

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

MINUTES

WEDNESDAY, AUGUST 6, 2008 9:00 a.m.

I. **CALL TO ORDER** – The meeting convened at 9:00 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. Weside Delicatessen Inc., dba The Winery, 642 Main Street, Grand Junction, CO 81501-2708, Hotel and Restaurant

Stephen Thoms, owner, was present. Ms. Peterson reported that the paperwork was filed in a timely manner and all reports came back fine.

The renewal was approved.

2. Wigout Productions Inc., dba Mesa Theater and Club, 538 Main Street, Grand Junction, CO 81501-2608, Tavern

David Prather, owner, was present. Ms. Peterson reported that the paperwork was filed in a timely manner and all reports came back fine with a summary submitted by the Police Department regarding the total calls and an explanation of them.

Mr. Prather stated he received a copy of the report and said the calls have significantly reduced over the years and that is what he has worked toward.

Hearing Officer Grattan said his concern is regarding 3 calls for underage consumption. Mr. Prather said he has run the business for 10 years and he has formed a great working relationship with the Police Department and their problems usually stem from College Night on Thursdays, but felt they have made progress with the problems of this establishment.

City Attorney Shaver said the calls and type of calls have diminished over the years and he sees no reason not to grant the renewal. None of these calls were forwarded to his office. Hearing Officer Grattan concurred with City Attorney Shaver.

The renewal was approved.

3. Mill Inn Inc. dba WW Peppers LTD, 753 Horizon Drive, Grand Junction, CO 81505, Hotel and Restaurant

There was no one present representing the applicant. Ms. Peterson reported that the paperwork was filed in a timely manner and all reports came back fine.

The renewal was approved.

4. GJ North Avenue Liquors, dba North Avenue Liquors, 801 North Avenue, Grand Junction, CO 81501-3139, Retail Liquor Store

There was no one present representing the applicant. Ms. Peterson reported that the paperwork was filed in a timely manner and all reports came back fine.

The renewal was approved.

5. Fishers Liquor Barn Inc., dba Fishers Liquor Barn, 2438 F Road, Grand Junction, CO 81505-1210, Retail Liquor Store

There was no one present representing the applicant. Ms. Peterson reported that the paperwork was filed in a timely manner and all reports came back fine.

The renewal was approved.

6. McGovern Enterprises Inc., dba Pizza Huts of Grand Junction No. 1, 1440 North Ave., No. 2, 704 Horizon Drive, No. 3, 601 N. 1st St., Grand Junction, CO, 3.2% Beer Retail (On-Premises)

There was no one present representing the applicant. Ms. Peterson reported that the paperwork was filed in a timely manner and all reports came back fine.

The renewal was approved.

7. Walmart Stores Inc., dba Wal Mart Supercenter #1280, 2881 North Ave., and Supercenter #5099, 2545 Rimrock Ave., Grand Junction, CO, 3.2% Beer Retail (Off-Premises)

There was no one present representing the applicant. Ms. Peterson reported that the paperwork was filed in a timely manner and all reports came back fine.

The renewal was approved.

III. APPLICATIONS FOR SPECIAL EVENTS PERMIT

1. Spyglass Ridge, dba "2008 Parade of Homes Kickoff Party", 2694 Lookout Lane, Grand Junction, CO 81503 located in the Community Center on September 5, 2008, Malt, Vinous and Spirituous

President: David "Skip" Behrhorst, 1280 Ute Ave., Ste. 32, Aspen CO 81611
Event Manager: Melissa Schierland, 611 Quail Hollow Ct., Grand Jct CO

Melissa Schierland, Community Manager, was present. Ms. Peterson reported the paperwork was filed in a timely manner and all reports came back fine. Ms. Peterson read into the record the letter submitted by the applicant regarding their request for a Special Events Permit.

City Attorney Shaver said he was worked with the applicant regarding this request and believes the statutory requirements and criteria have been met and recommends approval. Hearing Officer Grattan concurred.

