

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

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

ROLL CALL

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

Absent: Charles Pullaro and Ashley Sowinski.

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

APPROVAL OF MINUTES

Mr. Tony Pullaro, seconded by Ms. Montgomery, moved to continue approval of the Minutes of the Regular Meeting of August 15, 2018 to September 19, 2018. Roll Call: Ayes — Montgomery, T. Pullaro, and Shafer. Motion carried 3-0.

CONSENT AGENDA

**MEETING
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- 1 HOTEL & RESTAURANT LIQUOR LICENSE APPLICATION – RENEWALS – THREE RENEWALS**
Pinelle’s Bowlero Lanes, Inc. d/b/a Bowlero Lanes, 1000 West 6th Street
Blazin Wings, Inc. d/b/a Buffalo Wild Wings, 5821 N. Elizabeth Street
GMRI, Inc. d/b/a The Olive Garden Italian Restaurant #1708, 3240 N. Elizabeth Street
- 2 TAVERN LIQUOR LICENSE APPLICATION – RENEWALS – THREE RENEWALS**
Josephine Glavich, Inc. d/b/a Eiler’s Place, 326 E. Mesa Avenue
Reggie W. Mauro d/b/a Reds Alibi Lounge, 1107 S. Prairie Avenue
DE BG, Inc. d/b/a The Spotlight, 211 W. Northern Avenue
- 3 3.2% BEER LICENSE FOR OFF PREMISES CONSUMPTION APPLICATION – RENEWALS – FOUR RENEWALS**
Mini Mart, Inc. d/b/a Loaf ‘N Jug #14, 1201 Pueblo Boulevard
Mini Mart, Inc. d/b/a Loaf ‘N Jug #203, 2419 N. Elizabeth Street
Suncor Energy Sales Inc. d/b/a Shell, 1201 Bonforte Boulevard
Suncor Energy Sales Inc. d/b/a Shell, 1812 Highway 50 West
- 4 RETAIL LIQUOR STORE LIQUOR LICENSE APPLICATION – RENEWAL – ONE RENEWAL**
Marlin Associates, LLC d/b/a Coco-man’s Liquor, 1908 – 1910 East 4th Street
- 5 LODGINING AND ENTERTAINMENT LIQUOR LICENSE APPLICATION – RENEWAL – ONE RENEWAL**
RRSC LLC d/b/a Paint n Bubbly Social Art & Wine Studio, 223 N. Santa Fe Avenue
- 6 CABARET LICENSE APPLICATION – RENEWALS – TWO RENEWALS**
Iron Horse Bar & Grill, Inc. d/b/a Iron Horse Bar & Grill, 717 N. Main Street
DE BG, Inc. d/b/a The Spotlight, 211 W. Northern Avenue

CONSENT AGENDA (Continued)

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- 7 SPECIAL EVENTS PERMIT APPLICATION – BEER, WINE, AND SPIRITUOUS LIQUOR – PUEBLO CHAMBER OF COMMERCE, 302 N. SANTA FE AVENUE, EVENT MANAGER ROD SLYHOFF (EVENT TO BE HELD SEPTEMBER 20, 21, 22, 23, 2018. ADDRESS OF EVENT: CITY CENTER DRIVE AND UNION AVENUE TO B STREET, CITY CENTER DRIVE AND GRAND AVENUE TO UNION AVENUE. ALAN HAMEL FROM UNION AVENUE TO S. MAIN STREET. D & C STREETS FROM VICTORIA AVENUE TO S. MAIN STREET. PARKING LOTS OF ANGELOS, MEMORIAL HALL, SRDA, AND EL PUEBLO HISTORY MUSEUM PARKING LOT FROM GRAND AVENUE TO UNION AVENUE, CITY LOT AT PBR – VICTORIA AVENUE TO UNION AVENUE)**

Mr. Tony Pullaro, seconded by Ms. Montgomery, moved to approve the Consent Agenda as distributed. Roll Call: Ayes – Montgomery, Pullaro, and Shafer. Motion carried 3-0.

REGULAR AGENDA

- 8 NEIGHBORHOOD SURVEY: NEW 3.2% BEER LICENSE FOR OFF PREMISES CONSUMPTION – PESTER MARKETING D/B/A ALTA CONVENIENCE #3106, 2801 N. ELIZABETH STREET**

Ms. Montgomery, seconded by Mr. Tony Pullaro, moved to receive the survey and set the hearing for October 17, 2018. Roll Call: Ayes — Montgomery, Pullaro, and Shafer. Motion carried 3-0.

- 9 NEIGHBORHOOD SURVEY: NEW 3.2% BEER LICENSE FOR OFF PREMISES CONSUMPTION – PESTER MARKETING D/B/A ALTA CONVENIENCE #6143, 2714 THATCHER AVENUE**

Ms. Montgomery, seconded by Mr. Tony Pullaro, moved to receive the survey and set the hearing for October 17, 2018. Roll Call: Ayes — Montgomery, Pullaro, and Shafer. Motion carried 3-0.

