

PUEBLO LIQUOR & BEER LICENSING BOARD
MINUTES -- REGULAR MEETING
CITY HALL -- COUNCIL CHAMBERS
SEPTEMBER 21, 2016 – 6:00 P.M.

The Pueblo Liquor & Beer Licensing Board convened the Regular Meeting of September 21, 2016 at 6:00 p.m. with Chairperson Doris Harrison presiding.

ROLL CALL

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

Absent: Charles Pullaro, Jr.

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

APPROVAL OF MINUTES

Mr. Rose, seconded by Ms. Shafer, moved to dispense with the reading and approve the minutes of the Regular Meeting of September 7, 2016. Roll Call: Ayes — Ferris, Harrison, Rose and Shafer. Motion carried 4-0.

Mr. Rose, seconded by Ms. Shafer, moved to dispense with the reading and approve the minutes of the Regular Meeting of September 9, 2016. Roll Call: Ayes — Ferris, Harrison, Rose and Shafer. Motion carried 4-0.

CONSENT AGENDA

1 HOTEL & RESTAURANT LIQUOR LICENSE APPLICATION – RENEWALS – TWO RENEWALS

GMRI, Inc. d/b/a The Olive Garden Italian Restaurant #1708, 3240 N. Elizabeth Street
KWAK, Inc. d/b/a Sushi Garden, 3915 Ivywood Lane

2 TAVERN LIQUOR LICENSE APPLICATION – RENEWALS – FIVE RENEWALS

Josephine Glavich, Inc. d/b/a Eilers' Place, 326 E. Mesa Avenue
Phil's LLC d/b/a Phil's, 109 East C Street
Global Spectrum Colo, LP d/b/a Pueblo Convention Center, 320 Central Main Street
Rollco, Inc. d/b/a Deluxe Tavern, 407 N. Santa Fe Avenue
Zaragoza Hall, Inc. d/b/a Zaragoza Hall, Inc., 1339 E. Routt Avenue

3 CABARET LICENSE – RENEWALS – THREE RENEWALS

Phil's LLC d/b/a Phil's, 109 East C Street
Global Spectrum Colo, LP d/b/a Pueblo Convention Center, 320 Central Main Street
Zaragoza Hall, Inc. d/b/a Zaragoza Hall, Inc. 1339 E. Routt Avenue

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

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4 NEIGHBORHOOD SURVEY: NEW 3.2% BEER LICENSE – OFF PREMISE CONSUMPTION – MINI MART, INC. D/B/A LOAF ‘N JUG #203, 2419 N. ELIZABETH STREET

Mr. Ferris, seconded by Mr. Rose, moved to accept the neighborhood survey, and set the hearing for October 5, 2016. Roll Call: Ayes — Ferris, Harrison, Rose, and Shafer. Motion carried 4-0.

5 APPLICATION FOR COLORADO LIMITED WINERY WINE FESTIVAL PERMIT – INFORMATION ENGINEERING SERVICES, INC. D/B/A COTTONWOOD CELLARS, MAILING ADDRESS: 5482 HIGHWAY 348, OLATHE, CO, EVENT ADDRESS: 208 S. UNION AVENUE, PUEBLO

Ms. Shafer, seconded by Mr. Ferris, moved to approve the application for a Colorado Limited Winery Wine Festival Permit for Information Engineering Services, Inc. d/b/a Cottonwood Cellars. Roll Call: Ayes — Ferris, Harrison, Rose, and Shafer. Motion carried 4-0.

6 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) CONTINUED FROM SEPTEMBER 7, 2016

Managing Member Rudy Ibarra, Jr., 933 Pinecrest Drive, Pueblo appeared and was sworn in. Due to an ongoing sales tax issue, the Board continued this matter to allow time for clarification and possible resolution of the issue. Mr. Ibarra was encouraged to contact sales tax.

Mr. Rose, seconded by Mr. Ferris, moved to continue this item to the October 5, 2016 Hearing. Roll Call: Ayes – Ferris, Harrison, Rose, and Shafer. Motion carried 4-0.

7 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) CONTINUED FROM SEPTEMBER 7, 2016

Mr. Ibarra remains sworn in. Due to the ongoing sales tax issue the Board continued this matter.

