

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

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

ROLL CALL

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

Absent: Ashley Sowinski.

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

APPROVAL OF MINUTES

Ms. Harrison, seconded by Mr. Pullaro, moved to approve the Minutes of the Regular Meeting of May 16, 2018. Roll Call: Ayes — Harrison, Pullaro, Rose, and Shafer. Motion carried 4-0.

AMENDMENTS TO CONSENT AGENDA

Ms. Harrison, seconded by Ms. Shafer, moved to amend the agenda by moving item 4 to item 20 on the Regular agenda. Roll Call: Ayes — Harrison, Pullaro, Rose, and Shafer. Motion carried 4-0.

CONSENT AGENDA

**MEETING
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- 1 HOTEL & RESTAURANT LIQUOR LICENSE APPLICATION – RENEWALS – TWO RENEWALS**
JMA Nacho's, Inc. d/b/a Nacho's Restaurant, 409 N. Santa Fe Avenue
JMA Nacho's, Inc. d/b/a Nacho's Restaurant, 3406 Thatcher Avenue
- 2 TAVERN LIQUOR LICENSE APPLICATION – RENEWALS – FOUR RENEWALS**
A & D Billiards Inc d/b/a Classic Q's, 1715 S. Prairie Avenue
J & C D, Inc. d/b/a Eastside Tavern, 721 East 4th Street
Global Spectrum, LP d/b/a Memorial Hall Theater, 1 City Hall Place
Sunset Inn Bar & Grill, Inc. d/b/a Sunset Inn Bar & Grill, 2808 Thatcher Avenue
- 3 RETAIL LIQUOR STORE LIQUOR LICENSE APPLICATION – RENEWAL – ONE RENEWAL**
Kwon's Liquor, Inc. d/b/a Lang's Liquor, 2143 Jerry Murphy Road
- 4 MOVED TO THE REGULAR AGENDA**
- 5 SPECIAL EVENT PERMIT APPLICATION – BEER, WINE & SPIRITUOUS LIQUOR LICENSE – JUNETEENTH ORGANIZATION OF PUEBLO, INC., P.O. BOX 2335, EVENT MANAGER SILVESTER ABRON (EVENT TO BE HELD JUNE 16, 2018. ADDRESS OF EVENT: 843 W. NORTHERN AVENUE)**

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

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6 PERMIT APPLICATION AND REPORT OF CHANGES – MODIFICATION OF PREMISES – HOTEL & RESTAURANT LIQUOR LICENSE – WATERFRONT ON THE RIVERWALK, INC. D/B/A TWENTY ONE STEAK, 101 S. MAIN STREET, UNIT 202 & 204

Corporate Officer Adolph Padula, 4202 St. Andrews Drive, Pueblo, CO was sworn in. Attorney Kevin Coates, Registration No. 25995 of Dill and Dill entered his appearance. The licensee is requesting to modify his licensed premises by combining his liquor licenses for the second and fourth floors and adding the first floor, which is leased to the Center for American Values.

The Board was concerned about possession of the premises for the first floor because of the lease to the Center for American Values. Mr. Coates suggested that the item be continued to allow time to further discuss the matter with Mr. Aber and amend their application.

Mr. Rose, seconded by Ms. Harrison, moved to continue this item to the June 20, 2018 Regular meeting to allow the licensee time to amend their application. Roll Call: Ayes – Harrison, Pullaro, Rose, and Shafer. Motion carried 4-0.

7 PERMIT APPLICATION AND REPORT OF CHANGES – MODIFICATION OF PREMISES – LODGING & ENTERTAINMENT LIQUOR LICENSE – SANGRE DE CRISTO ARTS & CONFERENCE CENTER, INC. D/B/A SANGRE DE CRISTO ARTS & CONFERENCE CENTER, 210 N. SANTA FE AVENUE

CEO Jim Richerson, 107 Aberdeen Bluffs, Pueblo, CO and Director of Finance & Administration Patricia Rooney, 15 Erica Court, Pueblo, CO were sworn in and answered questions from the Board. The temporary modification of premises is needed to allow a bar to be set up in the roundabout during Festival Friday events. There is one liquor distribution point. There will be two food vendor trucks on-site from Coors Tavern and Passkey Restaurant. There is one entrance into the event and the site is roped off with on-site security guards during the events.

The modified diagram of the event area was entered into the record as Exhibit A.

Mr. Pullaro, seconded by Ms. Harrison, moved to approve the modification of premises for the Sangre de Cristo Arts & Conference Center. Roll Call: Ayes – Harrison, Pullaro, Rose, and Shafer. Motion carried 4-0.

