

**PUEBLO LIQUOR & BEER LICENSING BOARD**  
**MINUTES -- REGULAR MEETING**  
**CITY HALL -- COUNCIL CHAMBERS**  
**NOVEMBER 18, 2015 – 6:00 P.M.**

The Pueblo Liquor & Beer Licensing Board convened the Regular Meeting of November 18, 2015 at 6:02 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 Lisa Macchietto 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 November 4, 2015. Roll Call: Ayes — Ferris, Harrison, Pullaro, and Rose. Motion carried 4-0.

**AMENDMENTS TO CONSENT AGENDA**

Mr. Rose, seconded by Mr. Ferris, moved to remove Donna Hart d/b/a All Seasons Catering Event Center from the Consent Agenda and place it on the Regular Agenda as item number 15. Roll Call: Ayes – Ferris, Harrison, Pullaro, and Rose. Motion carried 4-0.

**CONSENT AGENDA**

**1 HOTEL & RESTAURANT LIQUOR LICENSE APPLICATION – RENEWALS – FIVE RENEWALS**

Rojas & Rojas LLC d/b/a Garlic & Onions Mexican Grill, 4333 Thatcher Avenue  
Mr. Tandoori LLC Inc. d/b/a Mr. Tandoori, 310 S. Victoria Avenue, Suites C, D, & H  
Red Lobster Restaurants, LLC d/b/a Red Lobster #0482, 3306 N. Elizabeth Street  
Shorty's Backyard, LLC d/b/a Shorty's Main St. Grille, 727 N. Main Street  
Wild Wings USA, LLC d/b/a The Draft Sports Bar & Grill, 4065 Club Manor Drive

**2 TAVERN LIQUOR LICENSE APPLICATION – RENEWALS – THREE RENEWALS**

Cosmo Bob's LLC d/b/a Cosmopolitan Club, 311 Baystate Avenue  
GLT Inc. d/b/a Greenlight Tavern, 227 N. Santa Fe Avenue  
Apollo Investments LLC d/b/a The Grove Tavern, 901 E. C Street

**3 3.2% BEER LICENSE APPLICATION FOR OFF PREMISES CONSUMPTION – RENEWALS – TWO RENEWALS**

Mini Mart, Inc. d/b/a Loaf N Jug #86, 2810 Troy Avenue  
Mini Mart, Inc. d/b/a Loaf N Jug #87, 4125 W. Northern Avenue

**4 BEER AND WINE LIQUOR LICENSE – RENEWAL – ONE RENEWAL**

Park Food, Inc. d/b/a Myake Japanese Restaurant, 4104 Outlook Boulevard, Suite 132D

**5 CLUB LIQUOR LICENSE APPLICATION – RENEWALS – THREE RENEWALS**

B.P.O.E. of USA d/b/a B.P.O.E. Pueblo Lodge #90, 426 N. Santa Fe Avenue  
Fraternal Order of Eagles No. 145 d/b/a Fraternal Order of Eagles No. 145, 1615 S. Prairie Avenue  
Fraternal Order of Eagles Aerie #3367 d/b/a Steel City Aerie #3367, 704 Elmhurst Place

**6 RETAIL LIQUOR STORE LIQUOR LICENSE APPLICATIONS – RENEWALS – TWO RENEWALS**

James Michael Riccardi d/b/a Mesa Junction Wine and Spirits, 105 Colorado Avenue  
K & D Enterprises, Inc. d/b/a Troy Village Liquor, 1732 Constitution Road

**7 CABARET LICENSE APPLICATIONS – RENEWALS – THREE RENEWALS**

Mr. Tandoori LLC, Inc. d/b/a Mr. Tandoori, 310 S. Victoria Avenue, Suites C, D, & H  
Shorty's Backyard LLC d/b/a Shorty's Main St. Grille, 727 N. Main Street  
Wild Wings USA, LLC d/b/a The Draft Sports Bar & Grill, 4065 Club Manor Drive

**8 PERMIT APPLICATION AND REPORT OF CHANGES – CHANGE OF MANAGER – MINI MART, INC. D/B/A LOAF 'N JUG #87, 4125 W. NORTHERN AVENUE**

**9 AFFIDAVIT OF SURRENDER OF CITY LIQUOR LICENSE – DISABLED AMERICAN VETERANS D/B/A DAV STEEL CITY CHAPTER #39, 2850 O'NEAL AVENUE**

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**

**10 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) CONTINUED FROM NOVEMBER 4, 2015**

Assistant City Attorney Carla Sikes was present and entered her appearance on behalf of the Police Department. Darrell Ortiz, 1715 Palmer Avenue, was sworn in and present on behalf of the licensee DE BG, Inc. d/b/a The Spotlight.

