

**LIQUOR AND BEER MEETING
LOCAL LICENSING AUTHORITY
CITY OF GRAND JUNCTION, COLORADO
CITY/COUNTY AUDITORIUM, 520 ROOD AVENUE**

M I N U T E S

WEDNESDAY, FEBRUARY 1, 1995, 8:00 A.M.

I. **CALL TO ORDER** - The meeting convened at 8:05 a.m. Those present were Hearing Officer Philip Coebergh, Assistant City Attorney John Shaver, and City Clerk Stephanie Nye.

II. **VERIFIED COMPLAINT**

A. Review of Stipulation for Fine in Lieu of Suspension as a Result of a Violation of State Liquor Code by Janice Stephens dba La Fonda Dos Rios, 209 Colorado Avenue

Mr. Steven Laiche, attorney representing Janice Stephens, stated that a stipulation has been reached with the City Attorney. The draft has been reviewed. Mr. Laiche and Ms. Stephens plan to sign the stipulation and have it filed by February 2, 1995.

Assistant City Attorney John Shaver said that he concurs with Mr. Laiche's representation. A stipulation was negotiated providing for a 3-day suspension with a payment of a fine by the licensee in lieu of that suspension. Mr. Shaver's Order for Mr. Coebergh's signature is dated February 1, 1995, so he hoped that it would be filed today. If it is not filed, then it would be returned to the agenda for further consideration.

Hearing Officer Phil Coebergh stated that when this matter first came up, it was noted that Mr. Laiche was going to be the attorney on the case. Mr. Coebergh stated in the record that he worked with Mr. Laiche on some cases, and wanted to be sure that there was no problem with the appearance of a conflict of interest. The City indicated that there was no problem. Mr. Laiche stated that he did not see it as a problem either.

Hearing Officer Coebergh approved the stipulation contingent upon the stipulation being signed and submitted as soon as possible. If it is not signed and submitted, it will be rescheduled.

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

- A. Canyon Convenience Store No. 3, 459 North Avenue (3.2% Beer)
The application was in order, and approved.
- B. This Is It Grocery, 215 S. 11th Street (3.2% Beer)
The application was in order, and approved.
- C. Red Lobster, Mesa Mall, 2424 Highway 6 & 50 (Hotel-Restaurant)
The application was in order, and approved.

- D. Stop N Save No. 1, 213 N. 1st Street (3.2% Beer)
The application was in order, and approved.
- E. Two Rivers Convention Center, 159 Main Street (Hotel-Restaurant)
1. Change in Corporate Structure - Joe Stevens replaced Ted Novack as Vice President and Treasurer
Both applications were in order, and approved.
- F. Ramble In Restaurant & Lounge, 603 Highway 50 (Tavern)
The application was in order. City Clerk Stephanie Nye read the Police Department report that noted Beatrice A. Walden, owner, was issued a summons to appear in County Court for her bar serving alcohol after hours. Deputy District Attorney Vernon Christopher dismissed the case with a warning, with no other action being taken. The Health Department reported problems with no hand sink at the bar, and requested the applicant submit plans within 30 days to install such a hand sink at the bar. Hearing Officer Coebergh approved the license contingent upon the licensee meeting the requirements of the Health Department.
- G. The Corral, 539 Colorado Avenue (Hotel-Restaurant)
Mr. Carroll Multz was present representing Connie Carpendale, owner of The Corral. City Clerk Nye read the Police Department report that noted on December 3, 1994, Troy Brand was cited by Officer Assenmacher for serving alcohol on the premises after hours. The case is pending for a jury trial in Mesa County Court in April. There is no disposition available at this time. The Health Department noted three items that need correction.
- Mr. Multz stated that Troy Brand was an employee of the establishment. The charge is not one of serving, but consuming on the premises after hours. He explained that the establishment had closed early, and the employee had poured himself a dixie cup of beer and took a sip of it after hours while he was cleaning. Mr. Multz wished to clarify the incident just in case it would be an impediment to the renewal because this is important to his client. Hearing Officer Coebergh stated that it would not be an impediment at this time. If there is a determination to have a hearing, evidence could be presented at that time. Mr. Multz stated that the Health Department requirements have now been met. Connie Carpendale, owner, stated that she had talked to the Health Department on January 31, 1995, which stated that the items had been corrected. Hearing Officer Coebergh approved the license contingent upon the licensee meeting the requirements of the Health Department (in writing).
- H. Cahoot's Crossin, 490 28-1/4 Road (Tavern)
The application was in order. The Health Department reported that a hand sink is required at the bar, and must be installed by December 31, 1994. A compliance date of February 15, 1995, has been agreed to. Hearing Officer Coebergh approved the license contingent upon the licensee meeting the requirements of the Health Department.

IV. HEARINGS - APPLICATIONS FOR CHANGE OF OWNERSHIP

- A. Application for a Retail Liquor Store License by Orchard Mesa Liquors, L.L.C. dba Orchard Mesa Liquors, 2706 Highway 50
(Presently Owned by Rex, Elizabeth and James Schoonover)

Mr. James Schoonover was present, stating that he has been an employee and owner of Orchard Mesa Liquors for 30 years. His father passed away three months ago. City Clerk Nye reported that his license is currently under a partnership ownership. With Rex Schoonover's death, the State requires that a change of ownership be filed. Mr. James Schoonover chose to file under a Limited Liability Company changing the structure of the ownership. The application was in order. The application was approved by the Hearing Officer.

- B. Application for a Retail Liquor Store License by Pat Tugman dba Centennial Liquors, 2721 N. 12th Street
(Presently Owned by Donald L. Adams)

Ms. Patricia Tugman was present. City Clerk Stephanie Nye reported that the application was in order. She stated that an application has been filed for a Temporary Permit pending the Transfer of Ownership. The closing for the business will take place today, and Ms. Tugman would like to begin operation under her name immediately. The Hearing Officer approved the application and the Temporary Permit contingent upon copies of the closing documents being filed with the City Clerk.

V. HEARING - APPLICATION FOR CHANGE OF LOCATION

- A. Application by Justin J. Tugman, dba Redlands Liquors, to Move the Retail Liquor Store License from 2516 Broadway, Unit #8, to 2516 Broadway, Unit #13

City Clerk Nye stated that the application was in order, however, the closing is taking place today, and she will need copies of the closing documents filed in her office. She stated that the State requires that even though the move is taking place within the same shopping mall complex, it still requires that the applicant show that the proposed change will not conflict with the desires of the inhabitants of the neighborhood. The applicant has filed a survey of the neighborhood. The City Clerk read the report into the record (attached). She also read into the record a letter from Mr. Justin Tugman regarding the reason for the proposed change of location (attached).

Ms. Patricia Tugman was present representing Justin Tugman. City Clerk Nye suggested that this license be sent into the State

Liquor Enforcement Office for processing, and then hold it until such time as the Mesa County Building Department has given a clearance that the new location is ready for occupancy. At that time, the State permit will be issued to move the license from Unit #8 to Unit #13. The application for change of location was approved.

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VI. APPLICATION FOR MODIFICATION OF PREMISES

- A. Application by Good Pastures, Inc., dba Good Pastures, 733 Horizon Drive

Mr. Richard Talley was present stating that he has a building permit for the modification, and a letter of approval from the Mesa County Health Department. City Clerk Stephanie Nye explained that the State basically stamps the application as received and approved. Then a final inspection will be made by the Mesa County Building Department. The application was in order, and approved.

VII. ADJOURNMENT

NEXT REGULAR MEETING - February 15, 1995