

PUEBLO LIQUOR & BEER LICENSING BOARD
MINUTES -- REGULAR MEETING
CITY HALL -- COUNCIL CHAMBERS
JUNE 17, 2015 – 6:00 P.M.

The Pueblo Liquor & Beer Licensing Board convened the Regular Meeting of June 17, 2015 at 6:00 p.m., with Chairwoman Doris Harrison presiding.

ROLL CALL

Present: Board Members Mike Ferris, Doris Harrison, and Charles Pullaro, Jr. Absent: Board Member Don DiFatta. Also Present—Assistant City Attorney Lisa Macchietto and Acting Deputy City Clerk, Daryl Payne.

APPROVAL OF MINUTES

Mr. Ferris, seconded by Mr. Pullaro, moved to dispense with the reading and approve the minutes of the Special Meeting of May 27, 2015 and Regular Meeting of June 3, 2015. Roll Call: Ayes— Ferris, Harrison, and Pullaro. Motion carried unanimously.

AMENDMENTS TO CONSENT AGENDA

CONSENT AGENDA

- 1 HOTEL & RESTAURANT LIQUOR LICENSE APPLICATIONS-RENEWALS-TOTAL OF 3 RENEWALS**
McRid, Inc. d/b/a Gold Dust Saloon, 217 S. Union Avenue
J.M.A. Nacho's, Inc. d/b/a Nacho's Restaurant, 409 N. Santa Fe Avenue
J.M.A. Nacho's Restaurant @ Elmwood, 3406 Thatcher Avenue
- 2 TAVERN LIQUOR LICENSE APPLICATION-RENEWAL-SUNSET INN BAR & GRILL, INC. D/B/A SUNSET INN BAR & GRILL, 2808 THATCHER AVENUE**
- 3 RETAIL LIQUOR STORE LIQUOR LICENSE APPLICATIONS-RENEWALS-TOTAL OF 2 RENEWALS**
Hanari, Inc. d/b/a Pueblo Liquor, 1210 S. Prairie Avenue
Ezequiel Nava d/b/a Zeke's Lake Avenue Liquors, 2601 Lake Avenue
- 4 3.2% BEER LICENSE APPLICATIONS-RENEWALS-OFF-PREMISES CONSUMPTION-TOTAL OF 3 RENEWALS**
Dillon Companies, Inc. d/b/a King Soopers #12, 3050 W. Northern Avenue
Wal-Mart Stores, Inc. d/b/a Walmart #842, 4200 Dillon Drive
Pester Marketing Company d/b/a Alta Convenience #6256, 300 W. Northern Avenue
- 5 SPECIAL EVENTS PERMIT APPLICATION-BEER, WINE & SPIRITUOUS LIQUOR LICENSE—HARP FOUNDATION, MAILING ADDRESS: 125 RIVERWALK PLACE, EVENT MANAGER: CHRISTINE PITTMAN, (EVENT TO BE HELD JULY 4TH, 2014. ADDRESS OF EVENT: ALAN HAMEL AVENUE BETWEEN UNION AVENUE & SANTA FE, MAIN STREET BETWEEN RICHMOND AND D STREET AND PUEBLO RIVERWALK)**
- 6 SPECIAL EVENTS PERMIT APPLICATION-BEER, WINE & SPIRITUOUS LIQUOR LICENSE—LA GENTE YOUTH SPORTS, INC., MAILING ADDRESS: 2804 E. 12TH STREET, EVENT MANAGER: ZACHARY VALDEZ, (EVENTS TO BE HELD JUNE 19TH–20TH, 2015. ADDRESS OF EVENTS: 1200 JUAN MADRID AVENUE)**

CONSENT AGENDA (CONTINUED)

