

PUEBLO LIQUOR & BEER LICENSING BOARD
MINUTES -- REGULAR MEETING
CITY HALL -- COUNCIL CHAMBERS
OCTOBER 21, 2015 – 6:00 P.M.

The Pueblo Liquor & Beer Licensing Board convened the Regular Meeting of October 21, 2015 at 6:00 p.m. with Chairwoman Doris Harrison presiding.

ROLL CALL

Present: Board Members Mike Ferris, Doris Harrison, Charles Pullaro, and Tom Rose.

Absent: Board Members Don DiFatta

Also Present: Assistant City Attorney Robert Jagger and Deputy City Clerk Brenda Armijo.

APPROVAL OF MINUTES

Mr. Rose, seconded by Mr. Ferris, moved to dispense with the reading and approve the Minutes of the Regular Meeting of October 7, 2015. Roll Call: Ayes — Ferris, Harrison, Pullaro, and Rose. Motion carried 4-0.

AMENDMENTS TO REGULAR AGENDA

Mr. Rose, seconded by Mr. Ferris, moved to remove item #13 from the agenda per the applicant's request. Roll Call: Ayes – Ferris, Harrison, Pullaro, and Rose. Motion carried 4-0.

CONSENT AGENDA

- 1 HOTEL & RESTAURANT LIQUOR LICENSE APPLICATION – RENEWALS – TWO RENEWALS**
Paul Pachino d/b/a Mozart Restaurant & Lounge, 1120 N. Main Street
GMRI, Inc. d/b/a The Olive Garden Italian Restaurant #1708, 3240 N. Elizabeth Street
- 2 RETAIL LIQUOR STORE LIQUOR LICENSE – RENEWALS – TWO RENEWALS**
Big Bear Wine & Liquor, Inc. d/b/a Big Bear Wine & Liquor, 2037 S. Pueblo Boulevard
Loco Liquors, Inc. d/b/a Loco Wines & Liquors, 125 S. Santa Fe
- 3 ALCOHOL BEVERAGE TASTINGS PERMIT APPLICATION – RENEWAL – ONE RENEWAL**
Big Bear Wine & Liquor, Inc. d/b/a Big Bear Wine & Liquor, 2037 S. Pueblo Boulevard
- 4 SPECIAL EVENTS PERMIT APPLICATION – BEER, WINE & SPIRITUOUS LIQUOR LICENSE – PUEBLO CITY-COUNTY LIBRARY DISTRICT, 100 E. ABRIENDO AVENUE, EVENT MANAGER: MIDORI CLARK (EVENT TO BE HELD NOVEMBER 7, 2015)**
- 5 SPECIAL EVENTS PERMIT APPLICATION – BEER, WINE & SPIRITUOUS LIQUOR LICENSE – PUEBLO PERFORMING ARTS GUILD D/B/A PUEBLO ARTS ALLIANCE, 301 N. UNION AVENUE, EVENT MANAGER: SUSAN FRIES (EVENT TO BE HELD NOVEMBER 6, 2015)**

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

REGULAR AGENDA

6 NEIGHBORHOOD SURVEY: NEW HOTEL & RESTAURANT LIQUOR LICENSE/CABARET LICENSE – CRYSTAL MARTINEZ D/B/A SANCHOS BAR & GRILL, 628 E. 4TH 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 and Cabaret License for a premises known as *Sanchos Bar & Grill*, 628 E. 4th Street.

Mr. Ferris, seconded by Mr. Rose, moved to accept the survey and set the hearing for November 4, 2015. Additionally, the Board is requesting a complete lease and menu. Roll Call: Ayes — Ferris, Harrison, Pullaro, and Rose. Motion carried 4-0.

7 REPORT OF CHANGES – CORPORATION, LIMITED LIABILITY COMPANY AND PARTNERSHIP – TAVERN LIQUOR LICENSE – SILGLO, INC. D/B/A ALOHA GLORYA

Attorney David Roth entered his appearance on behalf of the licensee, SilGlo, Inc. Corporate Officer Rudy Gutierrez, 501 Grace Avenue was sworn in and answered questions from the Board. This Report of Changes adds Mr. Gutierrez to SilGlo, Inc. d/b/a Aloha Glorya. Mr. Gutierrez described an approved ID and explained the establishment's policy for checking the age of patrons. The policy is to check ID for anyone appearing 30 - 35 years of age or younger. The moral character questions were directed to Mr. Gutierrez. Mr. Gutierrez's moral character was satisfactory to the Board. Ms. Sikes questioned Mr. Gutierrez concerning whether or not Glorya Silva will be involved in the day to day operations of the establishment. Mr. Gutierrez stated that she would not.

Mr. Pullaro, seconded by Mr. Rose, moved to approve the Report of Changes for the Tavern Liquor License for SilGlo, Inc. d/b/a Aloha Glorya. Roll Call: Ayes – Ferris, Harrison, Pullaro, and Rose. Motion carried 4-0.

8 PERMIT APPLICATION & REPORT OF CHANGES – MANAGER'S REGISTRATION (TAVERN) — SILGLO, INC. D/B/A ALOHA GLORYA

Rudy Gutierrez remains under oath. This Permit Application & Report of Changes adds Mr. Gutierrez as the Registered Manager of Aloha Glorya. The Board took Administrative Notice of the testimony already given by Mr. Gutierrez.

Mr. Pullaro, seconded by Mr. Rose, moved that the Manager's Registration be approved. Roll Call: Ayes – Ferris, Harrison, Pullaro, and Rose. Motion carried 4-0.