Mr. Rose, seconded by Ms. Shafer, moved to continue this item to the October 5, 2016 Hearing. Roll Call: Ayes – Ferris, Harrison, Rose, and Shafer. Motion carried 4-0.

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**8 HEARING: NEW TAVERN LIQUOR LICENSE – RRSC, LLC D/B/A BRUSHES N BEVERAGES
ART STUDIO, 223 N. SANTA FE AVENUE**

Managing Member Richard Martinez, 2806 5th Avenue, Pueblo appeared and was sworn in. Mr. Martinez requested a continuance to allow time to amend its tavern liquor license application to a lodging and entertainment liquor license.

Mr. Ferris, seconded by Ms. Shafer, moved to continue this item to the October 5, 2016 Hearing to allow the applicant time to amend its liquor license application. Roll Call: Ayes – Ferris, Harrison, Rose, and Shafer. Motion carried 4-0.

**9 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 AND SEPTEMBER 7, 2016**

Assistant City Attorney Linda Stanley appeared on behalf of the City. No one appeared on behalf of the licensee. Ms. Stanley has not had recent contact from the licensee who resides out of state and requested a continuance to the October 5, 2015 Hearing.

Ms. Shafer, seconded by Mr. Rose, moved to continue this item to the October 5, 2016 Hearing. After further discussion it was determined that a continuance to the October 19, 2016 Hearing would be beneficial to allow more time.

Ms. Shafer withdrew her previous motion and seconded by Mr. Rose, moved to continue this item to the October 19, 2016 Hearing. Roll Call: Ayes – Ferris, Harrison, Rose, and Shafer. Motion carried 4-0.

**10 HEARING: COMMUNICATION FROM VALERIE PALUMBO, TAX AUDIT MANAGER, RE:
ALLEGED SALES TAX CODE VIOLATION – SANCHOS BAR AND GRILL, 628 EAST 4TH
STREET. (DATE OF COMMUNICATION: JUNE 16, 2016) CONTINUED FROM JULY 20, 2016**

Assistant City Attorney Linda Stanley appeared on behalf of the City. Crystal Martinez appeared late for this item. Ms. Stanley requested that the complaint be dismissed based on a letter received from Valerie Palumbo, Tax Audit Manager, requesting a dismissal and stating that the licensee has complied and satisfied all tax liabilities owed to the City of Pueblo.

Mr. Rose, seconded by Mr. Ferris, moved to dismiss the Order to Show Cause in this matter. Ayes – Ferris, Harrison, Rose, and Shafer. Motion carried 4-0.

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11 COMMUNICATION FROM TROY DAVENPORT, ACTING CHIEF OF POLICE, RE: ALLEGED LIQUOR CODE VIOLATION – CRYSTAL MARTINEZ D/B/A SANCHOS BAR & GRILL, 628 E. 4TH STREET. (POLICE CR#16-015261, VIOLATION DATE: JULY 28, 2016)

Assistant City Attorney Linda Stanley appeared on behalf of the City. Crystal Martinez, 1549 Garwood Drive, Pueblo appeared and was sworn in.

Mr. Rose, seconded by Ms. Shafer, moved to receive the communication, find there is probable cause supporting the violation, and set this matter for hearing on October 19, 2016. Roll Call: Ayes — Ferris, Harrison, Rose, and Shafer. Motion carried 4-0.

12 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 AND SEPTEMBER 7, 2016

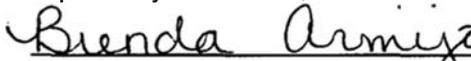
Corporate Officer Walter Apodaca, 5959 Fox Lane, Beulah was sworn in. Assistant City Attorney Linda Stanley representing the Police Department was also present.

Ms. Stanley read the Stipulated Findings and Order into the record. The Licensee stipulates and agrees to a suspension of its liquor license for a period of three (3) days, of which zero (0) days shall be imposed. The three (3) days of suspension shall be held in abeyance for a period of one (1) calendar year from the date of the Order.

Mr. Ferris, seconded by Mr. Rose, moved to accept the Stipulated Findings and Order as proposed. Roll Call – Ayes: Ferris, Harrison, Rose, and Shafer. Motion carried 4-0.

ADJOURN – With no further business to come before the Board, the meeting was adjourned at 6:48 p.m.

Respectfully submitted,



Brenda Armijo, Deputy City Clerk
City Clerk's Office