

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

MINUTES

WEDNESDAY, NOVEMBER 7, 2007 9:00 a.m.

- I. **CALL TO ORDER** - The meeting convened at 9:01 a.m. Those present were Hearing Officer Mike Grattan, City Attorney John Shaver, and Deputy City Clerk Juanita Peterson.
- II. **APPLICATIONS TO RENEW LIQUOR AND BEER LICENSES**
1. **TMPTF8 Inc., dba Rib City Grille**, 2830 North Avenue #C-6 (mailing address 359 Colorado Avenue #203), Grand Junction, CO 81501-2467, Hotel and Restaurant

The application was found to be in order and approved.
 2. **Restaurant Concepts II, LLC, dba Applebee's Neighborhood Grill & Bar**, 711 Horizon Drive, Grand Junction, CO 81506, Hotel and Restaurant

The application was found to be in order and approved.
 3. **Conchita's Mexican Restaurant LLC, dba Conchita's Mexican Restaurant**, 2692 Hwy 50 Unit E, Grand Junction, CO 81503-1985, Hotel and Restaurant

The application was found to be in order and approved if the pending Health Department Report is satisfactory.
 4. **Los Potrillos Inc., dba Aztecas Family Mexican Restaurant**, 603 Hwy 50, Grand Junction, CO 81503-1909, Hotel and Restaurant

The application was found to be in order and approved.
 5. **Western Colorado Real Estate Market Inc., dba Bottle Shop Liquors**, 725 Pitkin Avenue, Grand Junction, CO 81501-3631, Retail Liquor Store

The application was found to be in order and approved.
 6. **Claudia & Randy Zamora dba Super C**, 2686 Unaweep Avenue, Grand Junction, CO 81503-1887, 3.2% Beer Retail (Off Premises)

The application was found to be in order and approved.
- III. **APPLICATIONS TO RENEW LIQUOR AND BEER LICENSES WITH LATE FILING**
1. **GJ Super Bowl LLC, dba GJ Scores**, 2445 F ¾ Road, Grand Junction, CO 81503-1905, Tavern

Mr. Daniel Lotfinia, Manager, and William Steele, Owner, were present. Ms. Peterson read into the record the letter submitted by Mr. Ron Hodgen regarding the stipulation issued by the State Liquor Enforcement Division in April 2007 (see attached). Ms. Peterson said the local police report reflected the incidents described in Mr. Hodgen's letter. Ms. Peterson said the other reports were fine. Ms. Peterson stated the reason given to the City Clerk's office for the late filing was that Mr. Hodgen started the renewal process but left the country. His letter was dated July 14, 2007 before he left. Mr. Steele said that it looked like the renewal was just not addressed until it was brought to their attention they were late in filing the renewal by Ms. Peterson. Ms. Peterson stated they filed the renewal on October 1st and their current license expires October 18th.

Hearing Officer Grattan asked about Dave who works for GJ Scores who he personally knows and wanted to make sure that was acknowledged. Mr. Lotfinia said that Dave still works for GJ Scores.

Mr. Steele explained that when GJ Scores first opened up it was a new entity and a very popular site. They met with the Grand Junction Police Department and were given training at their location and would just notify the Police direct when they had a problem. Mr. Steele stated they did not know this was going against their record. They are still using the wrist bands to identify the underage patrons. Since last spring when they had issues, they have put extra staff on, they have 36 cameras in the building, and they police their parking lot every ½ hour. Mr. Steele stated now the kids are using Home Depot's parking lot, drinking and then coming into the bowling alley.

Mr. Lotfinia said they are more stringent, all servers are carding everyone and it is only one drink per I.D. per person.

City Attorney Shaver asked about Mr. Hodgen. Ms. Peterson said he was the manager of record but not Mr. Steele who is an owner and is now the manager of record. Mr. Lotfinia is the operating manager at this time.

City Attorney Shaver said he would recommend approval with the testimony today and the letter dated July 14, 2007.

Hearing Officer Grattan said he finds good cause for the late filing and stated to the applicant that he knows their establishment will be looked at stringently due to the age group GJ Scores attracts. The application was approved.

IV. REGISTRATION OF NEW MANAGER

1. **GMRI, Inc. dba Red Lobster #685**, 575 24 ½ Road, Grand Junction, CO 81505, Hotel and Restaurant

John Joseph Rochee III, 3115 Mount Brook Drive, Grand Junction, CO replaces Tara Delaney

Ms. Peterson stated the local police and sales tax reports are fine. The C.B.I. report on the new manager is still pending. Ms. Peterson made note that Ms. Delaney, the manager being replaced, will be the manager of record for the new license that will be heard next on the agenda for Famous Dave's BBQ. Ms. Peterson said GMRI's corporate office completed paperwork for a new manager but before it went to hearing, the manager was let go so then Mr. Rochee was named manager. GMRI's corporate

office did have old paperwork which needed to be replaced with the current forms from the State. This has caused a delay.

The application for registration of new manager was approved pending a clean C.B.I. report.

