

PUEBLO LIQUOR & BEER LICENSING BOARD
MINUTES -- REGULAR MEETING
CITY HALL -- COUNCIL CHAMBERS
APRIL 16, 2014 – 6:00 P.M.

The Pueblo Liquor & Beer Licensing Board convened the Regular Meeting of April 16, 2014 at 6:00 p.m., with Chairwoman Doris Harrison presiding.

ROLL CALL

Present: Board Members Don DiFatta, Doris Harrison, Mike Ferris, Charles Pullaro, Jr. and Tom Rose. Present—Assistant City Attorney, Lisa Macchietto and Municipal Records and Technical Coordinator/City Clerk Office, Daryl Payne.

APPROVAL OF MINUTES

Mr. Rose, seconded by Mr. Ferris, moved to approve the minutes of the Regular Meeting of April 2nd, 2014. Roll Call: Ayes—DiFatta, Ferris, Harrison, Pullaro and Rose. Motion carried unanimously.

CONSENT AGENDA

- 1 **HOTEL & RESTAURANT LIQUOR LICENSE APPLICATIONS-RENEWALS-TOTAL OF 2 RENEWALS**
Geronimo's Inc. d/b/a Jorge's Sombrero Restaurant, 1319 E. Evans Avenue
Brooklyn Pueblo Corp. d/b/a Manhattan's Pizza Parlor And More, 1110 Hwy 50 West
- 2 **TAVERN LIQUOR LICENSE APPLICATIONS-RENEWALS-TOTAL OF 2 RENEWALS**
Riverside Bar & Grill of Pueblo, LLC d/b/a Riverside Bar of Pueblo, 4021 Jerry Murphy Road
J and CD, Inc. d/b/a Eastside Tavern, 721 E. 4th Street
- 3 **3.2% BEER LICENSE APPLICATION-RENEWAL-OFF-PREMISES CONSUMPTION-CST METRO, LLC D/B/A DIAMOND SHAMROCK CORNER STORE #1171, 430 W. ABRIENDO AVENUE (FORMERLY KNOWN AS VALERO DIAMOND METRO INC.)**
- 4 **RETAIL LIQUOR STORE LIQUOR LICENSE APPLICATIONS-RENEWALS-TOTAL OF 2 RENEWALS**
Eastside Wine & Liquor, Inc. d/b/a Eastside Wine & Liquor, Inc., 723 E. 4th Street
Regency Liquor, Inc. d/b/a Regency Liquor, 25 Red Creek Springs Road
- 5 **REPORT OF CHANGES: CHANGE OF CORPORATE STRUCTURE-RETAIL LIQUOR STORE LIQUOR LICENSE-EASTSIDE WINE & LIQUOR, INC. D/B/A EASTSIDE WINE & LIQUOR, INC., 723 E. 4TH STREET (CURTIS LEE RODMAN BECOMES SOLE OFFICER IN THIS CORPORATION REPLACING BILLY RAY RODMAN AS PRESIDENT; MAINTAINING HIS CURRENT POSITION AS VICE-PRESIDENT; REPLACES PAULA L. RODMAN AS SECRETARY AND BECOMES 100% STOCKHOLDER)**
- 6 **PERMIT APPLICATION AND REPORT OF CHANGES: MANAGER'S REGISTRATION-3.2% BEER LICENSE-CST METRO, LLC D/B/A DIAMOND SHAMROCK CORNER STORE #4138, 601 HIGHWAY 50 WEST (FORMERLY KNOWN AS VALERO DIAMOND METRO INC.) NEW MANAGER CYNTHIA PIERCE REPLACES WILLIAM HANCOCK**

CONSENT AGENDA (CONTINUED)

**MEETING
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- 7 **TEMPORARY PERMIT APPLICATION: TRANSFER OF OWNERSHIP APPLICATION—
TAVERN LIQUOR LICENSE—A&D BILLIARDS, INC. D/B/A CLASSIC Q'S, 1715 S. PRAIRIE
AVENUE, (CURRENTLY LICENSED TO CDE BILLIARDS, INC. D/B/A CLASSIC Q'S,
LICENSE EXPIRES JUNE 23, 2014)**

