

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

MINUTES

**THURSDAY, JANUARY 8, 2009 2:00 p.m.
(Special Time and Date)**

- 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. Brinker Restaurant Corporation dba Chili's Grill & Bar, 584 24 ½ Road, Grand Junction, CO 81505, Hotel and Restaurant
- No one representing the applicant was present.
- The application for renewal was found to be in order and approved.
2. Providence Project, Inc. dba La Bamba Mexican Restaurant, 546 Main Street, Grand Junction, CO 81501, Hotel and Restaurant
- No one representing the applicant was present.
- Ms. Kemp reported that the applicant needs to provide a letter from the landlord at 546 Main Street agreeing to extend the lease of the licensed premises through January 26, 2010. She also stated that the Fire Department advised that there were a few minor violations which the applicant is addressing.
- City Attorney Shaver asked Ms. Kemp if the applicant has paid the Occupational Tax which was due January 2, 2009. Ms. Kemp advised that they have not.
- The application for renewal was approved with the following conditions: 1) Provide a letter from the landlord at 546 Main Street agreeing to extend the lease of the licensed premises through January 26, 2010; 2) a report from the Fire Department stating that the few minor violations have been corrected; and 3) the payment of the Occupational Tax in the amount of \$300.00.
3. Los Reyes Restaurant, Inc., dba Los Reyes Restaurant, 811 S. 7th Street, Grand Junction, CO 81501, Hotel and Restaurant
- No one representing the applicant was present.
- The application for renewal was found to be in order and approved.
4. Mimosa, Inc. dba Fairground Wine & Liquor, 2771 B ½ Road, Grand Junction, CO 81503, Retail Liquor Store

No one representing the applicant was present.

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

5. Feather Petroleum Company, dba Stop N Save No. Three, 723 Horizon Drive, Grand Junction, CO 81506, 3.2 Percent Beer Retail (Off Premises)

Ann Spalenka, Director of Finance for Feather Petroleum Company, was present representing the applicant.

Ms. Kemp reported that there was a stipulation issued by the State for this establishment which suspended the license for two days on January 24 and 25, 2008. This was disclosed on their renewal application.

City Attorney Shaver asked Ms. Spalenka to explain any corrective measures they are taking to prevent future sales to minors. Ms. Spalenka explained that all employees are trained on the on-line Learn to Serve program, there are policies in place that the employees sign when they are hired, and there are quarterly meetings held at every store. There also have the beer tagging program which an orange tag that goes on every six pack of beer that has information for the birth date of the purchaser. City Attorney Shaver asked if these have been in place since the violation or prior to the violation. Ms. Spalenka said both. City Attorney Shaver asked Ms. Spalenka if they have had any subsequent violations. Ms. Spalenka said they have not.

The application was found to be in order and approved.

III. APPLICATION TO RENEW LIQUOR AND BEER LICENSE WITH LATE FILING AND CHANGE IN CORPORATE STRUCTURE

1. Beye Lotz Grand Junction dba "VFW Post #1247", 1404 Ute Avenue, Grand Junction, CO 81501, Tavern (filed 15 days late)

Jr. Vice: Lloyd Metz, 130 W. 6th Street, Palisade, CO 81526,
replaces Larry Baker

Service Officer: Robert Pauley, 2984 Redbud Court, Grand Junction, CO 81504,
replaces James Tarr

Robert Pauley, Service Officer for VFW Post #1247, was present.

Ms. Kemp read a letter into the record that was provided by the applicant stating why the application for renewal was filed 15 days and also advised that last year the application for renewal was filed 34 days late. She stated that CBI reported a DUI charge for Mr. Pauley in 1968 which was not disclosed on the individual history form. Ms. Kemp also read a letter from the Health Department into the record which had stated numerous problems that have been addressed.

Mr. Pauley stated that he was not convicted on a DUI in 1968. The charge was reduced to careless driving.

City Attorney Shaver asked about if the modification of premises to add a patio had been done. Ms. Kemp reported that that had been approved previously at a beer and liquor meeting.

Mr. Pauley explained the organizational problems that they have had and it seems that it is in order now. Mr. Pauley also explained the Health Department issues that were reported and advised that the issues have been resolved.

Hearing Officer Grattan requested Mr. Pauley look at institutionalizing a method to make sure that the renewal for VFW gets filed on a timely basis in the future.

The applications for renewal with late filing and change in corporate structure were found to be in order and approved.

IV. APPLICATION TO RENEW LIQUOR AND BEER LICENSE AND REGISTER NEW MANAGER

1. KMG Enterprises, Inc., dba Boston's The Gourmet Pizza, 2404 F Road, Grand Junction, CO 81505, Hotel and Restaurant

Randy Gulden, 2059 Snow Mesa Lane, Grand Junction, CO 81507, replaces Daniel Burch

No one representing the applicant was present.

The application for renewal and registration of a new manager were found to be in order and approved.

V. APPLICATION TO RENEW LIQUOR AND BEER LICENSE AND EXTENSION OF CHANGE IN LOCATION PERMIT

1. L & B, Inc. dba Fast Eddy's, 2650 North Avenue, Grand Junction, CO 81501, Tavern
Change in location permit expired October 20, 2008

William and Adelle Lloyd, President and Vice President of L & B, Inc., were present.

Ms. Kemp reported that the Police Department provided a breakdown of various calls that were made to the establishment and also reported that there have been summons issued for violations that have occurred at Quincy's, an establishment also owned by the Lloyds.

City Attorney Shaver advised that on the extension for the change of location, it had been discussed whether or not it should require a rehearing, but because the circumstances are temporal and the Lloyds are continuing to make progress with their application through the Planning Department and nothing legally has been changed, it shouldn't be necessary to conduct a rehearing unless the Hearing Officer wants to.

Hearing Officer Grattan asked Mr. Lloyd to explain what is going on with the process and asked for the expected date for the relocation.

Mr. Lloyd said that he was advised that they were approved by the Planning Department over the phone but they have to go before the Planning Commission. He explained that he thought that the most difficult thing to do would be the change in location for the liquor license, however, it has turned out to be the Planning Department that is the most difficult process.

City Attorney Shaver concurred with Mr. Lloyd and stated that it is a long process for a Conditional Use Permit.

Hearing Officer Grattan asked City Attorney Shaver if he has jurisdiction to extend the change of location permit. City Attorney Shaver said that because there is no change in the application for change in location and that it is only a process problem that is holding up the actual relocation, Hearing Officer Grattan would have jurisdiction to extend the permit.

The application for the extension of the change in location was granted for 120 days from the date of this hearing.

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

VI. ADJOURNMENT – The meeting was adjourned at 2:43 p.m.

NEXT REGULAR MEETING – January 21, 2009