

**PUEBLO LIQUOR & BEER LICENSING BOARD**  
**MINUTES -- REGULAR MEETING**  
**CITY HALL -- COUNCIL CHAMBERS**  
**MAY 21, 2014 – 6:00 P.M.**

The Pueblo Liquor & Beer Licensing Board convened the Regular Meeting of May 21, 2014 at 6:00 p.m., with Chairwoman Doris Harrison presiding.

**ROLL CALL**

Present: Board Members Don DiFatta, Doris Harrison, Charles Pullaro, Jr. and Tom Rose. Absent: Board Member Mike Ferris. Also Present—Assistant City Attorney Lisa Macchietto and Deputy City Clerk Lori Bravo-Neff.

**APPROVAL OF MINUTES**

Mr. DiFatta, seconded by Mr. Rose, moved to approve the minutes of the Regular Meeting of May 7<sup>th</sup>, 2014. Roll Call: Ayes—DiFatta, Harrison, Pullaro and Rose. Motion carried unanimously.

**AMENDMENTS TO CONSENT AGENDA**

Mr. DiFatta, seconded by Mr. Rose, moved to remove the renewal of Hanari, Inc. d/b/a Pueblo Liquor, 1210 S. Prairie Avenue (Item #3) from the Consent Agenda. –Roll Call: Ayes—DiFatta, Harrison, Pullaro and Rose. Motion carried unanimously.

**CONSENT AGENDA**

- 1 TAVERN LIQUOR LICENSE APPLICATIONS-RENEWALS-TOTAL OF 2 RENEWALS**  
FRS, Inc. d/b/a The Hangar, 100 W. 23<sup>rd</sup> Street  
Deborah L. Barnett d/b/a Pirate's Cove, 105 Central Plaza
- 2 3.2% BEER LICENSE APPLICATION-RENEWAL-OFF-PREMISES CONSUMPTION-TOTAL OF 2 RENEWALS**  
Valero Diamond Metro, Inc. d/b/a Diamond Shamrock Corner Store #4138, 601 US Hwy 50 West  
Dillon Companies, Inc. d/b/a King Soopers #12, 3050 W. Northern Avenue
- 3 RETAIL LIQUOR STORE LIQUOR LICENSE APPLICATIONS-RENEWALS-TOTAL OF 1 RENEWAL**  
~~Hanari, Inc. d/b/a Pueblo Liquor, 1210 S. Prairie Avenue~~  
North Pueblo Liquor Mart, LLC d/b/a North Pueblo Liquor Mart, 412 Eagleridge Boulevard
- 4 CABARET LICENSE APPLICATION-RENEWAL- DEBORAH L. BARNETT D/B/A PIRATE'S COVE, 105 CENTRAL PLAZA**
- 5 SPECIAL EVENTS PERMIT APPLICATION-BEER, WINE & SPIRITUOUS LIQUOR LICENSE– JUNETEENTH ORGANIZATION OF PUEBLO, INC., MAILING ADDRESS: P.O. BOX 2335, EVENT MANAGER: DAVID T. WHITNEY, (EVENTS TO BE HELD JUNE 20<sup>th</sup>– 22<sup>nd</sup>, 2014. ADDRESS OF EVENTS: BESSEMER PARK – NORTHERN & ORMAN AVENUE)**
- 6 PERMIT APPLICATION AND REPORT OF CHANGES- DUPLICATE LICENSE: DISABLED AMERICAN VETERANS D/B/A DAV STEEL CITY CHAPTER #39, 2850 O'NEAL AVENUE)**

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

**REGULAR AGENDA**

**7 NEIGHBORHOOD SURVEY: NEW HOTEL & RESTAURANT LIQUOR LICENSE– GRAHAM’S GRILL, LLC D/B/A GRAHAM’S GRILL, 115 E. RIVERWALK, UNIT 100**

Neighborhood Surveyor Don Vest, 516 Lincoln was sworn in and presented to the Board the demographics and map of the defined neighborhood for issuance of a new Hotel & Restaurant Liquor License for premises to be known as *Graham’s Grill*.

Mr. Pullaro, seconded by Mr. DiFatta, moved to receive the survey and set the hearing for June 4<sup>th</sup>, 2014. Roll Call: Ayes—DiFatta, Harrison, Pullaro and Rose. Motion carried unanimously.

