

PUEBLO LIQUOR & BEER LICENSING BOARD
MINUTES -- REGULAR MEETING
CITY HALL -- COUNCIL CHAMBERS
SEPTEMBER 7, 2016 – 6:00 P.M.

The Pueblo Liquor & Beer Licensing Board convened the Regular Meeting of September 7, 2016 at 6:00 p.m. with Chairperson Doris Harrison presiding.

ROLL CALL

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

Absent: None.

Also Present: Assistant City Attorney Lisa Macchietto and Deputy City Clerk Brenda Armijo.

APPROVAL OF MINUTES

Mr. Pullaro, seconded by Mr. Ferris, moved to dispense with the reading and approve the minutes of the Regular Meeting of August 17, 2016. Roll Call: Ayes — Ferris, Harrison, Pullaro, Rose and Shafer. Motion carried 5-0.

ELECTION OF CHAIRPERSON

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

ELECTION OF VICE-CHAIRPERSON

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

CONSENT AGENDA

- 1 HOTEL & RESTAURANT LIQUOR LICENSE APPLICATION – RENEWAL – ONE RENEWAL**
T.O. Wings #4, LLC d/b/a Wing Stop, 3414 N. Elizabeth Street
- 2 TAVERN LIQUOR LICENSE APPLICATION – RENEWALS – TWO RENEWALS**
Reggie Mauro d/b/a Red's Alibi Lounge, 1107 S. Prairie Avenue
DE BG Inc. d/b/a The Spotlight, 211 W. Northern Avenue
- 3 3.2% BEER LICENSE FOR OFF PREMISES CONSUMPTION – RENEWALS – FOUR RENEWALS**
Dillon Companies, Inc. d/b/a King Soopers #43, 102 W. 29th Street
7-Eleven, Inc. d/b/a 7-Eleven Store #1916S, 926 Lake Avenue
Suncor Energy Sales, Inc. d/b/a Shell, 1812 Hwy 50 West
Suncor Energy Sales, Inc. d/b/a Shell, 1201 Bonforte Boulevard
- 4 RETAIL LIQUOR STORE LIQUOR LICENSE – RENEWALS – TWO RENEWALS**
Loco Liquors, Inc. d/b/a Loco Wines & Liquors, 125 S. Santa Fe Avenue
In Family Enterprise LLC d/b/a Pueblo Blvd Discount Liquor, 1616 W. Pueblo Boulevard

CONSENT AGENDA CONTINUED

**MEETING
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- 5 **CABARET LICENSE – RENEWAL – ONE RENEWAL**
DE BG Inc. d/b/a The Spotlight, 211 W. Northern Avenue
- 6 **SPECIAL EVENTS PERMIT APPLICATION – BEER, WINE, AND SPIRITUOUS LIQUOR LICENSE – HARP FOUNDATION, MAILING ADDRESS: 125 RIVERWALK PLACE, EVENT MANAGER: CHRISTINE PITTMAN (EVENT TO BE HELD, SEPTEMBER 23 AND 24, 2016. EVENT ADDRESS: RIVERWALK CHANNEL LEVEL – IN FRONT OF PBR, AREA FROM UNION AVENUE TO VICTORIA AVENUE)**
- 7 **SPECIAL EVENTS PERMIT APPLICATION – BEER, WINE, AND SPIRITUOUS LIQUOR LICENSE – SENIOR RESOURCE DEVELOPMENT AGENCY PUEBLO, INC. D/B/A S.R.D.A., MAILING ADDRESS: 230 N. UNION AVENUE, EVENT MANAGER: STEPHEN G. NAWROCKI (EVENT TO BE HELD, SEPTEMBER 23, 24, 25, 2016. EVENT ADDRESS: 230 N. UNION AVENUE)**
- 8 **REPORT OF CHANGES – CORPORATION, LIMITED LIABILITY COMPANY AND PARTNERSHIP – HOTEL AND RESTAURANT LIQUOR LICENSE – TONE, INC. D/B/A MI RANCHITO #2, 525 S. PUEBLO BOULEVARD (CORPORATE OFFICER MARIE TERRONES IS NOW 100% STOCKHOLDER AND SOLE OWNER DUE TO THE DEATH OF JOSE M. TERRONES)**
- 9 **PERMIT APPLICATION AND REPORT OF CHANGES – CHANGE OF TRADE NAME/DBA ONLY – ALBERTSONS LLC D/B/A ALBERTSONS FOOD CENTER #816, 1601 HIGHWAY 50 WEST NEW TRADE NAME ALBERTSONS LLC D/B/A SAFEWAY STORE #816**

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

REGULAR AGENDA

- 10 **NEIGHBORHOOD SURVEY: NEW TAVERN LICENSE – RRSC, LLC D/B/A BRUSHES N BEVERAGES ART STUDIO, 223 N. SANTA FE AVENUE**

Mr. Rose, seconded by Mr. Ferris, moved to accept the survey and set the hearing for September 21, 2016. Roll Call: Ayes — Ferris, Harrison, Pullaro, Rose, and Shafer. Motion carried 5-0.