V. APPLICATION FOR NEW LICENSE – RESOLUTION OF FINDINGS AND DECISION

1. **Mesa Mall BBQ, Inc., dba Famous Dave's Bar B Que**, 2440 Hwy 6 & 50, Grand Junction, CO 81505, Hotel and Restaurant

President: William F. Ferguson, Jr. 4355 S. High Ct., Englewood, CO 80113

Secretary: John S. Brokos, 223 Feldspar, Golden, CO 80403

Local Manager: Tara Lynn Delaney, 775 Jade Lane, Grand Junction, CO 81506

Mr. William Ferguson, President and Ms. Delaney, Local Manager was present. Ms. Peterson reported the application was in order and the applicant requested a concurrent review. The Police Department reported that nothing derogatory was found on a local background check on the owners and the manager and the fingerprint cards and individual history forms were forwarded to CBI for further investigation. Code Enforcement reported that the premises were posted in a timely manner but due to construction still going on could not verify the diagram. The Fire Department and the Building Department will report once the building is completed and a Certificate of Occupancy is issued. Mesa County Health Department will do a final inspection a week prior to opening. Ms. Peterson read into the record the results of the survey provided (see attached).

City Attorney Shaver asked who conducted the survey. Ms. Delaney stated that she did along with hiring 4 others to perform the survey. Ms. Delaney has a script for the staff to use to introduce themselves and how to present the petition (see Exhibit A attached). City Attorney Shaver asked when the survey was conducted. Ms. Delaney stated from October 6 -16, 2007. Also asked was if the petitions ever left the possession of the person conducting the survey. Ms. Delaney stated no. City Attorney Shaver asked if the people conducting the survey were employees and how they were compensated. Ms. Delaney said they were employees and paid \$10/hr. City Attorney Shaver asked the applicant if they agree with the results Ms. Peterson read into the report. Both answered yes.

Mr. Ferguson stated the ratio food to liquor would be 85%. They are known as a family friendly sit-down restaurant. Mr. Ferguson is the franchise owner for Colorado for Famous Dave's BBQ and has been a liquor license holder since 1988.

City Attorney Shaver asked if they have an expected date of opening. Mr. Ferguson said December 3rd. City Attorney Shaver stated that the results of the survey did indicate that the needs and desires in the neighborhood are not being met and recommended approval.

Hearing Officer Grattan found the requirements have been met. The approval for the issuance of the hotel and restaurant liquor license on the local level was granted with the condition of all final inspections and reports be approved and a Certificate of Occupancy issued. The City Clerk's Office will prepare a resolution for Hearing Officer Grattan's signature.

VI. OTHER BUSINESS

Hearing Officer Grattan wanted to acknowledge that in the near future the City Clerk's Office might receive an application for a liquor license from a client of Mr. Grattan's for Eddie's Bar-be-que. City Attorney Shaver said when and if that is received, he will make arrangements with a previous Hearing Officer to hear the case.

VII. ADJOURNMENT – 9:35 a.m.

NEXT REGULAR MEETING – November 21, 2007



copy
AKD

7/14/2007

Ref: GJ Scores Liquor License Renewal
License 25-39315-0000

Attachment to License Renewal

Ref: Item 5 Explanation

GJ Scores will have a suspension of the liquor license on August 5-9, 2007. This is the result of the agreement between the Liquor Enforcement Division and GJ Superbowl, LLC d/b/a GJ Scores.

This matter was related to the consumption of alcohol by minors in GJ Scores. As a result of that incident, two staff members were summarily discharged, the Operations Director was replaced, and the center adopted a more stringent and well publicized alcohol serving policy.

The center has striven to preclude the sale or consumption of alcohol by underage guests but on the occasion listed, failed to ensure that the center met its obligations. With the knowledge that the center is enjoyed by a large portion of the Grand Junction community both over and less than 21, the management and staff take their responsibility to the community very seriously. When an individual representing the business fails to discharge that responsibility it endangers the well being of the men, women and children who are the guests of GJ Scores and reflects badly on everyone involved in the business.

GJ Scores has provided day time recreation to seniors, special needs groups, churches and school children. GJ Scores also provides evening leisure recreation to families, teens, and young adults. It is the purpose of the business to meet the recreational needs of a cross section of the community; indeed it is fundamental to the survival of the business to include all these groups in the customer base. GJ Scores has provided the children in school district 51 with over \$400,000 of free bowling for this summer. GJ Scores has hosted fund raisers for many of the community's churches, sports groups, schools, social groups and has established a Bowl for the a Cause League where the participants nominated charities received all winnings. As an active participant of the Live Well and collaborator with the Grand Junction Parks and recreation department, the business is active in the Grand Junction Community.

*2445 F¹/₂ Road,
Grand Junction, Colorado 81505
Telephone 970•248•0777*



*MTH
copy*

7/14/2007

All of these efforts are not mentioned to mitigate the failure of an individual representing the business to properly discharge their responsibility in the serving of alcohol. They are mentioned to give scope to the breadth with which the business operates in the community.

