

PUEBLO LIQUOR & BEER LICENSING BOARD
MINUTES -- REGULAR MEETING
CITY HALL -- COUNCIL CHAMBERS
DECEMBER 5, 2018 – 6:00 P.M.

The Pueblo Liquor & Beer Licensing Board convened the Regular Meeting of December 5, 2018 at 6:00 p.m. with Chairperson Jan Shafer presiding.

ROLL CALL

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

Absent: None.

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

APPROVAL OF MINUTES

Ms. Sowinski, seconded by Mr. Tony Pullaro, moved to approve the Minutes of the Regular Meeting of November 7, 2018 as distributed. Roll Call: Ayes — Montgomery, Pullaro, Pullaro, Shafer, and Sowinski. Motion carried 5-0.

CONSENT AGENDA

MEETING NUMBER

1 HOTEL & RESTAURANT LIQUOR LICENSE – RENEWALS – FOUR RENEWALS

Donna M. Hart d/b/a All Seasons Catering Event Center, 112 West 2nd Street
Apple Colorado LLC d/b/a Applebee's Neighborhood Grill & Bar, 4001 W. Northern Avenue
Kevin Baker and Steven Baker d/b/a Primetime Sports Emporium, 118 West 7th Street
Sachiko Pyon d/b/a Suehiro Japanese Restaurant, 631 N. Main Street

2 TAVERN LIQUOR LICENSE – RENEWALS – TWO RENEWALS

Willieboyz LLC d/b/a The Beer Run, 1023 S. Pueblo Boulevard
Brillante LLC d/b/a La Favorita, 119 West B Street

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

J.R.'s Country Store Inc. d/b/a J.R.'s Country Store No. 201, 3920 Hollybook Lane
7-Eleven, Inc. d/b/a 7-Eleven Store #13111S, 2727 S. Prairie Avenue

4 CLUB LIQUOR LICENSE – RENEWAL – SIX RENEWALS

American GI Forum d/b/a American GI Forum – Pueblo Chapter, 125 Hector Garcia Place
American Legion Post 2 d/b/a American Legion Post 2, 701 West 9th Street
Fraternal Order of Eagles No. 145 d/b/a Fraternal Order of Eagles No. 145, 1615 S. Prairie Avenue
Pueblo Lodge No. 90 BPOE of USA d/b/a BPOE Lodge Pueblo – Pueblo Lodge No. 90, 426 N. Santa Fe Avenue
St. Joseph Society No. Seven KSKJ d/b/a St. Joseph Society No. Seven KSKJ, 917 East B Street
Fraternal Order of Eagles 3367 Aerie d/b/a Steel City Eagles, 704 Elmhurst Place

5 RETAIL LIQUOR STORE LIQUOR LICENSE – RENEWALS – FOUR RENEWALS

1020 Liquors, LLC d/b/a Eagle Liquors & Cigars, 1020 Eagleridge Boulevard
Hercules Enterprises Inc d/b/a Hercules Liquor, 112 Broadway Avenue

CONSENT AGENDA (CONTINUED)

