

**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, DECEMBER 20, 1995, 8:00 A.M.**

I. **CALL TO ORDER** - The meeting convened at 8:09 a.m. Those present were Hearing Officer Phil Coebergh, Assistant City Attorney John Shaver and City Clerk Stephanie Nye.

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

A. City Market Incorporated dba City Market No. 32, 200 Rood Avenue, 3.2% Beer Retail

The application was in order and approved.

B. Justin J. Tugman dba Redlands Liquors, 2516 Broadway #13, Retail Liquor Store

Justin Tugman from Redlands Liquor was present. The application was in order and approved.

C. Mike and Jean Kloberdanz dba Go Fer Foods 18th Street, 1750 North Avenue, 3.2% Beer Retail

The application was in order and approved.

D. Marks Markets Incorporated dba Gofer Foods First Street, 102 North Avenue, 3.2% Beer Retail

The application was in order and approved.

E. Bookcliff Oil Incorporated dba BGS, 2896 North Avenue, 3.2% Beer Retail

The application was in order and approved.

F. Mary H. Davis dba This Is It Grocery, 215 So. 11th Street, 3.2% Beer Retail

The application was in order and approved.

G. Grand Steak Incorporated dba Bob & Jan's Prime Rib & Lobster House, 2500 North Avenue #89, Beer and Wine

The application was filed late. City Clerk Stephanie Nye read into the record the letter of explanation for the late

filing. Dated December 11, 1995. To Whom It May Concern: I have been in Mexico for the last five weeks. I have been in contact with my restaurant during that time when the renewal application came in, but unfortunately, my assistant manager did not understand the urgency of the situation. He thought I could take care of this after my return. I have always had the renewal in early in the past. It was an error on my part and would request for a exception at this time for not submitting the 45 days early. Thank you. Signed, R.D. Lovelace, Owner/Manager, Bob & Jan's Prime Rib & Lobster House. Assistant City Attorney stated State Statutes provide that the Local Licensing Authority may waive any of the time provisions of the Statute for good cause. Since the application was in prior to the expiration he recommended approval. The application was in order and approved.

- H. Westside Delicatessen, Incorporated dba The Westside Delicatessen, 2454 Highway 6 & 50, Hotel-Restaurant with Extended Hours

Stephen Thoms was present representing the Westside Delicatessen. The application was filed late. The City Clerk's office is awaiting the reports from the Police, Fire and Health Departments. City Clerk Stephanie Nye read into the record the letter of explanation for the late filing. Dated December 18, 1995. To Whom It May Concern: Regarding why my renewal of my liquor license is late. My only explanation would be that I was hospitalized during the time the renewal papers would have been sent to me. If one of my employees misplaced them or I did not recognize them, I don't know. I am recovering from a head injury and find the situation very frustrating. If I can provide any other information or be of any help at all please contact me at 241-3100. Thank you. Signed, Stephen Thoms, The Westside Deli, 2454 Highway 6 & 50, 260-4125. Mr. Thoms read into the record a further explanation for the late filing (attached). Assistant City Attorney John Shaver and City Clerk Stephanie Nye were in agreement on the good cause for the delayed filing. The application was in order and approved contingent on the favorable return of the Police, Fire and Health Department reports.

### **III. HEARINGS FOR SPECIAL EVENTS PERMIT**

- A. Application by Avalon Theater Incorporated for Malt, Vinous and Spirituous Liquor Special Events Permit for "Rick Trevino" on January 10, 1996 from 1:00 p.m. to 12:00 a.m. located at 645 Main Street, Continued from December 6, 1995 meeting

Applicant:Avalon Theater Incorporated, PO Box 296  
President:Pat Gormley, 2433 North 1st Street  
Event Manager: Barbara Creasman, 262 33 1/3 Road

Lisa Nassour, from the DDA, was present representing the Avalon Theater. City Clerk Stephanie Nye read into the record the letter regarding the reason for the request for the Special Events Permit. Hearing Officer Phil Coebergh

questioned Ms. Nassour regarding the capacity and the ticket sales. Ms. Nassour responded the only other facility large enough to hold this event was Two Rivers Convention Center and that 1000 tickets went on sale for this event yesterday, Tuesday, December 19, 1995. The concert was booked at the Avalon, specifically, through KEKB. Assistant City Attorney John Shaver asked for further clarification as to why the other facilities were inadequate to hold this concert. Ms. Nassour stated only facilities with the ability to hold over 500 people were contacted. Two Rivers Convention Center, though adequate to hold the concert, would be unable to have the stage set up and ready to go in time for the performers to do their pre-concert checks due to a prior engagement. Attorney John Shaver stated he has been in contact with the DDA director about applying for an Arts License to prevent this type of issue in the future. Hearing Officer Phil Coebergh stated he was not trying to be difficult but there were certain Statutory requirements that needed to be met for this type of permit. The application was in order and approved based on the information that had been shown.

**VI. APPLICATION FOR TRANSFER OF OWNERSHIP**

- A. Ranch Liquors of Western Colorado, Incorporated dba Ranch Liquors of Western Colorado, 2314 Highway 6 & 50, Retail Liquor Store

Transfer of Ownership from Michael R. and Sarah V. Smith dba Ranch Liquors to Ranch Liquors of Western Colorado, Incorporated, 2314 Highway 6 & 50

Applicant: Ranch Liquors of Western Colorado, Incorporated  
President: Robert L. Mead, 3438 F 3/4 Road, Clifton  
Treasurer: Same  
Secretary: Teresa A. Ryden, 825 Hall #1, Grand Junction

Robert Mead, president, was present. The application was in order and approved.