**8 SPECIAL EVENTS PERMIT APPLICATION-BEER, WINE & SPIRITUOUS LIQUOR LICENSE– PUEBLO LODGE NO. 90, THE BENEVOLENT AND PROTECTIVE ORDER OF ELKS OF THE UNITED STATES OF AMERICA, EVENT MANAGER: TED W. CLEMENT, (EVENT TO BE HELD MAY 24<sup>TH</sup>, 2014. ADDRESS OF EVENT: 426 N. SANTA FE AVENUE)**

New event manager Ted W. Clement, 712 S. Bellflower Drive was sworn in and answered questions from the Board. Mr. Clement explained they will be renting out an area of their lodge for a graduation party. The funds raised by renting the lodge and the sale of liquor will be used for the upkeep of their establishment. Martinez Security, officers of the lodge and Mr. Clement will be responsible for supervising the event. There will be one liquor distribution point for this event. One or two persons will be selling/serving liquor. The people renting their facility, will have food available by way of a caterer. Mr. Clement described approved forms of identification; their policy for checking the age of their patrons will be to ask for identification from anyone who appears under the age of 35. Martinez Security will be assigned to maintain order on the licensed premises. Liquor will not be allowed to be taken off the licensed premises. The premises are secure by the limited points of entry/exit.

Mr. Rose, seconded by Mr. DiFatta moved to approve this Special Events Permit for Pueblo Lodge No. 90. Roll Call: Ayes—DiFatta, Harrison, Pullaro and Rose. Motion carried unanimously.

**9 REPORT OF CHANGES: CHANGE OF CORPORATE STRUCTURE-TAVERN LIQUOR LICENSE- J AND CD, INC. D/B/A EASTSIDE TAVERN, 721 E. 7<sup>TH</sup> STREET (NEW PRESIDENT MICHAEL J. VALDEZ REPLACES JAMES YOUNG AS SOLE OFFICER AND 100% SHAREHOLDER)**

Present on behalf of this matter was new president Michael J. Valdez, 2707 E. 13<sup>th</sup> Street. Chairwoman Harrison explained to Mr. Valdez that the Board will be conducting an investigation into his criminal history. She also stated to Mr. Valdez that if he had any dispositions or information, to bring the information with him. Mr. Valdez was advised he would be receiving a letter from the City.

Mr. DiFatta, seconded by Mr. Rose moved to continue this matter to June 4<sup>th</sup>, 2014. Roll Call: Ayes—DiFatta, Harrison, Pullaro and Rose. Motion carried unanimously.

**10 PERMIT APPLICATION AND REPORT OF CHANGES: MANAGER’S REGISTRATION-TAVERN LIQUOR LICENSE– J AND CD, INC. D/B/A EASTSIDE TAVERN, 721 E. 7<sup>TH</sup> STREET (NEW MANAGER MICHAEL J. VALDEZ REPLACES JAMES YOUNG)**

Mr. DiFatta, seconded by Mr. Rose moved to continue this matter to June 4<sup>th</sup>, 2014. Roll Call: Ayes—DiFatta, Harrison, Pullaro and Rose. Motion carried unanimously.

**REGULAR AGENDA (CONTINUED)**

**MEETING  
NUMBER**

- 11 REPORT OF CHANGES: CHANGE OF CORPORATE STRUCTURE-TAVERN LIQUOR LICENSE-PLANET 86, LLC D/B/A PLANET 86, 215-217 E. NORTHERN AVENUE (NEW MANAGING MEMBER ADAM BALTAZAR RUIZ REPLACES ARMANDO VIDRIO AS SOLE MANAGING MEMBER AND 100% STOCKHOLDER) CONTINUED FROM MAY 7<sup>TH</sup>, 2014 DUE TO THE ABSENCE OF THE APPLICANT**

*Note: This item was moved to the end of the agenda since there was no one present when the item was called.*

- 12 REPORT OF CHANGES: CHANGE OF CORPORATE STRUCTURE-3.2% BEER LICENSE-(CONSUMPTION ON-PREMISES) RUNYON SPORTS COMPLEX COMMISSION, INC. D/B/A THE BULLPEN, 400 STANTON AVENUE (NEW PRESIDENT ADAM JACK BAY REPLACES BRAD HEATH) CONTINUED FROM MAY 7<sup>TH</sup>, 2014 DUE TO THE ABSENCE OF THE APPLICANT**

