

**PUEBLO LIQUOR & BEER LICENSING BOARD**  
**MINUTES -- REGULAR MEETING**  
**CITY HALL -- COUNCIL CHAMBERS**  
**OCTOBER 5, 2016 – 6:00 P.M.**

The Pueblo Liquor & Beer Licensing Board convened the Regular Meeting of October 5, 2016 at 6:00 p.m. with Chairperson Doris Harrison presiding.

**ROLL CALL**

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

**Absent:** Board Member Mike Ferris.

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

**APPROVAL OF MINUTES**

Ms. Shafer, seconded by Mr. Rose, moved to dispense with the reading and approve the minutes of the Regular Meeting of September 21, 2016. Roll Call: Ayes — Harrison, Pullaro, Rose and Shafer. Motion carried 4-0.

**CONSENT AGENDA**

- 1 HOTEL & RESTAURANT LIQUOR LICENSE APPLICATION – RENEWAL – ONE RENEWAL**  
Cuautla, Inc. d/b/a 3 Margaritas VIII, 3620 N. Freeway Road
- 2 3.2% BEER LICENSE APPLICATION – 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
- 3 RETAIL LIQUOR STORE LIQUOR LICENSE – RENEWALS – FOUR RENEWALS**  
Marlin Associates, LLC d/b/a Cocoman Liquors, 1910 East 4<sup>th</sup> Street  
James M. Riccardi d/b/a Mesa Junction Wine & Spirits, 105 Colorado Avenue  
Cho Cha LLC d/b/a Shanty Liquors, 2212 East 4<sup>th</sup> Street  
Spanky's Wine & Liquor, LLC d/b/a Spanky's Liquor World, 1415 Highway 50 West
- 4 PERMIT APPLICATION & REPORT OF CHANGES – CHANGE OF MANAGER – MINI MART, INC. D/B/A LOAF N JUG #86, 2810 TROY AVENUE (NEW MANAGER STEVE PANTOYA REPLACES BRANDI MIKUS)**
- 5 PERMIT APPLICATION & REPORT OF CHANGES – CHANGE OF MANAGER – MINI MART, INC. D/B/A LOAF N JUG #87, 4125 W. NORTHERN AVENUE (NEW MANAGER JOHN JAMES REPLACES THOMAS A. PADILLA)**
- 6 SPECIAL EVENTS PERMIT APPLICATION – BEER, WINE, AND SPIRITUOUS LIQUOR LICENSE – THE BISHOP OF PUEBLO, A CORPORATION SOLE, D/B/A HOLY FAMILY PARISH, MAILING AND EVENT ADDRESS: 2827 LAKEVIEW AVENUE, EVENT MANAGER: JEFFREY D. BARELA (EVENT TO BE HELD OCTOBER 6, 2016)**
- 7 SPECIAL EVENTS PERMIT APPLICATION – BEER, WINE, AND SPIRITUOUS LIQUOR LICENSE – PUEBLO CITY-COUNTY LIBRARY DISTRICT, MAILING AND EVENT ADDRESS: 100 E. ABRIENDO AVENUE, EVENT MANAGER: MIDORI CLARK (EVENT TO BE HELD OCTOBER 22, 2016)**

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

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**8 SPECIAL EVENTS PERMIT APPLICATION – BEER, WINE, AND SPIRITUOUS LIQUOR LICENSE – PUEBLO HISTORICAL AIRCRAFT SOCIETY, MAILING AND EVENT ADDRESS: 31001 MAGNUSEN BOULEVARD, EVENT MANAGER: MACK NOVOSAD (EVENT TO BE HELD OCTOBER 7, 2016)**

Event Manager Mack Novosad, 622 Tyler Street, Pueblo was sworn in and answered questions from the Board. Flavor Fest 2016 benefits CASA of Pueblo. There will be one distribution point sponsored by the Society with two servers. There will also be 10 – 12 vendors with food and liquor tastings. Finger foods will be available from the vendors and Classic Catering will provide a catered food buffet. The entry fee of \$40 includes access to the buffet. Approved forms of identification were explained and examples given. Color coded wristbands will be utilized and all identification checked at the entrance. Under 21 attendees will have one color of wristband and anyone 21 and above will have a wristband of a different color. In-house security will be utilized along with parking attendants and cameras monitoring the premises.

Mr. Pullaro, seconded by Mr. Rose, moved to approve the special events permit application for the Pueblo Historical Aircraft Society. Roll Call: Ayes – Harrison, Pullaro, Rose, and Shafer. Motion carried 4-0.

**9 HEARING: TRANSFER OF OWNERSHIP APPLICATION – HOTEL & RESTAURANT LIQUOR LICENSE – THE BOURBON ROOM PUEBLO LLC D/B/A THE BOURBON ROOM, 1007 W. 6<sup>TH</sup> STREET (CURRENTLY LICENSED TO SADDLEBACK STEAKHOUSE & LOUNGE CORP D/B/A SADDLEBACK STEAKHOUSE, LICENSE EXPIRES SEPTEMBER 20, 2016) CONTINUED FROM SEPTEMBER 7, 2016 AND SEPTEMBER 21, 2016**

Managing Member Rudy Ibarra, Jr., 933 Pinecrest Drive, Pueblo appeared and was sworn in. Administrative notice was taken by the Board for previous testimony given in this matter. No one appeared in opposition to the application.

Mr. Rose, seconded by Ms. Shafer, moved to approve the Transfer of Ownership Application – Hotel & Restaurant Liquor License – The Bourbon Room Pueblo LLC d/b/a The Bourbon Room, 1007 W. 6<sup>th</sup> Street. Roll Call: Ayes – Harrison, Pullaro, Rose, and Shafer. Motion carried 4-0.