- 8 **PERMIT APPLICATION & REPORT OF CHANGES- MODIFICATION OF PREMISES—
TAVERN LIQUOR LICENSE-RIVERWALK RESTAURANT & LOUNGE, LLC D/B/A
RIVERWALK RESTAURANT & LOUNGE, 219 S. GRAND AVENUE (REQUESTING
TEMPORARY MODIFICATION TO BEGIN ON MAY 15TH, 2014 THROUGH MAY 18TH, 2014)**

Mr. Rose, seconded by Mr. DiFatta, moved to approve the Consent Agenda as read. Roll Call: Ayes—
DiFatta, Ferris, Harrison, Pullaro and Rose. Motion carried unanimously.

REGULAR AGENDA

- 9 **PERMIT APPLICATION AND REPORT OF CHANGES: MANAGER'S REGISTRATION-
TAVERN LIQUOR LICENSE- WATERFRONT ON THE RIVERWALK, INC. D/B/A
WATERFRONT ON THE RIVERWALK, 101 S. MAIN STREET, UNITS 400 & 406 (NEW
MANAGER MARIA TODISCO REPLACES ADOLPH PADULA)**

New manager Maria Todisco 423 Veta, was sworn in and answered questions from the Board. Ms. Todisco has previously worked in a liquor-licensed establishment (Pueblo County Club) and stated there were never any violations at that establishment during the time she worked there. They will employ 2-6 employees. Mr. Rose questioned Ms. Todisco about her criminal history. Ms. Todisco detailed a 2001 theft arrest and conviction. She stated that after completion of her sentence, the conviction was to be dropped to a misdemeanor level as she stated on the application. The board explained the background check still is listed at the felony level. The moral character of Ms. Todisco was then deemed satisfactory to the Board. Mr. Ferris questioned Ms. Todisco about Liquor Awareness Certification. She stated she and her employees will be attending the May 30th State-City sponsored Liquor Awareness Class. Ms. Todisco has taken other Liquor Awareness training but was not certified. Mr. Ferris explained the benefits of training with actual certifications.

Mr. DiFatta, seconded by Mr. Ferris, moved to approve this New Manager Registration. Ayes—DiFatta,
Ferris, Harrison, Pullaro and Rose. Motion carried unanimously.

REGULAR AGENDA (CONTINUED)

**MEETING
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10 SPECIAL EVENTS PERMIT APPLICATION-BEER, WINE & SPIRITUOUS LIQUOR LICENSE—THE STATE HISTORICAL SOCIETY OF COLORADO D/B/A EL PUEBLO HISTORY MUSEUM, NEW EVENT MANAGER: SIMON TEARPAK, (EVENT TO BE HELD MAY 16, 2014. ADDRESS OF EVENT: 301 N. UNION AVENUE)

Event Manager Simon Tearpak, 311 Arthur Street was sworn in and answered questions from the Board. Mr. Tearpak explained this event “Whiskeys of the West” is a spirit tasting fund raiser for El Pueblo Museum maintenance and education purposes. Mr. Tearpak will be responsible for supervising the event. He explained there are six vendors providing whiskey tastings at six distribution points and that each tasting station will have two vendor representatives dispensing small limited amounts of alcohol. Mr. Tearpak stated that all individuals will be checked for age requirements and bands will be issued to those who may legally drink. Mr. Tearpak described the foods being served. Mr. Rose asked that more of a protein based food be served for this whiskey tasting event. Mr. Tearpak also stated that non alcoholic beverages would be available. Mr. Ferris asked Mr. Tearpak to explain the premise drawing. Mr. Ferris asked that the drawing be better clarified. Mr. Ferris also asked about the security for the event. Mr. Tearpak stated they will hire a Security company but did not currently know which one.

