

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

MINUTES

WEDNESDAY, August 18, 2004, 9:00 A.M.

I. **CALL TO ORDER** – The meeting convened at 9:08 a.m. Those present were Hearing Officer Phil Coebergh, City Attorney John Shaver and Deputy City Clerk Juanita Peterson.

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

1. McGovern Enterprises Inc., dba Pizza Hut of Grand Junction No. 1, 1440 North Avenue, 3.2% Beer Off Premises (**correction: On-premises**)

Mr. Shaver asked Ms. Peterson if these applications for McGovern Enterprises Inc. were Off-Premises licenses. Ms. Peterson stated they were not, that was her error, and these are the three On-Premises license in the City. The review of the application for renewal was found to be in order and approved.

2. McGovern Enterprises Inc., dba Pizza Hut of Grand Junction No. 2, 704 Horizon Drive, 3.2% Beer Off Premises (**correction: On-premises**)

The review of the application for renewal was found to be in order and approved.

3. McGovern Enterprises Inc., dba Pizza Hut of Grand Junction No. 3, 601 N. 1st Street, 3.2% Beer Off Premises (**correction: On-premises**)

The review of the application for renewal was found to be in order and approved.

4. Dillon Companies Inc., dba City Market #1, 2770 Hwy. 50 South, 3.2 % Beer Off Premises

The review of the application for renewal was found to be in order and approved.

5. Dillon Companies Inc., dba City Market #9, 1909 N. 1st Street, 3.2% Beer Off Premises

The review of the application for renewal was found to be in order and approved.

6. Dillon Companies Inc., dba City Market #18, 2830 North Avenue, 3.2% Beer Off Premises

The review of the application for renewal was found to be in order and approved.

7. Dillon Companies Inc., dba City Market #32, 200 Rood Avenue, 3.2% Beer Off Premises

The review of the application for renewal was found to be in order and approved.

8. Dos Inc., dba Dos Hombres Restaurant, 421 Brach Drive, Hotel/Restaurant

The review of the application for renewal was found to be in order and approved.

9. Orange Coast Investments dba Grand Vista Hotel, 2790 Crossroads Blvd, Hotel/Restaurant

The review of the application for renewal was found to be in order but the report from the Health Department cited three violations of a critical nature. A Critical Item Violation Correction Sheet indicating corrective actions taken for the critical items was to be submitted to the Health Department no later than June 21, 2004 and of the date of the letter August 17, 2004 this has not been submitted. There being no one present, Hearing Officer continued this until September 1, 2004. Mr. Coebergh asked Ms. Peterson to notify the applicant in writing that someone must be present at the September 1, 2004 hearing.

10. Fishers Liquor Barn Inc., dba Fishers Liquor Barn, 2438 F. Road, Retail Liquor Store

The review of the application for renewal was found to be in order and approved.

11. Albertson's Inc., dba Albertson's Food Center #897, 2512 Broadway, 3.2% Beer Retail Off Premises

The review of the application for renewal was found to be in order and approved.

12. Albertson's Inc., dba Albertson's Fuel Center #897, 2520 Broadway, 3.2 % Beer Retail Off Premises

The review of the application for renewal was found to be in order and approved.

III. APPLICATIONS TO RENEW LIQUOR AND BEER LICENSES WITH LATE FILING

1. QS. Inc., dba Shanghai Gardens Restaurant, 715 Horizon Drive, Hotel/Restaurant

Mr. Chiew Chiou was present. Mr. Coebergh asked Ms. Peterson the status of the application. Ms. Peterson reported that the application for renewal was found to be in order but filed late. The report from the Health Department stated at the inspection on June 10, 2004 there were seven violations of a critical nature. Two follow-up inspections have been conducted at the facility. The facility is scheduled for an additional follow-up inspection on August 23, 2004 due to two critical violations which are several potentially hazardous foods at the buffet line were not hot held at 135°F or above and several potentially hazardous food were not held at the required 41°F or below. Mr. Coebergh stated that if the follow-up inspection was complete and the violations were corrected the license would be approved for renewal. If not, this would be continued until the September 1, 2004 hearing.

The issue of the late filing was addressed. Mr. Coebergh asked Mr. Chiou why this was filed with the City Clerk's Office late. Mr. Chiou stated the renewal is mailed to his CPA in the Denver area and it was not sent over to him. Mr. Coebergh suggested this be changed and mailed to Mr. Chiou direct. Mr. Coebergh and Mr. Shaver found good cause for the late filing.

IV. CHANGE IN CORPORATE STRUCTURE

1. Grand Junction Athletic Club Inc., dba Grand Junction Athletic Club, 2515 Foresight Circle, Tavern

President: Brad Willms, 649 Oxbow Road, Grand Junction, CO 81504 replaces Dan Thurlow

Mr. Brad Willms was present. Mr. Coebergh asked if the application process for the corporate change was in order. Ms. Peterson stated yes. The local background on Mr. Willms has come back but is pending with C.B.I. Ms. Peterson reported that this was the only report along with sales tax that was requested since their renewal was just approved in May 2004. Mr. Coebergh thanked Mr. Willms for being present and approved the change in corporate structure.

