

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

MINUTES

WEDNESDAY, October 20, 2004, 9:00 A.M.

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

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

1. Inafuku Inc., dba Suehiro Japanese Restaurant, 541 Main Street, Hotel/Restaurant

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

2. Thunder Mountain Tavern LLC dba Thunder Mountain Tavern, 2701 Hwy 50, Tavern

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

3. Springer Capital Corporation dba Shake Rattle & Roll Diner, 2747-49 Crossroads B, Hotel & Restaurant

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

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

1. The Corral Inc., dba The Corral, 538 Colorado, Tavern

The application for renewal was found to be in order with good cause shown for late filing and approved.

2. Conchita's Mexican Restaurant LLC, dba Conchita's Mexican Restaurant, 2692 Hwy. 50 Unit E, Hotel and Restaurant

Ms. Kemp reported that Mesa County Health Department reported that Conchita's Mexican Restaurant has 2 critical violations needing corrected. A re-inspection date is scheduled for October 20, 2004.

Mr. Majors asked if this is the first time Conchita's Mexican Restaurant has filed their renewal late. Ms. Kemp replied that it is not.

Monique Mull, Mesa County Health Department stated that Conchita's Mexican Restaurant is planning to extend their restaurant into an adjacent unit, but as of this date, they have not submitted plans to Mesa County Health Department.

The application for renewal was approved contingent on satisfied report from Mesa County Health Department.

Mr. Majors asked Ms. Kemp to send a letter to Conchita's Mexican Restaurant and advise them to make sure that all future applications for renewal are turned into the City Clerk's office 45 days prior to expiration date of the license, and advise them that they must file an application for modification of premises if they are planning to expand.

IV. APPLICATIONS TO RENEW LIQUOR AND BEER LICENSES WITH LATE FILING AND CHANGE IN CORPORATE STRUCTURE

1. College Liquors Inc., dba College Liquors, 1133 Patterson, Retail Liquor Store

Remove Bill E. Ferguson, Director

Mr. Hambright, owner of College Liquors, was present and stated that he doesn't know anything about the change in Corporate Structure with the removal of Bill E. Ferguson.

Ms. Kemp apologized and reported that the Change in Corporate Structure actually belonged to another licensee and will be placed on the agenda for the next liquor and beer meeting.

The application for renewal was found to be in order with good cause shown for late filing and approved.

V. APPLICATION TO RENEW LIQUOR LICENSE AND CHANGE IN CORPORATE STRUCTURE

1. Bold Petroleum Inc., dba Acorn Food Store, 2222 Hwy 6 & 50, 3.2% Beer Retail (Off Premises)

Remove Lawrence D. Ochs, VP. (Deceased)

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

VI. APPLICATION FOR REGISTRATION OF NEW MANAGER

1. GMRI Inc., dba Red Lobster #685, 575 24 ½ Road, Hotel/Restaurant

Bradley Allen replaces Scott Robinson

Bradley Allen, Manager of Red Lobster, was present.

Ms. Kemp reported that all paperwork was in order and that the local police report was okay but the report from C.B.I. on Mr. Allen is still pending.

The application for registration of new manager was found to be in order and approved.

VI. APPLICATION FOR MODIFICATION OF PREMISES – Continued from October 6, 2004

1. Red Junction Service Company LLC, dba The Golf Club at Redlands Mesa, 2325 West Ridges Blvd, Hotel/Restaurant

Remodel of basement to expand to Fitness Club.

Eric Feely, Manager of the Golf Club at Redlands Mesa, was present.

Ms. Kemp reported that the reason this was continued from the previous meeting was a misunderstanding of the purpose of expanding the basement. It was reported by the Health Department that they were extending the dining to downstairs and that plans from the applicant had not been submitted to the Health Department.

Mr. Majors asked Ms. Kemp if the reasonable requirements of the neighborhood were considered. Ms. Kemp said they were not asked to provide proof of meeting the reasonable requirements of the neighborhood.

