

PUEBLO LIQUOR & BEER LICENSING BOARD
MINUTES -- REGULAR MEETING
CITY HALL -- COUNCIL CHAMBERS
OCTOBER 3, 2012 – 6:00 P.M.

The Pueblo Liquor & Beer Licensing Board convened the Regular Meeting of October 3, 2012 at 6:00 p.m., with Chairwoman 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. Ferris, seconded by Mr. DiFatta, moved to approve the minutes of the Regular Meeting of September 19th, 2012. Roll Call: Ayes—DiFatta, Ferris, Harrison, Pullaro and Rose. Motion carried unanimously.

CONSENT AGENDA

- 1 HOTEL & RESTAURANT LIQUOR LICENSE APPLICATIONS-RENEWALS-TOTAL OF 2 APPLICATIONS**
GMRI, Inc. d/b/a Olive Garden Italian Restaurant #1708, 3240 N. Elizabeth Street
Table Services Ltd. d/b/a La Renaissance, 217 E. Routt Avenue
- 2 TAVERN LIQUOR LICENSE APPLICATIONS-RENEWALS--TOTAL OF 2 APPLICATIONS**
Rollco, Inc. d/b/a Deluxe Tavern, 407 N. Santa Fe Avenue
Legends, LLC d/b/a Legends, 1023 S. Pueblo Boulevard
- 3 3.2% BEER LICENSE APPLICATIONS- CONSUMPTION OFF PREMISES-RENEWALS-TOTAL OF 3 RENEWALS**
Mini Mart, Inc. d/b/a Loaf 'N Jug #86, 2810 Troy Avenue
Mini Mart, Inc. d/b/a Loaf 'N Jug #87, 4125 W. Northern Avenue
J.R.'s Country Stores, Inc. d/b/a J.R.'s Country Store #203, 550 E. Abriendo Avenue
- 4 BEER AND WINE LIQUOR LICENSE APPLICATION-RENEWAL-PARK FOOD, INC. D/B/A MIYAKE JAPANESE RESTAURANT, 4104 OUTLOOK BOULEVARD, SUITE 132D**
- 5 RETAIL LIQUOR STORE LIQUOR LICENSE APPLICATIONS-RENEWALS-TOTAL OF 2 APPLICATIONS**
Franky's Liquor Mart, Inc. d/b/a Franky's Liquor Mart, 905 W. 4th Street
CJEM LLC, d/b/a 80/Twenty Wines, 415 N. Greenwood Avenue, Suite C
- 6 ALCOHOL BEVERAGE TASTINGS PERMIT APPLICATION-RENEWAL--CJEM, LLC D/B/A 80/TWENTY WINES, 415 N. GREENWOOD AVENUE, SUITE C**
- 7 CABARET LICENSE APPLICATIONS-RENEWALS-TOTAL OF 2 APPLICATIONS**
Disabled American Veterans d/b/a DAV Steel City Chapter #39, 2850 O'Neal Avenue
Legends, LLC d/b/a Legends, 1023 S. Pueblo Boulevard
- 8 PERMIT APPLICATION AND REPORT OF CHANGES: CHANGE OF MANAGER- 3.2% BEER LICENSE- CONSUMPTION OFF PREMISES-MINI MART, INC. D/B/A LOAF 'N JUG #86, 2810 TROY AVENUE (NEW MANAGER GILBERT TRUJILLO REPLACES MICHELLE DAVIS)**

CONSENT AGENDA (CONTINUED)

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- 9 PERMIT APPLICATION AND REPORT OF CHANGES: CHANGE OF MANAGER- 3.2% BEER LICENSE- CONSUMPTION OFF PREMISES-MINI MART, INC. D/B/A LOAF 'N JUG #87, 4125 W. NORTHERN AVENUE (NEW MANAGER JAN CHANCE REPLACES ADAM YOUNG)**

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

REGULAR AGENDA

- 10 NEIGHBORHOOD SURVEY: NEW HOTEL & RESTAURANT LIQUOR LICENSE– PAPA BELLO ENTERPRISES, INC. D/B/A ROSARIO'S AT THE RIVERWALK, 101 S. MAIN STREET, UNITS 200 & 201**

Neighborhood Surveyor Don Vest, 516 Lincoln was sworn in and presented to the Board the demographics and map of the defined neighborhood for issuance of a new hotel & restaurant liquor license for premises to be known as *Rosario's at the Riverwalk*. Mr. Vest explained he inadvertently omitted Waterfront on the Riverwalk from the count on the survey due to the fact that the address was the same as for this applicant except for the different unit numbers. He stated this would change the number of businesses to 304; the total number of established liquor licenses to 70; and the number of cabaret licenses to 27.

