officer Grattan and City Attorney Shaver were copied on.

Mr. Otte and Ms. Wray explained the violation and advised that, because of a previous violation that occurred less than a year prior, they were ordered by State Liquor Enforcement to serve a suspension for a total of eleven days broken into two blocks, one for five consecutive days, and one for six consecutive days. They explained both violations to the Authority in detail.

City Attorney Shaver asked if one day of the suspension is from the previous violation. Mr. Otte said no, they paid a fine for that one day but the six days that were held in abeyance were part of the eleven days of suspension.

Ms. Wray advised the Authority that she feels that State Liquor Enforcement was very unfair. She feels that there should be a better way for the State to penalize an establishment when there is a violation. She also expressed feelings of distraught because of how long the whole process took regarding the violation.

Hearing Officer Grattan advised Ms. Wray that the City has no control or say over what the State does concerning violations. He does understand the lag time because, being an attorney, there is a lot of lag time, any process takes a long time.

Mr. Otte asked if the issue of re-corkage can be addressed at the City's Alcohol Server Responsibility Training. They have several customers who believe that they can bring in their own wine and drink it at their restaurant and have it re-corked to take home. Their customers are very upset when they are told that wine cannot be brought in to their restaurant. Ms. Kemp advised Mr. Otte that she will mention the suggestion to Lisa Maestas, Liquor Enforcement/Investigations and Certified Trainer, for the classes.

The application for renewal for Vin Hospitality, LLC. dba 626 On Rood Modern American Cuisine and Wine Bar was found to be in order and approved.

9. Rockslide Brew Pub, Inc. dba Rockslide Brew Pub, 401 Main Street, Grand Junction, CO 81501, Brew Pub with Outdoor Dining Lease

No one was present representing the applicant.

Ms. Kemp advised that City Council approved the Outdoor Dining Lease in April 2011 and the expiration date is August 18, 2012 in order to be concurrent with the liquor license.

The application for renewal for Rockslide Brew Pub, Inc. dba Rockslide Brew Pub was found to be in order and approved.

V. APPLICATION FOR A TRANSFER OF OWNERSHIP – Moved up from the end of the Agenda

1. Outback Steakhouse of Florida, LLC dba Outback Steakhouse - #621, 2432 Hwy. 6 & 50, Grand Junction, CO 81505 from Outback/Denver I, LP dba Outback Steakhouse #0621, Hotel and Restaurant

CO/Legal Exec. VP/Sec.: Joseph Kadow, 850 Newport Avenue, Tampa, FL 33607

CFO/Sr. VP/Treas.: Dirk Montgomery, 11824 Shire Wycliffe Court, Tampa, FL 33626

Registered Manager: Ryan P. Elmore, 662 Bradford Ct., Grand Junction CO 81504

Ryan Elmore, Registered Manager for Outback Steakhouse #0621, was present.

The application for transfer of ownership for Outback Steakhouse of Florida, LLC dba Outback Steakhouse - #621 was found to be in order and approved.

III. APPLICATION TO RENEW LIQUOR AND BEER LICENSE WITH TASTING PERMIT

1. The Denville Corporation dba Cottonwood Liquors, 2513 Hwy. 6 & 50, Grand Junction, CO 81505, Retail Liquor Store

No one was present representing the applicant.

City Attorney Shaver recommended approval of the renewal but, as a practical matter, it may be a good idea to have a representative of the Denville Corporation sign or acknowledge the Control Plan that was submitted with the tasting permit application.

The application for renewal with tasting permit for The Denville Corporation dba Cottonwood Liquors was found to be in order and approved conditioned on the control plan being signed and dated by a representative of Denville Corporation.

IV. APPLICATION TO RENEW LIQUOR AND BEER LICENSE WITH LATE FILING

1. DELK6, LLC dba Country Inns of America, 718 Horizon Drive, Grand Junction, CO 81506, Tavern - **Filed in the City Clerk's office 12 days late**

No one was present representing the applicant.

Ms. Kemp reported that she had advised a representative of the applicant to be present for this meeting and that the City sales tax account is not in compliance.

The application for renewal with late filing was found to not be in order and was continued to the July 20, 2011 liquor and beer meeting. Hearing Officer Grattan asked Ms. Kemp to notify the applicant advising them that a representative needs to be present at the July 20, 2011 meeting.

VI. OTHER BUSINESS

There was none.

VII. ADJOURNMENT

The meeting was adjourned at 2:34 p.m.

NEXT REGULAR MEETING – July 20, 2011