

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

MINUTES

WEDNESDAY, DECEMBER 17, 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 Debbie Kemp.

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

1. GMRI, Inc. dba The Olive Garden Italian Restaurant, 2416 Hwy. 6 & 50, Grand Junction, CO 81505, Hotel and Restaurant

No one representing the applicant was present.

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

2. Wadsworth Old Chicago, Inc. dba Old Chicago, 120 North Avenue, Grand Junction, CO 81501, Hotel and Restaurant

No one representing the applicant was present.

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

3. Far East Restaurant Operating Co., Inc. dba Xian Wei, 1530 North Avenue, Grand Junction, CO 81501, Hotel and Restaurant

No one representing the applicant was present.

Ms. Kemp reported that the Fire Department advised that there were Fire Code violations but that the applicant is working to address the issues. The Fire Department had no objection to the renewal of the liquor license.

City Attorney Shaver asked Ms. Kemp for more clarification on the issues. Ms. Kemp said that she is not sure of the exact violations, but the Fire Department said that some of the issues were because of new regulations.

City Attorney Shaver recommended that the application for renewal be approved, however, this item should be rescheduled to revisit and see if the violations with the Fire Department have been corrected.

Hearing Officer Grattan concurred and approved the application for renewal, but to reschedule this item for review on February 4, 2008.

4. Robert J. Wilcox Inns, Inc. dba West Gate Inn, 2210 Hwy. 6 & 50, Grand Junction, CO 81505, Hotel and Restaurant

No one representing the applicant was present.

Ms. Kemp reported that the Police Department advised that an employee, Heide Waldera, was arrested and released on a summons for serving alcoholic beverages to a person under the age of 21. There was no disclosure of a stipulation by the applicant on their renewal nor has the City Clerk's office been notified of a stipulation imposed on the applicant.

City Attorney Shaver asked Ms. Kemp if the employee was the registered manager or an owner of the business. Ms. Kemp replied that the employee is neither of those.

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

5. Bub's Field on the Horizon, LLC dba Bub's Field Sports Pub, 715 Horizon Drive, Suite 1, Grand Junction, CO 81506, Tavern

David Elliott, co-owner of Bub's Field on the Horizon LLC, was present.

Ms. Kemp reported that Mesa County Health Department advised that there were 7 critical violations, 6 of them being corrected at the time of inspection, and will re-inspect December 23, 2008 for the one outstanding critical violation.

City Attorney Shaver recommended approval of the application for renewal conditioned on the violation being corrected and receiving a satisfactory report from the Health Department.

Mr. Elliott had nothing to add but stated that he is glad they made it through another year.

The application for renewal was found to be in order and approved conditioned upon a satisfactory report from the Health Department.

6. Diorio's Pizza, LLC dba Diorio's on Horizon, 759 Horizon Drive, #N, Grand Junction, CO 81506, Beer and Wine

No one representing the applicant was present.

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

7. Western Colorado Real Estate Market, Inc. dba Bottle Shop Liquors, 725 Pitkin Avenue, Grand Junction, CO 81501, Retail Liquor Store

No one representing the applicant was present.

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

8. Stoner Enterprises, LTD dba Andy's Liquor Mart, 922 N. 1st Street, Grand Junction, CO 81501, Retail Liquor Store

John Olds, representing Darlene Stoner, owner of Stoner Enterprises, LTD, was present.

Ms. Kemp reported that the Police Department had advised that on May 23, 2008, a store employee, Justin Medill, was summoned and released for selling alcohol to a minor. A stipulation was ordered and the applicant did disclose it on their renewal application and provided a letter of explanation including the suspension of the liquor license and closure of the store from November 28th through November 30th.

Mr. Olds stated that they now are constantly educating their employees about the importance of checking identifications.

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

9. Safeway Stores 46, Inc. dba Safeway Store #1533, 2901 F Road, Grand Junction, CO 81504, 3.2 Percent Beer Retail (Off Premises)

No one representing the applicant was present.

