

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

MINUTES

WEDNESDAY, MAY 20, 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 Juanita Peterson.

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

1. LOCO, Inc. dba LOCO Food Store No. 15, 722 Horizon Drive, Grand Junction, CO 81506, 3.2% Beer Retail (Off Premises)

Deana Cook, Assistant Manager, was present representing the applicant.

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

2. Good Pastures, Inc. dba Good Pastures Restaurant, 733 Horizon Drive, Grand Junction, CO 81506, Hotel and Restaurant

No one was present representing the applicant.

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

3. Martinez Family Corporation dba Chupiro's Place, 122 S. 5th St., Grand Junction, CO 81501, Tavern

No one was present representing the applicant.

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

4. Brightstar Golf Redlands Mesa LLC dba The Golf Club at Redlands Mesa, 2325 West Ridges Blvd., Grand Junction, CO 81503, Hotel and Restaurant with 5 Optional Premises

Eric Feely, General Manager, was present representing the applicant.

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

5. Red Robin International, Inc. dba Red Robin America's Gourmet Burgers and Spirits, 2530 Rimrock Ave., Grand Junction, CO 81505, Hotel and Restaurant

No one was present representing the applicant.

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

6. Hilltop Liquors Inc., dba Hilltop Liquor Store, 1563 Hwy. 50 South, Grand Junction, CO 81503, Retail Liquor Store

Dan Lawrie, President, was present. Ms. Peterson stated the application was filed in a timely manner and the sales tax report was fine, but police report stated on April 3, 2009, sale of an alcoholic beverage to an underage person by employee Craig Roberts who was arrested and released on a summons. Ms. Peterson said the renewal was filed in the City Clerk's Office on May 4, 2009 but did not reference the incident. Ms. Peterson wrote to Mr. Lawrie on May 12th and asked that he submit in writing an explanation of the incident and appear at the hearing.

Mr. Lawrie said that he did not have anything to say in his defense as it was his employee. The employee was just not paying attention.

Hearing Officer Grattan asked Mr. Lawrie if this was the only violation they had received. Mr. Lawrie said no, another in April 2007.

Ms. Peterson also stated that on the police report, Ms. Maestas stated this establishment has agreed to participate in the "Cops In Shops" program which will take place next week.

City Attorney Shaver suggested approving the renewal and setting for a review of the establishment in 4-6 weeks. Hearing Officer Grattan concurred with the approval and set July 15, 2009 as a review of the establishment and asked Mr. Lawrie to appear.

7. Pete's House of Spirits, Inc., dba Pete's House of Spirits, 1560 North Avenue, Grand Junction, CO 81501, 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 WITH OUTDOOR DINING LEASE

1. WTB Enterprises Inc., dba Blue Moon Bar and Grille, 120 N. 7th Street, Grand Junction, CO 81501, Hotel and Restaurant with Outdoor Dining Lease

No one was present representing the applicant.

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

IV. APPLICATION FOR SPECIAL EVENTS PERMIT

1. Colorado Discover Ability, 740 Gunnison, Grand Junction CO 81501 – Bicycle Tour of Colorado, Sherwood Park, Shelter North, 1301 E. Sherwood Drive, Grand Junction - Event June 22, 2009

Pres. /Sec. Jo Miller, 2044 N. Surrey Ct., Grand Junction, CO 81507
Event Manager: Kent Powell, 18026 Hwy. 8, Morrison CO 80465

Jan Cucchetti, President of Colorado Discover Ability (CDA), was present. Ms. Peterson stated the paperwork was filed in a timely manner and the reports are fine except the sales tax report. Mr. Brian Holman the City's Sales Tax Enforcement Officer, is in the audience and he will be able to address this issue. Ms. Peterson read into the record the letter submitted by Mr. Kent Powell regarding the request for the Special Events Permit.

City Attorney Shaver asked Ms. Cucchetti the relationship between Colorado Discover Ability and the Bicycle Tour. Ms. Cucchetti said they were contacted by Mr. Powell as a non-profit group to check id's at the event, but that was it. City Attorney Shaver stated that the licensee which is CDA has certain responsibilities. Ms. Cucchetti was unaware of this and said Mr. Powell would be available by phone to answer questions. City Attorney Shaver asked Ms. Cucchetti who was supplying the alcohol.

Layne Whyman, Visitor and Convention Bureau representative, was present and said she hoped to be able to shed some information for the Authority. Ms. Whyman believed this was a relationship of convenience between the two. Tommy Knocker Brewery will be supplying the alcohol.

City Attorney Shaver asked Ms. Cucchetti if she would be available to meet with him and then maybe CDA and the Bicycle Tour could formalize their relationship for this special event. Hopefully this could be resolved once this has happened and a phone conversation has taken place with Mr. Powell.