New president Jack Bay, 4 Mirada Court was sworn in and answered questions from the Board. The moral character of Mr. Bay was satisfactory to the Board. He has never held or worked in or for a liquor-licensed establishment. There are no silent partners or financial backers not disclosed in the application. They employ 15-20 employees and they do not have criminal histories. They do conduct background investigations. Mr. Bay described approved forms of identification. Their policy for checking the age of their patrons is to ask for I.D. if the patron appears to be under the age of 35. Mr. Bay explained they received Seller/Server Training from the Pueblo County Sheriff's Department.

Mr. Rose, seconded by Mr. Pullaro, moved to approve this change of corporate structure. Roll Call: Ayes—DiFatta, Harrison, Pullaro and Rose. Motion carried unanimously.

- 13 REPORT OF CHANGES: CHANGE OF CORPORATE STRUCTURE-TAVERN LIQUOR LICENSE-DISABLED AMERICAN VETERANS D/B/A DAV STEEL CITY CHAPTER #39, 2850 O'NEAL AVENUE (NEW COMMANDER TIM W. FRESQUEZ REPLACES FIDEL E. LUCERO)**

New commander Tim W. Fresquez, 489 S. Angus, Pueblo West, CO was sworn in and answered questions from the Board. The moral character of Mr. Fresquez was satisfactory to the Board. He has never held or worked in or for a liquor-licensed establishment. There are no silent partners or financial backers not disclosed in the application. They employ 2 employees and these employee do not have criminal histories. They do conduct background investigations. Mr. Fresquez described approved forms of identification. Their policy for checking the age of their patrons is to ask for I.D. if they have any doubt at all regarding the age of the customer and quipped, "When it doubt, pull it out!" Mr. Fresquez explained they have signed up to attend City/State Seller/Server Training scheduled for May 30<sup>th</sup>, 2014.

Mr. DiFatta, seconded by Mr. Rose, moved to approve this manager registration. Roll Call: Ayes—DiFatta, Harrison, Pullaro and Rose. Motion carried unanimously.

- 14 PERMIT APPLICATION AND REPORT OF CHANGES: MANAGER'S REGISTRATION-TAVERN LIQUOR LICENSE- DISABLED AMERICAN VETERANS D/B/A DAV STEEL CITY CHAPTER #39, 2850 O'NEAL AVENUE (NEW MANAGER RAYMOND A. ROMERO REPLACES FIDEL E. LUCERO)**

**REGULAR AGENDA (CONTINUED)**

**MEETING  
NUMBER**

New manager Raymond A. Romero, 1717 E. 1<sup>st</sup> Street was sworn in and answered questions from the Board. The moral character of Mr. Romero was satisfactory to the Board. He has previously worked in the bar area for the DAV and they have never received a suspension, reprimand or violation. There are no silent partners or financial backers not disclosed in the application. They employ 2 employees and these employees do not have criminal histories. They do conduct background investigations. Mr. Romero described approved forms of identification. Their policy for checking the age of their patrons is to ask for I.D. if they have any doubt whatsoever regarding the age of the customer. Mr. Romero explained they have signed up to attend the City/State Seller/Server Training scheduled for May 30<sup>th</sup>, 2014.

Mr. DiFatta, seconded by Mr. Rose, moved to approve this change of corporate structure. Roll Call: Ayes—DiFatta, Harrison, Pullaro and Rose. Motion carried unanimously.

**15 PERMIT APPLICATION AND REPORT OF CHANGES: MANAGER'S REGISTRATION-  
HOTEL & RESTAURANT LIQUOR LICENSE– BLAZIN WINGS, INC. D/B/A BUFFALO WILD  
WINGS GRILL AND BAR, 5821 N. ELIZABETH STREET, SUITE 150 (NEW MANAGER  
BYRON GODWIN REPLACES CHRISTOPHER OSGOOD)**

New manager Byron Godwin, 261 E. Falcon Drive, Pueblo West, CO was sworn in and answered questions from the Board. Mr. Godwin explained in 1997, he pled guilty to DWAI. He previously worked in a liquor-licensed establishment and they never received a suspension, reprimand or violation. They employ 80 employees and he believes some do have criminal histories. They do not conduct background investigations. Mr. Godwin described approved forms of identification and explained their policy for checking the age of their patrons is to ask for I.D. from anyone wishing to purchase alcohol. Mr. Godwin explained they have an in-house seller/server training program and any new employee has to pass a serve-safe program within 60-days of their employment.