9 HEARING – TAVERN LIQUOR LICENSE APPLICATION RENEWAL – SILGLO INC. D/B/A ALOHA GLORYA, 313 N. MAIN STREET

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

Rudy Gutierrez remains under oath. The Board took Administrative Notice of the testimony already given by Mr. Gutierrez.

Mr. Rose, seconded by Mr. Ferris, moved that the Tavern Liquor License application renewal be approved. Roll Call: Ayes – Ferris, Harrison, Pullaro, and Rose. Motion carried 4-0.

10 HEARING – CABARET LICENSE APPLICATION RENEWAL – SILGLO INC. D/B/A ALOHA GLORYA, 313 N. MAIN STREET

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

Rudy Gutierrez remains under oath. The Board took Administrative Notice of the testimony already given by Mr. Gutierrez.

Mr. Rose, seconded by Mr. Ferris, moved that the Cabaret License application renewal be approved. Roll Call: Ayes – Ferris, Harrison, Pullaro, and Rose. Motion carried 4-0.

11 HEARING: TRANSFER OF OWNERSHIP APPLICATION – HOTEL & RESTAURANT LIQUOR LICENSE – JOSE GONZALEZ AND HILDA GONZALEZ D/B/A EL WUATEKE, 206 W. NORTHERN AVENUE, (CURRENTLY LICENSED TO ELVA ERICKA ALEMAN D/B/A DELICIAS TAMALES Y TAQUERIA, LICENSE EXPIRES OCTOBER 29, 2015) CONTINUED FROM OCTOBER 7, 2015

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

Jose Gonzalez, 2826 Acero Avenue and Hilda Gonzalez, 2826 Acero Avenue were sworn in. As requested, Mr. and Mrs. Gonzalez provided a complete copy of the lease for the premises. It was discovered that the monthly amount of rent is not disclosed in the lease. The Board requested a certification from the landlord disclosing the monthly amount of rent. Mr. Gonzalez also answered questions regarding the diagram of the property and the ticket office that is attached to the premises. After additional clarification from Mr. Gonzalez, the Board is satisfied that the ticket sales office is a separate entity from the licensed premises.

Mr. Jagger read the proposed Findings and Order for the Board's consideration.

Mr. Ferris, seconded by Mr. Rose, moved to approve the Transfer of Ownership Application – Hotel & Restaurant Liquor License – Jose Gonzalez and Hilda Gonzalez d/b/a El Wuateke and the Findings and Order contingent upon providing proof of the amount of monthly rent. Roll Call: Ayes — Ferris, Harrison, Pullaro, and Rose. Motion carried 4-0.

12 HEARING: TRANSFER OF OWNERSHIP APPLICATION – CABARET LICENSE - JOSE GONZALEZ AND HILDA GONZALEZ D/B/A EL WUATEKE, 206 W. NORTHERN AVENUE, (CURRENTLY LICENSED TO ELVA ERICKA ALEMAN D/B/A DELICIAS TAMALES Y TAQUERIA, LICENSE EXPIRES APRIL 9, 2016) CONTINUED FROM OCTOBER 7, 2015

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

Jose Gonzalez and Hilda Gonzalez remain under oath. The Board took Administrative Notice of the testimony already given by Mr. and Mrs. Gonzalez.

Mr. Ferris, seconded by Mr. Rose, moved that the Cabaret License be approved. Roll Call: Ayes – Ferris, Harrison, Pullaro, and Rose. Motion carried 4-0.

- 13 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, AUGUST 19, 2015, SEPTEMBER 16, 2015, AND OCTOBER 7, 2015**

Removed from agenda per the applicant's request.

- 14 HEARING: 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)**

Assistant City Attorney Carla Sikes entered her appearance on behalf of the Police Department. Darrell Ortiz, 1715 Palmer Avenue, appeared and was sworn in.

Ms. Sikes stated that she had been unable to contact the licensee prior to tonight's hearing and was; therefore, requesting a continuance.

Mr. Pullaro, seconded by Mr. Rose, moved that the hearing be continued to the November 18, 2015 hearing. Roll Call: Ayes – Ferris, Harrison, Pullaro, and Rose. Motion carried 4-0.

- 15 COMMUNICATION FROM LUIS VELEZ, CHIEF OF POLICE, RE: ALLEGED LIQUOR CODE VIOLATION – PEACHEE-LEWIS, INC. D/B/A LAKEVIEW BAR, 2330 LAKE AVENUE (POLICE CR#15-19582, VIOLATION DATE: SEPTEMBER 29, 2015)**

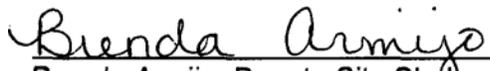
Henry Johnston, 2408 Poplar Street, was sworn in. Chairwoman Harrison explained that the purpose of tonight's meeting is for the Board to determine whether or not there is probable cause to find that a violation occurred and whether the Board would proceed to a hearing on the matter. She then asked Mr. Johnston if he had an opportunity to contact Carla Sikes of the City Attorney's office, which he stated he had not.

Mr. Rose, seconded by Mr. Ferris, moved to receive the communication, find there is probable cause supporting the violation, and set this matter for hearing on November 18, 2015. Roll Call: Ayes — Ferris, Harrison, Pullaro, and Rose. Motion carried 4-0.

The Board asked that Mr. Johnston contact Ms. Sikes in the interim before the hearing.

ADJOURN – With no further business to come before the Board, the meeting was adjourned at 6:45 p.m.

Respectfully submitted,


Brenda Armijo, Deputy City Clerk
City Clerk's Office