

PUEBLO LIQUOR & BEER LICENSING BOARD
MINUTES -- REGULAR MEETING
CITY HALL -- COUNCIL CHAMBERS
FEBRUARY 20, 2019 – 6:00 P.M.

The Pueblo Liquor & Beer Licensing Board convened the Regular Meeting of February 20, 2019 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 continue approval of the Minutes of the Regular Meeting of February 6, 2019 to March 6, 2019. 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

RT Denver Franchise, L.P. d/b/a Ruby Tuesday, 4150 N. Freeway
Stetell Enterprises, Inc. d/b/a Spectators East Sport Grill, 1002 Constitution Road
Waterfront on the Riverwalk, Inc. d/b/a Twenty One Steak, 101 S. Main Street Unit 200-202 and 400-406
Wonderful Bistro, Inc. d/b/a Wonderful Bistro Chinese Cuisine, 4602 N. Elizabeth Street, #120

2 TAVERN LIQUOR LICENSE – RENEWALS – THREE RENEWALS

Ruth F. Fransua d/b/a Al's Ninety Six, 2100 East 4th Street
Parise's Restaurant & Lounge, Inc. d/b/a Parise's Lounge, 430 West 30th Street
7th Street Station LLC d/b/a 7th Street Station, 112 West 7th Street

3 FERMENTED MALT BEVERAGE LICENSE FOR OFF PREMISES CONSUMPTION – RENEWALS – 21 RENEWALS

Pester Marketing Company d/b/a Alta Convenience #3104, 725 W. Northern Avenue
Pester Marketing Company d/b/a Alta Convenience #3107, 1350 E. 4th Street
Pester Marketing Company d/b/a Alta Convenience #3109, 2102 Norwood Avenue
Pester Marketing Company d/b/a Alta Convenience #3113, 723 Pueblo Boulevard
Mini Mart, Inc. d/b/a Loaf N Jug #2, 2050 Lake Avenue
Mini Mart, Inc. d/b/a Loaf N Jug #25, 4800 Thatcher Avenue
Mini Mart, Inc. d/b/a Loaf N Jug #28, 120 S. Santa Fe Avenue
Mini Mart, Inc. d/b/a Loaf N Jug #34, 33 Montebello Road
Mini Mart, Inc. d/b/a Loaf N Jug #37, 3980 Ivywood Lane
Mini Mart, Inc. d/b/a Loaf N Jug #38, 1002 Bonforte Boulevard
Mini Mart, Inc. d/b/a Loaf N Jug #52, 2405 W. Northern Avenue
Mini Mart, Inc. d/b/a Loaf N Jug #65, 2119 E. 4th Street
Mini Mart, Inc. d/b/a Loaf N Jug #67, 1525 West 4th Street
Mini Mart, Inc. d/b/a Loaf N Jug #70, 4001 Jerry Murphy Road
Mini Mart, Inc. d/b/a Loaf N Jug #71, 1201 W. 17th Street
Mini Mart, Inc. d/b/a Loaf N Jug #73, 2202 W 18th Street

CONSENT AGENDA (Continued)

**MEETING
NUMBER**

Mini Mart, Inc. d/b/a Loaf N Jug #78, 2120 Oakshire Lane
Mini Mart, Inc. d/b/a Loaf N Jug #79, 420 Eagleridge Boulevard
Mini Mart, Inc. d/b/a Loaf N Jug #84, 1104 Pueblo Boulevard Way
Mini Mart, Inc. d/b/a Loaf N Jug #93, 905 W. Highway 50
FMW Group Inc and &-Eleven, Inc. d/b/a 7-Eleven Store #32990A, 3522 N. Elizabeth Street

4 CABARET LICENSE – RENEWAL – TWO RENEWALS

Apollo Investments Inc. d/b/a The Grove Tavern, 901 East C Street
7th Street Station LLC d/b/a 7th Street Station, 112 West 7th Street

5 SPECIAL EVENTS PERMIT APPLICATION – BEER, WINE, AND SPIRITUOUS LIQUOR LICENSE – PUEBLO ZOOLOGICAL SOCIETY D/B/A PUEBLO ZOO, 3455 NUCKOLLS AVENUE, EVENT MANAGER KIMBER WEDDLE (EVENT TO BE HELD APRIL 27, 2019. ADDRESS OF EVENT: 3455 NUCKOLLS AVENUE)

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

6 NEIGHBORHOOD SURVEY: NEW FERMENTED MALT BEVERAGE LICENSE FOR OFF PREMISES CONSUMPTION – MAKS ENTERPRISES INC. D/B/A MAKS, 2535 LAKE AVENUE

Mr. Charles Pullaro, seconded by Ms. Sowinski, moved to receive the survey and set the hearing for April 17, 2019. Roll Call: Ayes — Montgomery, Pullaro, Pullaro, Shafer, and Sowinski. Motion carried 5-0.

