

**LIQUOR AND BEER MEETING
LOCAL LICENSING AUTHORITY
CITY OF GRAND JUNCTION, COLORADO
MUNICIPAL HEARING ROOM, CITY HALL, 250 NORTH 5TH STREET****

MINUTES

WEDNESDAY, SEPTEMBER 20, 2000, 9:00 A.M.***

****Note new location**

*****Note new time**

- I. **CALL TO ORDER** – The meeting was convened at 9:01 a.m. Those present were Hearing Officer Phil Coebergh, Assistant City Attorney John Shaver and Senior Administrative Assistant Christine English.

- II. **APPLICATIONS TO RENEW LIQUOR AND BEER LICENSES**
 1. Bold Petroleum Incorporated dba Acorn Food Store, 2222 Highway 6 & 50, 3.2% Beer Off Premise

The application was in order and approved.
 2. College Liquors Incorporated dba College Liquors, 1133 Patterson Unit 9, Retail Liquor Store

The application was in order and approved.
 3. Silver Star Bowling Incorporated dba Freeway Bowl, 1900 Main Street, Tavern

The application was in order and approved.
 4. SAF Enterprises Incorporated dba Quincy Bar & Grill, 609 Main Street, Tavern

The application was in order and approved.
 5. Thunder Mountain Tavern LLC dba Thunder Mountain Tavern, 2701 Highway 50, Tavern

The application was in order and approved.
 6. Modern World Cabaret LLC dba Modern World Cabaret, 701 Main Street, Tavern

The applicant submitted an extension on their lease on September 14, 2000. The application was in order and approved.
 7. LS & L Restaurant Corporation dba Big Cheese Pizza, 810 North Avenue, Hotel and Restaurant

The application was in order and approved.
 8. Ran Ken Incorporated dba Chelsea London Pub, 2424 Highway 6 & 50, Hotel and Restaurant

The application was in order and approved.

9. Sumiko Boyd dba Suehiro's Japanese Restaurant, 541 Main Street, Hotel and Restaurant

The application was in order and approved.

III. APPLICATION FOR TRANSFER OF OWNERSHIP-Continued from August 16 and September 6, 2000 Meetings

1. Leon's Taqueria Restaurant Incorporated dba Leon's Mexican Restaurant in the Mall, 2424 Highway 6 & 50 #232, Hotel and Restaurant

Transfer of Ownership from Tres Hermanos dba Leon's Todo Bien to Leon's Taqueria Restaurant, Incorporated dba Leon's Mexican Restaurant in the Mall

President: Felipe T. Leon, 381 Evergreen Road, Grand Junction
Secretary/
Treasurer: Marie D. Leon, 381 Evergreen Road, Grand Junction

Felipe Leon was present. The applicant submitted a fully executed lease on September 14, 2000. All requirements have been met. The application was in order and approved.

2. Dillon Companies Incorporated dba City Market (4 locations):

- a. City Market No. 1, 2770 Highway 50 South
- b. City Market No. 9, 1909 North 1st Street
- c. City market No. 18, 2830 North Avenue
- d. City Market No. 32, 200 Rood Avenue

Transfer of Ownership from City Market Incorporated dba City Market (4 locations) to Dillon Companies Incorporated dba City Market (4 locations)

Director/Officer: David D. Dillion, 1050 E. Rockwood Dr, Cincinnati, OH
Director/Officer: Paul W. Helman, 1135 Edwards R., Cincinnati, OH
Officer: Frank J. Remar, 2507 Briarwood Lane, Hutchinson, KS
Officer: Robert Moeder, 24 Prairie Dunes Dr, Hutchinson, KS
Officer: Bruce Gack, 1960 Rusticwood Ln, Cincinnati, OH
Officer: Anthony Prinster, 2631 Chestnut Dr, Grand Junction, CO
Officer: E. John Burgon, 5176 Black Bear Run, Littleton, CO
Director: Joseph Pichler, 7780 Coldstream Woods Dr, Cincinnati, OH
100% Owner: Dillon Companies, 700 E. 30th, Hutchinson, KS

Tony Prinster was present representing Dillon Companies. The parent company, Dillon Companies, was absorbing the subsidiary company of City Market Incorporated. There will be no change in the operation of the City Market stores. The applications were in order and approved.

IV. RESOLUTION OF FINDINGS AND DECISION RE: APPLICATION FOR NEW LICENSE-Continued from September 6, 2000 Meeting

1. Kokopelli Liquors LLC dba Kokopelli Liquors, 2996 D Road, Retail Liquor Store

Managing member: Sidney J. Squirrell, 4339 Racquet Crt., Grand Junction, CO

Mr. Coebergh stated the meeting today was to render a decision on this application. There will be no more evidence taken today.

Mr. Shaver read the results of the counterpetitions as reviewed by the City Clerk's office where 213 responded yes and 15 no on question #1 and 17 responded yes and 199 no on question #2. 16 signatures were not counted as they were outside of the area or unreadable and 12 answered question #2 as a business instead of a resident. The affidavits of the circulators were not attached to the petitions. In regards to the circulator affidavits, there is no definitive law covering this area. Colorado Liquor Regulation 47-310 (d) is the operative standard. The affidavits should have been affixed to the proper counterpetitions in order to give them full validity. No case was made on the undue concentration issue. The opposers to the license have all been licensees in the area but not in the neighborhood. Mr. Shaver stated the needs and desires of the neighborhood have been demonstrated and he recommended approval of the license.

Mr. Coebergh stated based on the evidence that was presented at the September 6, 2000 hearing, there has not been a showing of undue concentration. Mr. Squirrell presented sufficient evidence that the needs and desires of the neighborhood are not being met and that the inhabitants of the area desire the issuance of the license. The application was found to be in order and approved. Mr. Coebergh asked that a resolution be prepared detailing the information concerning this decision.

V. MOTION AND ORDER TO SHOW CAUSE

In the Matter of Seven Seventeen HB Colorado Corporation dba Adam's Mark Hotel, 753 Horizon Drive, Hotel and Restaurant, Violation of Colorado Code of Regulations Section 47-302

Stephanie Rubinstein, City Staff Attorney was present. Ms. Rubinstein stated she had been in contact with the attorney's for Adam's Mark Hotel and a stipulation and agreement has been reached. The licensee has agreed with the allegations as stated in the motion are true and accurate. The sentence will be held in abeyance until March 2001. If there are no further violations of the liquor code between now and that time, there will be no further sentencing in this matter.

Mr. Jim Meader, food and beverage director, and J. W. Selsor, controller, representing Adam's Mark Hotel were present. Mr. Major and Mr. Selzer concurred with Ms. Rubinstein. The stipulation and agreement was signed by Ms. Rubinstein and the Adam's Mark representatives and submitted to Mr. Coebergh for signature. Mr. Coebergh signed the stipulation and agreement.

VI. ADJOURNMENT – The meeting was adjourned at 9:21 a.m.

NEXT REGULAR MEETING – October 4, 2000