- 10 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 SEPTEMBER 20, 2018. ADDRESS OF EVENT: 301 N. UNION AVENUE)**

Event Manager Simon Tearpak, 113 Parkside Lane, Pueblo, CO was sworn in and answered questions from the Board. There will be one liquor distribution point with two servers. Licensed bartenders will be utilized. Appetizers and cookie trays will be available for guests. Approved forms of identification were described and examples given. All bar patrons will have their identification checked upon ordering. This is an all ages event. TNT Security will provide security during the event and will be placed at entry doors.

Mr. Tony Pullaro, seconded by Ms. Montgomery, moved to approve the special events permit application for The State Historical Society of Colorado d/b/a El Pueblo History Museum. Roll Call: Ayes – Montgomery, Pullaro, and Shafer. Motion carried 3-0.

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11 SPECIAL EVENTS PERMIT APPLICATION – BEER, WINE, AND SPIRITUOUS LIQUOR – HARP FOUNDATION, 125 RIVERWALK PLACE, EVENT MANAGER CRYSTAL ESTRADA (EVENT TO BE HELD SEPTEMBER 21 AND 22, 2018. ADDRESS OF EVENT: RIVERWALK CHANNEL LEVEL – IN FRONT OF PBR BUILDING. AREA FROM UNION AVENUE TO VICTORIA AVENUE – BOTH SIDES OF CHANNEL)

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 three to five servers throughout the day. HARP will utilize TIPS certified bartenders. Food truck vendors will be on site with food available for purchase and guests will have access to the Chile & Frijoles Festival to purchase food. Approved forms of identification were described and examples given. A-1 Barricading will secure the site and Epic Security will provide security for the event. Wristbands will be utilized and patrons will be allowed to purchase two drinks at a time.

The amended diagrams were admitted into evidence as Exhibits A and B.

Ms. Montgomery, seconded by Mr. Tony Pullaro, moved to approve the special events permit application for the HARP Foundation. Roll Call: Ayes – Montgomery, Pullaro, and Shafer. Motion carried 3-0.

12 PERMIT APPLICATION & REPORT OF CHANGES – MODIFICATION OF PREMISES – TAVERN LIQUOR LICENSE – THE SENATE, LLC D/B/A THE SENATE

Managing Members, Kenneth Sciacca, 1 Remington Court, Pueblo, CO and Gena Rosales, 929 Alexander Circle, Pueblo, CO were sworn in. Both answered questions from the Board. This modification of premises will extend the licensed premises of The Senate across the public right-of-way during the Chile and Frijoles Festival. The modifications requested are the same as requested for the same event last year. The Senate currently employs 12 – 15 employees. No background checks are completed. Approved forms of identification were described and examples given. There is one entrance into the fenced area through a gate. All identification will be checked by employees at the entrance. No children will be allowed after 3:00 p.m.

Mr. Tony Pullaro, seconded by Ms. Montgomery, moved to approve the Report of Changes – Modification of Premises – The Senate, LLC d/b/a The Senate. Roll Call: Ayes – Montgomery, Pullaro, and Shafer. Motion carried 3-0.

13 PERMIT APPLICATION & REPORT OF CHANGES – MODIFICATION OF PREMISES – HOTEL & RESTAURANT LIQUOR LICENSE – VESSEL BREWING COMPANY LLC D/B/A GOLD DUST SALOON

Members Michael Mahan, 2 Alhambra Court, Pueblo, CO was sworn in and answered questions from the Board. This modification of premises will extend the licensed premises of the Gold Dust Saloon across the public right-of-way during the Chile and Frijoles Festival. The Gold Dust Saloon currently employs 18 permanent employees and some temporary employees for food service and dishwashing. Approved forms of identification were described

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and examples given. Identification will be checked at the mobile bar. Former employees are returning to provide security. Minors will be allowed in the restaurant, but not the temporary area.

The amended diagram was admitted into evidence as Exhibit A.

Ms. Montgomery, seconded by Mr. Tony Pullaro, moved to approve the Report of Changes – Modification of Premises – Vessel Brewing Company LLC d/b/a Gold Dust Saloon. Roll Call: Ayes — Montgomery, Pullaro, and Shafer. Motion carried 3-0.

14 PERMIT APPLICATION & REPORT OF CHANGES – MODIFICATION OF PREMISES — TAVERN LIQUOR LICENSE – WINE DOWN BY THE RIVER, LTD. D/B/A WINE DOWN BY THE RIVER

Owner, Michael Velarde, 27 Tamar Court, Pueblo, CO was sworn in and answered questions from the Board. This modification of premises will extend the licensed premises of Wine Down by the River across the public right-of-way during the Chile and Frijoles Festival. Wine Down by the River employs eight employees with no known convictions. No background checks are completed. Approved forms of identification were described and examples given. Identification will be checked at the entrance and security will be stationed at the back gate. Wristbands will be utilized for bar patrons. Identification will also be checked inside the bar. There will be three security guards at the event, one at the entrance, one at the back gate, and one roaming. No minors will be allowed after 7:00 p.m.