**MEETING
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- 5 RETAIL LIQUOR STORE LIQUOR LICENSE – RENEWALS - CONTINUED**
Northern Avenue Liquors Inc. d/b/a Northern Avenue Liquors Inc., 213 W. Northern Avenue
Joy Corporation d/b/a Pueblo Blvd Discount Liquor, 1616 W. Pueblo Boulevard
- 6 LODGING AND ENTERTAINMENT LIQUOR LICENSE – RENEWAL – ONE RENEWAL**
Sangre de Cristo Arts and Conference Center Inc. d/b/a Sangre de Cristo Arts and Conference
Center, 210 N. Santa Fe Avenue
- 7 CABARET LICENSE – RENEWALS – THREE RENEWALS**
Willieboyz LLC d/b/a The Beer Run, 1023 S. Pueblo Boulevard
Brillante LLC d/b/a La Favorita, 119 West B Street
Sangre de Cristo Arts and Conference Center Inc. d/b/a Sangre de Cristo Arts and Conference
Center, 210 N. Santa Fe Avenue
- 8 PERMIT APPLICATION & REPORT OF CHANGES – CHANGE OF MANAGER — CLUB
LIQUOR LICENSE – ST. JOSEPH SOCIETY NO. SEVEN KSKJ**
- 9 TEMPORARY PERMIT APPLICATION: TRANSFER OF OWNERSHIP APPLICATION —
HOTEL & RESTAURANT LIQUOR LICENSE: OCEAN RAIE WON LLC D/B/A BREAKERS
POOL HALL, 1007 WEST 6TH STREET, (CURRENTLY LICENSED TO THE BOURBON
ROOM PUEBLO LLC D/B/A THE BOURBON ROOM, LICENSE EXPIRES NOVEMBER 7,
2018)**
- 10 TEMPORARY PERMIT APPLICATION: TRANSFER OF OWNERSHIP APPLICATION —
RACE TRACK LIQUOR LICENSE: SOUTHERN COLORADO GAMING LLC D/B/A
SOUTHERN COLORADO GAMING, 3215 LAKE AVENUE, (CURRENTLY LICENSED TO
LAW DOG LLC D/B/A SOUTHERN COLORADO GAMING & EVENT CENTER, LICENSE
EXPIRES MARCH 24, 2019)**

Ms. Sowinski, seconded by Ms. Montgomery, moved to approve the Consent Agenda as distributed. Roll Call: Ayes — Montgomery, Pullaro, Pullaro, Shafer, and Sowinski. Motion carried 5-0.

REGULAR AGENDA

- 11 COMMUNICATION RE: ALLEGED LIQUOR CODE VIOLATION – HAMKIM, INC. D/B/A
CLARION INN, 4001 N. ELIZABETH STREET (POLICE CR# 18-022767, VIOLATION
DATE: OCTOBER 20, 2018)**

Assistant City Attorney Trevor Gloss entered his appearance on behalf of the City of Pueblo. General Manager Chris Crosier, 5875 Asbury Avenue, Denver, CO appeared on behalf of the applicant and was sworn in.

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.

REGULAR AGENDA (Continued)

**MEETING
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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.

Mr. Tony Pullaro, seconded by Ms. Sowinski, moved to approve the Stipulated Findings and Order as read and to continue this matter to January 16, 2019 for further proceedings. Roll Call: Ayes – Montgomery, Pullaro, Pullaro, Shafer, and Sowinski. Motion carried 5-0.

12 PERMIT APPLICATION & REPORT OF CHANGES – MANAGER’S REGISTRATION – HOTEL & RESTAURANT LIQUOR LICENSE – HAMKIM, INC. D/B/A CLARION INN

Mr. Tony Pullaro, seconded by Ms. Sowinski, moved to continue this item to the January 16, 2019 hearing. Roll Call: Ayes — Montgomery, Pullaro, Pullaro, Shafer, and Sowinski. Motion carried 5-0.

13 HEARING: TRANSFER OF OWNERSHIP APPLICATION — HOTEL & RESTAURANT LIQUOR LICENSE: OCEAN RAE WON LLC D/B/A BREAKERS POOL HALL, 1007 WEST 6TH STREET, (CURRENTLY LICENSED TO THE BOURBON ROOM PUEBLO LLC D/B/A THE BOURBON ROOM, LICENSE EXPIRES NOVEMBER 7, 2019)

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

Member Jennifer Guara, 1879 W. Costilla Drive, Pueblo West, CO was sworn in and answered questions from the Board. The moral character and financial questions were directed to Ms. Guara. Currently there are six employees with no known convictions. Background checks are not done. Approved forms of identification were described and examples given. All identification will be checked and wristbands or stamps utilized for bar patrons. Ms. Guara has completed liquor training within the last ten years but will complete TIPS training with employees. The moral character of Ms. Guara was found to be satisfactory to the Board.

Ms. Montgomery, seconded by Ms. Sowinski, moved to approve the transfer of ownership of the Hotel & Restaurant Liquor License – Ocean Rae Won LLC d/b/a Breakers Pool Hall, 1007 West 6th Street. Roll Call: Ayes – Montgomery, Pullaro, Pullaro, Shafer, and Sowinski. Motion carried 5-0.

