



PUEBLO LIQUOR & BEER LICENSING BOARD
MINUTES -- SPECIAL MEETING
CITY HALL -- COUNCIL CHAMBERS
Wednesday, October 28, 2020
5:00 P.M.

The Pueblo Liquor & Beer Licensing Board convened the Special Meeting of October 28, 2020 at 5:00 p.m. with Chairperson Jan Shafer presiding.

ROLL CALL

Present: Board Members Liz Chapman, Steve Cornetta, Tony Pullaro, and Jan Shafer.

Absent: None.

Also Present: Assistant City Attorney Kyle Aber, Assistant City Attorney Trevor Gloss, Deputy City Clerk Belinda Kimball, Code Enforcement Manager Karen Willson, Mayor Nick Gradisar.

REGULAR AGENDA

1 HEARING: NOTICE OF HEARING VIOLATION AND SUMMARY SUSPENSION

This Special Meeting is Regarding the Broadway Inn. Concern is regarding violations of Public Health Order - it is a crime under state law, and a violation the liquor board can address if the licensee allows the violation to occur on the property. The Broadway Tavern is having issues complying, despite several warnings. It has gotten to a point where they're bringing it to the board for an exigency. The City has opted to pursue a summary suspension, meaning the licensee does not know this is going to occur. The Board will vote to suspend for three days - starting Friday, October 30th at 7:00 a.m., through Monday, November 2nd at 2:00 a.m. The Broadway Tavern will come before the board on Wednesday, November 4th and the Board will make a determination as to what discipline is needed. These complaints started back in August, and have been ongoing for at least 2 months. Code Enforcement have checked the premises at least 6 times over the past few months. Code Enforcement Manager, Karen Willson gave a description of the violations and history behind the problematic locations. Code Enforcement has been to the Broadway at least 6 times. On October 15th, there were some small improvements with distancing their tables, but still no mask wearing. The owner stated he didn't have to wear a mask because he was drinking. On October 22nd, no employees were wearing masks. Also on the 22nd, the employee stated they had medical reasons to not wear a mask. Greg Frankmore and Steve are the same employees who are contacted each occasion. The last time Code Enforcement was there, Mr. Frankmore was aggressive, because he had been drinking. Mr. Frankmore wore his mask temporarily while Code Enforcement was there, as soon as they left, he took the mask off and threw the mask on the floor. On one evening, there were 13 customers in the bar. They are allowing people to cram in at the bar without masks (September visit). Per Karen Willson, Code Enforcement has been to almost every bar and restaurant in Pueblo, multiple times and there are bars that are on the "naughty" list - after they received the letter from the Mayor on October 9th, everyone was noted to have no violations or improvements, except the Broadway. There were eight establishments that received letters from the Mayor, the Broadway is/was the only bar that hasn't complied. Mr. Cornetta said that there appears to be as a willful and wanton disregard based upon the evidence to sustain the summary suspension. Mr. Pullaro asked Ms. Willson, for clarification regarding the guidelines that "sometimes it is excusable for employees in the restaurant industry to not wear a mask." Ms. Willson said there is a letter from the Health Department that said the employee has a responsibility to protect the customer and to eliminate the risk of exposure to them, therefore, everyone in public must wear a mask.

Mr. Cornetta, seconded by Ms. Chapman moved to approve the notice of hearing violation and summary suspension.
Roll Call: Ayes - - Chapman, Cornetta, Shafer (Pullaro Recused) Motion carried 3 - 0

Mr. Aber read the Order for Summary Suspension and Notice of Hearing into Order.

Mr. Cornetta, seconded by Ms. Chapman moved to approve the Order of Summary Suspension and Notice of Hearing into Order.

Roll Call: Ayes-- Chapman, Cornetta, Shafer (Pullaro Recused) Motion carried 3 - 0

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ADJOURN - With no further business to come before the Board, the meeting was adjourned at 5:34 p.m.

Respectfully submitted,

Belinda Kimball

Belinda Kimball
Deputy City Clerk