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- 7 TEMPORARY PERMIT APPLICATION: TRANSFER OF OWNERSHIP APPLICATION—3.2% BEER LICENSE—CONSUMPTION OFF PREMISES: KNMNH, INC. & 7-ELEVEN INC. D/B/A 7-ELEVEN STORE #23811A, 327 W. 8TH STREET, (CURRENTLY LICENSED TO 7-ELEVEN, INC. D/B/A 7-ELEVEN STORE #23811, LICENSE EXPIRES FEBRUARY 15TH, 2016)**

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

REGULAR AGENDA

- 8 PERMIT APPLICATION & REPORT OF CHANGES- MODIFICATION OF PREMISES—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 (REQUESTING TEMPORARY MODIFICATION TO BEGIN ON JULY 10TH, 2015 THROUGH AUGUST 7TH, 2015)**

Lorrie Marquez, manager of Conference Services at Sangre de Cristo, 3226 St. Clair was sworn in and answered questions from the Board. Ms. Harrison specifically asked how the modification was secured and security personnel. Ms. Marcus explained the vendor trucks are parked creating a barrier from external access.

Mr. Pullaro, seconded by Mr. Ferris, moved to approve the Report of Changes- Modification of Premises - Sangre De Cristo Arts And Conference Center, Inc. d/b/a Sangre De Cristo Arts and Conference. Roll Call: Ayes— Ferris, Harrison, and Pullaro. Motion carried unanimously.

- 9 HEARING: TRANSFER OF OWNERSHIP APPLICATION—TAVERN LIQUOR LICENSE—SADDLEBACK STEAKHOUSE AND LOUNGE CORP., D/B/A SADDLEBACK STEAKHOUSE, 1007 W. 6TH STREET, (CURRENTLY LICENSED TO SHOWTIME ENTERTAINMENT & DINING COMPLEX INC/D/B/A SHOWTIME ENTERTAINMENT & DINING COMPLEX, LICENSE EXPIRES JUNE 5, 2015)**

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

Saddleback Steakhouse and Lounge Corporation President, Richard Redding, 102 Carrillon Lane, was sworn in and answered questions from the Board. Mr. Redding explained his violation of the Military Code. He stated while serving in the military he was using steroids to aid his body building. Mr. Redding received a violation for steroid possession which reduced to an Article 15. Mr. Redding completed all requirements of the violation and was honorably discharged from the Military. Mr. Redding described an approved ID and explained their policy for checking the age of their patrons will be to ask for identification from anyone who appears to be under the age of 40.

REGULAR AGENDA (CONTINUED)

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(9 Continued)

Mr. Redding stated he and major employees will attend the City sponsored Liquor Awareness Class conducted by Colorado State Liquor Enforcement on October 15, 2015.

Mr. Ferris, seconded by Mr. Pullaro, moved to approve Transfer of Cabaret License Application– Saddleback Steakhouse and Lounge Corporation, d/b/a Saddleback Steakhouse. . Roll Call: Ayes— Ferris, Harrison and Pullaro. Motion carried unanimously.

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

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

10 HEARING: TRANSFER OF OWNERSHIP APPLICATION CABARET LICENSE –SADDLEBACK STEAKHOUSE AND LOUNGE CORP., D/B/A SADDLEBACK STEAKHOUSE, 1007 W. 6TH STREET, (CURRENTLY LICENSED TO SHOWTIME ENTERTAINMENT & DINING COMPLEX INC/D/B/A SHOWTIME ENTERTAINMENT & DINING COMPLEX, LICENSE EXPIRES JUNE 5, 2015)

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

Saddleback Steakhouse and Lounge Corporation President, Richard Redding, 102 Carrillon Lane, was previously sworn in. Mr. Ferris asked to take administrative action of the previous testimony to determine moral character.

Mr. Ferris, seconded by Mr. Pullaro, moved to approve Transfer of Cabaret License Application– Saddleback Steakhouse and Lounge Corporation, d/b/a Saddleback Steakhouse. . Roll Call: Ayes— Ferris, Harrison and Pullaro. Motion carried unanimously.

