

**PUEBLO LIQUOR & BEER LICENSING BOARD**  
**MINUTES -- REGULAR MEETING**  
**CITY HALL -- COUNCIL CHAMBERS**  
**June 5, 2013 – 6:00 P.M.**

The Pueblo Liquor & Beer Licensing Board convened the Regular Meeting of June 5, 2013 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 May 1<sup>st</sup> and May 15<sup>th</sup>, 2013. Roll Call: Ayes— DiFatta, Ferris, Harrison, Pullaro and Rose. Motion carried unanimously.

**CONSENT AGENDA**

- 1 HOTEL & RESTAURANT LIQUOR LICENSE APPLICATIONS-RENEWALS-TOTAL OF 3 RENEWALS**  
AVKE, Inc. d/b/a Spring Hill Suites, 150 S. Santa Fe Avenue  
J.M.A. Nacho's, Inc. d/b/a Nacho's Restaurant, 409 N. Santa Fe Avenue  
J.M.A. Nacho's, Inc. d/b/a Nacho's Restaurant@ Elmwood, 3406 Thatcher Avenue
- 2 TAVERN LIQUOR LICENSE APPLICATIONS-RENEWALS- TOTAL OF 3 RENEWALS**  
Deborah Barnett d/b/a Pirate's Cove, 105 Central Plaza  
J&CD, Inc. d/b/a Eastside Tavern, 721 E. 4<sup>th</sup> Street  
CDE Billiards, LLC d/b/a Classic Q's, 1715 S. Prairie Avenue
- 3 3.2% BEER LICENSE APPLICATIONS-CONSUMPTION OFF-PREMISES-TOTAL OF 4 RENEWALS**  
Western Convenience Stores, Inc. d/b/a Western Convenience Stores, Inc. #135, 3201 Lake Avenue  
CST Metro, LLC d/b/a Diamond Shamrock #1171, 430 W. Abriendo Avenue  
CST Metro, LLC d/b/a Diamond Shamrock Corner Store #4138, 601 Hwy 50 West  
Dillon Companies, Inc. d/b/a King Soopers #12, 3050 W. Northern Avenue
- 4 RETAIL LIQUOR STORE LIQUOR LICENSE APPLICATIONS-TOTAL OF 3 RENEWALS**  
North Pueblo Liquor Mart, LLC d/b/a North Pueblo Liquor Mart, 412 Eagleridge Boulevard  
Kwon's Liquor, Inc. d/b/a Lang's Liquor, 2143 Jerry Murphy Road  
Oscar's Liquor Lane, LLC d/b/a Oscar's Liquor, 838 S. Prairie Avenue
- 5 ALCOHOL BEVERAGE TASTINGS PERMIT APPLICATION-RENEWAL- OSCAR'S LIQUOR LANE, LLC D/B/A OSCAR'S LIQUOR, 838 S. PRAIRIE AVENUE**
- 6 CABARET LICENSE APPLICATION-RENEWAL- DEBORAH BARNETT D/B/A PIRATE'S COVE, 105 CENTRAL PLAZA**
- 7 SPECIAL EVENTS PERMIT APPLICATION-BEER, WINE & SPIRITUOUS LIQUOR- PUEBLO BIKER BASH, INC., MAILING ADDRESS: 4605 CASTOR DRIVE, EVENT MANAGER: CHARLES PURCELL, (EVENTS TO BE HELD JUNE 15<sup>TH</sup>-16<sup>TH</sup>, 2013. ADDRESS OF EVENTS: 215 CANAL STREET)**
- 8 SPECIAL EVENTS PERMIT APPLICATION-BEER, WINE & SPIRITUOUS LIQUOR- HARP FOUNDATION, MAILING ADDRESS: 125 RIVERWALK PLACE, EVENT MANAGER KEVIN ORTIZ, (EVENT TO BE HELD JULY 4<sup>TH</sup>, 2013. ADDRESS OF EVENT: MAIN STREET FROM "D" STREET TO ALAN HAMEL AVENUE; ALAN HAMEL AVENUE BETWEEN MAIN STREET AND SANTA FE AVENUE; RIVERWALK AREA IN BETWEEN)**

