

PUEBLO LIQUOR & BEER LICENSING BOARD
MINUTES -- REGULAR MEETING
CITY HALL -- COUNCIL CHAMBERS
SEPTEMBER 21, 2011 – 6:00 P.M.

The Pueblo Liquor & Beer Licensing Board convened the Regular Meeting of September 21, 2011 at 6:00 p.m., with Chairwoman Doris Harrison presiding.

ROLL CALL

Present: Board Members Don DiFatta, Mike Ferris, Doris Harrison, and Tom Rose. Also Present Assistant City Attorney Bob Jagger and Municipal Records and Tech. Coord. Daryl Payne.

Absent: Charles Pullaro, Jr.

APPROVAL OF MINUTES

Mr. Ferris, seconded by Mr. DiFatta, moved to approve the minutes of the Regular Meeting of September 7th, 2011 and to continue the approval of the minutes of the Regular Meeting of August 17th, 2011 to the October 5th, 2011 meeting. Roll Call: Ayes—DiFatta, Ferris, Harrison, and Rose. Motion carried unanimously.

CONSENT AGENDA

- 1 **LIQUOR STORE LIQUOR LICENSE APPLICATION-RENEWAL—FRANKY’S LIQUOR MART, INC. D/B/A FRANKY’S LIQUOR MART, 905 W. 4TH STREET**
- 2 **PERMIT APPLICATION & REPORT OF CHANGES - CHANGE OF CORPORATE OR TRADE NAME—3.2% BEER FOR CONSUMPTION OFF PREMISES LIQUOR LICENSE- VALERO DIAMOND METRO, INC. D/B/A CORNER STORE #1723 (CURRENT TRADE NAME: VALERO CORNER STORE #1723), 1525 HIGHWAY 50 WEST**
- 3 **SPECIAL EVENTS PERMIT APPLICATION-BEER, WINE & SPIRITUOUS LIQUOR – PUEBLO CHAMBER OF COMMERCE, 302 N. SANTA FE AVENUE EVENT MANAGER: ROD SLYHOFF (EVENT TO BE HELD SEPTEMBER 23, 24 AND 25, 2011. ADDRESS OF EVENT: 1ST STREET & UNION AVENUE TO B STREET, D & C STREETS FROM VICTORIA AVENUE TO MAIN STREET; GRAND AVENUE FROM 1ST STREET TO MAIN STREET, CONVENTION CENTER OVERFLOW PARKING, PUEBLO PLAZA, CITY PARKING LOT (OLD HEALTH DEPARTMENT)**

VOTE ON CONSENT AGENDA ITEMS:

Mr. Ferris, seconded by Mr. Rose, moved to approve the Consent Agenda as read into the record. Roll Call: Ayes—DiFatta, Ferris, Harrison, and Rose. Motion carried unanimously.

REGULAR AGENDA

- 4 **NEIGHBORHOOD SURVEY: NEW RETAIL LIQUOR STORE LIQUOR LICENSE– BIG BEAR WINE & LIQUOR, INC. D/B/A BIG BEAR WINE & LIQUOR, INC., 2037 S. PUEBLO BOULEVARD**

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 retail liquor store license for premises to be known as *Big Bear Wine & Liquor, Inc.*

Mr. Rose seconded by Mr. DiFatta, moved to accept the survey and set the hearing for October 5, 2011. Roll Call: Ayes—DiFatta, Ferris, Harrison, and Rose. Motion carried unanimously.

5 REPORT OF CHANGES-CHANGE OF CORPORATE STRUCTURE—TAVERN LIQUOR LICENSE –GOPEE, INC. D/B/A JOKER GRILL & BAR, 1705 SCHLEY (NEW PRESIDENT RAYMOND P. JIMENEZ REPLACES BRENDA VINCENT, NEW SECRETARY/TREASURER JUANITA L. JIMENEZ)

New President Raymond Jimenez, 1029 Palo Alto, Pueblo and new Secretary/Treasurer Juanita Jimenez 1029 Palo Alto, Pueblo for Gopee Inc. were sworn in and answered questions from the Board. Mr. Quintana indicated he had a past criminal record and received a deferred sentence involving a harassment charge in 2010. The Board questioned Mr. Jimenez about the details of the deferred sentence which included 4 years probation and current ISP monitoring that ends Oct. 16, 2011. Upon further questioning by the Board, they referred to a 1993 charge. Mr. Jimenez was unaware of this charge and believed this 1993 charge was not him. Mrs. Jimenez had no criminal background. Both new corporate officers were questioned as to their ability and how the establishment would be operated. Discussion continued and Mr. Jagger stated the item could be continued and the City Clerk's Office could obtain a Sentencing Order and Mittimus for Mr. Jimenez.

Mr. DiFatta seconded by Mr. Ferris, moved to continue the Report of Change of Corporate Structure to gather more background information from the District Court. Roll Call: Ayes—DiFatta, Ferris, Harrison, and Rose. Motion carried unanimously.

6 PERMIT APPLICATION AND REPORT OF CHANGES-CHANGE OF MANAGER - TAVERN LIQUOR LICENSE—GOPEE, INC. D/B/A JOKER GRILL & BAR, 1705 SCHLEY (NEW MANAGER JUANITA L. JIMENEZ REPLACES BRENDA VINCENT)

Mr. DiFatta asked for the previous testimony concerning Mrs. Jimenez be incorporated into this item. So ordered by Chairwoman Harrison.