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

III. APPLICATION TO RENEW LIQUOR AND BEER LICENSE WITH TASTING PERMIT

1. JEMSKT, Inc. dba Country Club Liquors, 683 Horizon Drive, #105, Grand Junction, CO 81506, Retail Liquor Store

Dennis Lebsock, Partner of JEMSKT, Inc., was present.

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

IV. APPLICATION FOR A CHANGE IN CORPORATE STRUCTURE – Continued from November 19, 2008

1. Fraternal Order of Eagles 595 dba "Fraternal Order of Eagles 595", 1674 Highway 50, Grand Junction, CO 81503, Club

President: Randy Grimes, 331 Sherman Drive, Grand Junction, CO 81503 replaces Randy Sirbaugh

Secretary/Treasurer: Larry Alley, 559 N. 23rd Street, Grand Junction, CO 81501 replaces Duane DeBord

No one representing the applicant was present.

Ms. Kemp reported that this application was continued from November 19, 2008 due to a criminal history reported on one of the named officers, Jonathan Wickre. At the November 19, 2008 Liquor and Beer meeting, it was suggested that Mr. Wickre be present at this Liquor and Beer Meeting, be removed from the corporate structure on the liquor license, or that he be replaced with another officer. Ms. Kemp advised that Mr. Wickre was removed from the corporate structure on the liquor license.

The application for change in corporate structure was found to be in order and approved.

V. APPLICATION TO RENEW LIQUOR AND BEER LICENSE AND REGISTER NEW MANAGER

1. Bookcliff Country Club dba Bookcliff Country Club, 2730 G Road, Grand Junction, CO 81506, Hotel and Restaurant

David Kelley, 2949 Mia Drive, Grand Junction, CO 81503 replaces Barry Blanchard

David Kelley, General Manager for Bookcliff Country Club, was present.

Hearing Officer Grattan disclosed that he had prepared a letter for a client to Mr. Kelley regarding an employee issue, the matter was resolved, and he does not believe that this would be a conflict of interest as the Hearing Officer on this matter. City Attorney Shaver concurred with Hearing Officer Grattan and asked Mr. Kelley if he also concurs. Mr. Kelley said he does concur.

Ms. Kemp reported that the Health Department had advised of a critical violation and that a CIVCS (Critical Item Violation Correction Sheet) form was left for the applicant to complete and return to the Health Department.

City Attorney Shaver asked Ms. Kemp what a CIVCS form was. Ms. Kemp replied that she was told it is a report that is left with an establishment for replacement of something, in this case a thermocouple thermostat. The applicant is to purchase, replace the item, and return the form with a receipt of the purchased item to the Health Department.

Mr. Kelley stated that he was unaware of any pending issues with the Health Department but he will check with the Health Department.

The application was found to be in order and approved.

VI. OTHER BUSINESS

1. B.P.O. Elks Lodge dba Grand Junction Lodge No. 575, 249 S. 4th Street, Grand Junction, CO 81501, Club

Follow-up on the police report that one of the officers, Mr. Howard Hurst, was arrested on 5-2-08 on a failure to appear warrant.

City Attorney Shaver stated that he was not successful in making contact with Mr. Hurst. Hearing Officer Grattan asked Lisa Maestas, Liquor Enforcement/ Investigations, to check into the failure to appear warrant and get back with City Attorney Shaver. Hearing Officer Grattan did not see any reason to reschedule this for review at this time.

2. Hearing Officer Grattan announced that there will be another Liquor and Beer Meeting following this one at 10:00 a.m. for the transfer of ownership of Grand Junction Athletic Club with Hearing Officer Jim Majors.

City Attorney Shaver asked Hearing Officer Grattan, for the record, why he is unable to act as the Hearing Officer on this matter. Hearing Officer Grattan advised that Mr. Brad Wilms, owner of Grand Junction Athletic Club, was a client of his. Mr. Grattan requested a withdrawal from the courts as representative for Mr. Wilms in reference to

the receivership but it has not been approved as of this time. He also advised that he has other personal reasons why he has requested not to act as Hearing Officer on this matter.

VII. ADJOURNMENT – The meeting was adjourned at 9:35 a.m.

NEXT REGULAR MEETING – January 7, 2009