



City of Memphis Alcohol Commission Minutes March 19, 2014

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- I. Call to Order** – The regularly scheduled meeting of the Memphis Alcohol Commission was called to order by Sergeant-At-Arms Officer Gerald Lake at approximately 9:10 a.m.
- II. Roll Call** – The following Commissioners were present: Erma Hayslett, Johnsie Wallace, Billy Post, Eugene Bryan, Sherman Greer, Wayne West and Barry Chase. Commissioners Martavius Jones and Jared Johnson were absent.
- III. Approval of Minutes** – The minutes of the previous meeting were distributed electronically prior to this meeting. **Commissioner Hayslett moved approval of the minutes of the March 5, 2014 meeting. Commissioner Greer seconded. The motion passed.**
- IV. Special Beer Applicant(s):**
1. William J. Byer – 2300 Hickory Crest Dr. – **“Holy Cow Cook-Off”**
Date: **April 26, 2014** – Time: **10:00 a.m. – 10:00 p.m.**
Sponsoring Organization: Church of Holy Spirit Knight of Columbus
Purpose of funds: **Charitable; 2 booths**
Upon routine questioning by the commissioners about the alcoholic beverages laws,
Commissioner Greer moved approval. Commissioner West seconded. The motion passed.
 2. Kent B. Monypeny, III – Riverside DR./Jefferson – **“Southern Hot Wing Festival”**
Date: **April 26, 2014** – Time: **10:00 a.m. -8:30 p.m.**
Sponsoring Organization: Experience Art in Memphis
Purpose of funds: **Charitable; 4 booths**
Upon routine questioning by the commissioners about the alcoholic beverages laws,
Commissioner West moved approval. Commissioner Greer seconded. The motion passed.
 3. Alexander J. Hall – Mississippi River Park – **“Race Judicata 5K”**
Date: **April 5, 2014** – Time: **1:00 p.m. – 8:00 p.m.**
Sponsoring Organization: U of M Cecil C. Humphreys School of Law
Purpose of funds: **Charitable; 2 booths**
Upon routine questioning by the commissioners about the alcoholic beverages laws,
Commissioner West moved approval. Commissioner Greer seconded. Commissioner Greer recused himself. The motion passed.
 4. David L. Acey, Sr. – Robert Church Park/Beale St. – **“Africa in April Festival”**
Date: **April 18-20, 2014** – Time: **8:00 a.m. – 11:00 a.m. - Sun. 12:00 p.m. – 11:00 p.m. (04/20/14)**
Sponsoring Organization: Africa In April Cultural Awareness Festival, Inc.
Purpose of funds: **Charitable; 3 booths**
Upon routine questioning by the commissioners about the alcoholic beverages laws
Commissioner West moved approval. Commissioner Greer seconded. The motion passed.

V. **The following person(s) has applied to sell beer for “ON” premises consumption:**

5. Charles S. Ryan & Jeffrey A. Goss – 156 Beale St. – Johnny G, LLC – d/b/a – **“Johnny G’s Creole Kitchen”**
Commissioner Bryan recused himself in the voting process. Upon routine questioning by the commissioners about the alcoholic beverages laws, Commissioner Greer moved approval. Commissioner West seconded. The motion passed.
6. Lewis Winston, Jr. – 341 Beale St. – Blue Note Bar & Grill, Inc. – d/b/a – **“Blue Note Bar & Grill”**
Commissioner Bryan recused himself in the voting process. Upon routine questioning by the commissioners about the alcoholic beverages laws, Commissioner West moved approval. Commissioner Greer seconded. The motion passed.
7. Anthony R. Auguster – 1345 Jackson – **“Our Bar Banquet”**
There was extensive discussion with the applicant about security at this location because of prior published issues. Concern was expressed by the commissioners about the applicants response to questions about the amount of food to be sold compared to alcohol sells. *Commissioner Greer moved approval of the application with the requirement that the location present proof of food sells to the Permits Office in thirty (30) days. Commissioner Chase seconded. The motion passed.*
8. James M. Kelly, Jr. & Trish L. McGhee-Farris– 2857 Kirby Pkwy, Ste. 119-A - MK Developments, LLC – d/b/a – **“Larry’s Pizza”**
Upon routine questioning by the commissioners about the alcoholic beverages laws, *Commissioner West moved approval. Commissioner Greer seconded. The motion passed.*

