

PUEBLO LIQUOR & BEER LICENSING BOARD
MINUTES -- REGULAR MEETING
CITY HALL -- COUNCIL CHAMBERS
AUGUST 19, 2015 – 6:00 P.M.

The Pueblo Liquor & Beer Licensing Board convened the Regular Meeting of August 19, 2015 at 6:00 p.m. with Chairwoman Doris Harrison presiding.

ROLL CALL

Present: Board Members Don DiFatta, Mike Ferris, Doris Harrison, Charles Pullaro, Jr. and Tom Rose. Also Present — Assistant City Attorney Lisa Macchietto and Deputy City Clerk Brenda Armijo.

APPROVAL OF MINUTES

Mr. Ferris, seconded by Mr. DiFatta, moved to dispense with the reading and approve the Minutes of the Special Meeting of July 21, 2015. Roll Call: Ayes— DiFatta, Ferris, Harrison, Pullaro, and Rose. Motion carried 5-0.

Mr. Ferris, seconded by Mr. DiFatta, moved to dispense with the reading and approve the Minutes of the Regular Meeting of August 19, 2015. Roll Call: Ayes— DiFatta, Ferris, Harrison, Pullaro, and Rose. Motion carried 5-0.

AMENDMENTS TO REGULAR AGENDA

Mr. Ferris, seconded by Mr. DiFatta, moved to amend the Regular Agenda to add Petition to Pay Fine in Lieu of Suspension – Wild Wings USA, LLC d/b/a The Draft Bar and Grill as Item 15. Petition dated and received August 18, 2015. Roll Call: Ayes — DiFatta, Ferris, Harrison, Pullaro, and Rose. Motion carried 5-0.

ELECTION OF CHAIRPERSON

Mr. DiFatta, seconded by Mr. Ferris, moved to nominate Doris Harrison as Chairperson of the Pueblo Liquor & Beer Licensing Board. Roll Call: Ayes – DiFatta, Ferris, Harrison, Pullaro, and Rose. Motion carried 5-0.

ELECTION OF VICE-CHAIRPERSON

Mr. Ferris, seconded by Mr. Rose, moved to nominate Don DiFatta as Vice-Chairperson of the Pueblo Liquor & Beer Licensing Board. Roll Call: Ayes – DiFatta, Ferris, Harrison, Pullaro, and Rose. Motion carried 5-0.

CONSENT AGENDA

1 HOTEL AND RESTAURANT LIQUOR LICENSE APPLICATION – RENEWALS – TOTAL OF THREE RENEWALS

Angelo's Pizza Parlor And-a-More, Inc. d/b/a Angelo's Pizza Parlor And-a-More, 105 E. Riverwalk

