

PUEBLO LIQUOR & BEER LICENSING BOARD
MINUTES -- REGULAR MEETING
CITY HALL -- COUNCIL CHAMBERS
APRIL 18, 2018 – 6:00 P.M.

The Pueblo Liquor & Beer Licensing Board convened the Regular Meeting of April 18, 2018 at 6:00 p.m. with Chairperson Tom Rose presiding.

ROLL CALL

Present: Board Members Doris Harrison, Tom Rose, Jan Shafer, and Ashley Sowinski.

Absent: Charles Pullaro.

Also Present: Assistant City Attorney Kyle Aber, Assistant City Attorney Lisa Macchietto, and Acting City Clerk Brenda Armijo.

APPROVAL OF MINUTES

Ms. Shafer, seconded by Ms. Harrison, moved to approve the Minutes of the Regular Meeting of April 4, 2018 as distributed. Roll Call: Ayes — Harrison, Rose, Shafer, and Sowinski. Motion carried 4-0.

CONSENT AGENDA

**MEETING
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- 1 HOTEL & RESTAURANT LIQUOR LICENSE APPLICATION – RENEWALS – FOUR RENEWALS**
East Coast Pizza of Pueblo LLC d/b/a East Coast Pizza, 1638 W. US Highway 50
June Food Inc. d/b/a Momo Japanese Restaurant, 716 N. Santa Fe Avenue
ThunderZone Pizza & Taphouse, Inc. d/b/a ThunderZone Pizza & Taphouse, 2270 Rawlings Boulevard
DJ Inc. d/b/a Tsunami – Sushi Bar, Wok & Grill, 324 - 326 S. Union Avenue
- 2 3.2% BEER LICENSE FOR ON PREMISES CONSUMPTION APPLICATION – RENEWAL – ONE RENEWAL**
Runyon Sports Complex Commission Inc d/b/a The Bullpen, 400 Stanton Avenue
- 3 3.2% BEER LICENSE FOR OFF PREMISES CONSUMPTION APPLICATION – RENEWAL – ONE**
M&M Food Stores, Inc. d/b/a M&M Foods, 1004 W. 29th Street
- 4 RENEWAL RETAIL LIQUOR STORE LIQUOR LICENSE – RENEWALS – THREE RENEWALS**
Eastside Wine & Liquor, Inc. d/b/a Eastside Wine & Liquor, Inc. 723 East 4th Street
Regency Liquor, Inc. d/b/a Regency Liquor, 25 Red Creek Springs Road
Village Wine & Spirits, Inc. d/b/a Village Wine & Spirits, 3037 N. Elizabeth Street
- 5 CABARET LICENSE APPLICATION – RENEWALS – TWO RENEWALS**
ThunderZone Pizza & Taphouse, Inc. d/b/a ThunderZone Pizza & Taphouse, 2270 Rawlings Boulevard
DJ Inc. d/b/a Tsunami – Sushi Bar, Wok & Grill, 324 - 326 S. Union Avenue

CONSENT AGENDA (Continued)

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- 6 **TEMPORARY PERMIT APPLICATION: TRANSFER OF OWNERSHIP APPLICATION — 3.2% BEER LICENSE FOR OFF PREMISES CONSUMPTION: PESTER MARKETING COMPANY D/B/A ALTA #6135, 3201 LAKE AVENUE, (CURRENTLY LICENSED TO WESTERN CONVENIENCE STORES INC. D/B/A WESTERN GAS AND CONVENIENCE #135, LICENSE EXPIRES MAY 13, 2018)**
- 7 **TEMPORARY PERMIT APPLICATION: TRANSFER OF OWNERSHIP APPLICATION — HOTEL & RESTAURANT LIQUOR LICENSE: BBDD MANAGEMENT, INC. D/B/A TABLE 67, 102 S. UNION AVENUE, (CURRENTLY LICENSED TO THE PLACE RIVERWALK LLC D/B/A THE PLACE, LICENSE EXPIRES DECEMBER 30, 2018)**

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

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- 8 **REVIEW AND APPROVAL OF PETITION FORM TO THE LIQUOR LICENSING BOARD FOR RESIDENTIAL USE**

Ms. Sowinski, seconded by Ms. Harrison, moved to approve the Petition Form for Residential Use. Roll Call: Ayes – Harrison, Rose, Shafer, and Sowinski. Motion carried 4-0.

- 9 **REVIEW AND APPROVAL OF PETITION FORM TO THE LIQUOR LICENSING BOARD FOR BUSINESS USE**

Ms. Harrison, seconded by Ms. Shafer, moved to approve the Petition Form for Business Use. Roll Call: Ayes – Harrison, Rose, Shafer, and Sowinski. Motion carried 4-0.

