

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

MINUTES

WEDNESDAY, DECEMBER 16, 1998, 8:00 A.M.

Alternate Hearing Officer Jim Majors

I. **CALL TO ORDER** – The meeting convened at 8:00 a.m. Those present were Alternate Hearing Officer Jim Majors, Assistant City Attorney John Shaver and Acting City Clerk Christine English.

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

1. Bookcliff Oil Incorporated dba BG's, 2896 North Avenue, 3.2% Beer

The application was in order and approved.

2. Safeway Store Forty Six Incorporated dba Safeway Store #1533, 2901 F Road, 3.2% Beer

The application was in order and approved.

3. Junct'N Ribbs LLC. dba Bennett's Bar B Que, 2440 Highway 6 & 50, Hotel-Restaurant

Earl Stevenson, owner, was present. The Health Department noted two (2) critical violations on their December 14, 1998 inspection report. Both violations were dealt with at that time. Mr. Stevenson stated the violations occurred due to new employees not being properly instructed as to the procedures necessary in proper storage of food items.

The application was in order and approved.

III. **APPLICATION FOR TRANSFER OF OWNERSHIP**

1. Redlands Green Wave Incorporated dba Redlands Liquor, 2516 Broadway STE. 13, Retail Liquor Store

Transfer of Ownership of Justin Tugman dba Redlands Liquor to Redlands Green Wave Incorporated dba Redlands Liquor, 2516 Broadway STE. 13

Applicant: Redlands Green Wave Incorporated
President: Patricia Tugman, 697 26 1/2 Road, Grand Junction

Patricia Tugman, applicant, was present. The application was in order. Ms. Tugman has applied for a temporary permit. The temporary permit will be issued

upon receiving the fully executed closing documents on the property. The closing date is scheduled for January 11, 1999.

The application was in order and approved.

IV. APPLICATION FOR CHANGE IN TRADE NAME AND REGISTER MANAGER

1. Seven Seventeen HB Colorado Corporation dba Adam's Mark Hotel, 743 Horizon Drive, Hotel-Restaurant

Change in Trade Name from Grand Junction Hotel to Adam's Mark Hotel

Manager: Lawrence V. MacDonald replaces Ronald J. Unterreiner

There was no one present representing Adam's Mark Hotel. Mr. Shaver stated there is a technical violation with this application. The change of trade name appears to be late. The former Grand Junction Hilton now known as the Grand Junction Hotel advertised under the new name of Adam's Mark very soon after the actual physical transfer of the property occurred. This was done prior to the receipt of the application for the change in trade name and to register the new manager. This constitutes a violation of the Colorado Liquor Statutes and Regulations. Given the complexity of the transaction and the difficulty involved, it was Mr. Shaver's recommendation that there not be any adverse action taken against the Adam's Mark at this point. Upon Mr. Major's direction, Mr. Shaver would write them a letter and remind them of the specific filing obligations with the Local Licensing Authority and even though this did constitute a violation, that no specific action be taken other than admonishing the applicant.

Mr. Majors asked if there was any evidence to present as to a change in the marquee or the sign on the establishment? Mr. Shaver stated he had no specific evidence of this but Ms. English referenced an advertisement that appeared in the Daily Sentinel. At this point, Mr. Shaver has only antidotal proof and is not prepared to enter this into evidence. There is evidence there was a de facto change based upon advertising prior to this application.

Mr. Majors asked if there was a legal requirement for a representative of the establishment to be present today at the hearing? Mr. Shaver stated there is no legal requirement so long as the application is in order. Certainly, the Authority can continue the item for the purpose of compelling the attendance of a representative of the hotel for further discussion on this issue. Mr. Shaver did not recommend this course of action.

Mr. Majors stated he has considered the application for change in trade name and to register the manager. He asked Mr. Shaver to write a letter to the corporation concerning the application and that they be informed of the matters discussed today.

Mr. Shaver stated he would write them a letter reminding them of their obligations and informing them of the approval of the applications today. He would indicate that if there were other violations, they would be subject to the full measure of the law being enforced. This was a very complicated transaction.

Mr. Majors found there was a violation of regulation 12-47-306 with the application for change in trade name. Based upon Mr. Shaver's recommendation, no purpose would be served at this time by taking action against the applicant. He asked Mr. Shaver to send the applicant a letter as has been discussed. The application was found to be in order and approved.

IV. **ADJOURNMENT** – The meeting was adjourned at 8:16 a.m.

NEXT REGULAR MEETING – January 6, 1999