

**PUEBLO LIQUOR & BEER LICENSING BOARD**  
**MINUTES -- REGULAR MEETING**  
**CITY HALL -- COUNCIL CHAMBERS**  
**SEPTEMBER 2, 2015 – 6:00 P.M.**

The Pueblo Liquor & Beer Licensing Board convened the Regular Meeting of September 2, 2015 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 Brenda Armijo.

**APPROVAL OF MINUTES**

Mr. Pullaro, seconded by Mr. Rose, moved to dispense with the reading and approve the Minutes of the Regular Meeting of August 19, 2015. Roll Call: Ayes— DiFatta, Harrison, Pullaro, and Rose. Motion carried 4-0.

**AMENDMENTS TO REGULAR AGENDA**

Mr. Pullaro, seconded by Mr. Rose, moved to amend the Regular Agenda to move Item #11 to the beginning of the Regular Agenda. Roll Call: Ayes — DiFatta, Harrison, Pullaro, and Rose. Motion carried 4-0.

**CONSENT AGENDA**

- 1 HOTEL AND RESTAURANT LIQUOR LICENSE APPLICATION – RENEWALS – TOTAL OF FOUR RENEWALS**  
Cuautila Inc. d/b/a 3 Margaritas VIII, 3620 N. Freeway  
Chipotle Mexican Grill, Inc. d/b/a Chipotle Mexican Grill #1189, 3230 N. Elizabeth Street  
T&D Enterprises, LLC d/b/a Park East Restaurant, 720 Goodnight Avenue  
Texas Roadhouse Holdings LLC d/b/a Texas Roadhouse, 4707 Dillon Drive
- 2 RETAIL LIQUOR STORE LIQUOR LICENSE – RENEWAL – IN FAMILY ENTERPRISE LLC, D/B/A PUEBLO BLVD DISCOUNT LIQUOR, 1616 W. PUEBLO BOULEVARD**
- 3 SPECIAL EVENTS PERMIT APPLICATION – BEER, WINE & SPIRITUOUS LIQUOR LICENSE – THE STATE HISTORICAL SOCIETY OF COLORADO D/B/A EL PUEBLO HISTORY MUSEUM, 301 N. UNION AVENUE, EVENT MANAGER: SIMON TEARPAK (EVENT TO BE HELD SEPTEMBER 12, 2015)**

Mr. Pullaro, seconded by Mr. Rose, moved to approve the Consent Agenda as read. Roll Call: Ayes – DiFatta, Harrison, Pullaro, and Rose. Motion carried 4-0.

**REGULAR AGENDA**

- 11 SPECIAL EVENTS PERMIT APPLICATION – BEER, WINE & SPIRITUOUS LIQUOR LICENSE – SENIOR RESOURCE DEVELOPMENT AGENCY, INC. D/B/A S.R.D.A., 230 N. UNION AVENUE, EVENT MANAGER: STEPHEN G. NAWROCKI (EVENT TO BE HELD SEPTEMBER 25 - 27, 2015)**

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Event Manager Stephen G. Nawrocki, 1910 Court Street and James Beatty, 5815 Good Pasture Drive, Beulah, were sworn in and answered questions from the Board.

Mr. Rose, seconded by Mr. DiFatta, moved that the Special Event Permit Application be approved. Roll Call: Ayes – DiFatta, Harrison, Pullaro, and Rose. Motion carried 4-0.

**4 NEIGHBORHOOD SURVEY: NEW CABARET LICENSE – WINE DOWN BY THE RIVER, LTD D/B/A WINE DOWN BY THE RIVER, 105 S. UNION AVENUE**

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 Cabaret License for a premises known as *Wine Down By the River*, 105 S. Union Avenue.

Mr. DiFatta, seconded by Mr. Rose, moved to accept the survey and set the hearing for September 16, 2015. Roll Call: Ayes — DiFatta, Harrison, Pullaro, and Rose. Motion carried 4-0.

**5 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. Pullaro, seconded by Mr. Rose, moved to issue a Show Cause Order to the applicant and continue the modification of premises to the September 16, 2015 hearing. Roll Call: Ayes — DiFatta, Harrison, Pullaro, and Rose. Motion carried 4-0.

**6 PERMIT APPLICATION & REPORT OF CHANGES – MANAGER’S REGISTRATION (HOTEL & RESTAURANT) — CHIPOTLE MEXICAN GRILL, INC. D/B/A CHIPOTLE MEXICAN GRILL #1189**

New Manager David Morganthaler, 1102 Barr Avenue, Canon City was sworn in. The moral character questions were directed to Mr. Morganthaler. The moral character of Mr. Morganthaler was satisfactory to the Board. Mr. Morganthaler described approved forms of identification and explained their policy for checking the age of their patrons.

Mr. Rose, seconded by Mr. DiFatta, moved to approve the manager’s registration. Roll Call: Ayes—DiFatta, Harrison, Pullaro and Rose. Motion carried 4-0.

**7 PERMIT APPLICATION & REPORT OF CHANGES – MANAGER’S REGISTRATION (TAVERN) — A&N BILLIARDS INC. D/B/A CLASSIC Q’S**

New Manager Vickie Cantrell, 5000 Red Creek Springs Road, was sworn in. The moral character questions were directed to Ms. Cantrell. The moral character of Ms. Cantrell was satisfactory to the Board. Ms. Cantrell described approved forms of identification and explained their policy for checking the age of their patrons.

Mr. DiFatta, seconded by Mr. Rose, moved to approve the manager’s registration. Roll Call: Ayes—DiFatta, Harrison, Pullaro and Rose. Motion carried 4-0.