Assistant City Attorney, Carla Sikes stated that a Stipulated Findings and Order had been reached in this matter and read the document into the record.

The Licensee stipulates and agrees that it shall, within sixty (60) days of the date of the Order repair its existing security system or install a new security system, which must include at a minimum, security cameras on the interior and/or exterior of the premises sufficient to capture activity within the premises and the outside of the premises adjacent to all entrances/exits, and the ability to record and store the video captured by the cameras. Within sixty (60) days of the date of the Order, the Licensee shall submit a security plan to the Liquor Board which must provide:

- a. A drawing of the premises which demonstrates the location of all cameras;
- b. The type of security system/cameras installed;
- c. Information on how the video footage will be stored; and
- d. Information on how long Licensee will retain the video.

The Licensee stipulates and agrees to a suspension of its liquor license for a period of twenty (20) days of which ten (10) days shall be imposed. The liquor license shall be suspended effective Friday, December 4, 2015 at 5:00 p.m. for a period of ten (10) days, up to and including December 14, 2015 at 5:00 p.m. Licensee shall not apply for a fine in lieu of suspension for the ten days imposed.

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Licensee shall post two notices in conspicuous places, one on the exterior and one on the interior of the licensed premises for the duration of this suspension as imposed. The notices shall be provided to the Licensee by the City of Pueblo and shall be affixed to the premises by an agent of the City of Pueblo.

The remaining ten (10) days of the suspension shall be held in abeyance for a period of one (1) calendar year from the date of this Order, and may be imposed at a later date as follows:

If the Board after public hearing determines that the licensee or any agent or employee of the licensee has committed any further violation of any provision of the Colorado Liquor Code or of any provision of the Code of Ordinances of the City of Pueblo within the jurisdiction of the Board or violation of this Stipulated Findings and Order, based upon acts which occurred prior to the expiration of the one (1) year, the ten (10) days suspension may then be imposed, in addition to any penalty imposed for such further violation.

Mr. Ferris moved, seconded by Mr. Rose, moved to accept the terms and conditions of the Stipulated Findings and Order. Roll Call: Ayes — Ferris, Harrison, Pullaro, and Rose. Motion carried 4-0.

**11 HEARING: 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) CONTINUED FROM NOVEMBER 4, 2015**

Assistant City Attorney Carla Sikes was present and entered her appearance on behalf of the Police Department. Henry Johnston, 2408 Poplar Street, was sworn in and present on behalf of the licensee Peachee-Lewis, Inc. d/b/a Lakeview Bar.

Assistant City Attorney, Carla Sikes stated that a Stipulated Findings and Order had been reached in this matter and read the document into the record.

The Licensee stipulates and agrees that it shall, within sixty (60) days of the date of the Order repair its existing security system or install a new security system, which must include at a minimum, security cameras on the interior and/or exterior of the premises sufficient to capture activity within the premises and the outside of the premises adjacent to all entrances/exits, and the ability to record and store the video captured by the cameras. Within sixty (60) days of the date of the Order, the Licensee shall submit a security plan to the Liquor Board which must provide:

- a. A drawing of the premises which demonstrates the location of all cameras;
- b. The type of security system/cameras installed;
- c. Information on how the video footage will be stored; and
- d. Information on how long Licensee will retain the video.

Licensee stipulates and agrees to a suspension of its liquor license for a period of five (5) days, of which one (1) day shall be imposed. The liquor license shall be suspended effective Friday, December 4, 2015 at 5:00 p.m. for a period of one (1) day, up to and including Saturday, December 5, 2015 at 5:00 p.m. Licensee may not apply for a fine in lieu of suspension for the one day imposed.

