

**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 17, 1997, 8:00 A.M.**

**I. CALL TO ORDER** - The meeting was called to order at 8:03 a.m. Those present were Hearing Officer Phil Coebergh, Assistant City Attorney John Shaver and Acting City Clerk Christine English.

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

1. Mike and Jean Kloberdanz dba Go Fer Foods Eighteenth Street, 1750 North Avenue,  
3.2% Beer

The application was in order and approved.

2. Ray W. Quan dba Far East Restaurant, 1530 North Avenue, Hotel- Restaurant

The application was in order and approved.

3. Darlene M. Stoner dba Andy's Liquor Mart, 922 First Street, Retail Liquor

The application was in order and approved.

4. Albertsons Incorporated dba Albertson Food Center #886, 1830 North 12th Street,  
3.2% Beer

The application was in order and approved.

**III. REPORT OF CHANGE IN CORPORATE STRUCTURE**

1. Metro Oil Company dba Total #2300, 599 29 1/2 Road, 3.2% Beer

President: Kenneth K. Eaton replaces David Bocks  
Secretary: Harold D. Mallory replaces David Hackett

The application was in order and approved.

**IV. APPLICATION FOR TRANSFER OF OWNERSHIP**

1. JEMSKT, Incorporated dba Ranch Liquors, 2314 Highway 6 & 50, Retail Liquor

Transfer of Ownership from Ranch Liquors of Western Colorado, Incorporated  
dba

Ranch Liquors to JEMSKT, Incorporated dba Ranch Liquors, 2314 Highway 6 & 50

President: Francis M. Denton, 960 Hill Avenue, Grand Junction

Francis Denton was present. The application was in order and approved.

**V. HEARING - APPLICATION FOR CHANGE OF LOCATION**

1. Q.S. Incorporated dba Shanghai Gardens, 1037 North Avenue, Hotel-Restaurant  
Change of Location for Shanghai Gardens from 1037 North Avenue to 715 Horizon Drive

Shiou Kwan was present. Q.S. Incorporated was granted a transfer of ownership hotel-restaurant license in August, 1997, for the premises located at 1037 North Avenue. They have since closed that location and are requesting a change of location to 715 Horizon Drive at this time. Ms. English read into the record the report to the Local Licensing Authority (see attached). The application was in order and approved.

## VI. HEARING - SHOW CAUSE

1. The Pour House, LLC., dba The Pour House, 715 Horizon Drive, Tavern

Prior to the beginning of the meeting, Attorney Steve Laiche appeared before the Licensing Authority representing Merv Stevenson and Rich Lamont. He apologized for the absence of Attorney Tim Foster, attorney for The Pour House, and explained that Mr. Foster was in court and that he himself was due in court at 8:00 a.m. Mr. Laiche stated Mr. Stevenson and Mr. Lamont understood the process to take place this morning and are prepared to sign the stipulation and agreement.

Merv Stevenson and Rich Lamont were present. Mr. Shaver stated a resolution of this matter was presented to the licensees for signature this morning. The essence of the stipulation provides for a 7 day suspension of the license. Five days are eligible for fine in lieu of suspension. Based upon the daily sales of the licensee, the fine would be \$650.00. Two days will be stayed for a period of one year on the contingency that the licensee have no further violations during this time. In addition, there are further conditions. Specifically, the licensee provide training to the employees relative to service, over service and the general liquor laws of the State of Colorado. The licensee must provide training to the employees on the requirement they contact police in the event of a disturbance, which has been an issue in the past. Also, the licensee stipulates there will be no adult entertainment, as defined by local codes, which has been an issue as well. Mr. Lamont, who has had DUI related difficulties, will provide evidence of treatment, counseling or other rehabilitative activities. The last condition is that the licensee must hire and maintain security for the premises including both internal and external. The licensees are to provide written evidence of these stipulations to the Licensing Authority. Mr. Shaver stated for the record that since the licensees have been before the Authority, there have been no major issues. There was a problem at the time of the filing of the last advisement, but that occurred in the parking lot and may have no direct relationship to the conduct of the licensed premises.