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

Mr. Rose, seconded by Ms. Shafer, moved to approve the Findings and Order as read. Roll Call: Ayes – Harrison, Pullaro, Rose, and Shafer. Motion carried 4-0.

**10 HEARING: TRANSFER OF OWNERSHIP APPLICATION – CABARET LICENSE – THE BOURBON ROOM PUEBLO LLC D/B/A THE BOURBON ROOM, 1007 W. 6<sup>TH</sup> STREET (CURRENTLY LICENSED TO SADDLEBACK STEAKHOUSE & LOUNGE CORP D/B/A SADDLEBACK STEAKHOUSE, LICENSE EXPIRES SEPTEMBER 20, 2016) CONTINUED FROM SEPTEMBER 7, 2016 AND SEPTEMBER 21, 2016**

**REGULAR AGENDA CONTINUED**

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Managing Member Rudy Ibarra, Jr., 933 Pinecrest Drive, Pueblo appeared and was sworn in. Administrative notice was taken by the Board for previous testimony given in this matter. No one appeared in opposition to the application.

Mr. Rose, seconded by Ms. Shafer, moved to approve the Transfer of Ownership Application – Cabaret License – The Bourbon Room Pueblo LLC d/b/a The Bourbon Room, 1007 W. 6<sup>th</sup> Street. Roll Call: Ayes – Harrison, Pullaro, Rose, and Shafer. Motion carried 4-0.

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

Mr. Rose, seconded by Ms. Shafer, moved to approve the Findings and Order as read. Roll Call: Ayes – Harrison, Pullaro, Rose, and Shafer. Motion carried 4-0.

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

Deputy City Clerk Brenda Armijo noted for the record that the applicant has amended its application from a Tavern Liquor License to a Lodging and Entertainment Liquor License.

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

Member Richard I. Martinez, 2806 5<sup>th</sup> Avenue, Pueblo; Member Richard A. Martinez, 5428 S. Harvest Way, Aurora; Suzanne R. Martinez, 5882 Maroon Way, Colorado Springs, CO; and Christine R. Salazar, 2819 Cascade Avenue, Pueblo were sworn in and answered questions from the Board.

The moral character and financial interest questions were directed to the applicants individually. Approved forms of identification were described and examples given. Anyone wishing to purchase liquor will have their identification checked. Background investigations are currently not conducted on employees. The Members indicate that they will attend server training. The moral character of the applicant was found to be satisfactory 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 admitted into evidence as Exhibit A.

Ms. Shafer, seconded by Mr. Rose, moved to approve the new Lodging and Entertainment Liquor License – Brushes N Beverages Art Studio, 223 N. Santa Fe Avenue. Roll Call – Ayes: Harrison, Pullaro, Rose, and Shafer. Motion carried 4-0.

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

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

**12 HEARING: NEW 3.2% BEER LICENSE – OFF PREMISES CONSUMPTION – MINI MART, INC. D/B/A LOAF N JUG #203, 2419 N. ELIZABETH STREET**

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

**REGULAR AGENDA CONTINUED**

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Robert Dill, Dill Dill Carr Stonbraker & Hutchings, P.C., 455 Sherman Street, Suite 300 Denver, entered his appearance on behalf of Mini Mart, Inc. Troy Calhoun, representing Loaf N Jug, 7 Pomona Court, Pueblo, and Max Scott, representing Oedipus, Inc., 1216 Tipperary Street, Boulder were sworn in.

The moral character and financial interest questions were directed to Mr. Calhoun. This store currently employs six to eight people, all selling if they are of age. Approved forms of identification were described and examples given. The policy for checking the ages of patrons was given as anyone appearing 40 or younger and utilizing a point of sale swipe to verify ages. The moral character of the applicant was found to be satisfactory to the Board.

Mr. Scott testified as to the petitioning process conducted by Oedipus, Inc. and its findings. The Board reviewed the petitions, which were previously distributed. 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 as Exhibit A.

Mr. Pullaro, seconded by Ms. Shafer, moved to approve the new 3.2% Beer License – Off Premises Consumption – Mini Mart, Inc. d/b/a Loaf N Jug #203, 2419 N. Elizabeth Street. Roll Call – Ayes: Harrison, Pullaro, Rose, and Shafer. Motion carried 4-0.

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

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

**13 COMMUNICATION FROM TROY DAVENPORT, ACTING CHIEF OF POLICE, RE: ALLEGED LIQUOR CODE VIOLATION – APOLLO INVESTMENTS LLC D/B/A THE GROVE TAVERN, 901 EAST C STREET. (POLICE CR#16-016055, VIOLATION DATE: AUGUST 7, 2016)**

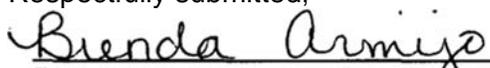
Members Johnathon Ayala, 3243 Big Horn Court, Pueblo and Eric Apodaca, 1820 E. Orman Avenue were sworn in. Assistant City Attorneys Linda Stanley and Trevor Gloss representing the Police Department were also present.

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 (5) days, of which zero (0) days shall be imposed. The three (5) days of suspension shall be held in abeyance for a period of one (1) calendar year from the date of the Order. Licensee will also conduct training and refresher classes, instruction, or reprimands as needed to any and all employees regarding any person leaving the premises with open containers of alcohol.

Mr. Rose, seconded by Ms. Shafer, moved to accept the Stipulated Findings and Order as proposed. Roll Call – Ayes: Harrison, Pullaro, and Rose. Nays – Shafer. Motion carried 3-1.

**ADJOURN** – With no further business to come before the Board, the meeting was adjourned at 7:30 p.m.

Respectfully submitted,

  
Brenda Armijo, Deputy City Clerk  
City Clerk's Office