

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

MINUTES

WEDNESDAY, APRIL 18, 2001, 9:00 A.M.

I. **CALL TO ORDER** – The meeting was convened at 9:05 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 LICENSE**

1. Loda Incorporated dba Mama Longos, 2830 North Avenue, Beer/Wine

The application was in order and approved.

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

1. Mountaineer Hotels Incorporated dba Peachtree Inn, 1600 North Avenue, Hotel and Restaurant-**License Expires May 5, 2001, Renewal Filed April 6, 2001**

Nick Stoika was present. Ms. Nye read into the record the letter submitted on the cause for late filing (see attached). The Health Department reports that the bar opens at 4:00 p.m. and the kitchen did not open until 5:20 to begin serving food. Notice has been received that a bankruptcy was filed and it is unknown what the status of the possession of the premises is at this point. Mr. Coebergh asked Mr. Stoika to address these issues.

Mr. Stoika stated the Health Department told him everything has been resolved. There had been an emergency the day the Health Inspector came and they had to open the kitchen late. The bankruptcy happened suddenly. A Chapter 11 has been filed. A settlement has been reached with the banks who wanted to appoint a receiver and do a reorganization. Mr. Stoika stated he is still in possession of the premises. An agreement has been reached with the bank.

Mr. Shaver asked if a receiver was appointed. Mr. Stoika stated there was one appointed by the bank who took possession for 2 days. Mr. Shaver asked if he had documents to that effect and if he had an attorney. Mr. Stoika stated yes. His attorney's name is William Phillips. The hearing on the bankruptcy took place on April 4, 2001. They are currently under a reorganization plan. A creditor's meeting has been scheduled and then they will have 120 days to make their plan. The issues with Vectra and Zion Banks have been settled. This process will take about 120 days. Mr. Shaver recommended good cause be found in the cause for late filing and that Mr. Stoika be required to produce documentation that the receivership issue has been resolved and that he is in possession of the premises.

Mr. Coebergh continued this matter to the next regularly scheduled meeting on May 2, 2001 and asked Mr. Stoika to submit the documents related to the release of the receivership.

IV. APPLICATION FOR RENEWAL AND REGISTRATION OF MANAGER

1. Genco Olive Oil Incorporated dba GB Gladstone's Restaurant & Bar, 2531 North 12th Street, Hotel and Restaurant

Manager: Cathryn Ann Faber replaces Christopher Blackburn

Chris Blackburn was present. The applications were in order and approved.

V. APPLICATION TO REGISTER MANAGER

1. Black Sam Incorporated dba Pantuso's Ristorante, 2782 Crossroads Blvd, Hotel and Restaurant

Manager: Donna Kaye Ray replaces Christopher Blackburn

Chris Blackburn was present. The application was in order and approved.

VI. APPLICATION FOR TRANSFER OF OWNERSHIP-Continued from April 4, 2001 Meeting

1. Genco Olive Oil Incorporated dba The Winery Restaurant, 642 Main Street, Hotel and Restaurant

Transfer of Ownership from Vintage Investments Corporation dba The Winery Restaurant to Genco Olive Oil Incorporated dba The Winery Restaurant, 642 Main Street

President: Christopher Blackburn, 645 Grand View, Grand Junction

Chris Blackburn was present. All documents had been reviewed and are in order. The premises are currently operating under a temporary permit. The application was approved.

VII. APPLICATIONS FOR MODIFICATION OF PREMISES

1. City of Grand Junction dba Two Rivers Convention Center, 159 Main Street, Hotel and Restaurant

The meeting space will be expanded from approximately 2,100 square feet to 4,500 square feet and the kitchen area will be expanded to 4,500 square feet. Addition of atrium east of the building with new administrative offices and new façade. Parking lot will be expanded and improvements made to landscaping.

Donna Redd was present. The premises will be closing on May 25, 2001 and should be ready to reopen in December 2001. The application was in order and approved.

2. NC Incorporated dba Bourbon Street, 525 North Avenue, Tavern

Enclose outside patio area and add storage room.

Dallas Nunnery was present. The application was in order and approved.

3. Fisher's Liquor Barn Incorporated dba Fisher's Liquor Barn, 2438 F Road, Retail Liquor Store

Addition of a 20' x 74' storage and delivery area onto the rear of the building.

The application was in order and approved.

VIII. MOTION AND ORDER TO SHOW CAUSE

1. IN THE MATTER of FJ40 Incorporated dba Cruisers, 748 North Avenue. It has been alleged to the City of Grand Junction Liquor and Beer License Hearing Authority that you have committed violations of law, **12-47-411(1)(a)** and violation of Colorado Liquor Regulation **47-418**. Said violations are said to have occurred on or after May 3, 2000.

Stephanie Rubinstein, Staff Attorney, reported a CUP was conditionally approved at the April 17, 2001 Planning Commission meeting. There are still some issues to be resolved. Ms. Rubinstein asked for a continuance on this until compliance has been met. Mr. Coebergh continued this matter to the May 2, 2001 meeting to verify the conditions of approval on the CUP have been met.

IX. REQUEST FOR REHEARING-Rescheduled from April 4, 2001 Meeting

1. Request from John Williams, attorney representing Don Compte, Crown Liquors, for a Rehearing on Walterscheid Investment & Consulting Incorporated dba All Pro Liquor, 2913 F Road. Hearings held on February 21 and March 7, 2001.

Mr. Coebergh stated this matter has been withdrawn and a lawsuit has been filed according to State Statute 106(a)(4).

X. ADJOURNMENT – The meeting adjourned at 9:28 a.m.

NEXT REGULAR MEETING – May 2, 2001

Peachtree Inn

1600 North Avenue, Grand Junction, Colorado, 81501 Tele (970)245-5770 Fax: (970) 243-2955 Reservations 1-800-525-0030
Mountaineer Hotels Inc.

To Whom It May Concern:

Due to a legal matter which was settled on April 4, 2001 we had to file this extension of Liquor License a few days later.

We are sorry for any inconvenience.

Thank you
Manager
Nick Stoika /s/ Nick Stoika