Mr. DiFatta, seconded by Mr. Rose, moved to approve this manager registration. Roll Call: Ayes—DiFatta, Harrison, Pullaro and Rose. Motion carried unanimously.

**16 HEARING: TRANSFER OF OWNERSHIP APPLICATION—TAVERN LIQUOR LICENSE–  
SUNSET INN BAR & GRILL, INC. D/B/A SUNSET INN BAR AND GRILL, 2808 THATCHER  
AVENUE, (CURRENTLY LICENSED TO SUNSET INN BAR & GRILL, LLC D/B/A SUNSET  
INN BAR & GRILL, LICENSE EXPIRED MAY 11<sup>TH</sup>, 2014)**

Charles A. Chavez and Gerda H. Chavez, 5329 Costa Mesa Drive were sworn in. (*Note: Mr. & Mrs. Chavez held this license as an LLC and are now converting to a corporation.*)

There was no one present in opposition to this transfer of ownership.

Mr. DiFatta, seconded by Mr. Rose, moved to take administrative notice of the testimony Mr. and Mrs. Chavez gave at their previous hearing and moved to approve this transfer of ownership. Roll Call: Ayes—DiFatta, Harrison, Pullaro and Rose. Motion carried unanimously.

Ms. Macchietto read the proposed Findings and Order for the Board's consideration.

Mr. DiFatta, seconded by Mr. Rose, moved to accept the Findings and order. Roll Call: Ayes—DiFatta, Harrison, Pullaro and Rose. Motion carried unanimously.

**REGULAR AGENDA (CONTINUED)**

**MEETING  
NUMBER**

**17 HEARING: TRANSFER OF OWNERSHIP APPLICATION—RETAIL LIQUOR STORE LIQUOR LICENSE—NICK’S GOODTIME LIQUOR, INC. D/B/A NICK’S GOODTIME LIQUOR, 3637 BALTIMORE AVENUE, (CURRENTLY LICENSED TO RICHARD M. BASSI D/B/A NORTHSIDE LIQUOR, LICENSE EXPIRED APRIL 5, 2014)**

New owner Nick Romero, 18 Tamar Court was sworn in and answered questions from the Board. Mr. Romero explained a domestic violence charge he had from December 2011 was dismissed. He has never held or worked in or for a liquor-licensed establishment. There are no silent partners or financial backers not disclosed in the application. Mr. Romero stated he used personal funds to enter into possession of the premises. At the present time, he employs 2 employees – he and his son and they do not have criminal histories. Mr. Romero described approved forms of identification and explained their policy for checking the age of their patrons is to ask for I.D. from anyone who appears to be 35 years of age or younger. He also stated at the point of sale, they are prompted to ask for identification. Mr. Romero explained they have signed up to attend City/State Seller/Server Training scheduled for May 30<sup>th</sup>, 2014.

Mr. DiFatta, seconded by Mr. Rose, moved to approve this transfer of ownership. Roll Call: Ayes—DiFatta, Harrison, Pullaro and Rose. Motion carried unanimously.

Ms. Macchietto read the proposed Findings and Order for the Board’s consideration.

Mr. DiFatta, seconded by Mr. Rose, moved to approve the Findings and order. Roll Call: Ayes—DiFatta, Harrison, Pullaro and Rose. Motion carried unanimously.

**18 HEARING: CHANGE OF LOCATION: HOTEL & RESTAURANT LIQUOR LICENSE– WILD WINGS USA, LLC D/B/A THE DRAFT SPORTS BAR & GRILL, 4065 CLUB MANOR DRIVE**

Owner Michael Colarelli, 1613 Englewood was sworn in and answered questions from the Board.

