

**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, APRIL 7, 2010 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 Juanita Peterson.

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

1. Carson Inc., dba Johny's Beer & Liquor, 666 Patterson, Grand Junction CO, 81501, Retail Liquor Store

No one was present representing the applicant. Ms. Peterson reported that all of the paperwork was in order.

The application for renewal was found to be in order and approved.

2. Nepal Restaurant GJ LLC dba Nepal Restaurant, 356 Main Street, Grand Junction CO, 81501, Hotel and Restaurant

No one was present representing the applicant. Ms. Peterson reported that all of the paperwork was in order.

The application for renewal was found to be in order and approved.

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

No one was present representing the applicant. Ms. Peterson reported that all of the paperwork was in order.

The application for renewal was found to be in order and approved.

4. Tequila's II Inc., dba Tequila's 2560 North Avenue, Grand Junction CO, 81501, Hotel and Restaurant

No one was present representing the applicant. Ms. Peterson reported that all of the paperwork was in order but still waiting for reports from the Police and Fire Departments.

The application for renewal was found to be in order and approved conditioned on a good report from Police and Fire Departments.

### **III. APPLICATION FOR SPECIAL EVENTS PERMIT**

1. Grand Junction Downtown Association Inc., 248 S. 4<sup>th</sup> Street, Grand Junction, CO 81501 – Art & Jazz Festival, , May 7, 8, 9, 2010, Main Street between 5<sup>th</sup> and 7<sup>th</sup> Streets, Grand Junction, Malt and Vinous

Secretary: Diane Keliher, 3342 E ¾ Road, Clifton, CO 81520  
Event Manager: George Rossman, 276 Huffer, Grand Junction, CO 81503

George Rossman and Diane Keliher were both present representing the applicant. Ms. Peterson reported that all of the paperwork was in order and read the letter from the DDA giving permission for this request from the applicant.

Hearing Officer Grattan asked about the area from the drawing in reference to the legend.

George Rossman explained all of the areas to Hearing Office Grattan's satisfaction (Exhibit A). City Attorney Shaver asked who was taking care of the security. Ms. Rossman responded Foremost Security. Ms. Rossman also stated that this was her 6<sup>th</sup> year of being the Event Planner. Hearing Officer and City Attorney Shaver agreed that all requirements have been met.

The application for a Special Event Permit was found to be in order and approved.

2. Latin Anglo Alliance Foundation, Inc., P.O. Box 1734, Grand Junction, CO 81502 – Cinco de Mayo Celebration, May 1, 2010, Public Parking Lot, on Colorado Avenue between 4<sup>th</sup> and 5<sup>th</sup> Streets and Colorado Avenue between 4<sup>th</sup> and 5<sup>th</sup> Streets, Grand Junction, Malt and Vinous

Pres.: Louis Martinez, 1924 Chipeta Ct., Grand Junction, CO 81501  
Event Manager: Mike Archuleta, 667 Cordial Ct., Grand Junction, CO 81501

Melvin Madril, Licensing Coordinator for the event, was present representing the applicant. Ms. Peterson reported that all of the paperwork was in order and read the letter from the applicant regarding availability of other licensed facilities and permission to use the parking lot.

Hearing Officer Grattan asked about the drawing and the area of the event and had Mr. Madril explain the drawing (Exhibit B). Hearing Officer Grattan also asked about who was conducting the security for the event. Mr. Madril said Foremost Security and members of the Latin Anglo Alliance Foundation.

The application for a Special Event Permit was found to be in order and approved.

#### **IV. APPLICATION FOR A TRANSFER OF OWNERSHIP**

1. Restaurant Concepts II, LLC dba Applebee's Neighborhood Grill & Bar to AmRest LLC dba Applebee's Neighborhood Grill & Bar, 711 Horizon Drive, Grand Junction CO 81506, Hotel and Restaurant – MASTER FILE IN DENVER

Member: Michael P. Muldoon, 755 Bedford Oaks Dr., Marietta GA 30068

Member: Lansing S. Patterson, 1021 Windridge Ct., Watkinsville GA 30677

Member: Mark R. Chandler, 28024 80<sup>th</sup> Ave. NW, Standwood WA 98292

GM: Milt Watson, 629 ½ Broken Spoke Rd., Grand Junction, CO 81504

Milt Watson, General Manager, was present. Ms. Peterson reported that the paperwork was in order and the applicant has a Master File with the State. This is basically the same ownership but under a different LLC. A local police report on the ownership was conducted but C.B.I./F.B.I. investigation was done by the State with a Master File. All other reports are fine.

The application for Transfer of Ownership from Restaurant Concepts II, LLC dba Applebee's Neighborhood Grill & Bar to AmRest LLC dba Applebee's Neighborhood Grill & Bar was found to be in order and approved.

#### **V. SHOW CAUSE HEARING**

1. BPOE Lodge dba Grand Junction Lodge 575, 249 N. 4<sup>th</sup> Street, Grand Junction, CO 81501, Club

Pursuant to Colorado Revised Statutes §12-47-416, it is unlawful for a licensee to sell malt, vinous, and spirituous liquors by the drink to persons other than members of such club and/or guests. The Colorado Department of Revenue has clarified the minimum requirements necessary to determine that a person is a guest of the club. These qualifications are: a person who receives a personal invitation from a member to attend a club function or visit the club at a particular date and time; the member inviting the guest must be present on the licensed premises all times that the guest is present; guests should not have to pay to enter onto, or utilize, the premises or general facilities of the club, and persons making the invitation to a function must be a club member.