**CONSENT AGENDA (CONTINUED)**

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- 9 SPECIAL EVENTS PERMIT APPLICATION-BEER, WINE & SPIRITUOUS LIQUOR LICENSE—THE BISHOP OF PUEBLO, A CORPORATION SOLE D/B/A OUR LADY OF MT. CARMEL CATHOLIC CHURCH, MAILING ADDRESS: 421 CLARK STREET, EVENT MANAGER: KEVIN WALTER, (EVENTS TO BE HELD JULY 13<sup>TH</sup>-14<sup>TH</sup>, 2013. ADDRESS OF EVENTS 400 BLOCK ON CLARK STREET)
- 10 PERMIT APPLICATION & REPORT OF CHANGES- MODIFICATION OF PREMISES— TAVERN LIQUOR LICENSE- EJS, INC. D/B/A FAIRWAY INN, 521 S. PUEBLO BOULEVARD
- 11 TEMPORARY PERMIT APPLICATION: TRANSFER OF OWNERSHIP—RETAIL LIQUOR STORE LIQUOR LICENSE: MESA JUNCTION WINE & SPIRITS, INC. D/B/A MESA LIQUORS, 105 COLORADO, (CURRENTLY LICENSED TO BETTY L. AMAYA D/B/A MESA LIQUOR STORE, LICENSE EXPIRES DECEMBER 31, 2013)

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

**REGULAR AGENDA**

- 12 HEARING: TRANSFER OF OWNERSHIP—HOTEL & RESTAURANT LIQUOR LICENSE: EL ALAMO, LLC D/B/A EL ALAMO, 1305 E. ROUTH AVENUE, (CURRENTLY LICENSED TO MI PUEBLITO MEXICAN GRILL, INC. D/B/A MI PUEBLITO, LICENSE EXPIRED MAY 18, 2013)

Managing members George Villarreal, 1305 E. Routh Avenue and Francisco Martinez, 23225 Hillside Road were sworn in.

Chairwoman Harrison explained that the Board was concerned as the Clerk's Office had reported that this application was incomplete. Deputy City Clerk Lori Bravo-Neff explained to the owners that their application lacked a fully executed lease, a signed operating agreement and that they have not returned the original application packet nor the fees for the State back to the City Clerk's Office. Mr. Villarreal stated that the landlord, Walter Terrones was going to turn everything in for them two weeks ago and he thought that that had been done. Mr. Styduhar added that all of the above stated documents needed to be returned to the City Clerk's Office before the Board could continue. Mr. Villarreal stated they would get these documents turned in.

Mr. Pullaro, seconded by Mr. Ferris, moved to continue this hearing to June 19<sup>th</sup>, 2013 due to the fact the application is incomplete. Roll Call: Ayes—DiFatta, Ferris, Harrison, Pullaro and Rose. Motion carried unanimously.

- 13 COMMUNICATION FROM CHIEF OF POLICE LUIS VELEZ RE: ALLEGED LIQUOR CODE VIOLATION-HOTEL & RESTAURANT LIQUOR LICENSE-SHORTY'S BACKYARD, LLC D/B/A SHORTY'S MAIN ST. GRILLE, 727 N. MAIN STREET (POLICE CR# 13-7119, VIOLATION DATE: APRIL 20<sup>TH</sup>, 2013) CONTINUED FROM MAY 15<sup>th</sup>, 2013 AT THE REQUEST OF CONFLICTS COUNSEL

Owners Jay D. Johnson and Jennifer both of 125 Lake Avenue were sworn in. Mr. Johnson acknowledged

**REGULAR AGENDA (CONTINUED)**

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receiving a copy of the police report and also stated they did have an opportunity to speak with Conflicts Counsel. Ms. Sikes stated the parties have reached a proposed stipulation and read the proposed *Stipulated Findings and Order* into the record for the Board's consideration. The findings and order indicate the licensee stipulated and admitted to the violation of sale to a person under the age of twenty-one years. The licensee stipulated and agreed to a suspension of its liquor license for a period of 5-days: 3-days imposed, 2-days held in abeyance for one year.

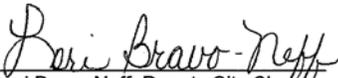
Mr. Rose, seconded by Mr. DiFatta, moved to accept the terms of the agreement. Prior to casting their votes, the Board held a brief discussion.

Mr. Ferris stated he was surprised to see the licensee back again and stated they need to exercise more diligence. Mr. Johnson explained that they monitor their establishment very closely and explained that his staff is required to use an ID scanner. He stated he has also installed an audible alarm so that after 9:00 p.m., people are not allowed to exit through the side door. He further explained that this door cannot be locked for fire safety reasons and that is why he had an audible alarm installed. Mr. Johnson stated that the employee, who allowed the minor in, violated their policy by allowing someone under the age of 21 in after 9:00 p.m. and that employee has been fired. Following this discussion, the Board then cast their votes.

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 6:35 p.m.

Respectfully submitted,

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