

**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, February 19, 2003, 9:00 A.M.**

I. **CALL TO ORDER** – The meeting convened at 9:05 a.m. Those present were Hearing Officer Jim Majors, Assistant City Attorney John Shaver and Deputy City Clerk Juanita Peterson.

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

1. Bill & Tim's LLP, dba Bill and Tim's, 317 Main Street, Grand Junction – Beer and Wine

Ms. Peterson reported that the application was in order but upon receiving the background check on Mr. Timothy Keeling from the Police Department, Mr. Keeling pled guilty to the August 2002 3<sup>rd</sup> degree assault charge but answered question 4 on the application renewal form as no. Question 4 reads "Since the date of filing of the last annual application, has the applicant, or any of its agents, owners, managers, principals, or lenders (other than licensed financial institutions), been convicted of a crime? If yes, attach a detailed explanation."

Mr. Majors asked if Mr. Keeling was in the audience. Mr. Keeling was present and Mr. Majors asked if what was read into the record was correct. Mr. Keeling answered yes. It was an error on his behalf. Mr. Majors asked Mr. Keeling to explain what happened. Mr. Keeling said it was an argument with his ex-wife and that he was put on probation. Mr. Majors asked if Mr. Keeling was in compliance with probation and Mr. Keeling answered yes. Mr. Majors also asked if this took place at "Bill and Tim's". Mr. Keeling stated no.

Mr. Majors asked that Mr. Keeling complete an "amended" personal history statement and roll this application for renewal over until the next hearing of March 5, 2003. Mr. Majors explained the issue of being very strict with this type of information and that perjury charges could arise from withholding this information. Mr. Keeling said he would go to the City Clerk's office today to amend his personal history statement.

2. Loco Inc., dba Loco Food Store No. 11, 1904 N. 12<sup>th</sup> Street, Grand Junction – 3.2% Beer (Off Premise)

The application was found to be in order and approved.

3. Thomas L. Goerke, dba Andy's Food Store, 2685 Unaweep Avenue, Grand Junction – 3.2% Beer (Off Premise)

The application was found to be in order and approved.

4. Feather Petroleum Company dba Stop N Save No. 11, 621 24 Road, Grand Junction – 3.2% Beer (Off Premise)

The application was found to be in order and approved.

### **III. APPLICATION TO RENEW LIQUOR AND BEER LICENSE AND MODIFICATION OF PREMISES**

1. Bourbon Street, Dallas Nunnery, 525 North Avenue, Grand Junction – Tavern  
Annual renewal and modification of premises altering the front entrance to add an additional front door.

Ms. Peterson said the application was found to be in order but the City Clerk's office received a petition from Mr. Estes prior to the hearing and one again this morning. Mr. Shaver asked Ms. Nunnery if she had seen the petition. Ms. Nunnery stated she had not. Mr. Shaver stated the circulator was present and explained that the petition that was presented by Mr. Estes does not show good cause for an impact on the decision of the renewal of this liquor license.

Mr. Estes came forward and stated that he can confirm endless amounts of fighting, broken glass, breaking and entry of property in the neighborhood and the police department should be able to confirm these issues. Mr. Estes also stated he believed there were problems with over service of alcoholic beverages.

Mr. Majors pointed out Officer Campbell in the audience for Mr. Estes to express his concerns with.

Ms. Nunnery explained the modification of premises. They will be adding a second door to the front entrance. She hopes this will help in monitoring some of Mr. Estes concerns.

Mr. Majors approved the renewal and the modification of premises.

### **IV. APPLICATION TO RENEW LIQUOR AND BEER LICENSE AND CHANGE IN CORPORATE STRUCTURE**

1. GJ Fusion Inc., dba Club Fusion, 490 28 ¼ Road, Grand Junction – Tavern

Change in Corporate Structure:

President – George Tabor, 730 26 ½ Road, Grand Junction CO 81506 replaces Jason George

Vice President – David C. Smith, 377 ½ B Explorer Ct, Grand Junction CO 81503 replaces George Tabor

Ms. Peterson reported all the paperwork is in order but the police report on Mr. David Smith came back with a case that is older than 10 years and she has requested the disposition from the County Attorney's Office. Mr. Majors asked if Mr. Smith was in the audience. He was and was asked to come forward to explain the incident.

Mr. Smith state that in 1983 when he was 21 years of age, his brother was a juvenile delinquent and got into trouble. Mr. Smith was living with his brother at the time. All charges were dropped and he was not convicted. Mr. Shaver asked what court system this took place in. Mr. Smith replied Mesa County. Mr. Shaver asked if Mr. Smith had any paperwork to this and Mr. Smith stated no. Mr. Shaver asked who represented him and Mr. Smith stated a public defender who he believed the name to be Swanson. Mr. Shaver recommended approval of the change in corporate structure with confirmation that Mr. Smith's statements are taken at face value. Officer Campbell was instructed to contact the District Attorney's Office for the records. Mr. Majors concurred with Mr. Shaver on that the change in corporate structure be conditional on the accurate statement of no charges against Mr. Smith. Mr. Majors did state that if in fact there were charges,

he would give Mr. Smith the opportunity to amend his personal history statement. The application for renewal was approved and the change in corporate structure is conditional on the deposition coming back without a conviction.

**V. REVIEW OF AN AMENDED STIPULATION**

1. Wigout Productions, Inc. dba Mesa Theatre & Club, 538 Main Street, Grand Junction - Tavern

Stephanie Rubinstein, City Staff Attorney, reviewed the Compliance with Amended Stipulation and Agreement with Mesa Theatre. Mr. David Prather was there representing Mesa Theatre. Pursuant to the order by the Hearing Officer on October 10, 2002, the next review of the Mesa Theatre's liquor license shall occur concurrent with the renewal of its license by August 16, 2003. The City of Grand Junction, by and through its undersigned Staff Attorney does not recommend any additional action to be taken at this time, other than keeping the restrictions upon Mesa Theater's License.

Mr. Prather explained that his staff is trying to patrol the area around the theatre and clean up the area around the theatre from trash.

Mr. Majors and Mr. Shaver concurred to continuation of the stipulation and review upon the license renewal in August 2003.

**VI. ADJOURNMENT – 9:45 a.m.**

**NEXT REGULAR MEETING – March 5, 2003**