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Licensee shall post two notices in conspicuous places, one on the exterior and one on the interior of the licensed premises for the duration of this suspension as imposed. The notices shall be provided to the licensee by the City of Pueblo and shall be affixed to the premises by an agent of the City of Pueblo.

The remaining four (4) days of the suspension shall be held in abeyance for a period of one (1) calendar year from the date of this Order, and may be imposed at a later date as follows:

If the Board after public hearing determines that the licensee or any agent or employee of the licensee has violated the terms and conditions of this Order, committed any further violation of any provision of the Colorado Liquor Code or of any provision of the code of Ordinances of the City of Pueblo within the jurisdiction of the Board, based upon acts which occurred prior to the expiration of the one (1) year period, the four (4) days suspension may then be imposed, in addition to any penalty imposed for such further violation.

Mr. Pullaro moved, seconded by Mr. Rose, moved to accept the terms and conditions of the Stipulated Findings and Order. Roll Call: Ayes — Ferris, Harrison, Pullaro, and Rose. Motion carried 4-0.

**12 HEARING: COMMUNICATION FROM LUIS VELEZ, CHIEF OF POLICE, RE: ALLEGED LIQUOR CODE VIOLATION – RIVERSIDE BAR & GRILL OF PUEBLO, LLC D/B/A RIVERSIDE BAR OF PUEBLO, 4021 JERRY MURPHY ROAD (POLICE CR#15-18011, VIOLATION DATE: SEPTEMBER 9, 2015) CONTINUED FROM OCTOBER 7, 2015**

Assistant City Attorney Carla Sikes was present and requested that the violation be dismissed.

Mr. Rose moved, seconded by Mr. Ferris, moved to dismiss the violation. Roll Call: Ayes — Ferris, Harrison, Pullaro, and Rose. Motion carried 4-0.

**13 COMMUNICATION FROM VALERIE PALUMBO, TAX AUDIT MANAGER, RE: ALLEGED LIQUOR CODE VIOLATION – LA TRONICA’S RESTAURANT, INC. D/B/A LATRONICA’S RESTAURANT & TAVERN, 1143 E. ABRIENDO AVENUE (DATE OF COMMUNICATION 10/16/15)**

Mr. Ferris, seconded by Mr. Rose, moved to receive the communication, find there is probable cause supporting the violation, and set this matter for hearing on December 2, 2015. Roll Call: Ayes — Ferris, Harrison, Pullaro, and Rose. Motion carried 4-0.

**14 COMMUNICATION FROM LUIS VELEZ, CHIEF OF POLICE, RE: ALLEGED LIQUOR CODE VIOLATION – WILD WINGS USA, LLC D/B/A THE DRAFT SPORTS BAR & GRILL, 4065 CLUB MANOR DRIVE (POLICE CR#15-20451, VIOLATION DATE: OCTOBER 11, 2015)**

Assistant City Attorney Carla Sikes was present and entered her appearance on behalf of the Police Department. Michael R. Colarelli, 1613 Englewood Drive, and Michael J. Colarelli, 55 Cornell Circle, were sworn in and present on behalf of the licensee Wild Wings USA, LLC d/b/a The Draft Sports Bar & Grill.

Mr. Pullaro moved, seconded by Mr. Ferris, moved to continue the matter to the December 2, 2015 hearing. Roll Call: Ayes — Ferris, Harrison, Pullaro, and Rose. Motion carried 4-0.

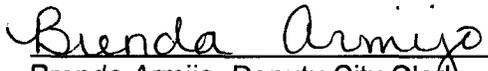
15 DONNA HART D/B/A ALL SEASONS CATERING EVENT CENTER, 112 WEST 2<sup>ND</sup> STREET

Assistant City Attorney Carla Sikes was present and requested that the licensee's liquor license not be renewed at this time due to outstanding issues with the City.

Mr. Rose, seconded by Mr. Ferris, moved to have a Show Cause issued to the licensee to appear at the December 2, 2015 hearing. Roll Call: Ayes – Ferris, Harrison, Pullaro, and Rose. Motion carried 4-0.

**ADJOURN** – With no further business to come before the Board, the meeting was adjourned at 6:46 p.m.

Respectfully submitted,

  
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Brenda Armijo, Deputy City Clerk  
City Clerk's Office