7 SPECIAL EVENTS PERMIT APPLICATION – BEER, WINE, & SPIRITUOUS LIQUOR – JACKSON’S MMA ASSOCIATION OF PUEBLO, INC., 2039 ALMA AVENUE, EVENT MANAGER JANELLE MARTINEZ (EVENT TO BE HELD MARCH 9, 2019. ADDRESS OF EVENT: 2039 ALMA AVENUE)

Event Manager Janelle Martinez, 2107 Jones Avenue, Pueblo, CO was sworn in and answered questions from the Board. There will be four liquor distribution points with 10 to 12 servers. A food truck will be on site with food for sale. Items for sale include pulled pork, turkey legs, and pasta. Approved forms of identification were described and examples given. Security will be checking identification and wristbands will be utilized. Identification will also be checked at distribution points. Dan Corsentino Security will provide 14 security officers and two police officers will be on site. The premises are secured by a permanent 6’ fence.

Ms. Sowinski, seconded by Mr. Tony Pullaro, moved to approve the special events permit application for Jackson’s MMA Association of Pueblo, Inc. Roll Call: Ayes — Montgomery, Pullaro, Pullaro, Shafer, and Sowinski. Motion carried 5-0.

REGULAR AGENDA (Continued)

**MEETING
NUMBER**

**8 PERMIT APPLICATION & REPORT OF CHANGES – MODIFICATION OF PREMISES
— TAVERN LIQUOR LICENSE – GLT INC D/B/A GREENLIGHT TAVERN**

Greg Smith, 227 N. Santa Fe Avenue, Pueblo, CO and Carly Rae Smith, 227 N. Santa Fe Avenue, Pueblo, CO were sworn in and answered questions from the Board. This temporary modification of premises will allow Mr. Smith to expand his licensed premises during the St. Patrick's weekend. The area will be secured by a 6' screen fence. There is one entry point and one emergency entry/exit point. Four licensed security guards will secure the perimeter. In addition to the liquor distribution point inside the tavern, one additional liquor distribution point will be added on the patio outside. The Expendables will be performing. There are 250-375 people anticipated to attend.

Ms. Montgomery, seconded by Ms. Sowinski, moved to approve the Report of Changes – Modification of Premises – GLT Inc. d/b/a Greenlight Tavern. Roll Call: Ayes — Montgomery, Pullaro, Pullaro, Shafer, and Sowinski. Motion carried 5-0.

9 HEARING: NEW TAVERN LIQUOR LICENSE – JAMES R. TORRES AND JOSEPH M. TRUJILLO D/B/A HITO'S BAR, 310 W. NORTHERN AVENUE CONTINUED FROM FEBRUARY 6, 2019

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

James R. Torres, 5000 Red Creek Springs Road, #5, Pueblo, CO and Joseph M. Trujillo, 620 West 14th Street, #2, Pueblo, CO were sworn in and answered questions from the Board. The moral character and financial questions were directed to Mr. Torres and Mr. Trujillo. The applicants anticipate there will be seven to ten employees. Background checks will be completed on prospective employees and there are no known convictions. Approved forms of identification were described and examples given. Anyone appearing under the age of 40 will have their identification checked. The owners and staff are TIPS certified.

The sign-in sheet for TIPS training was admitted into evidence as Exhibit A. Petitions were admitted into evidence as Exhibit B. Letter from Tony Westall was admitted into evidence as Exhibit C.

Mr. Tony Pullaro, seconded by Ms. Montgomery, moved to approve the new Tavern Liquor License – James R. Torres and Joseph M. Trujillo d./b/a Hito's Bar, 310 W. Northern Avenue. Roll Call: Ayes – Charles Pullaro, and Sowinski. Nays – Montgomery, Tony Pullaro, and Shafer. Motion failed 2-3.

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

Mr. Tony 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.

10 HEARING: NEW CABARET LICENSE – JAMES R. TORRES AND JOSEPH M. TRUJILLO D/B/A HITO'S BAR, 310 W. NORTHERN AVENUE CONTINUED FROM FEBRUARY 6, 2019

REGULAR AGENDA (Continued)

**MEETING
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The cabaret license application was not considered by the Board because the applicant was not issued a liquor license; therefore the cabaret license application is moot.