The application was approved.

2. St. Nicholas Orthodox Church, dba "Greek Festival", 3585 W. 12th Street, Grand Junction, CO 81506 located in the parking lot of the church on September 27, 2008, Malt, Vinous and Spirituous

President: Fred Fowler, 2485 Sage River Court, Grand Jct, CO 81506
Event Manager: Georgeann Jouflas, 743 Wedge Drive, Grand Jct, CO 81506

Fred Fowler, Parish Council, was present. Ms. Peterson reported the paperwork was filed in a timely manner and all reports came back fine. Ms. Peterson read into the record the letter submitted by the applicant regarding their request for a Special Events Permit.

City Attorney Shaver said he believes the statutory requirements and criteria have been met and recommends approval. Hearing Officer Grattan concurred.

The application was approved.

IV. APPLICATION FOR TRANSFER OF OWNERSHIP

1. The Corral Inc., dba The Corral transfer to ERICH and BARB, LLC dba The Snowflake, 539 Colorado Avenue, Grand Junction, CO 81501, Tavern

Managing Member: Erich Frei, 2470 Broadway, Grand Junction, CO

Mr. Erich Frei, owner, was present. Ms. Peterson reported that the paperwork was filed in a timely manner and all reports came back fine with the Police Department reporting two liquor violations, one in January and one in June. Ms. Peterson also noted that this is a request for a change in trade name at the same time, from The Corral to The Snowflake. C.B. I. report is still pending.

Hearing Officer Grattan asked Mr. Frei if he knew about the existing violations. Mr. Frei said no, but that he is in the process of cleaning up the establishment and not allowing any homeless or transients into the bar and has hired two additional guards for the doors; he is trying to change the reputation of the establishment.

Hearing Officer Grattan and City Attorney Shaver seeing Mr. Stephen Robertson in the audience asked him to approach the bench and speak into the microphone.

Mr. Robertson said the violations were made known to Mr. Frei in the disclosure and the sale of the establishment and these will be resolved outside of the hearing with him.

City Attorney Shaver stated his office had mailed Mr. Robertson an Order to Show Cause and Notice of Hearing and it was returned, forwarding address expired. Mr. Robertson said he never received this.

PST Lisa Maestas as present. She spoke of two additional violations which happened on July 4, underage service, and July 18, patron walked out with an open container. The one on the 4th, a citation was issued, and the 18th, there was no citation issued. She has been working with the new owner and current manager since the take over and the interactions have been very friendly.

Mr. Frei stated he is concerned regarding the resolution of this with Mr. Robertson. City Attorney Shaver asked Ms. Peterson what date the Transfer of Ownership was submitted to the City Clerk's office. She responded June 27, 2008.

City Attorney Shaver addressed both Mr. Frei and Mr. Robertson regarding the stipulation and that this will need to be resolved. City Attorney Shaver said that a 5 day suspension is what he was thinking of, with a two day fine in lieu paid and three days held in abeyance for one year. He explained so that both parties have to be in agreement and sign off on this. Mr. Robertson said he planned on paying the fine for the two days. City Attorney Shaver said since it is held in abeyance for one year, this would transfer with the new ownership and Mr. Frei would have to agree to this. He explained to Mr. Frei about not receiving any additional violations for a year, and then this would go away.

Kelly Barnett bartender was also present. Mr. Frei said the incident on the 4th of July, the bartender did not check I.D. and was subsequently terminated.

City Attorney Shaver said that he would meet with both parties along with Mr. Robertson's attorney, if he wanted, to get this resolved. City Attorney Shaver did not have an objection to the Transfer of Ownership and would have this outstanding issue resolved by stipulation or hearing.

Hearing Officer Grattan concurred and approved the Transfer of Ownership and Change in Trade name to The Snowflake.

V. ADJOURNMENT – 9:40 a.m.

NEXT REGULAR MEETING – August 20, 2008