

**PUEBLO LIQUOR & BEER LICENSING BOARD**  
**MINUTES -- REGULAR MEETING**  
**CITY HALL -- COUNCIL CHAMBERS**  
**NOVEMBER 7, 2018 – 6:00 P.M.**

The Pueblo Liquor & Beer Licensing Board convened the Regular Meeting of November 7, 2018 at 6:00 p.m. with Chairperson Jan Shafer presiding.

**ROLL CALL**

**Present:** Board Members Mo Montgomery, Tony Pullaro, Jan Shafer, and Ashley Sowinski.

**Absent:** Charles Pullaro.

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

**APPROVAL OF MINUTES**

Ms. Montgomery, seconded by Ms. Sowinski, moved to approve the Minutes of the Regular Meeting of October 17, 2018 as distributed. Roll Call: Ayes — Montgomery, Pullaro, Shafer, and Sowinski. Motion carried 4-0.

**CONSENT AGENDA**

**MEETING NUMBER**

**1 HOTEL & RESTAURANT LIQUOR LICENSE – RENEWALS – FIVE RENEWALS**

Average Joz Bar LLC d/b/a Average Joz Bar, 1227 S. Prairie Avenue  
Grahams Grill II LLC d/b/a Grahams Grill, 1749 S. Pueblo Boulevard  
LaTronica's Restaurant, Inc. d/b/a LaTronica's Restaurant & Tavern, 1143 E. Abriendo Avenue  
Mr. Tandoori LLC Inc d/b/a Mr. Tandoori,, 310 S. Victoria Avenue, #C  
Tian Jin, Inc. d/b/a Tian Jin Oriental Cuisine, 3400 W. Northern Avenue

**2 TAVERN LIQUOR LICENSE – RENEWALS – FIVE RENEWALS**

Charles A. Kinnard d/b/a Charlie's Tavern, 1601 West 17<sup>th</sup> Street  
Club Ice LLC d/b/a Club Ice, 2430 Lake Avenue  
Cosmo Bob's LLC d/b/a Cosmopolitan Club, 311 Baystate Avenue  
GLT, Inc. d/b/a Greenlight Tavern, 227 N. Santa Fe Avenue  
Apollo Investments LLC d/b/a The Grove Tavern, 901 East C Street

**3 3.2% BEER LICENSE FOR OFF PREMISES CONSUMPTION – RENEWALS – TWO RENEWALS**

Mini Mart, Inc. d/b/a Loaf N Jug #86, 2810 Troy Avenue  
7-Eleven, Inc. d/b/a 7-Eleven Store No. 20638J, 804 East 4<sup>th</sup> Street

**4 CLUB LIQUOR LICENSE – RENEWAL – ONE RENEWAL**

Pueblo Country Club d/b/a Pueblo Country Club, 3200 8<sup>th</sup> Avenue

**5 RETAIL LIQUOR STORE LIQUOR LICENSE – RENEWAL – ONE RENEWAL**

K & D Enterprises, Inc. d/b/a Troy Village Liquor, 1732 Constitution Road

**6 CABARET LICENSE – RENEWALS – FOUR RENEWALS**

A & D Billiards Inc d/b/a Classic Q's, 1715 S. Prairie Avenue  
Club Ice LLC d/b/a Club Ice, 2430 Lake Avenue  
GLT Inc d/b/a Greenlight Tavern, 227 N. Santa Fe Avenue  
Mr. Tandoori LLC Inc d/b/a Mr. Tandoori, 310 S. Victoria Avenue

**CONSENT AGENDA (CONTINUED)**

Ms. Montgomery, seconded by Ms. Sowinski, moved to approve the Consent Agenda as distributed. Roll Call: Ayes — Montgomery, Pullaro, Shafer, and Sowinski. Motion carried 4-0.

**REGULAR AGENDA**

Ms. Montgomery, seconded by Mr. Tony Pullaro, moved to place item #12 first on the Regular Agenda. Roll Call: Ayes — Montgomery, Pullaro, Shafer, and Sowinski. Motion carried 4-0.

**MEETING  
NUMBER**

**12 COMMUNICATION RE: ALLEGED LIQUOR CODE VIOLATION – REGINALD W. MAURO D/B/A RED'S ALIBI LOUNGE, 1107 S. PRAIRIE AVENUE (POLICE CR# 18-018833, VIOLATION DATE: AUGUST 31, 2018)**

Assistant City Attorney Trevor Gloss entered his appearance on behalf of the City of Pueblo. The licensee, Reggie Mauro, 2107 Chatalet Lane, Pueblo, CO was sworn in and answered questions from the Board.