Management accepts that the business did, on the occasion mentioned, fail to fulfill its duties as a responsible purveyor of alcohol. Management acknowledges that as one of the largest and most popular recreation venues in Grand Junction, diligence must be applied by each and every representative of the business.

Diligence must incorporate into the minute by minute ethic of all staff, not just the servers of alcohol. GJ Scores staff members who do not take that obligation seriously must meet the business standard or will be released. Any member of management will be dealt with equally.

Respectfully submitted,

Ronald J. Hodgen
Proprietor, GJ Scores

2445 F $\frac{1}{2}$ Road,
Grand Junction, Colorado 81505
Telephone 970•248•0777

MEMO: Local Licensing Authority
FROM: Juanita Peterson, Deputy City Clerk
DATE: October 22, 2007
SUBJECT: Application for a new hotel and restaurant liquor license by Mesa Mall BBQ Inc., dba Famous Dave's Bar B Que, 2440 US Highway 6 & 50.

Mesa Mall BBQ Inc., filed an application with the Local Licensing Authority on September 19, 2007 for a new hotel and restaurant liquor license permitting sales of malt, vinous and spirituous liquors by the drink for consumption on the premises at 2440 US Highway 6 & 50, under the trade name of Famous Dave's Bar B Que. The application and supplementary documents were reviewed, found to be in order and accepted. A copy was sent to the State Liquor Enforcement Division for a Concurrent Review. The hearing date was set for November 7, 2007. The Notice of Hearing was given by posting a sign on the property on or before October 28, 2007 and by publishing a display ad in the Daily Sentinel on October 26, 2007.

In order to address the reasonable requirements of the neighborhood and the desires of the adult inhabitants of the neighborhood, the applicant conducted a survey. The neighborhood was defined as the area bounded on the North by G Road, on the South by Dike Road, on the East by 25 ½ Road, and on the West by 23 ¼ Road. The results of that survey are as follows:

1. As an owner of property in the neighborhood, an employee or a business lessee of property in the neighborhood, and/or an inhabitant residing in the neighborhood for more than six months each year, I believe the reasonable requirements of the neighborhood are already being met by other existing outlets.

Yes	13
No	365

There were 69 residents who only answered question 1, not question 2.

2. As an inhabitant who resides in the neighborhood for more than six months each year, it is my desire that the license be issued.

Yes	202
No	4
Disqualified	13

Four the disqualified above were out of the area, the others were businesses who answered question 2.

The Grand Junction Police Department has investigated the owners for local criminal history. Reports have been requested by the Grand Junction Fire Department, Code Enforcement, Mesa County Health Department, and City of Grand Junction Sales Tax Department and the Building Department for a final certificate of occupancy (CO) upon completion of the restaurant.

The number of similar-type outlets in the survey area is as follows:

Hotel and Restaurant – 13 (Boston’s Gourmet Pizza, Check E. Cheese, Olive Garden, Outback Steakhouse, Red Lobster #6855, Chili’s Grill and Bar, Tequila’s, Genghis Grill, Bear Rock Café, Johnny Carinos Italian Rest., Chipolite, Red Robin, and Qdoba Mexican Grill.

That concludes this report.

cc: Applicant
John Shaver, City Attorney
TJ Rix, Grand Junction Police Department
Tara Delaney by email
File

A

Hi, my name is _____ . I am representing a new family restaurant, Called Famous Dave's Legendary Pit BBQ in regards to petitioning for our liquor license. We are located in the Mesa Mall shopping center, located where Bennett's BBQ restaurant used to be.. I only need 2 minutes of your time and I am not selling anything. Would you be willing to look at our petition? I also want to let you know that we are coming to the neighborhood and invite you in for some Legendary, award winning BBQ. Our opening date is scheduled for December 3rd. We also do full service and drop off catering.

I would like to ask you to sign this petition whether you are **FOR** or **AGAINST** our restaurant having a liquor license. This survey is a required part of the application process for a liquor license and is supplied to us by the City Clerk's Office. **We are a responsible family restaurant not a bar**, but we do carry liquor for those wanting it when dining in our restaurant.

If you will read the questions below and answer **whichever may** apply, I would definitely appreciate it. **If you have any questions or need clarification please ask.**

TARA'S CELL PHONE: ^{Tara} 640-3606

office
245-8227

(don't say unless they ask for this info)

IF ANYONE ASKS THERE WILL BE A PUBLIC HEARING ON NOVEMBER 7TH AT 9:00AM. At City Hall.

We cannot offer any incentives.

Have person read questions on petition and answer any questions they may have. If they look puzzled, you can ask, "Do you have any questions?" You must explain both the YES and NO answers.

#1 Question applies to business owners, lessees, employees and or inhabitants in the neighborhood as shown on your maps. If they work and live in this area they may sign twice, once with the business name and once with the residence address. They would answer as #1 indicates. Yes means against; no mean in favor of petition. Only get two people from a business to sign.

#2 applies to a resident only in the neighborhood and they would answer as #2 indicates. In this case, yes means for our petition; no means against.