- 10 **HEARING: NEW 3.2% BEER LICENSE FOR OFF PREMISES CONSUMPTION – LEEVERS SUPERMARKETS, INC. D/B/A SAVE-A-LOT PUEBLO, 1110 BONFORTE BOULEVARD**

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

Attorney Kevin Coates, of Dill and Dill, Registration 25995, entered his appearance on behalf of Save-A-Lot. Eva Garretson of Liquor Pros, 1402 Lorraine Street, Colorado Springs, CO and Louis Flores, 7000 S. Lee Way, Littleton, CO were sworn in.

Chairperson Rose gave specific information as to how the Board arrived at the number of valid signatures on the petitions. Ms. Garretson testified concerning the petitioning process. The petitions were admitted into evidence as Exhibit A.

Mr. Flores testified concerning asset protection. Save-A-Lot Pueblo currently employs approximately 21 employees. Background checks are completed and there are no known convictions. Approved forms of identification were described and examples given. The only

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type of identification that will be accepted by the store is a driver's license or state issued identification card. Passports or other forms of identification will not be accepted. All patrons wishing to purchase beer will have their identification checked. Liquor Pros will provide training to employees. The moral character of the applicant was found to be satisfactory to the Board. During the testimony process, it was discovered that an outdated copy of the diagram was on file. Mr. Coates presented the Board with the current diagram, which was admitted into evidence as Exhibit B.

Ms. Shafer, seconded by Ms. Sowinski, moved to approve the new 3.2% Beer License for Off Premises Consumption – Leever's Supermarkets, Inc. d/b/a Save-A-Lot Pueblo, 1110 Bonforte Boulevard. Roll Call: Ayes – Harrison, Rose, Shafer, and Sowinski. Motion carried 4-0.

Mr. Aber read the proposed Findings and Order for the Board's consideration.

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

11 HEARING: TRANSFER OF OWNERSHIP APPLICATION — 3.2% BEER LICENSE FOR OFF PREMISES CONSUMPTION: FMW GROUP, INC. & 7-ELEVEN, INC. D/B/A 7-ELEVEN STORE 32990A, 3522 N. ELIZABETH STREET, (CURRENTLY LICENSED TO 7-ELEVEN, INC. D/B/A 7-ELEVEN STORE 32990, LICENSE EXPIRES JANUARY 15, 2019)

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

Attorney Kevin Coates, of Dill and Dill, Registration 25995, entered his appearance on behalf of 7-Eleven, Inc. Annette White, 14056 E. Cherry Creek Road, Larkspur, CO and Alan Niccoli, 10353 Mt. Lincoln Drive, Falcon, CO were sworn in and answered questions from the Board. The moral character and financial questions were directed to Ms. White and Mr. Niccoli. Currently this 7-Eleven store employs 11 people. There are no known convictions among the employees and background checks are conducted. Approved forms of identification were described and examples given. 7-Eleven utilizes a POS system and all identification will be scanned. The moral character of the applicant was found to be satisfactory to the Board.

Ms. Sowinski, seconded by Ms. Harrison, moved to approve the transfer of ownership of the 3.2% Beer License for Off Premises Consumption – FMW Group, Inc. and 7-Eleven, Inc. d/b/a 7-Eleven Store 32990A. Roll Call: Ayes — Harrison, Rose, Shafer, and Sowinski. Motion carried 4-0.

Mr. Aber read the proposed Findings and Order for the Board's consideration.

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

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12 SPECIAL EVENTS PERMIT APPLICATION – BEER, WINE, AND SPIRITUOUS LIQUOR – CENTER FOR AMERICAN VALUES, 101 S. MAIN STREET, SUITE 100, EVENT MANAGER MATT ALBRIGHT (EVENT TO BE HELD APRIL 23, 2018. ADDRESS OF EVENT: 101 S. MAIN STREET, SUITE 100)

Event Manager Matt Albright, 56 Posada Drive, Pueblo, CO was sworn in and answered questions from the Board. There will be one liquor distribution point with one server. Eighteen restaurants will be providing food samples during the event. Approved forms of identification were described and examples given. Staff and volunteers will be on hand to supervise the event. The entry/exit points will be staffed with professional security who are volunteering their time. The applicant is expecting approximately 150 people to attend. The amended diagram was admitted into evidence as Exhibit A.

Ms. Harrison, seconded by Ms. Sowinski, moved to approve the special events permit application for the Center for American Values. Roll Call: Ayes – Harrison, Rose, Shafer, and Sowinski. Motion carried 4-0.