8 HEARING: TRANSFER OF OWNERSHIP APPLICATION — HOTEL & RESTAURANT LIQUOR LICENSE: PAISANO'S DOWNTOWN, LLC D/B/A PAISANO'S DOWNTOWN, 727 N. MAIN STREET, (CURRENTLY LICENSED TO PAISANO'S LLC D/B/A PAISANO'S, LICENSE EXPIRES JANUARY 19, 2019)

Tiffany Rae, 2807 Arlington Avenue, Pueblo, CO; June Gonzalez, 6 Ironweed Court, Pueblo, CO; Charles Kattnig, P.O. Box 507, Rye, CO; and Todd Engel, 32323 Daniel Road, Pueblo, CO were sworn in and answered questions from the Board. No one appeared in opposition to this application. The moral character and financial questions were directed to the four applicants. The restaurant currently employs 8-12 people with no known convictions. Background checks are not done; however, they would do background checks if needed. Approved forms of identification were described and examples given. The policy for checking identification is to check anyone appearing under 50 years of age. Tiffany Rae attended Alcohol Awareness Training. The moral character of the applicants was found to be satisfactory to the Board.

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Ms. Harrison, seconded by Ms. Shafer, moved to approve the transfer of ownership of the Hotel & Restaurant Liquor License – Paisano's Downtown, LLC, d/b/a Paisano's Downtown. Roll Call: Ayes — Harrison, Pullaro, Rose, and Shafer. Motion carried 4-0.

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

Ms. Harrison, 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.

9 HEARING: TRANSFER OF OWNERSHIP APPLICATION – CABARET LICENSE: PAISANO'S DOWNTOWN, LLC D/B/A PAISANO'S DOWNTOWN, 727 N. MAIN STREET, (CURRENTLY LICENSED TO PAISANO'S LLC D/B/A PAISANO'S, LICENSE EXPIRES JANUARY 19, 2019)

Tiffany Rae, 2807 Arlington Avenue, Pueblo, CO; June Gonzalez, 6 Ironweed Court, Pueblo, CO; Charles Kattnig, P.O. Box 507, Rye, CO; and Todd Engel, 32323 Daniel Road, Pueblo, CO remained sworn in. No one appeared in opposition to this application.

The Board took administrative notice for testimony given in the previous item.

Ms. Harrison, seconded by Ms. Shafer, moved to approve the transfer of ownership of the Cabaret License – Paisano's Downtown, LLC, d/b/a Paisano's Downtown. Roll Call: Ayes — Harrison, Pullaro, Rose, and Shafer. Motion carried 4-0.

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

Ms. Harrison, 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 — 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)

Dennis Dirkse, 1239 W. Lone Cowboy Drive, Pueblo West, CO and Antoinette Lenzotti, 6090 Highway 78, Pueblo, CO were sworn in and answered questions from the Board. No one appeared in opposition to this application. The moral character and financial questions were directed to the applicants. There are no known convictions among the employees; however, there are 750 employees and 107 stores. Background checks are done. Approved forms of identification were described and examples given. The policy for checking identification is to check anyone appearing under 40 years of age. The store utilizes a POS system. Training is completed by employees online using a National Association of Convenience Stores (NACS) program. The moral character of the applicants was found to be satisfactory to the Board.

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Ms. Shafer, seconded by Ms. Harrison, moved to approve the transfer of ownership of the 3.2% Beer License for Off Premises Consumption – Pester Marketing Company d/b/a Alta #6135. Roll Call: Ayes — Harrison, Pullaro, Rose, and Shafer. 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, Pullaro, Rose, and Shafer. Motion carried 4-0.

11 PETITION TO PAY FINE IN LIEU OF SUSPENSION – THE BOURBON ROOM PUEBLO LLC D/B/A THE BOURBON ROOM, 1007 WEST 6TH STREET CONTINUED FROM MAY 2, 2018

Rudy Ibarra, 933 Pinecrest Drive, Pueblo, CO was sworn in and answered questions from the Board. Detective Vincent Petkosek, 200 S. Main Street, Pueblo, CO and Officer Nicholas Lile, 200 S. Main Street, Pueblo, CO appeared and testified in opposition to paying a fine in lieu of suspension. Detective Petkosek stated that he has an active investigation ongoing concerning the licensee. Officer Lile presented statistical data concerning the number of calls for service that have been made to The Bourbon Room during April and May 2018.

The Board explained to Detective Petkosek that a petition to pay a fine in lieu of suspension was previously approved to allow the licensee to pay for six days of the suspension. Detective Petkosek indicated that he still wanted to oppose the two additional days for which the licensee was petitioning.