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

Ms. Montgomery, seconded by Mr. Tony Pullaro, moved to approve the Findings and Order as read. Roll Call: Ayes – Montgomery, Pullaro, Pullaro, Shafer, and Sowinski. Motion carried 5-0.

REGULAR AGENDA (Continued)

**MEETING
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14 HEARING: TRANSFER OF OWNERSHIP APPLICATION — CABARET LICENSE: OCEAN RAE WON LLC D/B/A BREAKERS POOL HALL, 1007 WEST 6TH STREET, (CURRENTLY LICENSED TO THE BOURBON ROOM PUEBLO LLC D/B/A THE BOURBON ROOM, LICENSE EXPIRES NOVEMBER 7, 2019)

Ms. Guara remained sworn in. Administrative Notice was taken by the Board for testimony given in the previous item.

Ms. Montgomery, seconded by Ms. Sowinski, moved to approve the transfer of ownership of the Cabaret Liquor License – Ocean Rae Won LLC d/b/a Breakers Pool Hall, 1007 West 6th Street. Roll Call: Ayes – Montgomery, Pullaro, Pullaro, Shafer, and Sowinski. Motion carried 5-0.

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

Ms. Montgomery, seconded by Mr. Tony Pullaro, moved to approve the Findings and Order as read. Roll Call: Ayes – Montgomery, Pullaro, Pullaro, Shafer, and Sowinski. Motion carried 5-0.

15 HEARING: NEW RETAIL LIQUOR STORE LIQUOR LICENSE – SAI VINAYAK, INC. D/B/A SOCO LIQUOR MART, 4410 DILLON DRIVE

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

Corporate Officer Jignesh Patel, 4201 Ruger Drive, Pueblo, CO was sworn in and answered questions from the Board. The moral character and financial questions were directed to Mr. Patel. Mr. Patel anticipates there will be eight to ten employees. Background checks will be completed on prospective employees. Approved forms of identification were described and examples given. The liquor store will utilize a POS system for verifying birthdates of patrons. The moral character of Mr. Patel was found to be satisfactory to the Board.

Petitions were admitted into evidence as Exhibit A.

Ms. Sowinski, seconded by Ms. Montgomery, moved to approve the new Retail Liquor Store Liquor License – Sai Vinayak, Inc. d/b/a SoCo Liquor Mart, 4410 Dillon Drive. Roll Call: Ayes – Montgomery, Pullaro, Shafer, and Sowinski. Motion carried 4-0-1. Tony Pullaro recused.

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

Ms. Sowinski, seconded by Ms. Montgomery, moved to approve the Findings and Order as read. Roll Call: Ayes — Montgomery, Pullaro, Shafer, and Sowinski. Motion carried 4-0-1. Tony Pullaro recused.

16 HEARING: TRANSFER OF OWNERSHIP APPLICATION — RACE TRACK LIQUOR LICENSE: SOUTHERN COLORADO GAMING LLC D/B/A SOUTHERN COLORADO GAMING, 3215 LAKE AVENUE, (CURRENTLY LICENSED TO LAW DOG LLC D/B/A SOUTHERN COLORADO GAMING & EVENT CENTER, LICENSE EXPIRES MARCH 24, 2019)

REGULAR AGENDA (Continued)

**MEETING
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16 Continued.

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

Member Jeffrey D. Patch, 1826 S. Manor Lane, Lakewood, CO was sworn in and answered questions from the Board. The moral character and financial questions were directed to Mr. Patch. Currently there are ten employees. It is unknown if there are employees with convictions. Background checks will be completed on prospective employees. Approved forms of identification were described and examples given. Every identification will be checked and color coded wristbands will be utilized for events. Liquor training will be completed. The moral character of Mr. Patch was found to be satisfactory to the Board.

Mr. Charles Pullaro, seconded by Ms. Sowinski, moved to approve the transfer of ownership of the Race Track Liquor License – Southern Colorado Gaming LLC d/b/a Southern Colorado Gaming, 3215 Lake Avenue. Roll Call: Ayes – Montgomery, Pullaro, Pullaro, Shafer, and Sowinski. Motion carried 5-0.