Ms. Peterson asked about the "Notice of Hearing", if this should stay up. Hearing Officer Grattan and City Attorney Shaver concurred it should stay up until this is resolved.

2. Grand Junction Parks and Recreation, 1340 Gunnison Avenue, Grand Junction, CO 81501 – Summer Fest, Lincoln Park – June 20, 2009

Dept. Head Rob Schoeber, 2856 Patterson Road, Grand Junction, CO 81504
Event Manager: Larry Manchester, 2287 Vista Rio Ct., Grand Junction, CO 81507

Mr. Larry Manchester, Recreation Supervisor, was present.

City Attorney Shaver asked Ms. Peterson if the applicant provided documentation regarding the event. Ms. Peterson stated that the applicant provided a completed Special Event Permit Questionnaire that provides information about the event, a letter giving permission to use the park area for the event, and a letter stating other facilities are inadequate because they cannot accommodate the numbers of attendees which is expected to exceed 3,000 people and that this event was designed to be held outdoors.

Mr. Manchester gave an overview of the event and noting this is the second year for this event.

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

V. APPLICATION FOR AN ART GALLERY PERMIT

1. Randall Bogart dba Frame Depot Inc., 529 Bogart Lane, Grand Junction, CO 81505

Claudine Bogart, part owner, was present. Ms. Peterson stated the paperwork met the requirements of the City Clerk's office for the Art Gallery Permit and the sales tax report was fine.

The application for an Art Gallery Permit was found to be in order and approved.

VI. APPLICATION FOR NEW LICENSE – RESOLUTION AND FINDS AND DECISION – Continued to June 17, 2009

1. Areios Western Slope Colorado, LLC dba Smash Burger, 115 A&B W. Grand Avenue, Grand Junction, CO 81501, Beer and Wine

Member: James P. Cagle, Jr., 2440 ½ Jack Creek Rd., Grand Jct CO 81505

Member: Kenneth B. Milyard, Jr., 868 Quail Run, Grand Jct CO 81505

Manager: David S. Madison, 2050 N. 15th St., Grand Jct CO 81501

Hearing Officer Grattan and City Attorney Shaver asked the reason for this item to be continued. Ms. Peterson said the applicant did not get the premises posted with the "Notice of Hearing".

It was concurred to continue this item to June 17, 2009.

VII. OTHER BUSINESS

1. Update on the Change in Location for Fast Eddy's at 1224 N. 25th Street, Grand Junction, CO, Tavern

William and Adelle Lloyd, owners, along with the general contractor, were present. Ms. Peterson reported that Ms. Maestas and she went to the establishment on Monday, May 18th to see how close Fast Eddy's was to being complete since the extension of the change of location expired on May 8, 2009. Ms. Peterson stated the diagram submitted with the change of location did not match the construction being done.

City Attorney Shaver said this would require a modification of premises. Mr. Lloyd addressed the Authority regarding all of the delays that have taken place and why the diagram changed and asked that they not have to re-do the survey of the needs and desires.

Hearing Officer Grattan said he believed the Lloyds have acted in good faith and that this is a technical issue that needs to be corrected. Mr. Grattan asked what extent he could do within his authority.

City Attorney Shaver gave his advice to Hearing Officer Grattan that due to this being a new application, the best legal approach would be to conduct a new survey due to the passage of time since the last survey regarding the relocation.

Adelle Lloyd addressed the Authority and pleaded that she has 30 employees who are not working and are just hanging on for this opening and it is a financial burden if she had to wait until the June 17, 2009 Hearing to get opened. In her defense, the City put them back 90 days with the construction.

Hearing Officer Grattan asked for a 5 minute recess at 2:55 p.m.

The meeting reconvened at 3:00 p.m. Hearing Officer Grattan said to comply with the statutory requirements, he will set a special hearing for next Friday, May 29th, but the Lloyds will have to conduct the needs and desires survey in a little over two days to turn it back into the City Clerk's Office by Friday, May 22nd at 5:00 p.m. The Lloyds said this was acceptable and they would comply. Hearing Officer Grattan said he will hear the Modification of Premises on the 19th at 8:30 a.m. before he leaves on vacation. City Attorney Shaver stated he would not be present, but he might send someone from his office, if not, he was comfortable with the Authority's findings.

Hearing Officer Grattan also said if the matter is resolved and able to be heard for the Colorado Discover Ability Special Events Permit, he would also hear this item on Friday, May 29th.

VIII. ADJOURNMENT – 3:05 p.m.

NEXT REGULAR MEETING – June 17, 2009