

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

MINUTES

WEDNESDAY, OCTOBER 1, 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. Feather Petroleum Company dba Stop N Save No. 2, 2050 North Avenue, Grand Junction, CO 81501, 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 applicant disclosed the incident at the 1st Street location for which they received a two day suspension.

The renewal was approved.

2. Rite Aid Corporation dba Rite Aid #6178, 1834 N. 12th Street, Grand Junction, CO 81501, 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 applicant disclosed the incident at the 1st Street location, Store #6367.

The renewal was approved.

3. TYLUK, Inc. dba Whiskey River, 490 28 ¼ Road, Grand Junction, CO, 81501-5182, Tavern

Rusty Boyd, President, was present. Hearing Officer Grattan asked that this item be moved to the end of the agenda since the police incident report was just made available to the Hearing Officer, City Attorney, and Mr. Boyd this morning.

4. DSDJ Entertainment Inc., dba Weaver's Tavern, 103 N. 1st Street, Grand Junction, CO 81501, Hotel and Restaurant

David Weaver, owner, was present. Hearing Officer Grattan disclosed that Mr. Weaver was present at one of Mr. Grattan's clients meeting, but felt there was no conflict. Ms. Peterson reported that the paperwork was filed in a timely manner and that the fire, health, and sales tax reports were fine. Ms. Peterson read the summary from the Police Report into the record.

City Attorney Shaver and Hearing Officer Grattan concurred that the renewal should be approved.

III. APPLICATIONS TO RENEW LIQUOR AND BEER LICENSES WITH CHANGE IN CORPORATE STRUCTURE

1. Restaurant Concepts II, LLC dba Applebee's Neighborhood Grill & Bar, 711 Horizon Drive, Grand Junction, CO 81506, Hotel and Restaurant

Master File in Denver:

Member: Stuart F. Waggoner, 1211 Cory Circle, Greensboro GA 30642 replaces Ron Glah

Member: Charles A. Snyder, 787 Hillwood, Marietta GA 30068 replaces Joe Keating

Mr. Milt Watson, General Manager, was present. Ms. Peterson reported that the paperwork was filed in a timely manner and that the fire, health, and sales tax reports were fine. Ms. Peterson read the summary from the Police Report into the record regarding a disturbing the peace incident.

Mr. Watson reported that this was issued to him as the General Manager representing Applebee's Restaurant. The air conditioning unit would set off the alarm and that is why the citation was issued. Mr. Watson said it took three different occasions to get this fixed. He is a recent new general manager and he was told his has been going on for years.

Hearing Officer Grattan asked what happened with the citation. Mr. Watson said that he pled guilty and paid a fine.

Seeing that this citation was cleared up, City Attorney Shaver and Hearing Officer Grattan concurred to approve the renewal and the Change in Corporate Structure.

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

1. Rafael Cisneros dba Las Palmas Restaurant, 752 ½ Horizon Drive, Grand Junction, CO 81506, Hotel and Restaurant

Ms. Peterson reported that this renewal is a late filing; how she found out about it when the State Liquor Division sent the State license to the City Clerk's office and it had not gone before the local authority. Ms. Peterson called the State and found out that renewal had been sent into the State, late, by the applicant, and then the State sent it to the Gunnison City Clerk, which they signed, as Mr. Cisneros has another license in the City of Gunnison, and then the State issued the license to the City of Grand Junction. Ms. Peterson said after all this was discovered, she contacted the State and Mr. Cisneros. Ms. Peterson requested that Mr. Cisneros submit a letter for the late filing, which he did. Mr. Cisneros was present but did not have anything additional to add except that he will file in a timely manner next year, to the City Clerk's office.

City Attorney Shaver noted that the law allows a finding for good cause for late filing with Mr. Cisneros' understanding that he needs to file in a timely manner with the local authority. With that finding the application could be approved. Hearing Officer Grattan concurred.

V. APPLICATIONS FOR SPECIAL EVENTS PERMIT

1. March of Dimes dba Signature Chefs' Auction, being held at Colorado Airlines Hanger, 2868 Navigators Way, Grand Junction, CO 81506, Malt, Vinous, and Spirituous

President: Shelly Goodchild, 3227 W. 22nd Ave., Denver, CO 80211

Event Manager: Deb Horwitz, 787 Jordanna Rd., Grand Jct, CO 81501

Ms. Jennifer Hensel, Community Director for the March of Dimes was present. Ms. Peterson reported that the paperwork was filed in a timely manner and all reports came back fine. Ms. Peterson read into the record their request for the Special Event Permit. Ms. Peterson did remind the applicant that the alcohol can be purchased from Crossroads Wine and Spirits and they may hire a bartender from them, but Crossroads Wine and Spirits cannot bring liquor and sell it at the event for the liquor store.

City Attorney Shaver asked Ms. Hensel about the event and she explained that the other licensed premises were not available and would not allow the "Signature Chefs" to bring their own food into those establishments.

City Attorney Shaver and Hearing Officer Grattan concurred to approve the request for the Special Events Permit for the March of Dimes.

VI. APPLICATIONS TO RENEW LIQUOR AND BEER LICENSES - Continued

1. TYLUK, Inc. dba Whiskey River, 490 28 ¼ Road, Grand Junction, CO, 81501-5182, Tavern

Rusty Boyd, President, came forward. Ms. Peterson reported that the paperwork was filed in a timely manner and fire, health, and sales tax reports are fine. Ms. Peterson apologized to the Hearing Officer, the City Attorney, and Mr. Boyd of just getting the police report this morning due to Ms. Maestas being out of town and stated that this could be held over until the next hearing. Hearing Officer Grattan and City Attorney Shaver had time to read the report. Ms. Peterson read the summary into the record.

Hearing Officer Grattan had a question on the February 5, 2008 incident if this was an employee or a patron of the bar. Mr. Boyd explained that this was a Mardi Gras party which did get out of hand, and it was not an employee but several patrons. A warning letter was given to the establishment in June. Mr. Boyd said he believed the volume or number of police calls seemed light to him. In April, he hired an ex-military police officer for security, which is his future son-in-law, and the calls have dropped in his opinion. Mr. Boyd also stated they do clean-up the parking lot and find numerous products that his establishment does not sell, so he knows alcohol is being brought into the parking lot by the patrons from other outlets.

Hearing Officer Grattan and City Attorney Shaver concurred that since there was only one documented violation, the renewal should be approved.

VII. ADJOURNMENT – 9:39 a.m.

NEXT REGULAR MEETING – October 15, 2008