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

Mr. Charles Pullaro, seconded by Mr. Tony Pullaro, moved to approve the Findings and Order as read. Roll Call: Ayes – Montgomery, Pullaro, Pullaro, Shafer, and Sowinski. Motion carried 5-0.

17 HEARING: TRANSFER OF OWNERSHIP APPLICATION — CABARET LICENSE: SOUTHERN COLORADO GAMING LLC D/B/A SOUTHERN COLORADO GAMING, 3215 LAKE AVENUE, (CURRENTLY LICENSED TO LAW DOG LLC D/B/A SOUTHERN COLORADO GAMING & EVENT CENTER, LICENSE EXPIRES MARCH 24, 2019)

Mr. Patch remained sworn in. Administrative Notice was taken by the Board for testimony given in the previous item.

Mr. Charles Pullaro, seconded by Ms. Sowinski, moved to approve the transfer of ownership of the Cabaret Liquor License – Southern Colorado Gaming LLC d/b/a Southern Colorado Gamin, 3215 Lake Avenue. Roll Call: Ayes – Montgomery, Pullaro, Pullaro, Shafer, and Sowinski. Motion carried 5-0.

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

Mr. Charles Pullaro, seconded by Ms. Sowinski,, moved to approve the Findings and Order as read. Roll Call: Ayes – Montgomery, Pullaro, Pullaro, Shafer, and Sowinski. Motion carried 5-0.

18 PETITION TO PAY FINE IN LIEU OF SUSPENSION – REGINALD W. MAURO D/B/A RED'S ALIBI LOUNGE, 1107 S. PRAIRIE AVENUE (POLICE CR# 18-018833, VIOLATION DATE: AUGUST 31, 2018)

Reginald Mauro, 1107 S. Prairie Avenue, Pueblo, CO was sworn in.

REGULAR AGENDA (Continued)

**MEETING
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18 Continued.

Mr. Tony Pullaro, seconded by Ms. Sowinski, moved to approve the Petition to Pay Fine in Lieu of Suspension – Reginald W. Mauro d/b/a Red's Alibi Lounge. Roll Call: Ayes – Montgomery, Pullaro, Pullaro, Shafer, and Sowinski. Motion carried 5-0.

19 PETITION TO PAY FINE IN LIEU OF SUSPENSION – BRILLANTE LLC D/B/A LA FAVORITA, 119 WEST B STREET. (POLICE CR#18-015655, VIOLATION DATE: JULY 22, 2018, POLICE CR#18-016770, VIOLATION DATE: AUGUST 4, 2018, POLICE CR#18-017865, VIOLATION DATE: AUGUST 19, 2018, POLICE CR#18-018998, VIOLATION DATE: SEPTEMBER 2, 2018)

Member Anthony Nunez, 1041 Lynn Drive, Pueblo, CO was sworn in and testified before the Board. Detective Vincent Petkosek of the Pueblo Police Department was also sworn in and testified before the Board. Detective Petkosek requested that the Petition to Pay a Fine in Lieu of Suspension be denied and that the four day suspension be served. Detective Petkosek presented the Board with statistical data concerning the number and type of calls for service made to La Favorita.

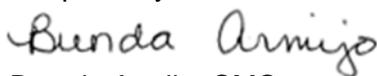
Statistics from the Police Department were admitted in evidence as Exhibit A..

Ms. Montgomery, seconded by Mr. Charles Pullaro, moved to approve the Petition to Pay Fine in Lieu of Suspension – Brillante LLC d/b/a La Favorita. Roll Call: Nays – Montgomery, Pullaro, Pullaro, Shafer, and Sowinski. Motion failed 5-0.

The licensee will serve the suspension on December 21, 2018 at 10:00 a.m. through December 23, 2018 at 2:00 a.m. and December 28, 2018 at 10:00 a.m. through December 30, 2018 at 2:00 a.m.

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

Respectfully submitted,



Brenda Armijo, CMC
Acting City Clerk