Mr. Pullaro, seconded by Ms. Shafer, moved to approve the Petition to Pay Fine in Lieu of Suspension – The Bourbon Room Pueblo LLC d/b/a The Bourbon Room. Roll Call: Nays – Harrison, Pullaro, Rose, and Shafer. Motion failed 0-4.

The licensee will serve 10 days suspension on June 15-17, 2018, June 29, 30 and July 1, 2018, July 13-15, 2018, and August 3, 2018.

12 COMMUNICATION RE: ALLEGED LIQUOR CODE VIOLATION – 1020 LIQUORS LLC D/B/A EAGLE LIQUORS & CIGARS, 1020 EAGLERIDGE BOULEVARD (POLICE CR# 18-008565, VIOLATION DATE: APRIL 21, 2018)

Member Manish Patel, 906 Weber Court, Alamosa, CO and Rajendrakumar Patel, 4710 Pioneer Road, Pueblo, CO were sworn in. Assistant City Attorney Trevor Gloss entered his appearance on behalf of the City of Pueblo. No one appeared in opposition to this matter.

Mr. Gloss stated that a Stipulation has been reached in this matter and read the Stipulated Findings and Order into the record. In lieu of further proceedings and disciplinary action, the Licensee stipulates and agrees to a suspension of its liquor license. The liquor license shall be suspended for a period of eight (8) days, of which four (4) days shall be imposed and four (4) days held in abeyance.

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The four (4) days-imposed suspension shall be served within four (4) months from the date of this Order, and the date of suspension shall be set by the Board. The Licensee may petition to pay a fine in lieu of the suspension.

The remaining four (4) days suspension shall be held in abeyance for a period of twelve (12) months from the date of this Order. If the Board finds probable cause for an additional violation during that period, the four (4) days held in abeyance shall be imposed upon the Licensee without the need for a new hearing.

Ms. Harrison, seconded by Ms. Shafer, moved to approve the Stipulated Findings and Order as read and to continue this matter to June 20, 2018 for further proceedings. Roll Call: Ayes – Harrison, Pullaro, Rose, Shafer. Motion carried 4-0.

13 COMMUNICATION RE: ALLEGED LIQUOR CODE VIOLATION – HANCOR INVESTMENTS INC D/B/A JR'S LIQUOR, 721 N. GRAND AVENUE (POLICE CR# 18-008574, VIOLATION DATE: APRIL 21, 2018)

Corporate Officer Jennifer Ribal, 145 Brentwood Drive, Pueblo, CO was sworn in. Assistant City Attorney Trevor Gloss entered his appearance on behalf of the City of Pueblo. No one appeared in opposition to this matter.

Mr. Gloss stated that a Stipulation has been reached in this matter and read the Stipulated Findings and Order into the record. In lieu of further proceedings and disciplinary action, the Licensee stipulates and agrees to a suspension of its liquor license. The liquor license shall be suspended for a period of five (5) days, of which two (2) days shall be imposed and three (3) days held in abeyance.

The two (2) days-imposed suspension shall be served within four (4) months from the date of this Order, and the date of suspension shall be set by the Board. The Licensee may petition to pay a fine in lieu of the suspension.

The remaining three (3) days suspension shall be held in abeyance for a period of twelve (12) months from the date of this Order. If the Board finds probable cause for an additional violation during that period, the three (3) days held in abeyance shall be imposed upon the Licensee without the need for a new hearing.

Ms. Shafer, seconded by Ms. Harrison, moved to approve the Stipulated Findings and Order as read and to continue this matter to July 18, 2018 for further proceedings. Roll Call: Ayes – Harrison, Pullaro, Rose, Shafer. Motion carried 4-0.

14 COMMUNICATION RE: ALLEGED LIQUOR CODE VIOLATION – LOCO LIQUORS INC D/B/A LOCO WINES & LIQUORS, 125 S. SANTA FE AVENUE (POLICE CR# 18-008577, VIOLATION DATE: APRIL 21, 2018)

Corporate Officer Ted Aguilera, 893 Clearview Place, Pueblo, CO was sworn in. Assistant City Attorney Trevor Gloss entered his appearance on behalf of the City of Pueblo. No one appeared in opposition to this matter.

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Mr. Pullaro, seconded by Ms. Harrison, moved to set this matter for hearing at the July 18, 2018 Regular meeting. Roll Call: Ayes – Harrison, Rose, Pullaro, and Shafer. Motion carried 4-0.