Mr. Pullaro, seconded by Mr. DiFatta, moved to receive the survey, add Waterfront on the Riverwalk to the list and set the hearing for October 17th, 2012. Roll Call: Ayes—DiFatta, Ferris, Harrison, Pullaro and Rose. Motion carried unanimously.

- 11 PERMIT APPLICATION AND REPORT OF CHANGES-CHANGE OF MANAGER – HOTEL & RESTAURANT LIQUOR LICENSE-THE NOODLE SHOP, CO-COLORADO, INC. D/B/A NOODLES & COMPANY, 825 W. US HIGHWAY 50 (NEW MANAGER DANIELLE McGEHEE REPLACES TODD ANERINO)**

New manager Danielle McGehee, 1677 N. Cholla Court, Pueblo West, was sworn in and answered questions from the Board. The moral character of Ms. McGehee was satisfactory to the Board. She stated she previously worked in a liquor-licensed establishment and that liquor license was never suspended or revoked for violating liquor licensing statutes or regulations. They employ 13 employees. Ms. McGehee described approved forms of identification. She explained their policy for checking the age of their patrons is only the manager, or her assistant, can make the sale of alcohol after checking the patron's identification. Ms. McGehee stated in two months they have a serve-safe course scheduled for their employees. The National Restaurant Association will conduct the course.

Mr. Rose, seconded by Mr. Ferris, moved to approve this change of manager. Roll Call: Ayes—DiFatta, Ferris, Harrison, Pullaro and Rose. Motion carried unanimously.

- 12 HEARING: TRANSFER OF OWNERSHIP APPLICATION—TAVERN LIQUOR LICENSE—CRYSTAL RAMOS & PEDRO GRANILLO D/B/A P.C'S PINK PANTHER LOUNGE, 2430 LAKE AVENUE (CURRENTLY LICENSED TO CARL F. RODRIGUEZ D/B/A LITTLE JOE'S, LICENSE EXPIRES AUGUST 16, 2013)**

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New owners Crystal Ramos and Pedro Granillo, 43 Churchill Road were sworn in and answered questions from the Board.

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

Mr. Granillo stated he received probation for an assault charge in 2000; Ms. Ramos stated she had to pay a municipal fine for a dog-at-large. Neither Mr. Granillo nor Ms. Ramos has ever held or worked in or for a liquor-licensed establishment; both stated there are no silent partners or financial backers not disclosed in their application. There are no officers, directors or any other partners with more than 10% interest. Mr. Granillo and Ms. Ramos stated they used personal savings to enter into possession of the premises; at this time, they are the only employees. Mr. Granillo and Ms. Ramos described approved forms of identification and explained their policy for checking the age of their patrons is to require every customer to show an I.D. Mr. Granillo and Ms. Ramos stated they (and eventually their employees) are planning on attending the City/State's next Liquor Awareness class scheduled for December.

The City Clerk's Office reported to the Board that the fingerprint reports have not come back yet from CBI/FBI for either owner.

Mr. DiFatta, seconded by Mr. Rose, moved to approve this transfer of ownership, contingent on the consistency of the testimony given by the owners with regard to their criminal histories. Roll Call: Ayes—DiFatta, Ferris, Harrison, Pullaro and Rose. Motion carried unanimously.

13 HEARING: TRANSFER OF OWNERSHIP APPLICATION—CABARET LICENSE—CRYSTAL RAMOS & PEDRO GRANILLO D/B/A P.C'S PINK PANTHER LOUNGE, 2430 LAKE AVENUE (CURRENTLY LICENSED TO CARL F. RODRIGUEZ D/B/A LITTLE JOE'S, LICENSE EXPIRES AUGUST 16, 2013)

Chairwoman Harrison stated the Board would take administrative notice of the testimony given in Item #12.

