

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

**MINUTES**

**WEDNESDAY, JANUARY 2, 2002, 9:00 A.M.**

I. **CALL TO ORDER** – The meeting was convened at 9:00 a.m. Those present were Hearing Officer James Majors, Assistant City Attorney John Shaver and Deputy City Clerk Christine English.

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

1. Safeway Incorporated dba Safeway Store #1533, 2901 F Road, 3.2% Beer Off Premise

The application was found to be in order and approved.

2. Albertson's Incorporated dba Albertson's Food Center #886, 1830 North 12<sup>th</sup> Street, 3.2% Beer Off Premise

The application was found to be in order and approved.

3. Marks Markets Incorporated dba GoFer Foods First Street, 102 North Avenue, 3.2% Beer Off Premise

The application was found to be in order and approved.

4. Feather Petroleum Company dba Stop N Save #3, 723 Horizon Drive, 3.2% Beer Off Premise

The application was found to be in order and approved.

5. Arnik LLC dba The Bottle Shop, 725 Pitkin Avenue, Retail Liquor Store

The application was found to be in order and approved.

6. Walterscheid Investment & Consulting Incorporated dba All Pro Liquor, 2913 F Road #104, Retail Liquor Store

The application was found to be in order and approved.

7. N.N.C Incorporated dba Bourbon Street, 525 North Avenue, Tavern

There was no one present representing Bourbon Street. Ms. English stated no Police report has been received yet. Mr. Shaver stated there are 2 issues involved with this renewal application. There were criminal charges filed against the corporate officer, Dallas Nunnery, approximately 1 year ago. The disposition in that matter was Ms. Nunnery was given a 2 year deferred judgement; as to the establishment itself, there is a report from Detective Culver that between May 1, 2001 through December 12, 2001, there have been 70 calls made to the establishment. According to C.R.S. 12-47-109(d) provides that a license may not be renewed if there is evidence of a continuing pattern of

fight, violent activity or disorderly conduct. Mr. Shaver recommended the license be renewed and the applicant be aware that charges may be filed based upon the report from the Police Department.

Mr. Majors concurred with Mr. Shaver and the application for renewal was found to be in order and approved. Based upon the information received from Detective Culver, there could be further action taken on the licensee.

8. Los Reyes Restaurant Incorporated dba Los Reyes Restaurant, 811 South 7<sup>th</sup> Street, Hotel and Restaurant

The application was found to be in order and approved.

9. The Eagle at the Alpine LLC dba Eagle Café, 257 North 5<sup>th</sup> Street, Hotel and Restaurant

The application was found to be in order and approved.

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

1. Surang Unaboot dba Ying Thai Restaurant, 757 Highway 50, Beer and Wine License expires on January 2, 2002, renewal filed on December 14, 2001

Surang Unaboot, owner, and Jo Jo Barnes, manager, were present. This is the first time they have gone through the renewal process and Ms. Barnes apologized for filing the application late. There was a money flow problem and a problem in obtaining a new lease. These issues have been resolved. The application was found to be in order and approved. Mr. Majors admonished the applicant to file the renewal in a timely manner in the future.

### **IV. REPORT OF CHANGE IN CORPORATE STRUCTURE**

1. Beye Lotz Grand Junction VFW Post #1247, 1404 Ute Avenue, Tavern – Continued from December 5 and December 19, 2001 Liquor and Beer Meetings

Sr. Vice President: Joseph D. Shelleman replaces Joseph Frost  
Jr. Vice President: Frederick Castro replaces Ronald Nolan  
Trustee: Edward R. VanWestenberg replaces Carl Munger

Mr. Shaver provided a brief background on this application. On December 5, 2001, no one was present representing the VFW. It was reported that Mr. Castro and Mr. Shelleman both had arrest records that had not been disclosed on the individual history forms. On December 19, 2001 Mr. Castro was present but not Mr. Shelleman. Mr. Coebergh questioned Mr. Castro on the prior criminal history that was either not fully disclosed or under disclosed on his individual history. Based upon the questions that were asked and the answers given, it was agreed that Mr. Castro would step down from the position of vice president leaving it vacant until the next election that would take place the end of January 2002.

Mr. Shelleman came forward to answer questions of the Licensing Authority. Mr. Shelleman stated he disclosed a deferred judgement of a class 5 felony, menacing, in October of 1988. He was given 2 years of probation. That was the extent of the disclosure on the form. Mr. Shelleman also stated he was arrested for shoplifting. He pled guilty or no contest to the charge and paid a fine. This incident happened in the mid 90's.

Mr. Shaver stated the question asked on the form is very specific about disclosure. When the form is signed it is under the penalty of perjury. The felony charge is of more concern with the possibility of it involving a controlled substance. Mr. Shelleman stated he verbally threatened his wife while they were going through a divorce. He was arrested at that time, there was no controlled substance involved but there was a firearm. He pled guilty to the charge and received a 2-year probation.

Jim Nolan, quartermaster, was present and came forward to speak. Mr. Nolan stated Mr. Castro has stepped down from the position of junior vice president and Mr. Shelleman would file an amended individual history form. When the vacated position was filled, a new report of change in corporate structure would be filed.

Mr. Majors expressed concern with the felony conviction. Due to the passage of time along with the testimony given today, and since the district attorney entered a deferred sentence, these present strong evidence of rehabilitation. The misdemeanor theft which was not disclosed is still of a concern. The report of change in corporate structure for the senior vice president and the trustee positions was approved. Mr. Majors admonished Mr. Shelleman to file an amended individual history form with the City Clerk's office and stated when a new junior vice president is elected, the VFW will have to go through the process of reporting the change in the corporate structure again.

2. Brinker Restaurant Corporation dba Chili's Grill & Bar, 584 24 ½ Road, Hotel and Restaurant – Master File in Denver

Sr. Vice President/

Treasurer/Director: Charles M. Sonstebly, 607 Canemount, Coppell, TX – new corporate officer

The application was in order and approved.

## **V. APPLICATION FOR TRANSFER OF OWNERSHIP**

1. Gary L. Duke dba Wrigley Field, 1810 North Avenue, Hotel and Restaurant

Transfer of Ownership of a Hotel and Restaurant liquor license from JESST Incorporated dba Wrigley Field to Gary L. Duke dba Wrigley Field, located at 1810 North Avenue

Sole Proprietor: Gary L. Duke, 2837 A Monroe Lane, Grand Junction

Gary Duke was present. The applicant is currently operating under a temporary permit. The application was found to be in order and approved. A report from the Code Enforcement Division has not been received yet due to the holiday season and several employees being on vacation at this time. The building will be changing ownership approximately January 15, 2002.

Mr. Majors questioned the applicant if he had posted the Notice of Hearing and if so, has it remained up through today. Mr. Duke said he posted it on November 21, 2001. Someone took it down the next day and he found it in the back parking lot and reposted it. There was a problem with the current licensee not liking where the Notice of Hearing was initially posted but that has been resolved. Mr. Duke also stated the closing on the property was taking place today. A lease has been filed with the new owner of the building and with the City Clerk's office.

The application was found to be in order and approved.

VI. **ADJOURNMENT** – The meeting was adjourned at 9:35 a.m.

**NEXT REGULAR MEETING – January 16, 2002**