VI. **The following person(s) has applied to sell beer for “OFF” premises consumption:**

9. Abdullah S. Ali – 921 Frayser Blvd. – d/b/a – **“Snack Mart Express”**
Upon routine questioning by the commissioners about the alcoholic beverages laws, *Commissioner Bryan moved approval. Commissioner West seconded. The motion passed.*
10. Eyassu B. Gimikael – 742 S. Parkway E. – d/b/a – **“In-N-Out Market”**
Upon routine questioning by the commissioners about the alcoholic beverages laws, *Commissioner Greer moved approval. Commissioner Hayslett seconded. The motion passed.*
11. Robert P. Widmer & Kurt Widmer – 5151 E. Raines Rd. – Craft Brew Alliance, Inc. – d/b/a - **“Craft Brew Alliance, Inc.”**
Executive Secretary Howard advised the commissioners that the routine requirements of “posting a notice” and “signatures were waived as there is an existing and continuing operation at the location. The applicant would only be sharing space. Upon routine questioning by the commissioners about the alcoholic beverages laws, *Commissioner Greer moved approval. Commissioner West seconded. The motion passed.*

12. Gamal M. Saeed – 6456 E. Shelby Dr. – Shelby Kirby Express, Inc. - d/b/a – **“Shelby Kirby Express”**
Applicant was asked if he had ever sold beer to a minor and his response was yes. He admitted to the commissioners that he had sold beer to a minor last year at another location. As a result, Commissioner Post and Commissioner Bryan requested that staff attempt to obtain police and/or court records regarding the violation. As such, Commissioner Greer moved to continue this location to the April 2, 2014 meeting. Commissioner West seconded. The motion passed.
13. Sonia S. Shivani & Laila S. Shivani – 6705 E. Shelby Dr. – S & L Fuels Enterprises, Inc. – d/b/a – **“Ross Food & Fuels”**
Upon routine questioning by the commissioners about the alcoholic beverages laws, Commissioner West moved approval. Commissioner Greer seconded. The motion passed.

VII. Special Hearing: Lift Indefinite Suspension

The following location(s) is in violation of AC Rule D-4 NO PRIOR(S):

14. Nabil Morshed – 1608 Getwell Rd. – Getwell Oil, Inc. – d/b/a – **“Getwell Oil City”**
Date of Violation: Thursday, June 6, 2013
Date Permit Approved: 09-21-2011
Officer(s): Howard #1682, Stepney #1348, Smith #8636
The owner has requested a continuation. Commissioner West moved to continue this location to the April 2, 2014 meeting. Commissioner Hayslett seconded. The motion passed.

VIII. Violation(s):

The following location(s) is in violation of AC Rule D-4 NO PRIOR(S):

15. Rahim A. Kajani – 4131 Airways Blvd. – Chelsea Food & Fuel, LLC - d/b/a - **“Fast & Fuel”**
Date of Violation: Thursday, June 13, 2013
Date Permit Approved: 11-16-2011
Officer(s): Smith #8636, Stepney #1348, Richardson #1326
The owner didn't appear. Commissioner Greer motion to indefinite suspend the location. Commissioner West seconded. The motion passed.
16. Mohamied A. Rawaid – 4101 Getwell Rd. – HLMEY, Inc. - d/b/a – **“Quick Mart”**
Date of Violation: Thursday, June 13, 2013
Date Permit Approved: 07-02-2012
Officer(s): Smith #8636, Stepney #1348, Richardson #1326
The owner stipulated to the charge. Commissioner Hayslett moved to fine the location \$250.00 along with a 60 day probationary period or a 30 day suspension of the Beer Permit. Commissioner Greer seconded. The motion passed. The owner agreed to the fine and probation.