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

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

11 COMMUNICATION FROM ANDREW F. MCLACHLAN, ACTING CHIEF OF POLICE, RE: ALLEGED LIQUOR CODE VIOLATION-TAVERN LIQUOR LICENSE- MARY MADELYN GIFFORD D/B/A GIL'S WESTSIDE TAVERN, 2202 W. 16TH STREET, (POLICE CR#15-9269, VIOLATION DATE: MAY 11, 2015)

Owner/Licensee Mary Madelyn Gilford, 2211 Moline, was sworn in. Also present with Ms. Gilford was her husband Gilbert Gilford. Ms. Gilford acknowledged the receipt of the communication and stated they had spoken to Conflicts Counsel.

Assistant City Attorney/Conflicts Counsel, Carla Sikes was present on behalf of the Police Department. Ms. Sikes stated the City and the licensee have arrived at a proposed stipulated agreement.

REGULAR AGENDA (CONTINUED)

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(11 Continued)

Ms. Sikes then read the proposed *Stipulated Findings and Order* into the record for the Board's consideration. The findings and order state that the licensee stipulated and admitted that on May 11, 2015, a fight broke out inside the bar. Licensee and/or its employees failed to report a disturbance to the police in violation of Section 12-47-900(A) of the Colorado Liquor Code and Pueblo Municipal Code 11-3-21. The Findings and Order also reflected a sanction of: 10-days suspension: 5-days imposed, 5-days held in abeyance for 1 year.

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

12 COMMUNICATION FROM VALERIE A. PALUMBO, TAX AUDIT MANAGER, RE: ALLEGED LIQUOR CODE VIOLATION-TAVERN LIQUOR LICENSE-RICHARD RAY GONZALES D/B/A PIXIE INN, 440 S. SANTA FE AVENUE, (DATE OF COMMUNICATION 5/6/15) CONTINUED FROM MAY 20, 2015

Mr. Ferris, seconded by Mr. Pullaro, moved to receive the communication, find there is probable cause supporting the violation, and set this matter for hearing on July 15th, 2015. Roll Call: Ayes— Ferris, Harrison and Pullaro. Motion carried unanimously.

13 HEARING RE: ALLEGED LIQUOR CODE VIOLATION-TAVERN LIQUOR LICENSE-SILGLO, INC. D/B/A ALOHA GLORYA 313 N. MAIN STREET, (DATE OF COMMUNICATION 12/17/14) CONTINUED FROM JANUARY 21ST, 2015, APRIL 1, 2015 AND JUNE 3, 2015

Silglo Inc. representatives Mr. Phillip Silva, 103 Park Drive, and Counsel David Roth entered their appearance. Assistant City Attorney/Conflicts Counsel, Carla Sikes entered her appearance.

Discussion centered around working on a Stipulated Agreement. If a Stipulation Agreement cannot be reached the violation would be set for hearing. Ms. Sikes asked the board for a Status Conference to be held August 5th, 2015 to see if details are being worked out.

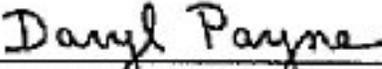
Mr. Pullaro, seconded by Mr. Ferris, moved to continue this item for a Status Conference on August 5, 2015. Roll Call: Ayes— Ferris, Harrison and Pullaro. Motion carried unanimously.

14 HEARING RE: ALLEGED LIQUOR CODE VIOLATION-TAVERN LIQUOR LICENSE-SILGLO, INC. D/B/A ALOHA GLORYA 313 N. MAIN STREET, (DATE OF COMMUNICATION 2/4/15) CONTINUED FROM APRIL 1, 2015 AND JUNE 3, 2015

Mr. Pullaro, seconded by Mr. Ferris, moved to continue this item for a Status Conference on August 5, 2015. Roll Call: Ayes— Ferris, Harrison and Pullaro. Motion carried unanimously.

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

Respectfully submitted,


_____, CMC
Acting Deputy City Clerk