- 11 **PERMIT APPLICATION & REPORT OF CHANGES – MODIFICATION OF PREMISES — TAVERN LIQUOR LICENSE – WINE DOWN BY THE RIVER, LTD. D/B/A WINE DOWN BY THE RIVER**

Wine Down By the River, Ltd. Managing Member, Michael Velarde, 12 Tamar Court, Pueblo was sworn in and answered questions from the Board. The current and proposed diagrams were reviewed with Mr. Velarde. Steel barricades will be used to secure the premises and there will be one entrance/exit point.

REGULAR AGENDA CONTINUED

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Mr. Ferris, seconded by Mr. Rose, moved to approve the Report of Changes – Modification of Premises – Wine Down By the River, Ltd. Roll Call: Ayes — Ferris, Harrison, Pullaro, Rose, and Shafer. Motion carried 5-0.

12 SPECIAL EVENTS PERMIT APPLICATION – BEER, WINE & SPIRITUOUS LIQUOR LICENSE – PUEBLO CHAMBER OF COMMERCE, MAILING ADDRESS: 302. N. SANTA FE AVENUE, EVENT MANAGER: DONIELLE GONZALES, (EVENT TO BE HELD SEPTEMBER 22, 2016. ADDRESS OF EVENT: PARKING LOT BEHIND 125 WEST B STREET FROM VICTORIA TO THE ALLEY WAY THAT RUNS SOUTH AND NORTH)

Event Manager Rodney Slyhoff, 1242 Palmer Avenue, Pueblo representing the Pueblo Chamber of Commerce was sworn in and answered questions from the Board. This is the final event for the Downtown Colorado, Inc. conference being held in Pueblo. There will be one distribution point with two servers and one back-up. Heavy hors d'oeuvres, including chips and Pueblo salsa will be served. The attendees will be coming to this event after dinner. Approved forms of identification were explained and examples given. Anyone appearing under the age of 30 will have their identification checked. Soldiers Security will be on site at the entrances and roaming during the event.

The Board requested that Mr. Slyhoff amend the special event permit application to remove Donielle Gonzales as the Event Manager and add his name as the Event Manager for this event.

Mrs. Shafer, seconded by Mr. Ferris, moved to approve the special events permit application for the Pueblo Chamber of Commerce. Roll Call: Ayes – Ferris, Harrison, Pullaro, Rose, and Shafer. Motion carried 5-0.

13 SPECIAL EVENTS PERMIT APPLICATION – BEER, WINE, AND SPIRITUOUS LIQUOR LICENSE – THE STATE HISTORICAL SOCIETY OF COLORADO D/B/A EL PUEBLO HISTORY MUSEUM, MAILING ADDRESS: 301 N. UNION AVENUE, EVENT MANAGER: BRITTANY GUTIERREZ (EVENT TO BE HELD, SEPTEMBER 16, 2016. EVENT ADDRESS: 301 N. UNION AVENUE)

Event Manager Brittany Gutierrez, 1705 Tierra Berienda, Pueblo representing the El Pueblo History Museum was sworn in and answered questions from the Board. The event is not a fundraiser, but a community event sponsored by the Denver Broncos. There will be one distribution point with three or four servers. Telemundo is sponsoring food truck, which will be on site during the event. Approved forms of identification were explained and examples given. This is an all age's event; therefore, wrist bands will be utilized for bar patrons and all identification will be checked. There will be one entrance/exit point. The premises will be secured by fencing. Security will be provided by T & T Security and Denver Broncos staff.

The Board requested that the diagram be amended to better reflect the entrance point and the licensed premises for the event.

REGULAR AGENDA CONTINUED

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Mr. Pullaro, seconded by Mr. Rose, moved to approve the special events permit application for the State Historical Society of Colorado d/b/a El Pueblo History Museum. Roll Call: Ayes – Ferris, Harrison, Pullaro, Rose, and Shafer. Motion carried 5-0.

14 HEARING: TRANSFER OF OWNERSHIP APPLICATION – HOTEL & RESTAURANT LIQUOR LICENSE – BONAGENT, LLC D/B/A LA FORCHETTA DA MASSI, 126 S. UNION AVENUE (CURRENTLY LICENSED TO ELISABETH MILLENET D/B/A RIO BISTRO, LICENSE EXPIRES MARCH 10, 2017)

Managing Member Daimi Castillo, 126 S. Union Avenue, Pueblo and Registered Manager Massimiliano Innocenti, 126 S. Union Avenue, Pueblo were sworn in and answered questions from the Board. No one appeared in opposition. The moral character questions were directed to both Ms. Castillo and Mr. Innocenti and the financial interest questions were directed to Ms. Castillo. The restaurant currently employs five people – one bartender, three servers, and one cook. Background checks are not currently performed, but references are called. Each listed approved forms of identification and gave examples. Anyone appearing age 40 or younger will be asked for identification. The moral character of the applicants was found to be satisfactory to the Board.

