

PUEBLO LIQUOR & BEER LICENSING BOARD
MINUTES -- REGULAR MEETING
CITY HALL -- COUNCIL CHAMBERS
OCTOBER 15, 2014 – 6:00 P.M.

The Pueblo Liquor & Beer Licensing Board convened the Regular Meeting of October 15, 2014 at 6:00 p.m., with Chairwoman Doris Harrison presiding.

ROLL CALL

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

APPROVAL OF MINUTES

Mr. Rose, seconded by Mr. Ferris, moved to approve the minutes of the Regular Meeting of October 1, 2014. Roll Call: Ayes—Ferris, Harrison and Rose. Motion carried unanimously.

CONSENT AGENDA

- 1 **HOTEL & RESTAURANT LIQUOR LICENSE APPLICATIONS-RENEWALS-TOTAL OF 4 RENEWALS**
Paul Pachino d/b/a Mozart Restaurant & Lounge, 1120 N. Main Street
Wild Wings USA, LLC d/b/a Draft Sports Bar and Grill, 4065 Club Manor Drive
Papa Bello Enterprises, Inc. d/b/a Rosario's at the Riverwalk, 101 S. Main Street, Units 200 & 201
Tian Jin, Inc. d/b/a Tian Jin Oriental Cuisine, 3400 W. Northern Avenue
- 2 **TAVERN LIQUOR LICENSE APPLICATION-RENEWAL-LEGENDS, LLC D/B/A LEGENDS, 1023 S. PUEBLO BOULEVARD**
- 3 **3.2% BEER LICENSE APPLICATION-RENEWAL-OFF-PREMISES CONSUMPTION-J.R.'S COUNTRY STORE, INC. D/B/A J.R.'S COUNTRY STORE NO. 203, 550 E. ABRIENDO AVENUE**
- 4 **CLUB LIQUOR LICENSE APPLICATION-RENEWAL-AMERICAN LEGION POST 2 D/B/A AMERICAN LEGION POST 2, 701 W. 9TH STREET**
- 5 **RETAIL LIQUOR STORE LIQUOR LICENSE APPLICATION-RENEWAL-CJEM, LLC D/B/A 80/TWENTY WINES, 415 N. GREENWOOD, SUITE C**
- 6 **ALCOHOL BEVERAGE TASTINGS PERMIT APPLICATION-RENEWAL- CJEM, LLC D/B/A 80/TWENTY WINES, 415 N. GREENWOOD, SUITE C**
- 7 **CABARET LICENSE APPLICATION-RENEWAL- LEGENDS, LLC D/B/A LEGENDS, 1023 S. PUEBLO BOULEVARD**

Mr. Rose, seconded by Mr. Ferris, moved to approve Items 1-7 of the Consent Agenda as read. Roll Call: Ayes—Ferris, Harrison and Rose. Motion carried unanimously.

- 8 **NEIGHBORHOOD SURVEY: NEW TAVERN LIQUOR LICENSE– WINE DOWN BY THE RIVER, LTD. D/B/A WINE DOWN BY THE RIVER, 105 S. UNION AVENUE**
- 9 **NEIGHBORHOOD SURVEY: NEW CLUB LIQUOR LICENSE– PUEBLO LODGE NO. 19, LOYAL ORDER OF MOOSE D/B/A PUEBLO LODGE NO. 19, LOYAL ORDER OF MOOSE, 1929 N. NORWOOD AVENUE**

CONSENT AGENDA (CONTINUED)

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Note: Consent Agenda Items 8 & 9 were read into the record and acted upon with a single motion.

Mr. Ferris, seconded by Mr. Rose, moved to receive the surveys in Items 8 & 9 of the Consent Agenda, and set the hearings for November 5, 2014. Roll Call: Ayes—Ferris, Harrison and Rose. Motion carried unanimously.

10 SPECIAL EVENTS PERMIT APPLICATION-BEER, WINE & SPIRITUOUS LIQUOR LICENSE– NEWBORN HOPE, INC. D/B/A NEWBORN HOPE, EVENT MANAGER: CAROLYN CHASE, (EVENT TO BE HELD OCTOBER 24TH, 2014. ADDRESS OF EVENT: 421 N. MAIN STREET)

New event manager Carolyn Chase, 2001 W. 32nd Street was sworn in and answered questions from the Board. Ms. Chase explained this is a Cheese & Wine Tasting event and the funds raised at the event will be used to fund various programs. Ms. Chase explained both she and President Jacqueline Korell will be responsible for supervising the event. There are 2 liquor distribution points and a total of 2 individuals will be selling/serving liquor. Ms. Chase described the types of food that will be available as a variety of proteins, cheese and fruits; she also described approved forms of identification. No one under the age of 21 will be allowed to attend the event. A committee of approximately 20 officers will be available to maintain order on the licensed premises. Alcohol will not be allowed off the licensed premises. Ms. Chase stated the premises are secure and stated there will only be one door open at the time of the event. Additionally, there will be staff members at the elevator to make sure no one removes alcohol.

At this point in the hearing, President Jacqueline Korell, 3105 Baltimore Avenue was sworn in and provided clarification on the certificate of good standing with the secretary of state.

