

PUEBLO LIQUOR & BEER LICENSING BOARD
MINUTES -- REGULAR MEETING
CITY HALL -- COUNCIL CHAMBERS
SEPTEMBER 19, 2012 – 6:00 P.M.

The Pueblo Liquor & Beer Licensing Board convened the Regular Meeting of September 19, 2012 at 6:00 p.m., with Chairman Doris Harrison presiding.

ROLL CALL

Present: Board Members Don DiFatta, Mike Ferris, Doris Harrison, Charles Pullaro, Jr. and Tom Rose. Also Present—Assistant City Attorney Greg Styduhar and Deputy City Clerk Lori Bravo-Neff.

APPROVAL OF MINUTES

Mr. DiFatta, seconded by Mr. Ferris, moved to approve the minutes of the Regular Meeting of September 5th, 2012. Roll Call: Ayes—DiFatta, Ferris, Harrison, Pullaro and Rose. Motion carried unanimously.

AMENDMENTS TO CONSENT & REGULAR AGENDA

Mr. DiFatta, seconded by Mr. Rose, moved to add Item 7A to the Consent Agenda and remove Items 12 & 13 from the Regular Agenda. Roll Call: Ayes—DiFatta, Ferris, Harrison, Pullaro and Rose. Motion carried unanimously.

CONSENT AGENDA

- 1 **TAVERN LIQUOR LICENSE APPLICATIONS-RENEWALS--TOTAL OF 2 APPLICATIONS**
Global Spectrum Colo. L.P. d/b/a Pueblo Convention Center, 320 C. Main Street
Josephine Glavich, Inc. d/b/a Eiler's Place, 326 E. Mesa Avenue
- 2 **CLUB LIQUOR LICENSE APPLICATION-RENEWAL-AMERICAN LEGION POST #2, 701 W. 9TH STREET**
- 3 **RETAIL LIQUOR STORE LIQUOR APPLICATION-RENEWAL-IN FAMILY ENTERPRISE, LLC D/B/A PUEBLO BLVD. DISCOUNT LIQUOR**
- 4 **CABARET LICENSE APPLICATION-RENEWAL- GLOBAL SPECTRUM COLO. L.P. D/B/A PUEBLO CONVENTION CENTER, 320 C. MAIN STREET**
- 5 **SPECIAL EVENTS PERMIT APPLICATION-BEER, WINE & SPIRITUOUS LIQUOR LICENSE--THE HARP FOUNDATION, MAILING ADDRESS: 200 W. 1ST STREET, SUITE 312, EVENT MANAGER: KEVIN ORTIZ, (EVENT TO BE HELD SEPTEMBER 21 & 22, 2012. ADDRESS OF EVENT: LOCATED ON THE RIVERWALK CHANNEL LEVEL NEAR THE PBR BUILDING, NEXT TO THE FIRE PIT – 101 S. MAIN STREET)**
- 6 **SPECIAL EVENTS PERMIT APPLICATION-BEER, WINE & SPIRITUOUS LIQUOR LICENSE--PUEBLO CITY-COUNTY LIBRARY DISTRICT, MAILING ADDRESS: 100 E. ABRIENDO AVENUE, EVENT MANAGER: MIDORI CLARK, (EVENT TO BE HELD OCTOBER 20, 2012. ADDRESS OF EVENT: 2ND FLOOR, RAWLINGS LIBRARY, 100 E. ABRIENDO AVENUE)**

CONSENT AGENDA (CONTINUED)

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- 7 SPECIAL EVENTS PERMIT APPLICATION-BEER, WINE & SPIRITUOUS LIQUOR LICENSE–PUEBLO CHAMBER OF COMMERCE, MAILING ADDRESS: 302 N. SANTA FE AVENUE, EVENT MANAGER: ROD SLYHOFF, (EVENT TO BE HELD SEPTEMBER 21-23, 2012. ADDRESS OF EVENT: 1ST & UNION TO B STREET & UNION; CONVENTION CENTER OVERFLOW PARKING LOT BETWEEN UNION & MAIN; 1ST & GRAND TO UNION; C & D STREETS FROM VICTORIA TO MAIN)
- 7A AFFIDAVIT FOR SURRENDER OF CITY AND STATE TAVERN LIQUOR LICENSES- LA PALMA NIGHTCLUB, LLC D/B/A LA PALMA NIGHTCLUB, 2506 LAKE AVENUE, (LICENSEE SURRENDERED LIQUOR LICENSES TO THE CITY CLERK’S OFFICE ON MONDAY, SEPTEMBER 17, 2012)

Mr. DiFatta, seconded by Mr. Ferris, moved to approve the Consent Agenda as read. Roll Call: Ayes—DiFatta, Ferris, Harrison, Pullaro and Rose. Motion carried unanimously.

