



Liquor Licensing Authority Minutes

Friday, November 15, 2024 – 1 p.m.

Virtual Hearing via Zoom Webinar

1. Call to order

Liquor Licensing Authority Mark Gonzales called the meeting to order at 1:11 p.m. The meeting was conducted virtually via Zoom.

2. Status conference for a Renewal for an existing/transferred **Retail Liquor Store Liquor License Application:**

Whiskey Pete's Liquor LLC

dba Whiskey Pete's Liquor

324 13th St.

Greeley, CO 80631

Retail Liquor Store

Continued from the October 18, 2024 LLA Hearing

Order to Show Cause

3. Gorilla Liquor

dba Gorilla Liquor

324 13th St.

Greeley, CO 80631

Retail Liquor Store

Continued from the October 18, 2024 LLA Hearing

Items 2 and 3 were heard simultaneously as they pertained to each other. Cynthia Valdez with Gorilla Liquor was present for the Hearing as were Tom Grant, the Attorney for Whiskey Petes Liquor, and Mike Moreno, owner of Whiskey Petes Liquor. Mr. Corliss presented the cases for the City Attorney's Office. He stated he spoke with all parties involved, and a Hearing for the Transfer of licensure from Gorilla Liquor to Whiskey Petes is the City Attorney's Office's recommendation. Once the Hearing has been set and Transfer has been approved by Judge Gonzales, Mr. Corliss would withdraw the Show Cause against Gorilla Liquor as that issue would be moot. Judge Gonzales confirmed with Ms. Valdez that the beforementioned plan by Mr. Corliss was correct. She concurred. Judge Gonzales then asked Mr. Grant the same question. Mr. Grant stated the plan was somewhat in agreement but wanted to ensure Judge Gonzales knew their standpoint regarding the Transfer. Mr. Grant stated they felt the Transfer was never completed as it was not processed at the State. Mr. Grant wanted assurance that there would be no hold up with the Transfer at the State level as there is a difference of opinion between the City and State on who has possession of the license, Whiskey Petes or Gorilla Liquor. Judge Gonzales reiterated that he feels the City is handling this matter appropriately, regardless of the State's perspective. He then spoke with Mr. Grant on their anticipated timeline regarding the paperwork submittal for the Transfer. Judge Gonzales

asked Ms. Valdez to coordinate with Mr. Grant to ensure all needed documentation for the Transfer has been provided. Judge Gonzales asked Shelby Fletcher with the City Clerk's Office her thoughts on a timeline for the Transfer Hearing. Ms. Fletcher stated a Notice would need to be posted for (10) consecutive days, with December 2nd being the earliest date to set a special hearing for the Transfer. Judge Gonzales and Mr. Grant agreed to a 10:30am Hearing on December 2nd via Zoom. Mr. Grant then wanted to ensure again that because the City and State have different perspectives on how this matter should be handled, Mr. Moreno would not be caught in the middle. Judge Gonzales stated he could not speak on behalf of the State, but he would do everything in his power to ensure the license is obtained by Whiskey Petes. Mr. Grant then asked if Mr. Moreno would be allowed to open after the December 2nd Hearing. Judge Gonzales stated he did not know what the State would say regarding the Transfer as there was a breakdown during the last process.

4. **J&G Stores LLC**

dba Greeley Liquor Warehouse
1020 28th Ave Unit 107 A & 107 B
Greeley, CO 80631
Retail Liquor Store

Mr. Corliss was present for this item. He stated that J&G Stores LLC had not yet been served their Show Cause Notice as there was a "significant event" that occurred in the City, causing the entire Police Department to be unavailable. Mr. Corliss asked Judge Gonzales to reset this matter for the December 13th Hearing with plans to refile the motion for the applicant. Judge Gonzales granted the reset.

5. Public Hearing to consider a new **Hotel & Restaurant** Liquor License Application:

5830 Restaurant Corp.

dba Smokin Dave's BBQ & Brew
819 9th St.
Greeley, CO 80631
Hotel & Restaurant

David and Cathy Oehlman with Smokin Dave's BBQ & Brew were present for the Hearing. Judge Gonzales explained how the process would work during the Hearing. He then instructed Ms. Fletcher to read the Clerk's Report into the record. Judge Gonzales asked Sunita Sharma of the City Attorney's Office her stance on the lack of surrender by Centennial Public House. Ms. Sharma stated that attempts have been made to reach Centennial Public House. Because they have gone unanswered, Ms. Sharma would like to file a Show Cause regarding the matter at the next scheduled Hearing. Judge Gonzales asked the Oehlman's their anticipated timeline for opening, to which they explained is end of December. Judge Gonzales then allowed Erin McCullough with Oedipus Petitioning to testify the results of their findings and overall petition process.

Judge Gonzales found that the Needs and Desires were met for the area. He then reset this item for December 13th.

6. Public Hearing to consider a new **Retail Fermented Malt Beverage and Wine** Liquor License Application:

Walmart Inc.

dba Walmart Fuel Station #5051
4505 10th St.
Greeley, CO 80634

Retail Fermented Malt Beverage and Wine

Kevin Coates with Dill & Dill and Cliff Harmon with Walmart were present for the Hearing. Judge Gonzales instructed Ms. Fletcher to read the Clerk's Report into the record. Eva Garretson with LiquorPros was then sworn in to provide testimony regarding the petition they provided. Mr. Coates asked Ms. Garretson a series of questions about her process and if she felt the area surveyed was sufficient to show Needs and Desires of the community. Ms. Garretson concurred. Ms. Garretson was then dismissed as Judge Gonzales found her testimony to be sufficient. Mr. Coates called Mr. Harmon to testify and asked a variety of questions regarding the previous testimony by Ms. Garretson as well as background for the store as Mr. Harmon is the Store Manager. Ms. Sharma asked Mr. Harmon the timeline of when he expected the Fuel Center to open. He stated the ideal date to open is December 18th. Judge Gonzales then opened the Public Hearing at 2:09pm. No one was present to speak, and the Public Hearing was closed at 2:10pm. Ms. Sharma stated there was no objection to the issuance of the license but would like to ensure all inspections have been completed during the December 13th Hearing. Mr. Coates expressed concern over a potential delay with doing this. Judge Gonzales further explained the Local process. He then granted Conditional Approval of the license, pending completion and issuance of the City Business License and Certificate of Occupancy.

7. **Approval of Minutes:** October 18, 2024 and November 1, 2024

The October 18th and November 1st Minutes were approved with no corrections.

8. **New Business:** None.

9. **Next Hearing:** December 13, 2024, at 1 p.m. by Zoom

10. **Adjournment**

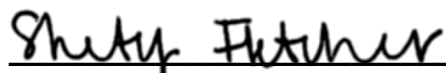
The Hearing was adjourned at 2:18 p.m.

Approved:



Mark Gonzales, LLA Hearing Officer

Attest:



Shelby Fletcher, LLA Secretary