Mr. Ferris, seconded by Mr. Pullaro, moved to approve this application for a Special Events Permit contingent upon supplying to the City Clerk Office the name of the Security Company to be hired, a better defined drawing of the event premises, and adding protein based food to food available. Roll Call: Ayes—DiFatta, Ferris, Harrison, Pullaro and Rose. Motion carried unanimously.

11 PERMIT APPLICATION & REPORT OF CHANGES- MODIFICATION OF PREMISES—HOTEL & RESTAURANT LIQUOR LICENSE-BLAZIN WINGS, INC. D/B/A BUFFALO WILD WINGS #127, 5821 N. ELIZABETH STREET, STE. 150

Blazin Wings Inc. representatives Byron Goodwin, 261 Falcon, Pueblo West, and Jason Bradshaw, 5213 E Prescott, Castle Rock, CO were sworn in and explained to the Board the proposed modifications they would like to make to their existing licensed premises. Mr. Bradshaw explained a major modification will be the changing of entrances to the business. The primary entrance currently being used will be closed and a secondary entrance that is used will become the primary entrance. Mr. Goodwin explained most of the modifications will be cosmetic to the interior of the building, such as painting, new tables, and floor covering. Mr. Bradshaw stated there will be an increase of four seats to the actual bar.

Mr. Pullaro, seconded by Mr. Ferris, moved to approve the Modification of Premises contingent upon submitting a completed Routing Sheet. Roll Call: Ayes— DiFatta, Ferris, Harrison, Pullaro and Rose. Motion carried unanimously.

REGULAR AGENDA (CONTINUED)

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- 12 COMMUNICATION FROM VALERIE A. PALUMBO, CITY OF PUEBLO SALES TAX AUDIT MANAGER RE: ALLEGED LIQUOR CODE VIOLATION-RETAIL LIQUOR STORE LIQUOR LICENSE-FRANKY'S LIQUOR MART, INC. D/B/A FRANKY'S LIQUOR MART, 905 W. 4TH STREET, (LICENSEE IS CURRENTLY DELINQUENT WITH RESPECT TO FILING SALES & USE TAX RETURNS AND HAS A HISTORY OF UNTIMELY AND DELINQUENT FILING OF SALES & USE TAX RETURNS) CONTINUED FROM APRIL 2ND, 2014 AT THE REQUEST OF CONFLICTS COUNSEL**

Assistant City Attorney/Conflicts Counsel, Carla Sikes was present on behalf of the City. Ms. Sikes stated that she and the licensee have arrived at a stipulated agreement. Ms. Sikes stated the licensee has paid all arrears to the City and has no outstanding balance. Ms. Sikes read the Stipulated Findings and Order into the record for the Boards consideration. The licensee also stipulated and agreed to a suspension of its liquor license for a period of three days of which no days shall be imposed. The three days will be held in abeyance for a period of one year.

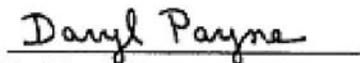
Mr. Rose, seconded by Mr. DiFatta, moved to accept the stipulation as read by Ms. Sikes. Roll Call: Ayes— DiFatta, Ferris, Harrison, Pullaro and Rose. Motion carried unanimously.

- 13 COMMUNICATION FROM DEPUTY CITY CLERK LORI BRAVO-NEFF, CITY OF PUEBLO CITY CLERK'S OFFICE RE: ALLEGED LIQUOR CODE VIOLATION-TAVERN LIQUOR LICENSE- BROKEN DOLLAR, INC. D/B/A BROKEN DOLLAR, 2301 LAKE AVENUE (REQUEST MADE BY LICENSEE TO CONTINUE THIS MATTER TO MAY 7TH, 2014)**

Mr. DiFatta, seconded by Mr. Rose, moved to continue this matter to May 7th, 2014 at the request of the Licensee. Roll Call: Ayes— DiFatta, Ferris, Harrison, Pullaro and Rose. Motion carried unanimously.

ADJOURN – With no further business before the Board, the meeting was adjourned at 6:58 p.m.

Respectfully submitted,



Daryl Payne, CMC, Municipal Records Manager
City Clerk's Office