REGULAR AGENDA

- 8 SPECIAL EVENTS PERMIT APPLICATION-BEER, WINE & SPIRITUOUS LIQUOR LICENSE–COLORADO HISTORICAL FOUNDATION D/B/A EL PUEBLO HISTORY MUSEUM, MAILING ADDRESS: 301 N. UNION AVENUE, EVENT MANAGER: DEBORAH ESPINOSA, (EVENT TO BE HELD SEPTEMBER 21-23, 2012. ADDRESS OF EVENT: 301 N. UNION AVENUE)

Event Manager Deborah Espinosa, 4450 Overton Road, was sworn in and answered questions from the Board. Ms. Espinosa explained this application is for a new event called *Fiesta Village* and is being held during the *Chile & Frijoles Festival*. The money raised from the sale of alcohol & food will benefit the museum and their partners. She will be responsible for supervising the event. There will be 1 liquor distribution point and four individuals will be selling/serving alcohol. Ms. Espinosa described the type of food that will be served and described approved forms of I.D. She stated that wristbands will be given to customers who prove they are of age to purchase or consume alcohol. Ms. Espinosa explained they’ve hired *Advantage Security* to main order on the licensed premises; the security guards will be checking ID’s and issuing the wristbands before entering. Ms. Espinosa gave the Board a detailed description of their licensed premises. Alcohol will not be allowed to be taken off the licensed premises and the premises will be secured by metal fencing.

Mr. Ferris, seconded by Mr. DiFatta, moved to approve this application for a Special Events Permit. Roll Call: Ayes—DiFatta, Ferris, Harrison, Pullaro and Rose. Motion carried unanimously.

- 9 ALCOHOL BEVERAGE TASTINGS PERMIT APPLICATION-RETAIL LIQUOR STORE LIQUOR LICENSE – BIG BEAR WINE & LIQUOR, INC. D/B/A BIG BEAR WINE & LIQUOR, 2037 S. PUEBLO BOULEVARD (PERMIT WILL RUN CONCURRENTLY WITH LICENSEE’S LIQUOR LICENSE)

Vice President/owner Jacquelyn Seybold, 201 Lamkin, was sworn in and answered questions from the Board.

REGULAR AGENDA (CONTINUED)

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Ms. Seybold explained that one of the four owners will conduct/serve the alcohol during their scheduled alcohol tastings events. All servers have completed a state-certified server training program and a copy of each of their certificates was filed with this application. Ms. Seybold explained they will monitor the number of samples served to each patron by giving the patron a punch card with four punches and each time they try a sample, their card will be punched. Prior to being given a punch card, a server will check their identification and stamp their hand. The area where the tastings will be held will be roped off. Ms. Seybold stated they anticipate serving 25 patrons during an alcohol tastings event. Their method of advertising or promoting their tastings events will be through e-mails and a customer data base. They will also post in the store. The Board reminded Ms. Seybold they could not have a tastings event for 30-days and that the start date on the *Alcohol Beverage Tastings Schedule* would have to be amended. Board member Rose also noted that the portion entitled, "Conducting the Tasting" on the tasting protocol would need to be amended so that it accurately reflects the amount of spirituous liquor that can be served which is no more than ½ ounce instead of the one ounce that was listed.

Mr. Pullaro, seconded by Mr. DiFatta, moved to approve this Alcohol Beverage Tastings Permit contingent upon the amendment on spirituous liquor being made. Roll Call: Ayes—DiFatta, Ferris, Harrison, Pullaro and Rose. Motion carried unanimously.

10 COMMUNICATION FROM CHIEF OF POLICE LUIS VELEZ RE: ALLEGED LIQUOR CODE VIOLATION-TAVERN LIQUOR LICENSE-CLUB MANOR SPORTS BAR & ENTERTAINMENT, LLC D/B/A CLUB MANOR SPORTS BAR & ENTERTAINMENT, 4065 CLUB MANOR DRIVE (POLICE CR#12-16583, VIOLATION DATE: AUGUST 23, 2012)

There was no one present on behalf of Club Manor Sports Bar and Entertainment.

Mr. Rose, seconded by Mr. Ferris, moved there was probable cause to believe that a violation occurred and moved to set this matter for hearing on October 17th, 2012. Roll Call: Ayes—DiFatta, Ferris, Harrison, Pullaro and Rose. Motion carried unanimously.

(Note: The hearing for this matter has been subsequently reset for November 21st, 2012)

11 COMMUNICATION FROM CHIEF OF POLICE LUIS VELEZ RE: ALLEGED LIQUOR CODE VIOLATION-TAVERN LIQUOR LICENSE-GOPEE, INC. D/B/A JOKER GRILL & BAR, 1705 SCHLEY (POLICE CR#12-16599, VIOLATION DATE: AUGUST 24, 2012)

Owner/manager Juanita Jimenez, 1029 Palo Alto was sworn in. Also present was Raymond Jimenez, of the same address. Mr. Jimenez was also sworn in. Both individuals acknowledged receipt of the copy of the police communication, CR#12-16599, from the City Clerk's Office. Chairwoman Harrison explained that it is up to the Board to make a determination of whether or not there is probable cause that a violation occurred and whether or not the matter will be set for a hearing.

Mr. DiFatta, seconded by Mr. Ferris, moved there is probable cause, on both violations that a violation occurred. Roll Call: Ayes—DiFatta, Ferris, Harrison, Pullaro and Rose. Motion carried unanimously.

Chairwoman Harrison explained to the licensee what options were available to them and following a brief discussion, the licensee opted for a hearing.

Mr. DiFatta, seconded by Mr. Ferris, moved to set the matter for hearing on November 7, 2012. Roll Call: Ayes—DiFatta, Ferris, Harrison, Pullaro and Rose. Motion carried unanimously.

REGULAR AGENDA (Continued)

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12 REMOVED FROM AGENDA

13 REMOVED FROM AGENDA

ADJOURN – With no further business to come before the Board, the meeting was adjourned at 6:50 p.m.

Respectfully submitted,


Lori Bravo-Neff, Deputy City Clerk
City Clerk's Office