Mr. Tony Pullaro, seconded by Ms. Montgomery, moved to approve the Report of Changes – Modification of Premises – *Wine Down by the River, LTD. d/b/a Wine Down by the River*. Roll Call: Ayes — Montgomery, Pullaro, and Shafer. Motion carried 3-0.

15 REPORT OF CHANGES – CORPORATION, LIMITED LIABILITY COMPANY AND PARTNERSHIP – TAVERN LIQUOR LICENSE – A&D BILLIARDS INC D/B/A CLASSIC Q'S, 1715 S. PRAIRIE AVENUE (TED MAURO REPLACES ADRIAN DURAN AS TREASURER AND STOCKHOLDER AND REBEKAH MAURO REPLACES ADRIAN DURAN AS SECRETARY AND STOCKHOLDER) CONTINUED FROM JULY 18, 2018

New Corporate Officers Ted Mauro, 35849 Ford Road, Pueblo, CO and Rebekah Mauro, 35849 Ford Road, Pueblo, CO were sworn in and answered questions from the Board. The moral character and financial questions were directed to Mr. and Mrs. Mauro. Classic Q's currently employs 6 to 12 people with no known convictions. No background checks are completed. Approved forms of identification were described and examples given. The security guard, bartenders, and servers check identification. They will be attending the Alcohol Awareness class in October.

Ms. Montgomery, seconded by Mr. Tony Pullaro, moved to approve the Report of Changes – Hotel & Restaurant Liquor License – A&D Billiards Inc d/b/a Classic Q's. Roll Call: Ayes — Montgomery, Pullaro, and Shafer. Motion carried 3-0.

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**16 HEARING: NEW HOTEL & RESTAURANT LIQUOR LICENSE – GRAHAMS GRILL 3 LLC
D/B/A GRAHAMS GRILL, 2149 JERRY MURPHY ROAD**

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

Member Heather Graham, 50 Posada Drive, Pueblo, CO and Registered Manager Tiffany Estrada were sworn in and answered questions from the Board. The moral character and financial questions were directed to Ms. Graham. There are currently 25-30 employees with no known convictions. Background checks are not completed. Approved forms of identification were described and examples given. All patrons will have their identification checked. The moral character of Ms. Graham was found to be satisfactory to the Board. The staff will attend ServSafe liquor training.

The petitions were admitted into evidence as Exhibit A.

Mr. Tony Pullaro, seconded by Ms. Montgomery, moved to approve the new Hotel & Restaurant Liquor License – Grahams Grill 3 LLC d/b/a Grahams Grill, 2149 Jerry Murphy Road. Roll Call: Ayes – Montgomery, Pullaro, and Shafer. Motion carried 3-0.

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

Mr. Tony Pullaro, seconded by Ms. Montgomery, moved to approve the Findings and Order as read. Roll Call: Ayes — Montgomery, Pullaro, and Shafer. Motion carried 3-0.

**17 HEARING RE: ALLEGED LIQUOR CODE VIOLATION – MR. TANDOORI LLC INC D/B/A
MR. TANDOORI, 310 S. VICTORIA AVENUE. (POLICE CR#18-013996, VIOLATION
DATE: JUNE 30, 2018)**

Assistant City Attorney Trevor Gloss entered his appearance on behalf of the City of Pueblo. Mr. Gloss read the Assurance of Voluntary Compliance into the record. The Licensee will comply with the following requirements:

- a. The Licensee and its employees that participate in the serving of alcohol, including taking drink orders and examining the identification of patrons, will attend Colorado State certified liquor training within ninety (90) days of the approval date of this Assurance of Voluntary Compliance. The Board shall designate which training the Licensee and its employees shall attend.
- b. For nine (9) months from the date of approval of this Assurance of Voluntary Compliance, the Licensee shall abide by the Colorado Liquor Code and all Pueblo Municipal Ordinances and not allow for violation thereof. Should the Board find probable cause for any violation by Licensee during the nine (9) months, such a finding shall be considered proof of Licensee's failure to comply with this agreement.

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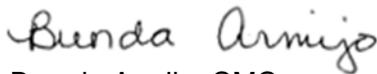
- c. The Licensee further stipulates and agrees to pay a sum of \$500.00 by certified check or money order as a voluntary payment to compensate the City of Pueblo for its reasonable costs of the investigation in this matter and agrees to make payment to and reimburse the City said amount. Said payment shall be made to the City of Pueblo on or before September 12, 2018.

Ms. Montgomery, seconded by Mr. Tony Pullaro, moved to approve the Assurance of Voluntary Compliance as read. Roll Call: Ayes – Montgomery, Pullaro, and Shafer. Motion carried 3-0.

After discussion, Ms. Montgomery, seconded by Mr. Tony Pullaro, moved to require the Licensee and its employees to participate in a ServSafe alcohol safety training and certification program. Roll Call: Ayes – Montgomery, Pullaro, and Shafer. Motion carried 3-0.

ADJOURN – With no further business to come before the Board, the meeting was adjourned at 7:12 p.m.

Respectfully submitted,



Brenda Armijo, CMC
Acting City Clerk