



City of Memphis Alcohol Commission Minutes May 15, 2013

- I. Call to Order** – The regular schedule meeting of the Memphis Alcohol Commission was called to order by Sergeant -At-Arms Officer Gerald Lake at 9:15 a.m.
- II. Roll Call** – The following Commissioners were present: Eugene Bryan, Barry Chase, Sherman Greer, Martavius Jones, Billy Post, Erma Hayslett and Johnsie Wallace. Commissioners Jared Johnson and Wayne West were absent.
- III. Approval of the Minutes** - The minutes of the previous meeting were distributed prior to this meeting. **Commissioner Greer moved approval of the minutes of May 1, 2013 meeting. Commissioner Hayslett seconded.**
- IV. Special Beer Applicants**
1. Franklin Harrison – Forest Park – **“Medicine in May 5K”**
May 18, 2013 - Time: 9:00 a.m. – 12:00 p.m.
Sponsoring Organization: **UT Health Science Center**
Upon routine questioning by the commissioners primarily related to the avoidance of selling beer to minors Commissioner Jones moved approval. Commissioner Hayslett seconded. The motion passed.
 2. Kenny Gonzales – Marquette Park – **“Memphis Italian Festival”**
May 30 – June 1, 2013 - Time: (May 30) Noon – 12:00 a.m. & (May 31 – June 1) 10:00 a.m. - Midnight
Sponsoring Organization: **Holy Rosary Men Club**
The applicant was routinely questioned and was also asked to take precautions so that no one would leave the beer service area with open containers. Commissioner Post moved approval. Commissioner Jones seconded. The motion passed.
 3. Judy Elaine Davis – 374 Metal Museum – **“The Great Whale Watch”**
June 1, 2013 - Time: 7:00 p.m. – 10:00 p.m.
Sponsoring Organization: **The Metal Museum**
Upon routine questioning by the commissioners Commissioner Post moved approval. Commissioner Greer seconded. The motion passed.
 4. Stephen W. Cross – 60 Harbor Town Square Suite 1021– **“Harbor Town 5K”**
June 7, 2013 - Time: 6:00 p.m. – 11:00 p.m.
Sponsoring Organization: **Phoenix Club of Memphis**
The applicant was routinely questioned about the beer laws and making certain beer did not leave the service area. Commissioner Greer moved approval. Commissioner Hayslett seconded. The motion passed.

5. Robb Hunter – 250 Peabody Place Ste. 105 – **“Havana Mix Cigar Emporium”**
May 16 – June 16, 2013 - Time: 12:00 p.m. – 1:00 a.m.
Sponsoring Organization: **Havana Mix Cigar Emporium**
The applicant was routinely questioned. Commissioner Post moved approval. Commissioner Greer seconded. The motion passed.
6. Kevin Darker – 7990 Horizon Center – **“Joe’s Bike Night”**
June 5, 12, 19 & 26, 2013 - Time: 7:00 p.m. – 11:00 a.m.
Sponsoring Organization: **Joe’s Crab Shack**
The applicant was routinely questioning and also reminded that persons could not leave the area with open containers. Commissioner Post moved approval. Commissioner Greer seconded. The motion passed.

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

7. Arthur Fields – 341 Beale – dba – **“King Arthur’s Home Cooked Meal”**
Continued until June 5, 2013 because the applicant had not posted the advertisement.
8. Carl A. Johnson – 1689 Jackson – dba – **“Cave’s Soul Food More”**
Upon routine questioning by the commissioners, Commissioner Post moved approval. Commissioner Greer seconded. The motion passed.
9. Anthony J. Desalvo III – 2125 Madison – Memphis Louie LLC - dba – **“Bar Louie”**
The applicant was routinely questioned. One of the commissioners pointed out that he had been to the location now three different times and when ordering alcoholic beverages he was not asked to show identification the first two times. Management indicated this would be noted and corrected. Commissioner Post moved approval. Commissioner Greer seconded. The motion passed.
10. Neil A. Armstrong – 314 S. Main – Red Velvet LLC - dba – **“The Corked Carrot”**
Continued until June 5, 2013 because the applicant had not posted the advertisement.

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

11. Abd A. Abdii – 210 N. Fourth – dba – **“Fourth Street Market & Deli”**
Upon routine questioning by the commissioners, Commissioner Post moved approval. Commissioner Greer seconded. The motion passed.
12. Nisreen A. Mahd – 3874 Macon – Double M & A Inc. - dba – **“Mark Express”**
Continued until June 5, 2013 because the advertisement was not posted as required.
13. Michael E. Lee – 598 Monroe – High Cotton Brewing Company LLC - dba – **“High Cotton Brewing Company”** - *The applicant was routinely questioned by the commissioners. Commissioner Post moved approval. Commissioner Greer seconded. The motion passed.*
14. Shirley A. Matthews – 428 S. Orleans – dba – **“Matthews The Poor Man Store”**
Upon routine questioning by the commissioners, Commissioner Post moved approval. Commissioner Greer seconded. The motion passed.