There were two individuals present who were in opposition to the issuance of this license and they were both sworn in. They were identified as Michael Schuster, business owner at 4055 Club Manor Drive and Gordon VanderVark, business owner at 4109 Club Manor Drive.

At 7:00 p.m., the Board took a short recess. The meeting reconvened at 7:07 p.m.

The Board took administrative notice of Mr. Colarelli’s testimony at the time he applied for the liquor license at his previous establishment. Mr. Colarelli stated he has had no convictions or criminal history since his initial application.

The Board then reviewed the petitions which were previously distributed to the Board. Chairwoman Harrison gave specific information as to how the Board arrived at the number of valid signatures on the petitions. Mr. Colarelli explained the challenges he faced when circulating his petitions, including the concern of the shooting that occurred at this location years ago.

Mr. Schuster was then given an opportunity to question Mr. Colarelli. Mr. Schuster asked what the hours of operation would be. He also voiced his concern regarding the shooting at this location several years ago and remarked that there is still a bullet hole in his wall. Mr. Schuster stated his major

**REGULAR AGENDA (CONTINUED)**

**MEETING  
NUMBER**

concerns were security and keeping the grounds free from trash. Mr. Colarelli stated he understands Mr. Schuster's concerns and stated he has no intention of running his establishment like the one that was there previously. He explained he will have security and will keep the area free from trash. He also stated he has held a liquor license on the south side for 10 years and was always a very responsible licensee. Mr. Colarelli was then given an opportunity to present whatever evidence or testimony he wanted but he had no further responses or questions for Mr. Schuster.

Mr. VanderVark stated he was fine with the responses made by Mr. Colarelli. Chairwoman Harrison advised Mr. Colarelli to be aware of his neighbors.

The hearing was then closed.

Mr. Rose, seconded by Mr. DiFatta, moved to approve this change of location for a Hotel & Restaurant Liquor License. Roll Call: Ayes—DiFatta, Harrison, Pullaro and Rose. Motion carried unanimously.

Ms. Macchietto read the proposed Findings and Order for the Board's consideration which indicates that the issuance of this license is supported by at least 18 businesses and was opposed by no businesses and is supported by at least 96 residents of the neighborhood or other parties in interest and opposed by no residents of the neighborhood or other parties in interest.

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

**19 HEARING: NEW CABARET LICENSE– WILD WINGS USA, LLC D/B/A THE DRAFT SPORTS BAR & GRILL, 4065 CLUB MANOR DRIVE**

Chairwoman Harrison stated the Board will take administrative notice of the testimony given in Item #18.

Ms. Macchietto read the proposed Findings and Order for the Board's consideration which indicates that the issuance of this license is supported by at least 18 businesses and was opposed by no businesses and is supported by at least 96 residents of the neighborhood or other parties in interest and opposed by no residents of the neighborhood or other parties in interest.

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

**20 HEARING: NEW HOTEL & RESTAURANT LIQUOR LICENSE– EL ALAMO, LLC D/B/A EL ALAMO, 1305 E. ROUTT AVENUE**

Mr. DiFatta, seconded by Mr. Rose, moved to continue this matter to June 4<sup>th</sup>, 2014 at the request of Conflicts Counsel. Roll Call: Ayes—DiFatta, Harrison, Pullaro and Rose. Motion carried unanimously.

**11 REPORT OF CHANGES: CHANGE OF CORPORATE STRUCTURE-TAVERN LIQUOR LICENSE-PLANET 86, LLC D/B/A PLANET 86, 215-217 E. NORTHERN AVENUE (NEW MANAGING MEMBER ADAM BALTAZAR RUIZ REPLACES ARMANDO VIDRIO AS SOLE MANAGING MEMBER AND 100% STOCKHOLDER)**

**REGULAR AGENDA (CONTINUED)**

**MEETING  
NUMBER**

There was still no one present on behalf of this matter.

Mr. Pullaro, seconded by Mr. Rose, moved to continue this item to June 4<sup>th</sup>, 2014. Roll Call: Ayes—  
DiFatta, Harrison, Pullaro and Rose. Motion carried unanimously.

**ADJOURN** – With no further business to come before the Board, the meeting was adjourned at 7:35 p.m.

Respectfully submitted,



Lori Bravo-Neff, Deputy City Clerk  
City Clerk's Office