Mr. DiFatta, seconded by Mr. Rose, moved to continue the Manager Registration for Gopee, Inc. D/B/A Joker Grill & Bar until the Report of Change of Corporate Structure was clarified. Roll Call: Ayes—DiFatta, Ferris, Harrison, and Rose. Motion carried unanimously.

7 REPORT OF CHANGES-CHANGE OF CORPORATE STRUCTURE—HOTEL & RESTAURANT LIQUOR LICENSE—MARTINEZ MARTINEZ, LLC D/B/A BEAVER'S SPORTS BAR, 1338 E. U.S. HIGHWAY 50 BYPASS (NEW PRESIDENT GREGORY BARAJAS REPLACES KRISTY EVANS)

New President Gregory Barajas, 1736 E14th Street, Pueblo, was sworn in and answered questions from the Board. Mr. Barajas referred to a firearms charge originating in Denver. He explained this charge is unique to Denver and was a new law that was instituted 10 days before. Mr. Barajas also referred to a Pueblo charge that was domestic violence related with his ex-wife and included harassment. Mr. Barajas explained his financing for the business and detailed the procedure for operating the business, as well as, describing approved I.D. Mr. Barajas stated he and his employees will attend the Liquor Awareness class sponsored by the City Clerk's Office in December 2011. The Board deemed Mr. Barajas to be of good moral character.

Mr. Ferris seconded by Mr. DiFatta, moved to approve the Report of Change of Corporate Structure for Martinez Martinez, LLC, D/B/A Beaver's Sports Bar. Roll Call: Ayes—DiFatta, Ferris, Harrison, and Rose. Motion carried unanimously.

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8 PERMIT APPLICATION AND REPORT OF CHANGES-CHANGE OF MANAGER – HOTEL & RESTAURANT LIQUOR LICENSE—MARTINEZ MARTINEZ, LLC D/B/A BEAVER’S SPORTS BAR, 1338 E. U.S. HIGHWAY 50 BYPASS (NEW MANAGER GREGORY BARAJAS REPLACES KRISTY EVANS)

Took administrative notice from the previous item’s testimony concerning Mr. Barajas for the change of Registered Manager.

Mr. Ferris seconded by Mr. Rose, moved to approve the Manager Registration for Martinez Martinez, LLC, D/B/A Beaver’s Sports Bar. Roll Call: Ayes—DiFatta, Ferris, Harrison, and Rose. Motion carried unanimously.

9 HEARING: NEW HOTEL & RESTAURANT LIQUOR LICENSE– DONNA MARIE HART D/B/A ALL SEASONS CATERING EVENT CENTER, 112 W. 2ND STREET (CONTINUED FROM JULY 20, 2011 AND AUGUST 17, 2011 AT THE REQUEST OF THE APPLICANT) APPLICANT WISHES TO WITHDRAW APPLICATION AT THIS TIME

Mr. Rose seconded by Mr. Difatta, moved to remove the application for Donna Marie Hart d/b/a All Seasons Catering Event Center from the agenda pursuant to the letter dated September 21, 2011 asking to withdraw her application for new Hotel & Restaurant Liquor License. Roll Call: Ayes—DiFatta, Ferris, Harrison, and Rose. Motion carried unanimously.

10 HEARING: NEW CABARET LICENSE– DONNA MARIE HART D/B/A ALL SEASONS CATERING EVENT CENTER, 112 W. 2ND STREET (CONTINUED FROM JULY 20, 2011 AND AUGUST 17, 2011 AT THE REQUEST OF THE APPLICANT) APPLICANT WISHES TO WITHDRAW APPLICATION AT THIS TIME

Mr. Rose seconded by Mr. Ferris, moved to remove the application for Donna Marie Hart d/b/a All Seasons Catering Event Center from the agenda pursuant to the letter dated September 21, 2011 asking to withdraw her application for a Cabaret License. Roll Call: Ayes—DiFatta, Ferris, Harrison, and Rose. Motion carried unanimously.

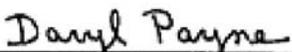
11 HEARING: TRANSFER OF OWNERSHIP APPLICATION—HOTEL & RESTAURANT LIQUOR LICENSE–ROJAS & ROJAS, LLC D/B/A GARLIC & ONIONS MEXICAN GRILL, 4333 THATCHER AVENUE (CURRENTLY LICENSED TO JOSE VICTOR AND ROSARIO ROJAS, LICENSE EXPIRES SEPTEMBER 13, 2011)

Chairperson Harrison declared the hearing for the transfer of ownership for Rojas & Rojas, LLC d/b/a Garlic & Onions Mexican Grill. The applicants were not present but had sent a communication requesting a continuation for the transfer. For the record no one appeared in opposition.

Mr. Difatta, seconded by Mr. Rose, moved to continue the transfer of ownership application for Rojas & Rojas, LLC d/b/a Garlic & Onions Mexican Grill until October 5, 2011. Roll Call: Ayes—DiFatta, Ferris, Harrison, and Rose. Motion carried unanimously.

ADJOURN – With no further business to conduct, the meeting was adjourned at 6:59 p.m.

Respectfully submitted,



Daryl Payne, CMC, Municipal Records Manager
City Clerk’s Office