**8 PERMIT APPLICATION & REPORT OF CHANGES – MODIFICATION OF PREMISES — TAVERN LIQUOR LICENSE – THE SENATE, LLC D/B/A THE SENATE**

The Senate, LLC Managing Members, Kenneth Sciacca, 1 Remington Court, and Gena Rosales, 929 Alexander Circle were sworn in. Both answered questions from the Board.

Mr. Pullaro, seconded by Mr. DiFatta, moved to approve the Report of Changes – Modification of Premises – The Senate, LLC d/b/a The Senate. Roll Call: Ayes — DiFatta, Harrison, Pullaro, and Rose. Motion carried 4-0.

**9 REPORT OF CHANGES – CORPORATION, LIMITED LIABILITY COMPANY AND PARTNERSHIP – HOTEL AND RESTAURANT LIQUOR LICENSE – DJ’S STEAKHOUSE, INC. D/B/A DJ’S STEAKHOUSE**

Christine Walters, 234 Dittmer Avenue, Pueblo was sworn in and answered questions from the Board. After answering questions concerning different aspects of Ms. Walters’ purchase of DJ’s Steakhouse, it was determined that she may need to apply for a Transfer of Liquor License instead of a Report of Changes.

Mr. Rose, seconded by Mr. DiFatta, moved to continue matter to the September 16, 2015 hearing to allow Ms. Walters time to submit amended paperwork. Roll Call: Ayes – DiFatta, Harrison, Pullaro, and Rose. Motion carried 4-0.

**10 SPECIAL EVENTS PERMIT APPLICATION – BEER, WINE & SPIRITUOUS LIQUOR LICENSE – NEWBORN HOPE, INC. D/B/A NEWBORN HOPE, 421 N. MAIN STREET, EVENT MANAGER: LINDSAY PECHEK (EVENT TO BE HELD SEPTEMBER 11, 2015)**

Event manager Lindsay Pechek, 70 W. Sunnyslope Drive, Pueblo West was sworn in and answered questions from the Board. Ms. Pechek described approved forms of identification and stated their policy for checking the age of their patrons.

Mr. DiFatta, seconded by Mr. Rose, moved to approve the Special Events Permit Application-Beer, Wine & Spirituous Liquor License – Newborn Hope. Roll Call: Ayes— DiFatta, Harrison, Pullaro, and Rose. Motion carried 4-0.

**11 SPECIAL EVENTS PERMIT APPLICATION – BEER, WINE & SPIRITUOUS LIQUOR LICENSE – SENIOR RESOURCE DEVELOPMENT AGENCY, INC. D/B/A S.R.D.A., 230 N. UNION AVENUE, EVENT MANAGER: STEPHEN G. NAWROCKI (EVENT TO BE HELD SEPTEMBER 25 - 27, 2015)**

Please see above.

**12 HEARING: NEW BEER AND WINE LIQUOR LICENSE – COFFEE HOUSE HOLDINGS, INC. D/B/A STARBUCKS 13492, 700 EAGLERIDGE BOULEVARD**

Mark Jacobs, 10048 Isle Circle, Parker, representing Starbucks and Susan Duffy Schwall, 24 Via Sierra Grande, Manitou Springs, representing Liquor Licensing Professionals, LLC were sworn in. Also in attendance was Attorney Brian Proffitt, 360 S. Garland Street, 6<sup>th</sup> Floor, Denver, representing the applicant, Coffee House Holdings, Inc. d/b/a Starbucks.

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

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The moral character of Mr. Clarke was satisfactory to the Board. Mr. Clarke stated he has previously worked in a liquor-licensed establishment. There are no silent partners or financial backers not disclosed in his application. Mr. Clarke used personal savings to enter into possession of the premises. He explained he will employ 5 employees, most of which are family members. He will not conduct background investigations on potential employees but will check character references. Mr. Clarke described approved forms of identification and stated his policy for checking the age of their patrons will be to request an I.D. from everyone, regardless of age. Mr. Clarke stated his brother has attended seller/server training and that he has been bartending for 17 years.

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. The petitions were entered into evidence and marked as Exhibit A.

Mr. Pullaro, seconded by Mr. Rose, moved to approve this liquor license. Roll Call: Ayes—DiFatta, Harrison, Pullaro, and Rose. Motion carried 4-0.

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 135 businesses and is opposed by no (0) businesses or other parties in interest; and it is supported by at least 87 residents of the neighborhood or other parties in interest and is opposed no (0) residents or other parties in interest.

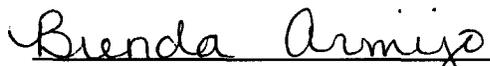
Mr. Pullaro, seconded by Mr. Rose, moved to approve the Findings and Order. Roll Call: Ayes—DiFatta, Harrison, Pullaro, and Rose. Motion carried 4-0.

**13 COMMUNICATION FROM LUIS VELEZ, CHIEF OF POLICE, RE: ALLEGED LIQUOR CODE VIOLATION – DE BG INC. D/B/A THE SPOTLIGHT, 211 W. NORTHERN AVENUE, (POLICE CR#15-16808 AND 15-16233, VIOLATION DATE: AUGUST 15, 2015)**

Mr. Rose, seconded by Mr. DiFatta, moved to receive the communication, find there is probable cause supporting the violation, and set this matter for hearing on October 21, 2015. Roll Call: Ayes—DiFatta, Harrison, Pullaro, and Rose. Motion carried 4-0.

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

Respectfully submitted,

  
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Brenda Armijo, Deputy City Clerk  
City Clerk's Office