Mr. Gloss read the Stipulated Findings and Order into the record. In lieu of further proceedings and disciplinary action, 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 three (3) days shall be imposed and three (3) 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 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. Montgomery, seconded by Mr. Tony Pullaro, moved to approve the Stipulated Findings and Order as read and to continue this matter to December 5, 2018 for further proceedings. Roll Call: Ayes – Montgomery, Pullaro, Shafer, and Sowinski. Motion carried 4-0.

**7 NEIGHBORHOOD SURVEY: NEW RETAIL LIQUOR STORE LIQUOR LICENSE – SAI VINAYAK, INC. D/B/A SOCO LIQUOR MART, 4410 DILLON DRIVE**

Ms. Sowinski, seconded by Ms. Montgomery, moved to receive the survey and set the hearing for December 5, 2018. Roll Call: Ayes — Montgomery, Pullaro, Shafer, and Sowinski. Motion carried 4-0.

**8 REPORT OF CHANGES – CORPORATION, LIMITED LIABILITY COMPANY AND PARTNERSHIP – 3.2 BEER LICENSE – RUNYON SPORTS COMPLEX COMMISSION INC. D/B/A THE BULL PEN, 400 STANTON AVENUE (MIKE MARCOVECIO REPLACES JACK BAY AS PRESIDENT AND NICOLE WHITAKER REPLACES MIKE MORCOVECIO AS TREASURER) CONTINUED FROM OCTOBER 17, 2018**

Dave Dudley, 714 W. Grant Avenue, Pueblo, CO and Nicole Whitaker, 949 34<sup>th</sup> Lane, Pueblo, CO were sworn in and answered questions from the Board.

REGULAR AGENDA (Continued)

MEETING  
NUMBER

**8 Continued**

The moral character questions were directed to Ms. Whitaker. There are currently 20 employees with no known convictions. Background checks are completed. Approved forms of identification were described and examples given. All persons appearing under the age of 35 will have their identification checked. Some employees have attended training. The moral character of the applicant was found to be satisfactory to the Board.

Mr. Tony Pullaro, seconded by Ms. Sowinski, moved to approve the Report of Changes – 3.2% Beer License – Runyon Sports Complex Commission Inc. d/b/a The Bull Pen. Roll Call: Ayes — Montgomery, Pullaro, Shafer, and Sowinski. Motion carried 4-0.

**9 PERMIT APPLICATION & REPORT OF CHANGES – MODIFICATION OF PREMISES — 3.2% BEER LICENSE FOR OFF PREMISES CONSUMPTION – WALMART INC. D/B/A WALMART #842**

Jesse Dauenhauer, 5420 Kestrel Court, Pueblo, CO and Russell Hudler of 6430 Vertrees Road, Avondale, CO were sworn in. Both answered questions from the Board. This permanent modification of premises will allow additional shelving and refrigeration for beer to be added to the licensed premises.

Ms. Montgomery, seconded by Ms. Sowinski, moved to approve the Report of Changes – Modification of Premises – Walmart Inc. d/b/a Walmart #842. Roll Call: Ayes — Montgomery, Pullaro, Shafer, and Sowinski. Motion carried 4-0.

**10 PERMIT APPLICATION & REPORT OF CHANGES – MODIFICATION OF PREMISES — 3.2% BEER LICENSE FOR OFF PREMISES CONSUMPTION – WALMART INC. D/B/A WALMART #1001**

Jason Sanders, 49 Bridle Trail, Pueblo, CO and George Kruest, 932 S. Blue Hills Drive, Pueblo West, CO were sworn in. Both answered questions from the Board. This permanent modification of premises will allow additional shelving and refrigeration for beer to be added to the licensed premises.

Ms. Sowinski, seconded by Ms. Montgomery, moved to approve the Report of Changes – Modification of Premises – Walmart Inc. d/b/a Walmart #1001. Roll Call: Ayes — Montgomery, Pullaro, Shafer, and Sowinski. Motion carried 4-0.

**11 HEARING: NEW 3.2% BEER LICENSE FOR OFF PREMISES CONSUMPTION – PESTER MARKETING D/B/A ALTA CONVENIENCE #6143, 2714 THATCHER AVENUE CONTINUED FROM OCTOBER 17, 2018**

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

Vice President of Operations Dennis Dirkse, 1239 W. Lone Cowboy Drive, Pueblo West, CO and Max Scott, Oedipus, P.O. Box 1012, Lafayette, CO were sworn in and answered questions from the Board.