11 HEARING: NEW HOTEL & RESTAURANT LIQUOR LICENSE – GARRIDO RESTAURANTS CORPORATION D/B/A FRITANGAS MEXICAN RESTAURANT, 2920 HART ROAD

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

Corporate Officer Eduardo Garrido, 1383 S. Canosa Court, Denver, CO and Dan Corsentino of Corsentino Security were sworn in and answered questions from the Board. The moral character and financial questions were directed to Mr. Garrido. There will be a total of four servers. Approved forms of identification were described and examples given. Staff has attended training. The moral character of Mr. Garrido was found to be satisfactory to the Board.

Petitions were admitted into evidence as Exhibit A.

Ms. Montgomery, seconded by Ms. Sowinski, moved to approve the new Hotel and Restaurant Liquor License – Garrido Restaurants Corporation d/b/a Fritangas Mexican Restaurant, 2920 Hart Road. 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. Tony 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.

12 PETITION TO PAY FINE IN LIEU OF SUSPENSION – FJM LLC D/B/A FIRST & MAIN BAR AND GRILL, 117 N. MAIN STREET (POLICE CR#18-025758, VIOLATION DATE: NOVEMBER 30, 2018 AND SALES TAX VIOLATION FEBRUARY THROUGH OCTOBER 2018)

Registered Manager Joseph Costanza, 86 Princeton Street, Pueblo, CO was sworn in and answered questions from the Board.

Ms. Montgomery, seconded by Mr. Tony Pullaro, moved to approve the Petition to Pay Fine in Lieu of Suspension – FJM LLC d/b/a First & Main Bar and Grill. Roll Call: Ayes – Charles Pullaro. Nays – Montgomery, Tony Pullaro, and Shafer. Motion failed 1-3-1. Ashley Sowinski recused.

The licensee will serve eight days suspension on the following days: March 1, 2, 3, 2019 from 7:00 a.m. until 2:00 a.m.; April 5, 6, 7, 2019 from 7:00 a.m. until 2:00 a.m. and May 10 and 11, 2019 from 7:00 a.m. until 2:00 a.m.

13 PETITION TO PAY FINE IN LIEU OF SUSPENSION – APOLLO INVESTMENTS LLC D/B/A GROVE TAVERN, 901 EAST C STREET (POLICE CR#18-026343, VIOLATION DATE: DECEMBER 8, 2018)

REGULAR AGENDA (Continued)

**MEETING
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Mr. Charles Pullaro, seconded by Mr. Tony Pullaro, moved to approve the Petition to Pay Fine in Lieu of Suspension – Apollo Investments LLC d/b/a Grove Tavern. Roll Call: Ayes – Montgomery, Pullaro, Pullaro, Shafer, and Sowinski. Motion carried 5-0.

14 HEARING RE: ALLEGED LIQUOR CODE VIOLATION – CRYSTAL MARTINEZ D/B/A SANCHO'S BAR, 628 EAST 4TH STREET (POLICE CR#18-025652, VIOLATION DATE: NOVEMBER 29, 2018)

Mr. Tony Pullaro, seconded by Ms. Sowinski, moved to continue this matter to the March 6, 2019 Regular Agenda. Roll Call: Ayes — Montgomery, Pullaro, Pullaro, Shafer, and Sowinski. Motion carried 5-0.

15 HEARING RE: ALLEGED SALES AND USE TAX VIOLATION – CRYSTAL MARTINEZ D/B/A SANCHO'S BAR, 628 EAST 4TH STREET (VIOLATION DATE: NOVEMBER 2017 THROUGH OCTOBER 2018)

Mr. Tony Pullaro, seconded by Ms. Sowinski, moved to continue this matter to the March 6, 2019 Regular Agenda. Roll Call: Ayes — Montgomery, Pullaro, Pullaro, Shafer, and Sowinski. Motion carried 5-0.

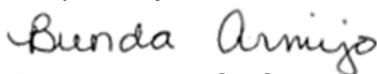
16 PETITION TO PAY FINE IN LIEU OF SUSPENSION – WINE DOWN BY THE RIVER LTD. D/B/A WINE DOWN BY THE RIVER, 105 S. UNION AVENUE (VIOLATION DATE: NOVEMBER 2017 THROUGH OCTOBER 2018)

Member Michael Velarde, 12 Tamar Court, Pueblo, CO was sworn in.

Mr. Charles Pullaro, seconded by Mr. Tony Pullaro, moved to continue this matter to the March 20, 2019 Regular Agenda. Roll Call: Ayes — Montgomery, Pullaro, Pullaro, Shafer, and Sowinski. Motion carried 5-0.

ADJOURN – With no further business to come before the Board, the meeting was adjourned at 6:59 p.m.

Respectfully submitted,



Brenda Armijo, CMC
Acting City Clerk