

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

MINUTES

WEDNESDAY, MARCH 4, 2009 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. City of Grand Junction dba Lincoln Park Golf Course, 800 Mantlo Circle, Grand Junction, CO 81501, 3.2% Beer Retail (On/Off Premises), **continued from the February 18, 2009 meeting**

Rob Stong, Manager for Lincoln Park Golf Course, was present.

Ms. Kemp stated that this item was continued from the last meeting due to the report from the Fire Department regarding non compliance.

Hearing Officer Grattan stated that it was also continued because no one was present to represent the applicant as had been requested at the last meeting.

Mr. Stong said that he takes full responsibility for not attending the last meeting and advised that the fire suppressant system is being replaced on this day.

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

2. Shiman Chu, LLC dba No Coast Sushi, 1119 N. 1st Street, Unit A, Grand Junction, CO 81501, Hotel and Restaurant

Elizabeth Boyd, owner of No Coast Sushi, was present.

Ms. Kemp advised that the Police Department had reported two violations with the establishment, one being possible consumption of alcohol on the premise after hours which an investigation is ongoing and the other violation being a complaint regarding patrons being allowed to leave the premise carrying alcohol containers and beer bottles which a written warning was sent to the establishment by the Police Department.

City Attorney Shaver stated that the matters mentioned had not been forwarded to his office for purposes of review or prosecution therefore he would recommend approval of the renewal subject to additional review to determine if charges need to be filed in either or both of those incidents.

Ms. Boyd provided a letter for the record in response to the February 12th Notice of Liquor Law Violation sent by the Grand Junction Police Department regarding alcohol containers leaving the premise (Exhibit A) and summarized what was stated in the letter.

Hearing Officer Grattan asked Ms. Boyd about the other allegation that was mentioned regarding the consumption of alcohol after hours. Ms. Boyd explained that her husband had been out and his ride had left him and some patrons of the restaurant had taken him back to the restaurant instead of home and apparently the police showed up at the restaurant while they were there. Officer Grattan asked Ms. Boyd not to speculate about the incident if she didn't know for sure. Ms. Boyd said she did not know for sure.

The application for renewal was found to be in order and approved and Hearing Officer Grattan asked that a review be scheduled for the first meeting in June, 2009.

3. JNS, Inc. dba Tavern on the Point, 2938 North Avenue, Grand Junction, CO 81504, Tavern

Don Connor, employee of Tavern on the Point, was present.

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

4. Zamner, Inc., dba Teller Arms Liquor, 2353 Belford Avenue, Grand Junction, CO 81504, Retail Liquor Store

No one was present representing the applicant.

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

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

1. Breckenridge Ale House GJ, LLC dba Breckenridge Ale House, 2531 N. 12th Street, Grand Junction, CO 81501, Hotel and Restaurant (filed in City clerk's office 18 days late)

Brian Oliver, General Manager for Breckenridge Ale House, was present.

City Attorney Shaver asked Mr. Oliver to explain their renewal process. Mr. Oliver stated that B.J. Langton is the controller of the LLC in Denver and processes the renewal. When Mr. Oliver receives the renewal notice he forwards it on to Ms. Langton. She had called him to advise him that she had inadvertently filed the renewal late. City Attorney Shaver asked Mr. Oliver if he had forwarded the renewal notice to Ms. Langton in a timely manner. Mr. Oliver stated that he had.

The application for renewal was found to be in order and approved and Hearing Officer Grattan asked that Mr. Oliver put the license renewal on his tickler as well so that he doesn't have to come back again in the future because of a late renewal.

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

1. Planet Wines, LLC dba Planet Wines, 420 Main Street, Grand Junction, CO 81501, Retail Liquor Store

Mike Chariton, owner/manager of Planet Wines, was present.

City Attorney Shaver asked Ms. Kemp if she found that the application for a tastings permit is in compliance with both the ordinance and the statutory requirements. Ms. Kemp stated that she did.

Mr. Chariton asked what it would require for a possible change to the regulations for the tastings. City Attorney Shaver stated that if it is a change to the statutory requirement, it would require a change in State legislation. If it is a change to the ordinance that is not governed by statute, then he could get with any of the elected officials, the City Manager, or himself.