Mr. DiFatta, seconded by Mr. Rose, moved to approve the transfer of the cabaret license contingent upon clear criminal histories. Roll Call: Ayes—DiFatta, Ferris, Harrison, Pullaro and Rose. Motion carried unanimously.

14 HEARING: TRANSFER OF OWNERSHIP APPLICATION—RETAIL LIQUOR STORE LIQUOR LICENSE—SPANKY'S WINE & LIQUOR, LLC D/B/A SPANKY'S LIQUOR WORLD, 1415 W. US HIGHWAY 50 (CURRENTLY LICENSED TO SPANKY'S LIQUOR WORLD, LLC D/B/A SPANKY'S LIQUOR WORLD, LICENSE EXPIRES DECEMBER 6, 2012)

New owner Shilpa Vanga, 3938 Augusta Lane, was sworn in and answered questions from the Board. Also present with Ms. Vanga was her husband, Raj Borra, 3938 Augusta Lane, however, questioning with regard to moral character was limited to Ms. Vanga. The moral character of Ms. Vanga was satisfactory to the Board. She has never held or worked in or for a liquor-licensed establishment. There are no silent partners or financial backers not disclosed in this application. Ms. Vanga stated they obtained a loan and used personal savings to enter into possession of the premises. They will employ 7 employees and none of them have a criminal history. She stated they will conduct background investigations on potential employees. Ms. Vanga described approved forms of I.D. and explained their policy for checking the age of their patrons will be to ask for an I.D. from anyone who

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appears to be under the age of 40. Ms. Vanga & Mr. Borra attended the September City/State Liquor Awareness class. Board Member Ferris recommended possibly becoming certified in Liquor Awareness training. Mr. Borra stated they will also be sending their employees to the December City/State class.

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

Mr. Ferris, seconded by Mr. DiFatta, moved to approve this transfer of ownership, contingent on the consistency of the testimony given with regard to moral character. Roll Call: Ayes—DiFatta, Ferris, Harrison, Pullaro and Rose. Motion carried unanimously.

15 HEARING: TRANSFER OF OWNERSHIP APPLICATION—TAVERN LIQUOR LICENSE—VETERAN'S TAVERN, INC. D/B/A VETERAN'S TAVERN, 315 E. NORTHERN AVENUE (CURRENTLY LICENSED TO MARIA P. KREISER D/B/A VETERAN'S TAVERN, LICENSE EXPIRES JANUARY 11, 2013)

Corporate president Walter Apodaca, 5959 Fox Lane, Beulah, CO, was sworn in and answered questions from the Board.

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

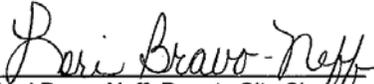
The moral character of Mr. Apodaca was satisfactory to the Board. Mr. Apodaca has never held a liquor license or worked in or for a liquor-licensed establishment. He stated there are no silent partners or financial backers not disclosed in his application. He currently employs 5 employees – all of which are either family members or friends and he stated he will not conduct background investigations on potential employees. Mr. Apodaca described approved forms of identification and explained their policy for checking the age of their patrons is to request an I.D. from anyone who looks 40 years of age or younger. He also stated, if there is ever any doubt, they will ask for identification. Mr. Apodaca stated he and his employees will attend a City/State Liquor Awareness class and he was given a class schedule.

The Board briefly questioned Mr. Apodaca about how he will monitor the back outdoor portion of his licensed premises. Mr. Apodaca explained the premises are secured by a 6' fence and he will have staff out there to monitor the premises during the times when there are smokers on the patio or if there is an event. (i.e. playing horseshoes)

Mr. Pullaro, seconded by Mr. Rose, moved to approve this transfer of ownership. Roll Call: Ayes—DiFatta, Ferris, Harrison, Pullaro and Rose. Motion carried unanimously.

ADJOURN – With no further business to come before the Board, the meeting was adjourned at 6:45 p.m.

Respectfully submitted,


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

