

PUEBLO LIQUOR & BEER LICENSING BOARD
MINUTES -- REGULAR MEETING
CITY HALL -- COUNCIL CHAMBERS
AUGUST 21, 2019 – 6:00 P.M.

The Pueblo Liquor & Beer Licensing Board convened the Regular Meeting of August 21, 2019 at 6:00 p.m. with Chairperson Jan Shafer presiding.

ROLL CALL

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

Absent: None.

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

APPROVAL OF MINUTES

Ms. Sowinski, seconded by Ms. Montgomery, moved to approve the Minutes of the Regular Meeting of June 19, 2019. Roll Call: Ayes — Cornetta, Montgomery, Pullaro, Shafer and Sowinski. Motion carried 5-0.

Ms. Sowinski, seconded by Mr. Tony Pullaro, moved to approve the Minutes of the Regular Meeting of July 17, 2019. Roll Call: Ayes — Cornetta, Montgomery, Pullaro, Shafer and Sowinski. Motion carried 5-0.

Ms. Sowinski, seconded by Mo Montgomery, moved to continue approval of the Minutes of the Regular Meeting of August 7, 2019 to the September 4, 2019 meeting. Roll Call: Ayes — Cornetta, Montgomery, Pullaro, Shafer and Sowinski. Motion carried 5-0.

AMENDMENTS TO THE REGULAR AGENDA

Ms. Sowinski, seconded by Ms. Montgomery, moved to add item #14 at the end of the agenda. Roll Call: Ayes — Cornetta, Montgomery, Pullaro, Shafer and Sowinski. Motion carried 5-0.

CONSENT AGENDA

**MEETING
NUMBER**

- 1 HOTEL AND RESTAURANT LIQUOR LICENSE – RENEWALS – FIVE RENEWALS**
On In 2, Inc. d/b/a AJ's at Walking Stick, 4301 Walking Stick Boulevard
Pinelle's Bowlero Lanes, Inc. d/b/a Bowlero Lanes, 1000 West 6th Street
GMRI, Inc. d/b/a The Olive Garden Italian Restaurant #1708, 3240 N. Elizabeth Street
BBDD Management, Inc. d/b/a Table 67, 102 S. Union Avenue
T.O. Wings #4, LLC d/b/a Wingstop #4, 3414 N. Elizabeth Street
- 2 TAVERN LIQUOR LICENSE – RENEWAL – ONE RENEWAL**
Ross LLC d/b/a Westside Tavern, 2202 West 16th Street
- 3 LODGING AND ENTERTAINMENT LIQUOR LICENSE – RENEWAL - ONE RENEWAL**
RRSC LLC d/b/a Paint n Bubbly Social Art & Wine Studio, 223 N. Santa Fe Avenue
- 4 CABARET LICENSE – RENEWAL – ONE RENEWAL**
Ross LLC d/b/a Westside Tavern, 2202 West 16th Street

CONSENT AGENDA

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- 5 SPECIAL EVENTS PERMIT APPLICATION – BEER, WINE, AND SPIRITUOUS LIQUOR LICENSE – THE STATE HISTORICAL SOCIETY OF COLORADO D/B/A EL PUEBLO HISTORY MUSEUM, MAILING ADDRESS: 301 N. UNION AVENUE, EVENT MANAGER: SIMON TEARPAK (EVENT TO BE HELD SEPTEMBER 14, 2019. EVENT ADDRESS: 301 N. UNION AVENUE)
- 6 SPECIAL EVENTS PERMIT APPLICATION – BEER, WINE, AND SPIRITUOUS LIQUOR – GREATER PUEBLO CHAMBER OF COMMERCE, 302 N. SANTA FE AVENUE, EVENT MANAGER ROD SLYHOFF (EVENT TO BE HELD SEPTEMBER 19, 20, 21, 22, 2019. ADDRESS OF EVENT: UNION AVENUE FROM CITY CENTER TO B STREET; CITY CENTER AND GRAND TO ALAN HAMEL; ALAN HAMEL TO S. MAIN; SRDA PARKING LOT AND PUEBLO URBAN RENEWAL AUTHORITY LOT ALONG S. MAIN AND ALAN HAMEL; CITY HALL PARKING LOT, ANGELO’S PARKING LOT, PBR PARKING LOT, D STREET FROM VICTORIA AVENUE TO S. MAIN; CITY PARKING LOT ALONG VICTORIA AND D STREET; C STREET FROM VICTORIA TO S. MAIN AND THE ALLEY FROM C TO B STREET (NEON ALLEY); VICTORIA FROM GRAND TO UNION)
- 7 TEMPORARY PERMIT APPLICATION: TRANSFER OF OWNERSHIP APPLICATION — HOTEL AND RESTAURANT LIQUOR LICENSE: LEBOW LLC D/B/A THE FALLOUT, 1227 S. PRAIRIE AVENUE (CURRENTLY LICENSED TO AVERAGE JOZ BAR LLC D/B/A AVERAGE JOZ BAR LICENSE EXPIRES DECEMBER 11, 2019)