Don E. Gray and Gary Gray d/b/a Gray's Coors Tavern, 515 W. 4th Street

Pinelles Bowlero Lanes, Inc d/b/a Pinelles Bowlero Lanes, 1000 W. 6th Street

2 TAVERN LIQUOR LICENSE APPLICATION – RENEWAL – DE BG INC D/B/A THE SPOTLIGHT – 211 W. NORTHERN AVENUE

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- 3 **3.2% BEER LICENSE FOR OFF PREMISES CONSUMPTION – RENEWAL – DILLON COMPANIES, INC. D/B/A KING SOOPERS #43 – 102 W. 29TH STREET**
- 4 **RETAIL LIQUOR STORE LIQUOR LICENSE – RENEWALS – TOTAL OF TWO RENEWALS**
M&M Midtown Liquor LLC d/b/a M&M Midtown Liquor, 905 W. 4th Street
Tito Flames, Inc. d/b/a Flame Liquors, 2225 Lake Avenue
- 5 **CABARET LICENSE APPLICATION – RENEWAL – DE BG INC D/B/A THE SPOTLIGHT, 211 W. NORTHERN AVENUE**
- 6 **SPECIAL EVENTS PERMIT APPLICATION – BEER, WINE & SPIRITUOUS LIQUOR LICENSE – PUEBLO CHAMBER OF COMMERCE D/B/A PUEBLO CHAMBER OF COMMERCE, 302 N. SANTA FE AVENUE, EVENT MANAGER: ROD SLYHOFF (EVENT TO BE HELD SEPTEMBER 12, 2015)**
- 7 **SPECIAL EVENTS PERMIT APPLICATION – BEER, WINE & SPIRITUOUS LIQUOR LICENSE – PUEBLO CHAMBER OF COMMERCE D/B/A PUEBLO CHAMBER OF COMMERCE, 302 N. SANTA FE AVENUE, EVENT MANAGER: ROD SLYHOFF (EVENT TO BE HELD SEPTEMBER 25 – 27, 2015)**
- 8 **SPECIAL EVENTS PERMIT APPLICATION – BEER, WINE & SPIRITUOUS LIQUOR LICENSE – BOYS AND GIRLS CLUBS OF PUEBLO COUNTY D/B/A BOYS AND GIRLS CLUBS OF PUEBLO COUNTY, 635 W. CORONA #105, EVENT MANAGER: MELANIE BRAVO (EVENT TO BE HELD SEPTEMBER 18, 2015)**

Mr. Ferris moved, seconded by Mr. Rose to approve the Consent Agenda as read. Roll Call: Ayes – DiFatta, Ferris, Harrison, Pullaro, and Rose. Motion carried 5-0.

REGULAR AGENDA

- 9 **NEIGHBORHOOD SURVEY: NEW HOTEL & RESTAURANT LIQUOR LICENSE – OLD CHICAGO OF COLORADO, INC. D/B/A OLD CHICAGO, 3204 N. ELIZABETH STREET**

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 a premises known as *Old Chicago*, 3204 N. Elizabeth Street.

Mr. Pullaro, seconded by Mr. DiFatta, moved to accept the survey and set the hearing for September 16, 2015. Roll Call: Ayes — DiFatta, Ferris, Harrison, Pullaro and Rose. Motion carried 5-0.

- 10 **PERMIT APPLICATION & REPORT OF CHANGES – MODIFICATION OF PREMISES — RETAIL LIQUOR STORE LIQUOR LICENSE – BIG BEAR WINE & LIQUOR, INC. D/B/A BIG BEAR WINE & LIQUOR CONTINUED FROM AUGUST 5, 2015**

The applicant did not appear.

Mr. Rose, seconded by Mr. Ferris, moved to continue the modification of premises to the September 2, 2015 hearing and that the applicant be sent a Notice of Hearing. Roll Call: Ayes — DiFatta, Ferris, Harrison, Pullaro and Rose. Motion carried 5-0.

11 HEARING: TRANSFER OF OWNERSHIP APPLICATION — RETAIL LIQUOR STORE LIQUOR LICENSE – 1020 LIQUORS LLC D/B/A EAGLE LIQUORS, 1020 EAGLERIDGE BOULEVARD, (CURRENTLY LICENSED TO SL PUEBLO, LLC D/B/A EAGLE LIQUORS, LICENSE EXPIRES FEBRUARY 10, 2016) CONTINUED FROM JULY 15, 2015

Mr. DiFatta, seconded by Mr. Rose, moved to continue this matter for hearing, at the applicant's request, to the September 16, 2015 hearing. Ayes — DiFatta, Ferris, Harrison, Pullaro and Rose. Motion carried 5-0.

12 HEARING: TRANSFER OF OWNERSHIP APPLICATION TAVERN LIQUOR LICENSE – J & CD INC. D/B/A CHUG-A-MUG, 1501 E. EVANS AVNUE, (CURRENTLY LICENSED TO CAPRITTA'S INC. D/B/A CAPRITTA'S OASIS, LICENSE EXPIRES APRIL 3, 2016)

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

J & CD Inc. Corporate Officer, Wendy Hall, 2323 Meadowlark Lane and Manager Charles Hall, 2323 Meadowlark Lane were sworn in. Both answered questions from the Board. Mr. and Mrs. Hall described an approved ID and explained their policy for checking the age of their patrons. The policy is to check ID for anyone appearing 40 years of age or younger. Both applicants indicated that they would be sending their employees to the Alcohol Awareness class to be held in October.

