

PUEBLO LIQUOR & BEER LICENSING BOARD
MINUTES -- REGULAR MEETING
CITY HALL -- COUNCIL CHAMBERS
JANUARY 7, 2015 – 6:00 P.M.

The Pueblo Liquor & Beer Licensing Board convened the Regular Meeting of January 7, 2015 at 6:00 p.m., with Chairwoman Doris Harrison presiding.

ROLL CALL

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

APPROVAL OF MINUTES

Mr. Ferris, seconded by Mr. Rose, moved to approve the minutes of the Regular Meeting of December 17, 2014. Roll Call: Ayes—Ferris, Harrison, Pullaro and Rose. Motion carried unanimously.

CONSENT AGENDA

- 1 TAVERN LIQUOR LICENSE APPLICATIONS-RENEWALS-TOTAL OF 2 RENEWALS**
J.D.'s Klamm Shell, Inc. d/b/a J.D.'s Klamm Shell, 424 W. Northern Avenue
Planet 86, LLC d/b/a Planet 86, 215-217 E. Northern Avenue
- 2 3.2% BEER LICENSE APPLICATIONS-RENEWALS-OFF-PREMISES CONSUMPTION-TOTAL OF 2 RENEWALS**
7-Eleven, Inc. d/b/a 7-Eleven #13111, 2727 S. Prairie Avenue
7-Eleven, Inc. d/b/a 7-Eleven #23811, 327 W. 8th Street
- 3 CLUB LIQUOR LICENSE APPLICATIONS-RENEWALS-TOTAL OF 2 RENEWALS**
St. Joseph Society #7 KSKJ d/b/a St. Joseph Hall, 917 E. B Street
Pueblo Country Club d/b/a Pueblo Country Club, 3200 8th Avenue
- 4 CABARET LICENSE APPLICATION-RENEWAL-PLANET 86, LLC D/B/A PLANET 86, 215-217 E. NORTHERN AVENUE**
- 5 PERMIT APPLICATION AND REPORT OF CHANGES-CHANGE OF MANAGER-CLUB LIQUOR LICENSE-ST. JOSEPH SOCIETY #7 KSKJ D/B/A ST. JOSEPH HALL, 917 E. B STREET (NEW MANAGER DANIEL GOLOB REPLACES WILLIAM E. KOCCMAN)**

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

REGULAR AGENDA

- 6 ART GALLERY PERMIT APPLICATION-ARTCORP, LLC D/B/A ARTCORP, 313 S. UNION AVENUE**

Owner Maria Lopez, 7 Hampton Lane was sworn in and answered questions from the Board. Ms. Lopez acknowledged the primary purpose of her business is to exhibit and offer for sale works of fine art or precious or semiprecious metals or stones. Ms. Lopez stated service of alcohol beverages will be complimentary to her guests; she will not sell alcohol beverages; she will not charge an entrance fee or cover charge in connection with offering complimentary alcohol beverages. Ms. Lopez stated she will not intentionally allow more than 250 people on the premises when complimentary alcohol beverages are being served and explained her gallery holds a maximum capacity of 100. Alcohol beverages will not be served for more than 15 days during the duration of this permit and for no more than 4 hours in

REGULAR AGENDA (CONTINUED)

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one day. There are no public or private schools, or principal campus of a college, university or seminary located near the gallery. Ms. Lopez does not have an interest in any other liquor-licensed business. Ms. Lopez stated she will also have grapes, cheese and crackers available.

Mr. Ferris encouraged Ms. Lopez to have security available at the *Friday Nite Art Walk* events and stated it would be advantageous to attend Seller-Server Training. Mr. Rose asked who would be serving alcohol during an event and Ms. Lopez she will be the only server. Mr. Rose cautioned Ms. Lopez to be diligent and not allow the removal of alcohol.

Ms. Macchietto lead a discussion regarding the lease explaining the lease goes to a month-to-month basis after February 28th, 2015 and this provision doesn't guarantee possession of the licensed premises for the duration of the permit. Ms. Macchietto stated this simply permits her to "holdover" after the expiration of the express term of the lease, so she's only guaranteed possession a month at a time. Ms. Macchietto stated Ms. Lopez needs to show that she is guaranteed possession for an entire year, which would require an amendment to the lease or a new lease as the way it is now written; there is no guarantee for long term possession. Ms. Macchietto recommended to the Board that if they approve the permit, they could do so contingent upon the lease being amended. The Board explained to Ms. Lopez they would give her 10-days in which to submit an amended lease to the City Clerk's Office.

Mr. Rose, seconded by Mr. Ferris, moved to approve this Art Gallery Permit, contingent upon the lease being extended for at least the duration of the permit and the documentation be provided within 10-days. Roll Call: Ayes—Ferris, Harrison, Pullaro and Rose. Motion carried unanimously.

7 HEARING RE: ALLEGED LIQUOR CODE VIOLATION-IT'S PARTY TIME, INC. D/B/A WHITE HORSE INN, 628 E. 4TH STREET, STATE CASE REPORT #14-5582

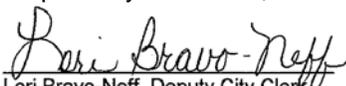
Present on behalf of this matter was Assistant City Attorney Carla Sikes. Ms. Sikes stated she would like to continue this hearing to February 4th, 2015. Ms. Sikes explained to the Board, since the time this matter was set for hearing, another communication was received from the City Sales Tax Division and it is the City's intent to consolidate the State's case (CR#14-5582) with the sales tax case. Ms. Sikes stated the City intends to present evidence that this licensee's moral character is not sufficient to hold a liquor license. She additionally stated the liquor license for this location is expired.

Also present, but not sworn in, was owner Lorrie Estrada. (*Note: Ms. Estrada appeared at the City Clerk's Office earlier in the day and had spoken to Deputy City Clerk Lori Bravo-Neff. Ms. Estrada stated she would like to request a continuance for this hearing. It was explained to Ms. Estrada that the attorney for the City was going to request a continuance to 2/4/15. Ms. Estrada stated she was planning on attending the meeting anyway.*)

Mr. Rose, seconded by Mr. Ferris, moved to continue this hearing to February 4, 2015. Roll Call: Ayes—Ferris, Harrison, Pullaro and Rose. Motion carried unanimously

ADJOURN – With no further business to come before the Board, the meeting was adjourned at 6:35 p.m.

Respectfully submitted,


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