**V. ADJOURNMENT** - The meeting adjourned at 8:40 a.m.

**NEXT REGULAR MEETING** - January 3, 1996 at 8:00 a.m.

12/19/95

To those involved in the proceeding regarding the renewal of the liquor license of the Westside Delicatessen Inc.;

My position is this:

That I intend no arrogance by not filing for the renewal of my liquor licence, had I received the forms I would have sent them in immediately as we have in years past.

The only explanation that I have is that, if we did in fact receive the forms, an employee of the deli either misplaced that days mail or it was stolen, during the time I was in the hospital with a auto related accident that caused head trauma to myself requiring a stay in intensive care.

When I returned to work over a week later, the mail was in a stack in the kitchen, all employees had access to it. Perhaps it was taken then or accidentally dropped in the trash.

Why didn't I realize that the license was in danger of lapsing? The situations complexity is compounded by my personal situation.

I caused an accident on Interstate 70 in which I suffered substantial head trauma. I still am having tests performed so that a diagnosis can be made and I can get to thinking clearly again.

The situation is further compounded by a fatality during the accident. The family of this person is now persueing legal action against me. No criminal charges other than careless driving have been assessed me and no alcohol was involved on my part.

One week after the accident, my mother was diagnosed with cancer. This required immediate surgery and radiation treatments that still continue, it also required a considerable amount of care and time from me. Both in the hospital and while she was at home.

The point is that the whole situation has put quite a strain on me physically and mentally. Without the forms from the state to serve as a reminder, I had no idea that this would happen.

I find it hard to believe that by having this accident and family problems, that my career and livelihood are put in jeopardy. For example a person who works for the city would probably had the opportunity for some type of leave of absence-I haven't that luxury, if I don't work everyday, the store does not run properly. I have no immediate replacement.

By not issuing a temporary permit or renewal this also affects the 17 people that I employ and their families with a dramatic drop in business I would be forced to cut hours or layoff employees. This is not an exciting option to me during the holiday season.

During the past twelve years that my family has operated the deli there have been no incidents of selling to minors or out of legal time constraints. We operate as a neighborhood lounge where people can enjoy a

drink with their meal or a quiet cocktail.

Taking into consideration all of the circumstances I feel a temporary renewal or license should be issued immediately due to the following possibilities:

1. We never received a renewal notice from the state. Either it was not sent or it was misdirected in the mail
2. While I was unable to work, an employee lost the days mail.
3. While I was unable to work, an employee stole some mail.
4. Since I did not personally receive the letter (If I did, I would have sent it to the city), I was not mentally alert enough to realize that such a serious deadline needed to be met. Mental ability impaired by head injuries and circumstances beyond my control.

I thank you for your time and consideration in this matter and look forward to operating my business in a normal manner again. If I may be of any other help or provide any other information, please do not hesitate to ask.

Sincerely,

/s/Stephen Thoms  
Stephen Thoms

THE AVALON THEATRE

Board of Directors: Avalon Theatre, Inc.

Pat Gormley, Chair	Bill Petty
Quentin Jones	Wanda Putnam
Evelyn Kyle	Allison Sarmo
Ed Lipton	Mike Shafer

December 18, 1995

City of Grand Junction  
Local Licensing Authority  
520 Rood Avenue  
Grand Junction, CO 81501

RE: Malt, Vinous, and Spirituous Liquor Special Events permit for Avalon Theatre "Rick Trevino" concert on 01-10-96.

In accordance with statute number 12-48-103, the Avalon Theatre, Inc. is providing the following information supporting the issuance of a Special Events permit for January 10, 1996, "Rick Trevino" concert.

The following facilities are in Grand Junction, have a liquor license, and have a convention facility:

Faciliiy Name	Address	Capacity in Persons
GJ Hilton	743 Horizon Drive	500
Holiday	755 Horizon Drive	500
Ramada Inn	2790 Crossroads Blvd	225
St. Regis	359 Colorado Blvd.	100
The Rose	2993 North Avenue	400
Two Rivers Convention	159 Main Street	1800

The Holiday Inn, Ramada Inn, St. Regis, and The Rose are all inadequate for the performance. The GJ Hilton is available the evening of January 10, but is inadequate for the performance. Two Rivers is available the night of the concert, however, the stage is not available for setup in time to accommodate the performers.

The following facilities are bars in the Downtown area which have liquor licenses, but are inadequate for the performance:

Facility Name	Address	Capacity in Persons
Blue Moon Bar & Grille	120 N 7th Street	168
Quincy's	609 Main Street	182
Rockslide Brewery	4th & Main	150
Winery Restaurant	642 Main	70
Wrigley Field Sports Bar	1810 North Avenue	95

The Avalon Theatre will accommodate 1000 persons, which is adequate for the concert. The purpose of having the concert at the Avalon is to allow the Grand Junction community the opportunity to view the Phase I renovation. Since this is entirely a community project, and a portion of the concert proceeds will benefit the Avalon, it is imperative that the concert be held at the Avalon in lieu of another facility in Grand Junction.

If you need additional information, or have any questions please contact the office at 245-2926.

Sincerely,

/s/Pat Gormley  
Pat Gormley  
Chairman