REGULAR AGENDA (Continued)

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**11 Continued**

Additional Petitions were admitted into evidence as Exhibit B. Maps and other documents submitted by Oedipus were admitted into as evidence as Exhibit C.

Mr. Dirkse offered the following additional testimony: Employees attend TIPS Training and in-house training utilizing the BARS Program. A BARS Representative spot checks stores monthly. Identification will be checked for anyone appearing 40 years of age or younger.

Mr. Tony Pullaro, seconded by Ms. Montgomery, moved to approve the new 3.2% Beer License for Off Premises Consumption – Pester Marketing d/b/a Alta Convenience #6143, 2714 Thatcher Avenue. Roll Call: Ayes – Montgomery, Pullaro, Shafer, and Sowinski. Motion carried 4-0.

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

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

**13 HEARING RE: ALLEGED LIQUOR CODE VIOLATION – BRILLANTE LLC D/B/A LA FAVORITA, 119 WEST B STREET. (POLICE CR#18-015655, VIOLATION DATE: JULY 22, 2018) CONTINUED FROM OCTOBER 17, 2018**

Assistant City Attorney Trevor Gloss entered his appearance on behalf of the City of Pueblo. The licensee, Anthony Nunez, 1041 Lynn Drive, Pueblo, CO was sworn in and answered questions from the Board.

Mr. Gloss read the Stipulated Findings and Order into the record. In lieu of further proceedings and disciplinary action, 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 four (4) days shall be imposed and one (1) day held in abeyance.

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

The remaining one (1) day of 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 one (1) day held in abeyance shall be imposed upon the Licensee without the need for a new hearing.

Ms. Sowinski, seconded by Mr. Tony Pullaro, moved to approve the Stipulated Findings and Order as read and to continue this matter to December 5, 2018 for further proceedings. Roll Call: Ayes – Montgomery, Pullaro, Shafer, and Sowinski. Motion carried 4-0.

**14 HEARING RE: ALLEGED LIQUOR CODE VIOLATION – BRILLANTE LLC D/B/A LA FAVORITA, 119 WEST B STREET. (POLICE CR#18-016770, VIOLATION DATE: AUGUST 4, 2018) CONTINUED FROM OCTOBER 17, 2018**

**REGULAR AGENDA (Continued)**

**MEETING  
NUMBER**

**14 Continued**

Mr. Nunez remains sworn in. Administrative Notice was taken by the Board for testimony given in item #13.

Ms. Sowinski, seconded by Ms. Montgomery, moved to approve the Stipulated Findings and Order as read and to continue this matter to December 5, 2018 for further proceedings. . Roll Call: Ayes – Montgomery, Pullaro, Shafer, and Sowinski. Motion carried 4-0.

**15 COMMUNICATION RE: ALLEGED LIQUOR CODE VIOLATION – BRILLANTE LLC D/B/A LA FAVORITA, 119 WEST B STREET. (POLICE CR#18-017865, VIOLATION DATE: AUGUST 19, 2018)**

Mr. Nunez remains sworn in. Administrative Notice was taken by the Board for testimony given in item #13.

Ms. Sowinski, seconded by Ms. Montgomery, moved to approve the Stipulated Findings and Order as read and to continue this matter to December 5, 2018 for further proceedings. . Roll Call: Ayes – Montgomery, Pullaro, Shafer, and Sowinski. Motion carried 4-0.

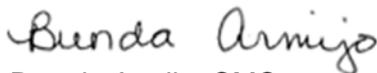
**16 COMMUNICATION RE: ALLEGED LIQUOR CODE VIOLATION – BRILLANTE LLC D/B/A LA FAVORITA, 119 WEST B STREET. (POLICE CR#18-018998, VIOLATION DATE: SEPTEMBER 2, 2018)**

Mr. Nunez remains sworn in. Administrative Notice was taken by the Board for testimony given in item #13.

Ms. Sowinski, seconded by Ms. Montgomery, moved to approve the Stipulated Findings and Order as read and to continue this matter to December 5, 2018 for further proceedings. . Roll Call: Ayes – Montgomery, Pullaro, Shafer, and Sowinski. Motion carried 4-0.

**ADJOURN** – The November 21, 2018 Regular Meeting has been cancelled. The next Regular Meeting for the Liquor and Beer Licensing Board will be held on December 5, 2018. With no further business to come before the Board, the meeting was adjourned at 7:09 p.m.

Respectfully submitted,



Brenda Armijo, CMC  
Acting City Clerk