Monique Mull, Mesa County Health Department, stated that she had received plans for the expansion and hopes to have them completed by Friday, October 22nd.

Mr. Major expressed concerns about the reasonable requirements of the neighborhood not being considered.

The application for modification of premises was continued until November 3, 2004 and Mr. Majors asked Ms. Kemp to provide the applicant with a survey form to conduct a survey to determine the reasonable requirements of the neighborhood. This would also allow time for Mesa County Health Department to complete their plan review.

VII. TRANSFER OF OWNERSHIP – Continued from October 6, 2004

1. Higher Grounds Italian Pastry & Espresso Bar Inc., dba Higher Grounds & The Biscotti Lounge, 936 North Avenue, Hotel/Restaurant

Transfer of Ownership of a Hotel and Restaurant License from Chef's New World Cuisine dba Chef's to Higher Grounds Italian Pastry & Espresso Bar Inc., dba Higher Grounds & the Biscotti Lounge

President: Mark Hinkle, 570 Greenfield Cir. W., Grand Junction, CO 81504
V.P.: Francesca Morales, 527 Greenbelt Ct., Grand Junction, CO 81503

Mark Hinkle, President of Higher Grounds Pastry & Espresso Bar, was present.

Ms. Kemp reported that the sales tax issues for both the State of Colorado and the City of Grand Junction were in compliance now.

Ms. Kemp read a letter from Mesa County Health Department into the record (see attached).

Monique Mull, Mesa County Health Department, reported that Mr. Hinkle and Ms. Morales are trying to comply. She stated that they are in the loop of the civil penalty process, but they have signed a compliance agreement and hopefully will avoid any further civil penalty action. She has added one stipulation; that they both obtain a Food

Handlers Card by the end of the year. She believes that they just need to be educated on proper food handling. She has required that the applicant keep monitor logs on the refrigerators.

Mr. Hinkle stated that they have purchased new thermometers for the refrigerators and are now keeping monitor logs.

The application for Transfer of Ownership was approved.

VIII. ADJOURNMENT – The meeting adjourned at 9:41 a.m.

NEXT REGULAR MEETING – November 3, 2004



Environmental Health Division, Consumer Protection

510 29 1/2 Road, Grand Junction, CO 81504
P. O. Box 20,000, Grand Junction, CO 81502-5033

Telephone: (970) 248-6960
Fax: (970) 248-6923

October 19, 2004

City of Grand Junction
250 North 5th Street
Grand Junction, CO 81501

Attn: Debbie Kemp, City Clerk's Office

RE: Transfer of ownership of a hotel/restaurant liquor license
Higher Grounds Italian Pastry & Espresso Bar Inc., dba
Higher Grounds & The Biscotti Lounge, 936 North Avenue, Grand Junction, CO 81501

Dear Debbie:

The Health Department received a plan review application and the license fee for the above referenced facility; therefore, they are now in compliance with the two Notices of Non-Compliance that were issued on October 5, 2004. However, during an inspection of the facility on October 13, 2004, four critical violations were noted. A follow-up inspection was conducted on October 19, 2004, and two of the critical violations were still outstanding. The outstanding violations involve an under counter refrigerator near the espresso machine. It must be able to maintain 41°F or less and all potentially hazardous food stored cold must be 41°F or less.

One of the owners of this facility, Mark Hinkle, agreed to meet at the Health Department office to discuss options for resolving the critical violations. He submitted a written policy for using time (rather than temperature, as permitted) to control the milk stored in the under counter refrigerator, and he signed a *Compliance Agreement Record* with the Health Department. We believe his efforts are in good faith and will continue to work with this facility as long as they comply with the *Compliance Agreement*. If they choose to deviate from the *Compliance Agreement*, civil penalties will be pursued.

Attached are copies of the inspection reports and *Compliance Agreement Record*. Please contact me at 248-6962 if you have any questions regarding this information.

Sincerely,

A handwritten signature in cursive script that reads "Monique Mull".

Monique Mull
Environmental Health Specialist

cc: Mark Hinkle