15 COMMUNICATION RE: ALLEGED LIQUOR CODE VIOLATION – NORTHERN AVENUE LIQUORS INC D/B/A NORTHER AVENUE LIQUORS, 213 W. NORTHERN AVENUE (POLICE CR# 18-008579, VIOLATION DATE: APRIL 21, 2018)

Corporate Officer Johnnie Lee, 41 Sepulveda Drive, Pueblo, CO was sworn in. Assistant City Attorney Trevor Gloss entered his appearance on behalf of the City of Pueblo. No one appeared in opposition to this matter.

Mr. Gloss stated that a Stipulation has been reached in this matter and read the Stipulated Findings and Order into the record. In lieu of further proceedings and disciplinary action, the Licensee stipulates and agrees to a suspension of its liquor license. The liquor license shall be suspended for a period of seven (7) days, of which three (3) days shall be imposed and four (4) days held in abeyance.

The three (3) days-imposed suspension shall be served within four (4) months from the date of this Order, and the date of suspension shall be set by the Board. The Licensee may petition to pay a fine in lieu of the suspension.

The remaining four (4) days suspension shall be held in abeyance for a period of twelve (12) months from the date of this Order. If the Board finds probable cause for an additional violation during that period, the four (4) days held in abeyance shall be imposed upon the Licensee without the need for a new hearing.

Ms. Harrison, seconded by Ms. Shafer, moved to approve the Stipulated Findings and Order as read and to continue this matter to July 18, 2018 for further proceedings. Roll Call: Ayes – Harrison, Pullaro, Rose, Shafer. Motion carried 4-0.

16 COMMUNICATION RE: ALLEGED LIQUOR CODE VIOLATION – JUN'S INC D/B/A NORWOOD DISCOUNT LIQUORS, 2103 N. NORWOOD AVENUE (POLICE CR# 18-008568, VIOLATION DATE: APRIL 21, 2018)

Corporate Officers Byung Jun and Soo Jun, both of 4302 Browning Court, Pueblo, CO were sworn in. Assistant City Attorney Trevor Gloss entered his appearance on behalf of the City of Pueblo. No one appeared in opposition to this matter.

Mr. Gloss stated that a Stipulation has been reached in this matter and read the Stipulated Findings and Order into the record. In lieu of further proceedings and disciplinary action, the Licensee stipulates and agrees to a suspension of its liquor license. The liquor license shall be suspended for a period of six (6) days, of which two (2) days shall be imposed and four (4) days held in abeyance.

The two (2) days-imposed suspension shall be served within four (4) months from the date of this Order, and the date of suspension shall be set by the Board. The Licensee may petition to pay a fine in lieu of the suspension.

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The remaining four (4) days suspension shall be held in abeyance for a period of twelve (12) months from the date of this Order. If the Board finds probable cause for an additional violation during that period, the four (4) days held in abeyance shall be imposed upon the Licensee without the need for a new hearing.

Ms. Shafer, seconded by Ms. Harrison, moved to approve the Stipulated Findings and Order as read and to continue this matter to July 18, 2018 for further proceedings. Roll Call: Ayes – Harrison, Pullaro, Rose, Shafer. Motion carried 4-0.

17 COMMUNICATION RE: ALLEGED LIQUOR CODE VIOLATION – BOLSA INVESTMENTS INC D/B/A PRAIRIE LIQUORS, 1659 S. PRAIRIE AVENUE (POLICE CR# 18-008580, VIOLATION DATE: APRIL 21, 2018)

Corporate Officer John Ribal, 3932 Carlile Avenue, Drive, Pueblo, CO was sworn in. Assistant City Attorney Trevor Gloss entered his appearance on behalf of the City of Pueblo. No one appeared in opposition to this matter.

Mr. Gloss stated that a Stipulation has been reached in this matter and read the Stipulated Findings and Order into the record. In lieu of further proceedings and disciplinary action, the Licensee stipulates and agrees to a suspension of its liquor license. The liquor license shall be suspended for a period of seven (7) days, of which three (3) days shall be imposed and four (4) days held in abeyance.

The three (3) days-imposed suspension shall be served within four (4) months from the date of this Order, and the date of suspension shall be set by the Board. The Licensee may petition to pay a fine in lieu of the suspension.

The remaining four (4) days suspension shall be held in abeyance for a period of twelve (12) months from the date of this Order. If the Board finds probable cause for an additional violation during that period, the four (4) days held in abeyance shall be imposed upon the Licensee without the need for a new hearing.

Mr. Pullaro, seconded by Ms. Harrison, moved to approve the Stipulated Findings and Order as read and to continue this matter to August 1, 2018 for further proceedings. Roll Call: Ayes – Harrison, Pullaro, Rose, Shafer. Motion carried 4-0.

