

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

**MINUTES
WEDNESDAY, DECEMBER 17, 2014, 2:00 P.M.**

HEARING OFFICER MICHAEL GRATTAN

I. CALL TO ORDER

The meeting was called to order at 2:00 p.m. Those present were Hearing Officer Mike Grattan, City Attorney John Shaver, and Deputy City Clerk Debbie Kemp.

II. APPLICATION TO RENEW LIQUOR AND BEER LICENSES

1. Fraternal Order of Eagles 595 dba Fraternal Order of Eagles 595, 1674 Highway 50, Grand Junction, CO 81503, Club

Larry Alley, Secretary of Fraternal Order of Eagles 595, was present.

The application for Fraternal Order of Eagles 595 dba Fraternal Order of Eagles 595 was found to be in order and approved.

2. Beye Lotz Grand Junction dba VFW Post #1247, 1404 Ute Avenue, Grand Junction, CO 81501, Tavern

No one was present representing the applicant.

The application for Beye Lotz Grand Junction dba VFW Post #1247 was found to be in order and approved.

3. Bookcliff Country Club dba Bookcliff Country Club, 2730 G Road, Grand Junction, CO 81506, Hotel and Restaurant

No one was present representing the applicant.

The application for Bookcliff Country Club dba Bookcliff Country Club was found to be in order and approved.

4. GMRI, Inc. dba The Olive Garden Italian Restaurant, 2416 Hwy. 6 & 50, Grand Junction, CO 81505, Hotel and Restaurant

No one was present representing the applicant.

The application for GMRI, Inc. dba The Olive Garden Italian Restaurant was found to be in order and approved.

5. Wadsworth Old Chicago, Inc. dba Old Chicago, 120 North Avenue, Grand Junction, CO 81501, Hotel and Restaurant

Lazer Garza, General Manager for Old Chicago, was present.

The application for Wadsworth Old Chicago, Inc. dba Old Chicago was found to be in order and approved.

6. Apple Colorado, LLC, dba Applebee's Neighborhood Grill & Bar, 711 Horizon Drive, Grand Junction, CO 81506, Hotel and Restaurant

No one was present representing the applicant.

The application for Apple Colorado, LLC, dba Applebee's Neighborhood Grill & Bar was found to be in order and approved.

7. Main Street Management, LLC dba Fairfield Inn & Suites, 225 Main Street, Grand Junction, CO 81501, Tavern

No one was present representing the applicant.

The application for Main Street Management, LLC dba Fairfield Inn & Suites was found to be in order and approved.

8. The Palette, dba The Palette, 441 Main Street, Grand Junction, CO 81501, Beer and Wine

Claire Meil, owner of The Palette, was present.

Ms. Kemp reported that the Fire Inspection Department is very shorthanded and had not conducted an inspection yet.

The application for The Palette, dba The Palette was found to be in order and approved conditioned on a satisfactory report from the Fire Department.

9. Stoner Enterprises, LTD dba Andy's Liquor Mart, 922 N. 1st Street, Grand Junction, CO 81501, Retail Liquor Store

No one was present representing the applicant.

The application for Stoner Enterprises, LTD dba Andy's Liquor Mart was found to be in order and approved.

10. Maverik, Inc. dba Maverik, Inc. #418, 2948 F Road, Grand Junction, CO 81504, 3.2% Beer Retail (Off Premises)

Joy Logan, store director of Maverik, Inc. #418, was present.

The application for Maverik, Inc. dba Maverik, Inc. #418 was found to be in order and approved.

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

1. JEMSKT, Inc. dba Country Club Liquors, 683 Horizon Drive, #105, Grand Junction, CO 81506, Retail Liquor Store

No one was present representing the applicant.

Ms. Kemp reported that the application for renewal was in order; however, two people listed on the application for a tasting permit will have to be removed because one of their certificates for server training has expired and the other has not taken the required training. They were supposed to attend the December 11, 2014 Alcohol Server Responsibility Training but did not make it. Ms. Kemp also noted that the Police Department reported that one of those two people was arrested in August 2014 for a DUI and was convicted in September 2014 for DWAI.

Hearing Officer Grattan said that the control plan that was provided with the tasting permit application is unacceptable. It is not a clear statement of how the tastings are conducted. Hearing Officer Grattan asked the names of the two people needing removed from the application. Ms. Kemp said one is one of the owners, Francis Denton, and the other one is an employee who had the DWAI conviction, Tanner Denton.

The application for renewal for JEMSKT, Inc. dba Country Club Liquors was found to be in order and approved.