V. APPLICATION TO RENEW LIQUOR AND BEER LICENSE AND A CHANGE IN CORPORATE STRUCTURE

1. Thai Chili, Inc. dba Thai Chili Restaurant, 2536 Rimrock Drive, Suite 700, Grand Junction, CO 81505, Beer and Wine

Quanbei Zhao, 675 Roundup Drive, Grand Junction, CO 81503 replaces Ya Mei Zhang

Kim Gan, manager for Thai Chili Restaurant, was present.

City Attorney Shaver asked if the change requested is a change in corporate officers and only one officer. Ms. Kemp stated that it is.

Hearing Officer Grattan asked if the stock in the corporation was purchased or just the assets. Mr. Gan stated that his father-in-law, Mr. Zhao, purchased the corporation from Ms. Zhang. Ms. Kemp confirmed that to be true.

The application for change in corporate structure was found to be in order and approved.

VI. ADJOURNMENT – The meeting was adjourned at 2:27 p.m.

NEXT REGULAR MEETING – March 18, 2009

Exhibit (A)



Shiman Chu LLC dba No Coast Sushi
1119 North 1st Street, Unit A
Grand Junction, CO 81501

P: 970.255.1097 F: 970.255.1372
Cell: 970-261-1320
Elizabeth & Christopher Boyd

PST Lisa Maestas
Liquor Enforcement Investigations
Grand Junction Police Department
625 Ute Avenue
Grand Junction, CO 81501

2/20/09

Ms. Maestas:

I would like to take this opportunity to respond the February 12th Notice of Liquor Law Violation and request that our response letter be added to our licensing file at the City Clerks office.

We are disheartened to hear that this one complaint states that on multiple occasions patrons have left our establishment with beer bottles. We are aware that no patrons are to leave our establishment with any liquor whatsoever except in the case of "C.R.S 12-47-411 that allows patrons to reseal partially consumed bottles of vinous liquor (not to exceed 750ml) which was originally sold for on premises consumption."

In adherence to liquor laws, we diligently watch our front and side doors for exiting patrons. The front door, and the most commonly used one, is monitored by our hostess, bartender and floor manager. Our side door, which is rarely used, as it is right next to two patrons' tables, is monitored by two servers and our floor manager. All of our staff has been instructed to not allow any patron to walk in or out of our premises with any alcoholic beverages.

Although it is remotely possible that someone has walked out with a beverage, I would like to offer two other possibilities for the one complaint of multiple occasions that has been given to you:

- 1) As we monitor/clean the parking lot three to five times an evening, including before and after closing – we have discovered all kinds of items including cigarette butts, cigarette boxes, fast food bags, diapers, soda cans, bags of trash, and even beer cans & beer bottles (NOT our brands or in the containers we serve). It is very possible that the one complaint could pertain to the NOT our brand beer

bottles in the parking lot. The person(s) who filed the complaint could have assumed that our patrons took the bottles from the restaurant and left them in the parking lot. Instead, what is more likely is that when people park in the parking lot during all hours of the day and night, they leave their trash behind - including any beer bottles/cans that they may have had in their vehicles.

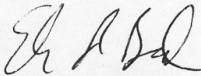
- 2) As we and our patrons are aware of "C.R.S 12-47-411 that allows patrons to reseal partially consumed bottles of vinous liquor (not to exceed 750ml) which was originally sold for on premises consumption," it is possible that a patron walked out of the restaurant with a wine bottle not bagged and the person(s) who filed the one complaint observed this. It is our policy to tape and bag all partially consumed 750ml vinous bottles, so that such a mistake does not occur.

We do take the responsibility of a liquor license seriously and are taking additional measures to ensure that we are within compliance of all liquor laws, including posting new signs on the inside of our doors reminding our customers that they may not take liquor outside of our doors as well as reiterating to our staff that vigilance is our top priority in this matter.

I would also like to note that at this time, myself, all three of our bartenders, all three of our floor managers, four of our front of house sushi chefs and five of our servers have taken the Seller Server Responsibility Training, and we continue to send people to be trained.

Thank you for your time and attention.

Sincerely,



Elizabeth R. Boyd
Liquor Licensee/Owner
Shiman Chu LLC dba No Coast Sushi

cc: City Clerk's Office