Mr. Rose, seconded by Mr. Ferris, moved to approve the Transfer of Ownership Application – Hotel & Restaurant Liquor License – Bonagent, LLC d/b/a La Forchetta da Massi, 126 S. Union Avenue. Roll Call: Ayes — Ferris, Harrison, Pullaro, Rose, and Shafer. Motion carried 5-0.

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

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

15 HEARING: TRANSFER OF OWNERSHIP APPLICATION – HOTEL & RESTAURANT LIQUOR LICENSE – THE BOURBON ROOM PUEBLO LLC D/B/A THE BOURBON ROOM, 1007 W. 6TH STREET (CURRENTLY LICENSED TO SADDLEBACK STEAKHOUSE & LOUNGE CORP D/B/A SADDLEBACK STEAKHOUSE, LICENSE EXPIRES SEPTEMBER 20, 2016)

Managing Member Rudy Ibarra, Jr., 933 Pinecrest Drive, Pueblo was sworn in and answered questions from the Board. The moral character and financial interest questions were directed to Mr. Ibarra. Mr. Ibarra currently employees approximately 12 employees, none with known criminal histories. Background checks a will be performed on future employees. Approved forms of identification were explained and examples given. Anyone appearing age 40 or under will be asked for identification. Three of the four bartenders are TIPS certified and all have attended Responsible Alcohol Service training. The moral character of the applicant was found to be satisfactory to the Board.

Mr. Ferris, seconded by Mrs. Shafer, moved to continue this item to the September 21, 2016 Hearing to allow Mr. Ibarra to submit a menu, obtain final signatures on the routing sheet, and signatures from the Finance Department and Sales Tax. Roll Call: Ayes — Ferris, Harrison, Pullaro, Rose, and Shafer. Motion carried 5-0.

REGULAR AGENDA CONTINUED

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- 16 HEARING: TRANSFER OF OWNERSHIP APPLICATION – CABARET LICENSE – THE BOURBON ROOM PUEBLO LLC D/B/A THE BOURBON ROOM, 1007 W. 6TH STREET (CURRENTLY LICENSED TO SADDLEBACK STEAKHOUSE & LOUNGE CORP D/B/A SADDLEBACK STEAKHOUSE, LICENSE EXPIRES SEPTEMBER 20, 2016)**

Mr. Ibarra remains sworn in. Administrative Notice was taken by the Board for testimony given in the previous item.

Mr. Ferris, seconded by Mr. Rose, moved that this item be continued to the September 21, 2016 Hearing to allow Mr. Ibarra to submit a menu, obtain final signatures on the routing sheet for the previous item, and signatures from the Finance Department and Sales Tax. Roll Call: Ayes: Ferris, Harrison, Pullaro, Rose, and Shafer. Motion passed 5-0.

- 17 COMMUNICATION FROM VALERIE PALUMBO, TAX AUDIT MANAGER, RE: ALLEGED SALES AND LODGERS TAX CODE VIOLATION – NEW VISION HOSPITALITY, LLC D/B/A CLARION HOTEL, 4001 N. ELIZABETH STREET. (DATE OF COMMUNICATION: JUNE 29, 2016) CONTINUED FROM JULY 20, 2016**

Assistant City Attorney Trevor Gloss entered his appearance on behalf of the City and requested a continuance to the September 21, 2016 Hearing. No one appeared on behalf of the licensee.

Mrs. Shafer, seconded by Mr. Rose, moved to continue this item to the September 21, 2016 Hearing. Roll Call: Ayes – Ferris, Harrison, Pullaro, Rose, and Shafer. Motion carried 5-0.

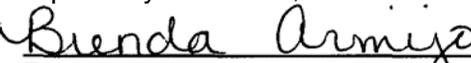
- 18 HEARING: COMMUNICATION FROM LUIS VELEZ, CHIEF OF POLICE, RE: ALLEGED LIQUOR CODE VIOLATION – VETERAN'S TAVERN, INC. D/B/A VETERAN'S TAVERN, 315 E. NORTHERN AVENUE. (POLICE CR#16-009021, VIOLATION DATE: MAY 5, 2016) CONTINUED FROM JULY 20, 2016**

Assistant City Attorney Trevor Gloss entered his appearance on behalf of the City and requested a continuance to the September 21, 2016 Hearing. No one appeared on behalf of the licensee.

Mr. Pullaro, seconded by Mr. Rose, moved to continue this item to the September 21, 2016 Hearing. Roll Call: Ayes – Ferris, Harrison, Pullaro, Rose, and Shafer. Motion carried 5-0.

ADJOURN – With no further business to come before the Board, the meeting was adjourned at 7:25 p.m.

Respectfully submitted,



Brenda Armijo, Deputy City Clerk
City Clerk's Office