Mr. Rose, seconded by Mr. Ferris, moved to approve this Special Events Permit. Roll Call: Ayes—Ferris, Harrison and Rose. Motion carried unanimously.

11 HEARING: NEW TAVERN LIQUOR LICENSE– SANGRE DE CRISTO ARTS AND CONFERENCE CENTER, INC. D/B/A SANGRE DE CRISTO ARTS AND CONFERENCE CENTER, 210 N. SANTA FE AVENUE (Continued from October 15th, 2014 at the request of the applicant)

Lorrie Marquez, manager of Conference Services at Sangre de Cristo, 3226 St. Clair and Chair of the Board, Carol Spradley, 4811 Castor Drive, were sworn in and answered questions from the Board.

For the record, it was determined there was no one present in opposition to the issuance of this license.

The moral character of Ms. Marquez and Ms. Spradley was satisfactory to the Board. Ms. Spradley stated she has never held or worked in or for a liquor-licensed establishment. There are no silent partners or financial backers not disclosed in their application. Ms. Spradley explained they obtained their funding from the County of Pueblo and donations to be able to enter into possession of the premises. Ms. Marquez stated they employ 6-8 employees in the bar area and there are approximately 30 employees at the Arts Center. Ms. Marquez stated, to her knowledge, these employees do not have criminal backgrounds; they do conduct background checks on their potential employees. Ms. Spradley described approved forms of identification and Ms. Marquez explained their policy for checking the age of their patrons is to ask for identification from anyone who looks to be under the age of 35. Those that

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are 21 and over, receive a band. Ms. Marquez stated she and some of the bar staff will attend the City/State Seller/Server class scheduled for next week. Mr. Ferris strongly encouraged the applicants to become certified.

A brief discussion regarding the status of the lease was held. Ms. Spradley explained they are still in negotiations with the County, but they hope to have a finalized lease soon.

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. Dan Corsentino of DC Investigations, 301 N. Main Street, was also present and also briefly explained his staff's petitioning efforts. He also stated that they were asked not to circulate petitions at any of the Senior Centers. The applicants asked for the petitions to be entered into the record and were marked as *Exhibit A*.

The hearing was then closed.

Mr. Ferris, seconded by Mr. Rose, moved to approve this liquor license contingent upon receipt of a finalized lease. Roll Call: Ayes—Ferris, Harrison and Rose. Motion carried unanimously.

Ms. Macchietto read the proposed Findings and Order for the Board's consideration which indicates that issuance of this license is supported by at least 134 businesses, and opposed by 2 businesses. Issuance is supported by at least 120 residents of the neighborhood or other parties in interest, and opposed by at least 4 residents of the neighborhood or other parties in interest, as evidenced by personal testimony at this hearing or by petition signatures received in evidence at this hearing.

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

12 HEARING: NEW CABARET LICENSE– SANGRE DE CRISTO ARTS AND CONFERENCE CENTER, INC. D/B/A SANGRE DE CRISTO ARTS AND CONFERENCE CENTER, 210 N. SANTA FE AVENUE *(Continued from October 15th, 2014 at the request of the applicant)*

Ms. Marquez and Ms. Spradley, still under oath, were present on behalf of this matter. For the record, it was determined there was no one present in opposition to the issuance of this license.

Mr. Ferris stated the Board will take administrative notice of the testimony given in Item #11.

Mr. Ferris, seconded by Mr. DiFatta, moved to approve this cabaret license. Roll Call: Ayes—Ferris, Harrison and Rose. Motion carried unanimously.

Ms. Macchietto read the proposed Findings and Order for the Board's consideration which indicates that issuance of this license is supported by at least 134 businesses, and opposed by 2 businesses. Issuance is supported by at least 120 residents of the neighborhood or other parties in interest, and opposed by at least 4 residents of the neighborhood or other parties in interest, as evidenced by personal testimony at this hearing or by petition signatures received in evidence at this hearing.

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

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OTHER BUSINESS

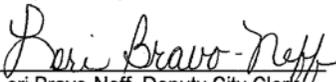
Citizens Clara Ybarra, 1544 E. Routt and Sherelle Hernandez, 716 Minnequa were present to request that the Board take action against *Sharky's Bar* located at 1549 E. Evans Avenue. Ms. Ybarra explained that it was through negligible actions on the part of the owner of *Sharky's* that ultimately led to the death of her brother, Claude Baca, on August 31st, 2014. Ms. Ybarra explained her brother was involved in an altercation, while at this establishment and received a head injury. Mr. Baca was then taken to her mother's home where he later passed away. Ms. Ybarra had copies of numerous police reports involving this establishment which were given to Assistant City Attorney Lisa Macchietto. Ms. Hernandez stated she really questions the ethics of this establishment and stated they are unprofessional.

Ms. Harrison explained the Board can make a recommendation to the Pueblo Police Department to conduct an investigation and thanked the two women for coming to speak to them. Ms. Macchietto suggested that they also write a letter to the Board.

Mr. Rose, seconded by Mr. Ferris, moved to receive the communications from Ms. Ybarra and Ms. Hernandez, and forward them to the Pueblo Police Department. Roll Call: Ayes—Ferris, Harrison and Rose. Motion carried unanimously.

ADJOURN – With no further business to come before the Board, the meeting was adjourned at 7:05 p.m.

Respectfully submitted,


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