13 SPECIAL EVENTS PERMIT APPLICATION – BEER, WINE, AND SPIRITUOUS LIQUOR – CENTER FOR AMERICAN VALUES, 101 S. MAIN STREET, SUITE 100, EVENT MANAGER MATT ALBRIGHT (EVENT TO BE HELD APRIL 25, 2018. ADDRESS OF EVENT: 101 S. MAIN STREET, SUITE 100)

Event Manager Matt Albright remained sworn in. The amended diagram was admitted into evidence as Exhibit A. The Board took Administrative Notice for testimony given in the previous item.

Ms. Harrison, seconded by Ms. Shafer, moved to approve the special events permit application for the Center for American Values. Roll Call: Ayes – Harrison, Rose, Shafer, and Sowinski. Motion carried 4-0.

14 SPECIAL EVENTS PERMIT APPLICATION – BEER, WINE, AND SPIRITUOUS LIQUOR – THE STATE HISTORICAL SOCIETY OF COLORADO D/B/A EL PUEBLO HISTORY MUSEUM, 301 N. UNION AVENUE, EVENT MANAGER SIMON TEARPAK (EVENT TO BE HELD MAY 4, 2018. ADDRESS OF EVENT: 301 N. UNION AVENUE)

Executive Director Dawn DiPrince, 114 W. Pitkin Avenue, Pueblo, CO was sworn in and answered questions from the Board. There will be one liquor distribution point with two servers. Food trucks will be on site to provide food for sale during the event. Approved forms of identification were described and examples given. Identification will be checked each time a patron purchases a drink. Staff and volunteers will be on hand to supervise the event. Additionally, TNT Security will provide security throughout the event and at the entry/exit points. The area will also be secured by fencing.

Ms. Shafer, seconded by Ms. Sowinski, moved to approve the special events permit application for the El Pueblo History Museum. Roll Call: Ayes – Harrison, Rose, Shafer, and Sowinski. Motion carried 4-0.

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15 SPECIAL EVENTS PERMIT APPLICATION – BEER, WINE, AND SPIRITUOUS LIQUOR – HARP FOUNDATION, 125 RIVERWALK PLACE, EVENT MANAGER CRYSTAL ESTRADA (EVENT TO BE HELD MAY 19, 2018. ADDRESS OF EVENT: ON LAWN OF CONFLUENCE WEST OF ALAN HAMEL AND NORTH EAST OF AT&T)

Event Manager Crystal Estrada, 5105 Manor Ridge Drive, Pueblo, CO was sworn in and answered questions from the Board. There will be two liquor distribution points with approximately 12 servers working in shifts. Food vendors will be on site to provide food for sale during the event. Approved forms of identification were described and examples given. Security will check identification and wristbands for bar patrons will be utilized. Epic Security has been hired to provide security. A-1 Barricade & Sign will barricade the area.

Ms. Sowinski, seconded by Ms. Shafer, moved to approve the special events permit application for the HARP Foundation. Roll Call: Ayes – Harrison, Rose, Shafer, and Sowinski. Motion carried 4-0.

16 SPECIAL EVENTS PERMIT APPLICATION – BEER, WINE, AND SPIRITUOUS LIQUOR – HARP FOUNDATION, 125 RIVERWALK PLACE, EVENT MANAGER CRYSTAL ESTRADA (EVENT TO BE HELD MAY 19, 2018. ADDRESS OF EVENT: FRONT LAWN AT 125 RIVERWALK PLACE)

Event Manager Crystal Estrada remained sworn in. The Board took Administrative Notice for testimony given in the previous item.

Ms. Sowinski, seconded by Ms. Harrison, moved to approve the special events permit application for the HARP Foundation. Roll Call: Ayes – Harrison, Rose, Shafer, and Sowinski. Motion carried 4-0.

17 SPECIAL EVENTS PERMIT APPLICATION – BEER, WINE, AND SPIRITUOUS LIQUOR – PUEBLO COUNTY REPUBLICAN PARTY D/B/A PCRCP, 6 AVIS AVENUE, EVENT MANAGER MARLA REICHERT (EVENT TO BE HELD MAY 5, 2018. ADDRESS OF EVENT: 31001 MAGNUSON AVENUE)

PCRCP Chairperson and Event Manager Marla Reichert, P.O. Box 7721, Pueblo, CO and Committee Chairperson Martha Brown, 2940 San Isabel Avenue, Pueblo, CO were sworn in and answered questions from the Board. There will be two liquor distribution points with two professionally trained bartenders. The pre-event will have heavy hors d'oeuvres available, including salmon rolls, humus, and vegetables. A full catered dinner of roast beef or chicken will be served during the event. Approved forms of identification were described and examples given. Wristbands will be utilized for bar patrons. Corsentino Security will provide security for the event. Additionally, the premises are secured by a fence. The amended diagrams were admitted into evidence as Exhibits A and B.