Howard Hurst, Trustee, elected April 1, 2010, was present. Mr. Hurst gave in his words what happened which involved the leased area downstairs. Mr. Hurst said the organization has been lax in the past with the membership in looking at every membership card. New rules have been put into place.

Jamie Beard, Assistant City Attorney, advised the Authority that the City has reached a plea agreement with BPOE Lodge. They have agreed to a 7 day suspension of the license with 2 days of active suspension from 12:01 a.m. on the 9<sup>th</sup> of April until 11:59 p.m. on the 10<sup>th</sup> of April, 2010 and 5 days would be held in abeyance for a period of one year from the date of the approval pending

no further violations of the Colorado Liquor Code, local ordinances or regulations during that period.

Hearing Officer Grattan asked Mr. Hurst if he has reviewed the stipulation and understands it and finds it acceptable. Mr. Hurst said yes. Hearing Officer Grattan asked if Mr. Hurst entered into the agreement willingly and voluntarily without being coerced. Mr. Hurst said yes. Hearing Officer Grattan asked Mr. Hurst if he would like him to enter the stipulation into the record as an order of the Authority. Mr. Hurst said yes.

Hearing Officer Grattan signed the agreement and asked that the City Clerk's office mail out the signed agreement in accordance with the certificate of mailing.

## **VI. OTHER BUSINESS**

1. Thai Chili, Inc. dba Thai Chili Restaurant, 2536 Rimrock Drive, Suite 700, Grand Junction, CO 81505, Beer and Wine, renewal of beer and wine license continued from March 17, 2010

Quan Bei Zhao, Owner, and his son-in-law Young Piang Gan "Ken" were present. Hearing Officer Grattan asked about the ownership of the establishment. Mr. Gan stated Mr. Zhao is 99% owner. Mr. Grattan said that he had lunch with a client who said she was the owner of Thai Chili, Ms. Mae Zang. Mr. Gan reported that Ms. Zang owns 1%. Ms. Peterson reported that Ms. Zang wanted to sell the establishment to Mr. Zhao but the owner of the building would not let the lease be assigned to someone else, so they did a change in corporate structure giving Mr. Zhao 99% ownership to keep the existing lease until this lease expired.

Hearing Officer Grattan stated that the amendment to the renewal had been taken care of as shown (Exhibit A1). City Attorney Shaver said that, along with the letter submitted by Mr. Nolan, the applicants attorney, (Exhibit B1) followed up with a telephone conversation he had with Mr. Nolan, he did not find a moral turpitude.

Hearing Officer Grattan said that if the plea bargain does not go through on the 16<sup>th</sup> of April as indicated in the letter, there will be a different issue and it will need to come back before this Authority. Hearing Officer Grattan also asked who wrote the amendment. Mr. Gan said he did but Mr. Zhao signed it.

The application for renewal as approved.

## **VII. ADJOURNMENT – 2:35 p.m.**

**NEXT REGULAR MEETING – April 21, 2010**



B

PARKING & PARKING GARAGE

Businesses

Restrooms

DUMPSTERS

TEMP. C.G. FENCE - 6' - 7'

LAWS OF BEER CONSUMPTION

Restrooms

PURCHASE TABLES

STAFF / VENDORS PARKING

ENTRANCE / EXIT SECURITY LOCATION

TRANGE BARRELS & ROUND CONTROL FENCING

STAGE

TENT

TENT

TENT

Colorado Ave. VENDORS BOOTHS

Businesses

20' CLEARANCE MAINTAINED FOR EMERGENCY VEHICLES

STREET CLOSURE BARRICADE (TYP.)

PARKING ON COLORADO AVE.

Businesses

N

One way

NOTE: SECURITY WILL BE MAINTAINED ENTIRE EVENT.

CINCO DE MAYO  
MAY 1, 2010  
LATIN ANGLO ALLIANCE FOUNDATION

3/28/10

# Thai Chili Response

3/26/10

I Quan Bei Zhao committed Theft by shopliff on 12-11-09, and I went to court on march 5<sup>th</sup>, ~~and~~ 26<sup>th</sup> but the outcome is either a fine or public Services We Agree

X Quan Bei Zhao

(AD)

(B1)

LAW OFFICES  
OF

**PETERS, NOLAN & DEVLIN, LLC**

851 GRAND AVENUE  
GRAND JUNCTION, COLORADO 81501  
970 241-0101  
FACSIMILE: 970 255-6660

**RECEIVED**

**MAR 31 2010**

March 29, 2010

Grand Junction City Attorney's Office  
Attn: John Shaver, Esq.  
250 N 5<sup>th</sup> Street  
Grand Junction, CO 81501-2668

RE: Quan Bei Zhao and Thai Chili, Inc.

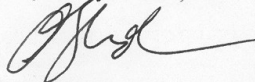
Dear Mr. Shaver:

This letter follows our telephone conversation regarding my client, Quan Bei Zhao, on March 26, 2010. Thank you for the helpful information you provided. As we discussed, I represent Mr. Zhao in Mesa County case number 09M3608, in which he is charged with misdemeanor theft. The case is scheduled to return to court for entry of plea on April 16, 2010 at 8:00 a.m. The disposition that we have reached is that Mr. Zhao will receive an 18 month deferred judgment and sentence to the theft count.

Hopefully, by the time you receive this letter the Thai Chili liquor license information will have been amended to appropriately reflect the law enforcement contact and summons that was issued in this case.

If you have any further questions or concerns, please do not hesitate to contact me at the number above.

Very Truly Yours,



Andrew J. Nolan