Hearing Officer Grattan removed Mr. Francis Denton and Mr. Tanner Denton from the application for a tasting permit and requested that a better control plan be submitted.

City Attorney Shaver asked who Mr. Dennis Lebsock, the person who signed the control plan, is. Ms. Kemp stated that he is one of the owners.

Hearing Officer Grattan entered the control plan into the record as Exhibit A (attached) and said that he would like a better control plan from the applicant signed by Mr. Lebsock or one of the other owners. He asked that this matter be set over to the January 7, 2015 regular meeting and if a control plan is a nice, easy to read plan, with all details, he will accept that without the requirement of the applicant being present at that meeting.

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

1. Sang Garden, Inc. dba Sang Garden Chinese Restaurant, 687 Horizon Drive, Grand Junction, CO 81501, Hotel and Restaurant – Renewal Filed in the City Clerk's office 18 days late

No one was present representing the applicant.

Ms. Kemp advised that the reason given for the late filing was a problem with the lease as noted in the letter that the applicant provided. She advised that the

problem with the lease was resolved and a new lease was provided. She also noted that the Health Department is requesting a conditional approval due to multiple reoccurring violations observed at the establishment.

Hearing Officer Grattan found that good cause was shown for the late filing and found that the application for renewal for Sang Garden, Inc. dba Sang Garden Chinese Restaurant was found to be in order and approved conditioned upon a satisfactory report from the Health Department.

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

1. B.P.O. Elks Lodge dba Grand Junction Lodge No. 575, 249 S. 4th Street, Grand Junction, CO 81501, Club – Renewal filed in the City Clerk’s office 19 days late

Exalted Ruler: Nathan A. Miller, 3288 Semillon Court, Palisade, CO 81526, replaces Don Mear

Lead Knight: Donald W. Mear, 627 Darren Way, Grand Junction, CO 81504, replaces a vacant position

Ed Crilly, secretary for the Elks Lodge, was present.

Ms. Kemp reported that the applicant provided a letter stating the reason for the late filing and also advised that the Police Department reported that one DUI was connected back to the Elks. The driver had a BAC of .194. He stated that he was drinking primarily at the Elks for a 40 year class reunion. The driver stated people were buying a lot of drinks for a lot of people. This raised the issue of their license only being for members and their guests, and creating the potential risk for over service by allowing people to buy multiple drinks for multiple people.

City Attorney Shaver asked if the Elks Lodge has had a change of address and if that contributed to the late filing. Mr. Crilly answered no, they have a Post Office box and they also receive mail at the Lodge. They did not receive the renewal form from the State, only the letter regarding late filing and renewal form from Ms. Kemp.

Ms. Woodland advised that when she had contacted the driver from the DUI that was connected back to the Elks Lodge, he stated that he was unsure how many drinks he had consumed at the Elks Lodge because there were a lot of drinks being bought for a lot of people. The concern was raised because with the club liquor license, only member and guests are allowed and when there are that many people and only certain persons purchasing the drinks, it makes it difficult to monitor over service. She feels that these types of functions should be monitored closely so that over service does not occur.

Mr. Crilly said that event was a sponsored event and one of the attendees of the reunion was a member of the Elks Lodge. It is difficult when there are so many people in the ballroom because the bartender cannot see in there.

City Attorney Shaver advised that he is unaware of any other incidents and he believes that Mr. Crilly is aware now and he recommended approval.

Mr. Crilly said that their Grand Lodge is working on issues regarding persons renting out ballrooms having to have their own liability insurance. Hearing Officer Grattan said it is a legitimate concern in situations like that and the potential for over service.

Hearing Officer Grattan found good cause for the late filing and found the application for renewal for B.P.O. Elks Lodge dba Grand Junction Lodge No. 575 was in order and approved. He also found that the application for change in corporate structure for B.P.O. Elks Lodge dba Grand Junction Lodge No. 575 was in order and approved it conditioned on a satisfactory report from CBI/FBI.

VI. OTHER BUSINESS

There was none.

VII. ADJOURNMENT

The meeting was adjourned at 2:31 p.m.

NEXT REGULAR MEETING – January 7, 2015

Common Pans; 11/25/14 David A. Pellock

(A)

Wine Tastings

- 1) Wine tastings will be done in a 2 oz. plastic cup
- 2) Only 1 sample of each of the 4 items in beer or wine will be given to any one taster.
- 3) The tasting will be done on a table leading into the wine section.
- 4) The item being tasted will be disposed of each night after the tasting. (via dumping down the drain of the excess liquid. and or throwing empty bottles into an outside container).

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