18 COMMUNICATION RE: ALLEGED LIQUOR CODE VIOLATION – CHO CHA LLC D/B/A SHANTY LIQUOR, 2212 EAST 4TH STREET (POLICE CR# 18-008570, VIOLATION DATE: APRIL 21, 2018)

Member Raymond Taylor, 2212 E. 4th Street, Pueblo, CO was sworn in. Assistant City Attorney Trevor Gloss entered his appearance on behalf of the City of Pueblo. No one appeared in opposition to this matter.

Mr. Gloss stated that a Stipulation has been reached in this matter and read the Stipulated Findings and Order into the record. In lieu of further proceedings and disciplinary action, the Licensee stipulates and agrees to a suspension of its liquor license. The liquor license shall be suspended for a period of seven (7) days, of which four (4) days shall be imposed and three (3) days held in abeyance.

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The four (4) days-imposed suspension shall be served within four (4) months from the date of this Order, and the date of suspension shall be set by the Board. The Licensee may petition to pay a fine in lieu of the suspension.

The remaining three (3) days suspension shall be held in abeyance for a period of twelve (12) months from the date of this Order. If the Board finds probable cause for an additional violation during that period, the three (3) days held in abeyance shall be imposed upon the Licensee without the need for a new hearing.

Ms. Harrison, seconded by Ms. Shafer, moved to approve the Stipulated Findings and Order as read and to continue this matter to August 1, 2018 for further proceedings. Roll Call: Ayes – Harrison, Pullaro, Rose, Shafer. Motion carried 4-0.

19 COMMUNICATION RE: ALLEGED LIQUOR CODE VIOLATION – VILLAGE WINE & SPIRITS INC D/B/A VILLAGE WINE AND SPIRITS, 3037 N. ELIZABETH STREET (POLICE CR# 18-008566, VIOLATION DATE: APRIL 21, 2018)

Corporate Officer Kenneth Baird, 4940 Flicker Drive, Pueblo, CO was sworn in. Assistant City Attorney Trevor Gloss entered his appearance on behalf of the City of Pueblo. No one appeared in opposition to this matter.

Mr. Gloss stated that a Stipulation has been reached in this matter and read the Stipulated Findings and Order into the record. In lieu of further proceedings and disciplinary action, the Licensee stipulates and agrees to a suspension of its liquor license. The liquor license shall be suspended for a period of seven (8) days, of which three (4) days shall be imposed and four (4) days held in abeyance.

The three (4) days-imposed suspension shall be served within four (4) months from the date of this Order, and the date of suspension shall be set by the Board. The Licensee may petition to pay a fine in lieu of the suspension.

The remaining four (4) days suspension shall be held in abeyance for a period of twelve (12) months from the date of this Order. If the Board finds probable cause for an additional violation during that period, the four (4) days held in abeyance shall be imposed upon the Licensee without the need for a new hearing.

Ms. Shafer, seconded by Ms. Harrison, moved to approve the Stipulated Findings and Order as read and to continue this matter to August 1, 2018 for further proceedings. Roll Call: Ayes – Harrison, Pullaro, Rose, Shafer. Motion carried 4-0.

20 SPECIAL EVENT PERMIT APPLICATION – BEER, WINE & SPIRITUOUS LIQUOR LICENSE – BOYS & GIRLS CLUBS OF PUEBLO COUNTY, 635 W. CORONA AVENUE, #201, EVENT MANAGER ANGELA GIRON (EVENT TO BE HELD JUNE 15, 2018. ADDRESS OF EVENT: 701 S. PUEBLO BOULEVARD)

CEO Angela Giron, 1910 Court Street, Pueblo, CO was sworn in and testified in favor of the application. Larry Fancher, 722 Avocado Street, Pueblo, CO was sworn in and testified in opposition to the application.

REGULAR AGENDA

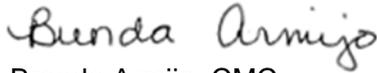
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Mr. Fancher stated several concerns relating to previous events held at Fun Putter Park. After discussion, Mr. Fancher left the meeting.

Mr. Pullaro, seconded by Ms. Shafer, moved to approve the special events permit application for the Boys & Girls Clubs of Pueblo County. Roll Call: Ayes – Harrison, Pullaro, Rose, and Shafer. Motion carried 4-0.

ADJOURN – With no further business to come before the Board, the meeting was adjourned at 9:10 p.m.

Respectfully submitted,



Brenda Armijo, CMC
Acting City Clerk