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

REGULAR AGENDA

- 8 NEIGHBORHOOD SURVEY: NEW CABARET LICENSE – CGC INVESTMENTS INC. D/B/A LOBO’S TACOS AND TEQUILA, 2290 RAWLINGS BOULEVARD

Mr. Cornetta, seconded by Ms. Sowinski, moved to receive the survey and set the hearing for September 18, 2019. Roll Call: Ayes — Cornetta, Montgomery, Pullaro, Shafer and Sowinski. Motion carried 5-0.

- 9 SPECIAL EVENT PERMIT APPLICATION – BEER, WINE & SPIRITUOUS LIQUOR LICENSE – SENIOR RESOURCE DEVELOPMENT AGENCY D/B/A SRDA, 230 N. UNION AVENUE, EVENT MANAGER: TARA MORROW, (EVENT TO BE HELD SEPTEMBER 20, 21, 22, 2019. ADDRESS OF EVENT: 230 N. UNION AVENUE)

Event Manager Tara Morrow, 230 N. Union Avenue, Pueblo, CO and Jamie Duran, 230 N. Union Avenue, Pueblo, CO were sworn in and answered questions from the Board. The special event permit is for the annual Chile and Frijoles Festival. There will be two liquor distribution points with three shifts and three servers per shift. Popcorn will be available for purchase. Approved forms of identification were described and examples given. Security will check identification and wristbands will be utilized for bar patrons. TNT Security will provide one security officer per shift at the entry point. SRDA staff will be roaming on site. The site will be secured by snow fencing.

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Mr. Pullaro, seconded by Ms. Montgomery, moved to approve the Special Event Permit Application – Beer, Wine, and Spirituous Liquor – Senior Resource Development Agency d/b/a SRDA. Roll Call: Ayes — Cornetta, Montgomery, Pullaro, Shafer and Sowinski. Motion carried 5-0.

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

Managing Member Kenneth Sciacca, 1 Remington Court, Pueblo, CO was sworn in and 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. There is one entrance into the fenced area through a gate. The back door is an exit only. There will be two bartenders and people selling food at the outside bar. The Senate normally employs four security guards.

Mr. Tony Pullaro, seconded by Ms. Sowinski, moved to approve the Report of Changes – Modification of Premises – The Senate, LLC d/b/a The Senate. Roll Call: Ayes — Cornetta, Montgomery, Pullaro, Shafer and Sowinski. Motion carried 5-0.

**11 PERMIT APPLICATION & REPORT OF CHANGES – MODIFICATION OF PREMISES —
HOTEL AND RESTAURANT LIQUOR LICENSE – 1129 SPIRITS & EATERY LLC D/B/A
1129 SPIRITS & EATERY**

Member and Registered Manager Jennifer Priest, 575 W. Slice Drive, Pueblo West, CO was sworn in and answered questions from the Board. This modification of premises will allow the applicant to extend the licensed premises to allow for additional seating on the Riverwalk. The premises will be secured by 3' high metal fencing that mirrors the metal fence at Angelo's Pizza. Additional surveillance cameras have been added to the area.

Ms. Sowinski, seconded by Ms. Montgomery, moved to approve the Report of Changes – Modification of Premises – 1129 Spirits & Eatery LLC d/b/a 1129 Spirits & Eatery. Roll Call: Ayes — Cornetta, Montgomery, Pullaro, Shafer and Sowinski. Motion carried 5-0.