Ms. Harrison, seconded by Ms. Sowinski, moved to approve the special events permit application for the Pueblo County Republican Party. Roll Call: Ayes – Harrison, Rose, Shafer, and Sowinski. Motion carried 4-0.

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18 SPECIAL EVENTS PERMIT APPLICATION – BEER, WINE, AND SPIRITUOUS LIQUOR – SOUTHERN COLORADO YOUTH DEVELOPMENT, 161 BAXTER ROAD, EVENT MANAGER MICHAEL RILEY (EVENT TO BE HELD APRIL 28, 2018. ADDRESS OF EVENT: 3733 N. PUEBLO BOULEVARD)

Event Manager Michael Riley, 161 Baxter Road, Pueblo, CO, Tim Desiata, 788 S. Greenway Avenue, Pueblo West, CO, and Mary Mead, 8531 Del Rio, Falcon, CO were sworn in and answered questions from the Board. There will be one liquor distribution point with two servers. The Pueblo Motorsports Park concessions will be available to provide food for sale during the event. Approved forms of identification were described and examples given. The policy for checking identification for bar patrons is no identification, no service. There will be approximately 12 security guards to provide security for the event. There is one entry/exit point and the area will also be secured by snow fencing. The amended diagrams were admitted into evidence as Exhibits A and B.

Ms. Shafer, seconded by Ms. Harrison, moved to approve the special events permit application for Southern Colorado Youth Development. Roll Call: Ayes – Harrison, Rose, Shafer, and Sowinski. Motion carried 4-0.

19 REPORT OF CHANGES – CORPORATION, LIMITED LIABILITY COMPANY AND PARTNERSHIP – CLUB LIQUOR LICENSE – THE PUEBLO COUNTRY CLUB D/B/A THE PUEBLO COUNTRY CLUB, 3200 8TH AVENUE (NEW PRESIDENT LANCE FARNWORTH REPLACES DOUG PROAL, NEW VICE PRESIDENT SCOTT HINKLE REPLACES CHAD HEBERLY, AND NEW TREASURER CHAD HEBERLY REPLACES KEVIN BARICKMAN) CONTINUED FROM MARCH 7, 2018

General Manager William “Buck” Streich, 7056 Turweston Lane, Castle Pines, CO and Board President Lance Farnworth, 37 Portero Drive, Pueblo, CO were sworn in and answered questions from the Board. The moral character questions were directed to Dr. Farnworth. Currently there are 15-20 bartenders and servers at the County Club. There are no known criminal convictions. Background checks are not conducted; however, reference checks are completed. Approved forms of identification were described and examples given by Dr. Santos. The Country Club’s policy for checking identification is to check anyone who appears under age 35. Internal training is provided for employees in addition to attending Alcohol Awareness presentations.

Ms. Sowinski, seconded by Ms. Shafer, moved to approve the Report of Changes – Club Liquor License – The Pueblo Country Club d/b/a The Pueblo Country Club. Roll Call: Ayes – Harrison, Rose, Shafer, and Sowinski. Motion carried 4-0.

20 REPORT OF CHANGES – CORPORATION, LIMITED LIABILITY COMPANY AND PARTNERSHIP – HOTEL & RESTAURANT LIQUOR LICENSE – WATERFRONT ON THE RIVERWALK, INC. D/B/A WATERFRONT ON THE RIVERWALK/TWENTY ONE STEAK, 101 S. MAIN STREET, SUITES 200, 201, AND 202 (RUSSELL DESALVO III BEING ADDED AS NEW STOCKHOLDER)

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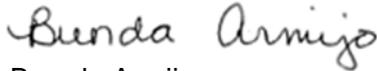
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Stockholder Russell DeSalvo III, 3 Erica Court, Pueblo, CO was sworn in and answered questions from the Board. The moral character and financial questions were directed to Mr. DeSalvo. Currently the restaurant employs 40 people. Mr. DeSalvo indicated that he believes there are some staff with criminal histories. Background checks are conducted. Approved forms of identification were described and examples given by Mr. DeSalvo. The policy for checking identification is to check anyone who appears under age 40.

Ms. Harrison, seconded by Ms. Sowinski, moved to approve the Report of Changes – Hotel & Restaurant Liquor License – Waterfront on the Riverwalk, Inc. d/b/a Waterfront on the Riverwalk/Twenty One Steak. Roll Call: Ayes — Harrison, Rose, Shafer, and Sowinski. Motion carried 4-0.

ADJOURN – With no further business to come before the Board, the meeting was adjourned at 7:39 p.m.

Respectfully submitted,



Brenda Armijo
Acting City Clerk