17. Essam A. Al-Sabbagh – 2166 E. Raines Rd. – d/b/a - **“Corner Food Market”**
Date of Violation: Thursday, June 13, 2013
Date Permit Approved: 02-17-2010
Officer(s): Richardson #1326, Coleman #2464
The owner stipulated to the charge. Commissioner Hayslett moved to fine the location \$250.00 along with a 60 day probationary period or a 30 day suspension of the Beer Permit. Commissioner Greer seconded. The motion passed. The owner agreed to the fine and probation.
18. Ramakrishna Chede – 2038 E. Shelby Dr. – SRI Ganesh C-Stores, Inc. - d/b/a – **“C.S. R. Mini Mart”**
Date of Violation: Thursday, June 13, 2013
Date Permit Approved: 12-07-2011
Officer(s): Richardson #1326, Coleman #2464
The owner stipulated to the charge. Commissioner Hayslett moved to fine the location \$250.00 along with the 60 day probationary period or a 30 day suspension of the Beer Permit. Commissioner Greer seconded. The motion passed. The owner agreed to the fine and probation.
19. Mustafa B. Hajali & Ahmad Mohammad – 340 E. Shelby Dr. – d/b/a – **“Shelby Food Mart”**
Date of Violation: Thursday, June 13, 2013
Date Permit Approved: 12-07-2011
Officer(s): Richardson #1326, Coleman #2464
Mr. Ali Khdeir had power-of-attorney document and stipulated to the charge. Commissioner Hayslett moved to fine the location \$250.00 along with the 60 day probationary period or a 30 day suspension of the Beer Permit. Commissioner Greer seconded. The motion passed. Mr. Khdeir agreed to the fine and probation.

The following location(s) is in violation of AC Rule C-5 WITH PRIOR(S):

20. Ghulam Sarwar & Omar Chaudhry – 3485 Park Ave. – d/b/a – **“Park Fuel & Food Mart”**
Date of Violation: Monday, July 15, 2013
Date Permit Approved: 09-07-2005
Prior Violation(s): **05-10-2010 (C-5), 02-02-2011 (C-4), 06-02-2011 (C-5)**
Officer(s): Robinson #12952, Stepney #1348, R. Smith #7886
Commissioner Bryan moved to fine the location \$1,500 along with a one year probationary period and a 10 day suspension until April 1st or a 30 day suspension of the Beer Permit. Commissioner Hayslett seconded. The motion passed. The owner agreed to the fine, probation and suspension.

The following location(s) is in violation of AC Rule D-4 WITH PRIOR(S):

21. Tekle Abraha & Abraham Ogbasion – 1682 E. Shelby Dr. – Abraham & Abel, Inc. - d/b/a –
“Double A Mart”

Date of Violation: Thursday, June 13, 2013

Date Permit Approved: 01-09-2008

Prior Violation(s): **06-24-2011 (C-4, C-5, D-4)**

Officer(s): Richardson #1326, Coleman #2464

Commissioner Greer moved to fine the location \$500.00 along with the 60 day probationary period or a 30 day suspension of the Beer Permit. Commissioner West seconded. The motion passed. The owner agreed to the fine and probation.

The following location(s) is in violation of AC Rule C-4, C-9, and D-4 WITH PRIOR(S):

22. Akram M. Said – 4150 Millbranch – d/b/a – “A & A Food Store”

Date of Violation: Thursday, June 13, 2013

Date Permit Approved: 03-18-2009

Prior Violation(s): **07-10-2012 (C-5)**

Officer(s): Payne #6806, Ward #0502, Richardson #1326, Morris #5665, Galison #3156

Commissioner Hayslett moved to fine the location \$1,200.00 along with the 60 day probationary period or a 30 day suspension of the Beer Permit. Commissioner West seconded. The motion passed. The Mr. Hasan Ayes, store manager, and Attorney Jim Curry agreed to the fine and probation.

IX. New Business: None

X. Old Business: None

XI. Adjournment - There being no further business to come before the commission, Commissioner Bryan, moved for adjournment at approximately 11:00 a.m. Commissioner Greer seconded. The meeting adjourned.

Billy Post – Chairman

Date

Aubrey J. Howard – Executive Secretary

Date