**12 HEARING: TRANSFER OF OWNERSHIP APPLICATION — RETAIL LIQUOR STORE
LIQUOR LICENSE: SUPER LIQUORS LLC D/B/A SUPER LIQUORS LLC, 25 RED CREEK
SPRINGS ROAD, (CURRENTLY LICENSED TO REGENCY LIQUOR INC D/B/A REGENCY
LIQUOR, LICENSE EXPIRES JUNE 26, 2020)**

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

Donald Banner, Attorney at Law, Member Rajan Vekaria, 2109 North Drive, Pueblo, CO and Member Keyur (Keyurkumar) Kikani, 104 Lawn Lane Hemel Hempstead, UK HP3-9HS were sworn in and answered questions from the Board. The Moral Character and Financial questions were directed to the Members. The liquor store will have 3 – 4 employees. Background checks will be conducted on prospective employees. Approved forms of identification were described and examples given. Anyone appearing under the age of 50 will have their identification checked.

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The liquor store has surveillance cameras, which keeps recordings for 30 days. Employees will attend liquor training. The moral character of the applicants is acceptable to the Board.

Mr. Cornetta, seconded by Ms. Sowinski, moved to approve the transfer of ownership of the Retail Liquor Store Liquor License – Super Liquors LLC d/b/a Super Liquors LLC, 25 Red Creek Springs Road. Roll Call: Ayes — Cornetta, Montgomery, Pullaro, Shafer and Sowinski. Motion carried 5-0.

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

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

13 HEARING RE: ALLEGED LIQUOR CODE VIOLATION – A&D BILLIARDS, INC. D/B/A CLASSIC Q'S, 1715 S. PRAIRIE AVENUE. (POLICE CR# 19-008998, VIOLATION DATE: MAY 4, 2019) CONTINUED FROM AUGUST 7, 2019

Assistant City Attorney Trevor Gloss entered his appearance on behalf of the City of Pueblo. Corporate Officers Darian Trujillo, 604 E. Mesa Avenue, Pueblo, CO and Theodore Mauro, 35849 Ford Road, Pueblo, CO were 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 thirty (30) days, of which twenty-one (21) days shall be imposed and nine (9) days held in abeyance.

The twenty-one (21) days imposed suspension shall be served within four (4) 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 nine (9) 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 nine (9) days held in abeyance shall be imposed upon the Licensee without the need for a new hearing.

Licensee stipulates and agrees that all owners, registered managers, and staff involved in the sale of alcohol shall undergo training and the Licensee shall obtain certification as a "Responsible Alcohol Beverage Vendor" in accordance with 1 C.C.R. 203-2:47-605. Training and certification shall occur within the one (1) month of this Order.

Licensee stipulates and agrees that it will implement additional security measures on the Licensed Premises, to include, but not limited to, ID scanners, wrist bands, hand stamps, and additional signage.

Ms. Montgomery, seconded by Ms. Sowinski, moved to approve the findings as read and continue this item to the September 4, 2019 hearing to allow the licensee time to file a Petition to Pay Fine in Lieu of Suspension. Roll Call: Ayes — Cornetta, Montgomery, Pullaro, Shafer and Sowinski. Motion carried 5-0.

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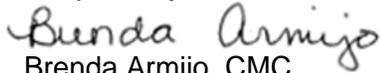
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14 REPORT OF CHANGES – CORPORATION, LIMITED LIABILITY COMPANY AND PARTNERSHIP LIQUOR AND FERMENTED MALT BEVERAGE LICENSES – HOTEL AND RESTAURANT LIQUOR LICENSE – APOLLONIA WEST INC FORMERLY NEON ALLEY LTD D/B/A BISTORO, 109 CENTRAL PLAZA

Ms. Sowinski, seconded by Ms. Montgomery, moved to approve the Report of Changes – Hotel and Restaurant Liquor License – Apollonia West Inc formerly Neon Alley Ltd d/b/a Bistoro. Roll Call: Ayes — Cornetta, Montgomery, Pullaro, Shafer and Sowinski. Motion carried 5-0.

ADJOURN – With no further business to come before the Board, the meeting was adjourned at 6:49 p.m.

Respectfully submitted,


Brenda Armijo, CMC
City Clerk