V. APPLICATION FOR SPECIAL EVENTS PERMIT

1. Western Colorado Botanical Gardens, 641 Struthers Avenue, application for a malt, vinous and spirituous Special Events Permit for Entertainment at WCBS Amphitheater, 755 Struthers Avenue, August 27 and September 24, 2004 from 5:00 p.m. to 9:00 p.m.

President: Leland J. Lindauer, 2207 Dakota Drive, Grand Junction, CO 81503
Events Manager: Carl Vostatek, 3439 Grand Valley Canal Road, Clifton, CO 81520

Ms. Shannon Robertson, Special Events Volunteer, was present along with one board member. Mr. Coebergh asked Ms. Peterson if all the paperwork was in order. Ms. Peterson stated yes. Mr. Coebergh stated the letter submitted was vague in needs regarding the statutory requirement. Ms. Robertson told the Authority more about this event. That it's intention is a fund raiser for the Western Colorado Botanical Gardens and to let the public know more about the facilities and the amphitheater. Ms. Robertson stated that locations such as the Adams Mark and Two Rivers were not affordable for this process and that being at the Gardens and seeing the facilities was part of their process of having these free concerts. Mr. Shaver asked Ms. Robertson how many people they expected. Ms. Robertson stated 150-300. Mr. Coebergh explained to Ms. Robertson that he focuses on the statutory concerns which are two fold; other existing facilities are not available or are inadequate for the needs of the organization and that additional facilities are necessary by reason of the nature of the special event. Mr. Coebergh stated there is a vague area here. Mr. Coebergh asked Mr. Shaver to investigate this issue with the State for direction. Mr. Coebergh asked Ms. Robertson if they have ever considered applying for an Arts license. Ms. Robertson stated next year they are planning on 5 events and they will check into an Arts license.

Mr. Coebergh and Mr. Shaver concurred on the approval of this Special Events Permit for August 27 and September 24, 2004.

2. Rocky Mountain Association of Vintners and Viticulturists dba Colorado Mountain Winefest, PO Box 1556, Palisade, CO 81526, September 17, 2004 from 7:00 p.m. to 10:30 p.m.

President: Kathryn Stubler, 3577 Front Street, Palisade, CO 81526
Events Manager: Amy Nuernberg, 793 ½ Josilyn Ct., Grand Junction, CO 81506

Amy Nuernberg the Event Manager was present. Mr. Coebergh asked Ms. Peterson if all the paperwork was in order. Ms. Peterson stated yes but stated Ms. Nuernberg will need to stop by the sales tax office and take care of the local special event paperwork. Ms. Nuernberg stated she would take care of this immediately following the hearing. Mr. Coebergh asked Ms. Nuernberg if she was present and heard the concern on the Special Event Permit request right before hers. Ms. Nuernberg stated she was present. Mr. Coebergh asked Ms. Nuernberg to explain about the event. Ms. Nuernberg stated this is an annual event and is a fund raiser. The Adams Mark was not available and Grand Vista would not accommodate them. Two Rivers would charge a per serving charge for the ice cream or candy by bringing Enstroms products into their facility. Mr. Shaver asked if these were the only facilities they contacted. Ms. Nuernberg stated yes, only these 3. Mr. Coebergh asked if the event would take place only in the inside of Enstroms. Mr. Nuernberg stated yes and that with the new addition, there was a large room they would be using along with the front lobby.

Mr. Coebergh and Mr. Shaver concurred on the approval of the Special Events Permit for September 17, 2004 at Enstrom Candies. Again, Mr. Coebergh asked Mr. Shaver to investigate this issue with the State.

Orange Coast Investments dba Grand Vista Hotel, 2790 Crossroads Blvd, Hotel/Restaurant

Mr. Dan Sharp from Orange Coast Investments approached the front. Mr. Coebergh stated since he was not here earlier; this item was rescheduled until September 1, 2004 since there was an issue with the Health Department. Mr. Sharp asked if he could address the issues right now. Ms. Peterson read to Mr. Sharp parts of the letter from Mesa County Health Department. A Critical Item Violation Correction Sheet indicating corrective actions taken for the critical items was to be submitted to the Health Department no later than June 21, 2004 and as of the date of the letter August 17, 2004, this has not been submitted. Mr. Sharp stated he was unaware of this process. Ms. Peterson stated the letter was submitted by Darlene McKissen and that it looked like Thomas Orr was the inspector. Mr. Coebergh stated that the City would continue this until September 1, 2004 to give Mr. Sharp time to get this worked out with the Health Department.

VI. ADJOURNMENT – The meeting was adjourned at 9:48 a.m.

NEXT REGULAR MEETING – September 1, 2004