Hearing Officer Coebergh questioned the licensees if they had signed the stipulation? Mr. Stevenson and Mr. Lamont had not. He asked that they sign the stipulation and present it to the Authority at this time. The stipulation was signed and presented to Mr. Shaver. Mr. Shaver noted that the signature line for counsel of the licensee was not signed. He stated it should not present a problem to obtain this signature. Mr. Shaver presented the stipulation to Mr. Coebergh. Upon review of the document, Mr. Coebergh verified that it was in order other than the lack of Mr. Foster's signature. This will also be made a condition of the stipulation for the attorney's signature to be obtained. Mr. Coebergh admonished the licensees that he has been concerned with the way the establishment has been run and the fact of Mr. Lamont's alcohol problems, specifically being arrested for a DUI and having a gun in his possession. Also the fact that both licensees had assured the Authority that there would be no further wet T-shirt contests and then in September, 1997, they advertised this exact activity in the Mesa State College newspaper. Mr. Coebergh was concerned that the licensees seemed to be very close to a point of deceiving the Authority. Mr.

Coebergh felt the conditions of the stipulation were very light. Due to the fact there has been no previous complaint filed, Mr. Coebergh approved the stipulation. Mr. Coebergh admonished the licensees if they were to come back before him again, the stipulation would be not this lenient. He wished them success with the establishment but stated it must be within the guidelines which are established for this type of liquor license.

Mr. Shaver stated he would contact the attorney to obtain his signature. Mr. Shaver wished to review the documents which the licensees had in their possession at this time in reference to the stipulation and agreement for compliance. Mr. Lamont presented the documents to Mr. Shaver.

V. **ADJOURNMENT** - The meeting was adjourned at 8:25 a.m.

**NEXT REGULAR MEETING** - January 7, 1998

Memo to: Local Licensing Authority  
From: Christine English, Acting City Clerk  
Date: December 11, 1997

Subject: Application by Q.s. Incorporated for a Change of Location Hotel-Restaurant Liquor License at 715 Horizon Drive under the name of Shanghai Gardens

Q.S. Incorporated filed an application with the Local Licensing Authority on November 17, 1997, for a Change of Location with a hotel-restaurant liquor license, for the sales of malt, vinous and spirituous liquors by the drink for consumption on the premises at 715 Horizon Drive under the trade name of Shanghai Gardens. The application and supplementary documents were reviewed, found to be in order and accepted. The hearing date was set for December 17, 1997. The Notice of Hearing was given by posting a sign on the property on December 5, 1997 and by publishing a display ad in The Daily Sentinel on December 5, 1997.

In order to address the reasonable requirements of the neighborhood and the desires of the adult inhabitants of the neighborhood, the applicant conducted a survey and defined the neighborhood as the area bounded by Crossroads Blvd. on the north, F 1/2 Road (if extended) on the south, Applewood Street on the east and 26 3/4 Road (if extended) on the west and included both sides of the streets as the outer boundaries. The results of that survey are as follows:

1. As an owner of property in the neighborhood, an employee of or business lessee of property in the neighborhood, and/or an inhabitant residing in the neighborhood for more than six months each year, I believe the proposed relocation will not conflict with the reasonable requirements of the neighborhood or the desires of the inhabitants.

YES: 31  
NO: 0

2. As an inhabitant who resides in the neighborhood more than six months each year, it is my desire that the relocation be approved.

YES: 4  
NO: 0  
NOT APPLICABLE: 0

Thirty (30) signatures could not be counted as they were outside the survey area, were not applicable to the question or did not have an address.

No letters of opposition or counterpetitions have been filed to date.

The individual histories and fingerprints of the corporate officers were not requested as the licensee had been granted a transfer of ownership in August, 1997. At that time, the Grand Junction Police Department found no local criminal history on either of the applicants. The Grand Junction Fire Department has inspected the premises and found it to be in compliance with the Fire Code. The Code Enforcement Division has inspected the premises and reports that the physical layout matched the diagram submitted. A report has been requested from the Health Department.

The number of similar-type outlets in the survey area is as follows:

Hotel-Restaurant - 3 (Hilton, Holiday Inn and Good Pastures)

The number of similar type outlets in a one mile area in addition to the above are:

Hotel-Restaurant - 3 (Pantusols, Grand Vista Hotel and W.W. Peppers)

That concludes this report.

cc: Applicant  
John Shaver, Assistant City Attorney  
Amy Clymer, Grand Junction Police Department  
File