

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

MINUTES

WEDNESDAY, MARCH 3, 1999, 8:00 A.M.

I. **CALL TO ORDER** – The meeting was convened at 8:04 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. Super Mart Convenience Stores Incorporated dba Super Mart, **7 locations**, 3.2% Beer
 1. 2526 Broadway
 2. 2525 Broadway
 3. 2494 Highway 6 & 50
 4. 201 North Avenue
 5. 2903 North Avenue
 6. 2498 F Road
 7. 502 Grand Avenue

The applications were in order and approved.

2. Orchard Mesa Liquors LLC, dba Orchard Mesa Liquors, 2706 Highway 50, Retail Liquor Store

The application was in order and approved.

3. Loyal Order of Moose Grand Junction Lodge, 567 25 1/2 Road, Club

The Health Department reported 4 critical violations. A reinspection is scheduled for April 1, 1999. The application was in order and approved contingent on a favorable Health Department reinspection.

III. **APPLICATION FOR RENEWAL WITH DECISION ON CAUSE FOR LATE FILING**

1. GMRI Incorporated, dba Red Lobster #685, 575 24 1/2 Road, Hotel-Restaurant

Joe Gardner, service professional bar tender, was present representing Red Lobster. Ms. English read into the record the letter of explanation submitted by the corporate office, GMRI (see attached). The application was in order.

Mr. Shaver stated according to State Statute 12-47-302, the Local Authority can waive the 30 – 45 day time requirements for license renewal for good cause, and it has been this Authority's position to waive the time requirements when good cause has been shown. Mr. Shaver recommended renewal of the application with an admonishment to the licensee on the necessity of timely renewal.

Mr. Coebergh concurred with this recommendation and approved the license.

IV. HEARING ON VERIFIED COMPLAINT

1. In The Matter of Wadsworth Old Chicago, Inc., dba Old Chicago, 120 North Avenue, regarding violation of **12-47-901(5)(I) C.R.S. UNLAWFUL ACTS** and **Colorado Liquor Regulation 47-9** and **47-900**, **12-47-901(5)(a)(I) C.R.S. UNLAWFUL ACTS** and **Colorado Liquor Regulation 47-912** and **47-900**, and **12-47-901(5)(a)(I) C.R.S. UNLAWFUL ACTS** and **Colorado Liquor Regulation 12-47-900**.

No one was present representing Old Chicago. Mr. Shaver presented to the Authority Ms. Stephanie Rubinstein, the new staff attorney for the City of Grand Junction. Ms. Rubinstein has done the work up on this case and will present the findings to the Authority.

Ms. Rubinstein stated there is a factual basis for the allegations contained in the complaint. The licensee has admitted to the charges. Ms. Rubinstein presented a signed stipulation and agreement with the penalty being a 3-day suspension with a fine in lieu of suspension. Payment would be made in the amount \$1323.80. Additionally, if there are no further problems, then in 6-months the third charge of serving a visibly intoxicated person will be dropped.

Mr. Coebergh questioned Ms. Rubinstein as to why there was no one present from Old Chicago. Ms. Rubinstein stated the attorney from Old Chicago is in Boulder and could not be present. The local manager of Old Chicago, Dean Stecker, was advised that it was not necessary to be present this morning.

Mr. Coebergh reviewed the stipulation and agreement which appeared to be in order. Mr. Coebergh approved the stipulation and agreement and signed the documents.

IV. ADJOURNMENT – The meeting was adjourned at 8:15 a.m.

NEXT REGULAR MEETING – March 17, 1999

GMRI, Inc.

GMRI, Inc. is a wholly owned subsidiary of Darden Restaurants, Inc.

Red Lobster

The Olive Garden

Bahama Breeze

February 21, 1999

FACSMILIE – (970) 244-1599

City of Grand Junction Clerk's Office
Attn: Chris English
250 North Fifth Street
Grand Junction, CO 81501-2668

RE: Filing of City & State Liquor License Renewal
GMRI, Inc., d/b/a
Red Lobster #685
575 24 1/2 Road
Grand Junction CO 81505

Dear Chris:

Pursuant to our telephone conversation on Friday, February 19, 1999, I respectfully submit this letter (as requested), to explain of the circumstances regarding the late filing of the liquor renewal documents for the above referenced Red Lobster restaurant.

I was out of the office from January 25, 1999 through February 3, 1999 and left instructions to send out these renewal documents to your office when the renewal checks were issued on January 26, 1999. The renewal checks were issued on January 25, 1999 and should have been forwarded to your office along with the renewal documents that same day, however, there were not. Unfortunately, I did not discover the renewals had not been sent out until reviewing my internal follow-up reports, at which time I immediately forwarded the documents to your office, by overnight delivery.

As I'm sure you are aware, this was not an intentional act, but an inadvertent human oversight of which I must take full individual responsibility for. I appreciate your call and willingness to explain the consequences of such situations on our license and the operation of our restaurant. I apologize for any inconvenience this may have caused your office and I have begun a review of my procedures for insuring renewals meet their deadlines.

Again, I appreciate your assistance, and should you have questions or required any additional information, please do not hesitate to contact me at (800) 248-4918, extension 5316.

Sincerely,

Ali Weatherman
License Administrator

/alw