Mr. Hall answered questions about the diagram of the proposed licensed premises. The diagram was amended to encompass the entire premises and admitted into evidence as Exhibit A.

Mr. Ferris, seconded by Mr. DiFatta, moved to approve the Transfer of Ownership Application – Tavern Liquor License – J & CD Inc. d/b/a Chug-A-Mug. Roll Call: Ayes — DiFatta, Ferris, Harrison, Pullaro, and Rose. Motion carried 5-0.

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

Mr. Ferris, seconded by Mr. DiFatta, moved to approve the Findings and Order. Roll Call: Ayes — DiFatta, Ferris, Harrison, Pullaro, and Rose. Motion carried 5-0.

13 HEARING: TRANSFER OF OWNERSHIP APPLICATION 3.2% BEER LICENSE FOR OFF PREMISES CONSUMPTION – KNMNH, INC. AND 7-ELEVEN, INC. D/B/A 7-ELEVEN STORE #23811A, 327 W. 8TH STREET

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

KNMNH, Inc. Corporate Officer, Tiffany Harris, 523 S. El Paso, Colorado Springs, CO was sworn in. Kevin Coates, Attorney at Law, representing KNMNH, Inc. and 7-Eleven, Inc. was also present. Both answered questions from the Board.

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Mr. Pullaro, seconded by Mr. Rose, moved to approve the Transfer of Ownership Application – 3.2% Beer License for Off Premises Consumption – KNMNH, Inc. and 7-Eleven, Inc. d/b/a 7-Eleven Store #23811A. Roll Call: Ayes — DiFatta, Ferris, Harrison, Pullaro, and Rose. Motion carried 5-0.

Ms. Macchietto indicated that the Findings and Order would be mailed to the applicants.

14 HEARING: TRANSFER OF OWNERSHIP APPLICATION 3.2% BEER LICENSE FOR OFF PREMISES CONSUMPTION – CADERBUGG, INC. AND 7-ELEVEN, INC. D/B/A 7-ELEVEN STORE #20638A, 804 E. 4TH STREET

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

Caderbugg, Inc. Corporate Officer, Tiffany Harris, 523 S. El Paso, Colorado Springs, CO, still under oath, and Kevin Coates, Attorney at Law, representing Caderbugg, Inc. and 7-Eleven, Inc. answered questions from the Board. The Board took Administrative Notice of the applicants' previous testimony from the hearing for the Transfer of Ownership Application for 7-Eleven Store #23811A, except for questions regarding financial matters.

Mr. Rose, seconded by Mr. Ferris, moved to approve the Transfer of Ownership Application – 3.2% Beer License for Off Premises Consumption – Caderbugg, Inc. and 7-Eleven, Inc. d/b/a 7-Eleven Store #23811A. Roll Call: Ayes — DiFatta, Ferris, Harrison, Pullaro, and Rose. Motion carried 5-0.

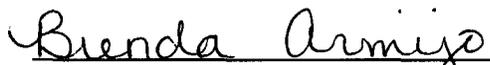
Ms. Macchietto indicated that the Findings and Order would be mailed to the applicants.

15 PETITION TO PAY FINE IN LIEU OF SUSPENSION – WILD WINGS USA, LLC D/B/A THE DRAFT BAR AND GRILL

Mr. DiFatta, seconded by Mr. Ferris, moved to stay the suspension and continue this matter to the September 16 2015 hearing. Ayes — DiFatta, Ferris, Harrison, Pullaro and Rose. Motion carried 5-0.

ADJOURN – With no further business to come before the Board, the meeting was adjourned at 7:19 p.m.

Respectfully submitted,



Brenda Armijo, Deputy City Clerk
City Clerk's Office