15. Yu Jun Han – 3588 Ridgeway – dba – **“Family Best Market”**
Upon routine questioning by the commissioners Commissioner Post moved for approval. Commissioner Greer seconded. The motion passed
16. Ajit Varma – 4219 Riverdale – dba – **“Riverdale Gas & Grocery”**
Upon routine questioning by the commissioners, Commissioner Post moved approval. Commissioner Greer seconded. The motion passed
17. Ahmed Samin – 1841 Winchester – dba – **“M & N Tobacco Discount #3”**
Upon routine questioning by the commissioners, Commissioner Post moved approval. Commissioner Jones seconded. The motion passed.

VII. Liquor Store(s):

18. Mildred G. Brignole & Don Brignole – 4128 S. Plaza – dba – **“Bud & Hal’s Liquors”**
Staff informed the commissioners that they had received a memorandum the office of Planning and Development indicating that the location met the distance requirements per the ordinance. The memorandum had been shared with all of the commissioners. *Commissioner Post moved approval to recommend to the Mayor to recommend to the State to approve the application. Commissioner Jones seconded. The motion passed.*
19. Aychiluhim Yesigate & Abebe Belaye – 5308 Hwy 61 – dba – **“Stateline Liquors”**
Upon routine questioning by the commissioners, it was found that the location did not meet current code requirements. Commissioner Jones moved to deny application. Commissioner Greer seconded. The motion was approved.

VIII. Special Hearing: None

IX. Violation(s):

The following location(s) is in violation of AC Rule C-4 with no priors:

20. Nabil A. Sharan – 4945 American Way Ste. 1 – dba – **“Saver Stop #4” (Indefinitely Suspended at last meeting).**
Date of Violation: Saturday, January 5, 2013
Business Began: 02-15-2012
Officers: Wright #11063, Dugger #11385
Commissioner Jones moved to lift the Indefinite Suspension. Commissioner Greer seconded. The suspension was lifted.
The owner stipulated to the charge. Commissioner Jones moved to fine the location \$100.00 along with a 60 day probationary period or a 30 day suspension of the Beer Permit. Commissioner Post seconded. The motion passed. The owner accepted the fine.
21. Rafat M. Khmous – 5393 2 Winchester – dba– **“Z Market” (Indefinitely Suspended at last meeting).**
Date of Violation: Saturday, January 5, 2013
Business Began: 02-07-2007
Officers: Shank #10624, Scott #11510, Croom #10914
Commissioner Jones moved to lift the Indefinite Suspension. Commissioner Greer seconded. The suspension was lifted.

The owner stipulated to the charge. Commissioner Jones moved to fine the location \$100.00 along with a 60 day probationary period or a 30 day suspension of the Beer Permit. Commissioner Post seconded. The motion passed. The owner accepted the fine.

22. Saraj M. Shivani – 605 N. Perkins – dba – **“Perkins One Stop”**

Date of Violation: Monday, January 7, 2013

Business Began:

Officers: Desvergues #3271, Bramlett #12775

The owner stipulated to the charge. Commissioner Jones moved a \$100.00 fine along with a 60 day probationary period or a 30 day suspension of the Beer Permit. Commissioner Post seconded. The motion passed. The owner accepted the fine.

23. Mutahar M Sharan – 4625 Tchulahoma – dba – **“County Line Grocery”**

Date of Violation: Wednesday, January 16, 2013

Business Began: 02-04-2004

Officers: Dugger #11385, Wright #11063

The owner was not present. Commissioner Jones moved to Indefinitely Suspend the location. Commissioner Post seconded. The motion passed.

24. Murphy Oil USA, Inc. – 7705 Winchester – dba – **“Murphy #8674”**

Date of Violation: Saturday, January 5, 2013

Business Began: 08-15-2012

Officers: Dugger #11385, Wright #11062

Attorney James Curry represented Murphy Oil. The location stipulated to the charge. Commissioner Jones moved a \$100.00 fine along with a 60 day probationary period or a 30 day suspension of the Beer Permit. Commissioner Hayslett seconded. The motion passed. The Owner accepted the fine.

The following location(s) is in violation of AC Rule C-5 with no priors:

25. Brandon T. Sellards – 3770 Hacks Cross – dba – **“Buffalo Wild Wings”**

Date of Violation: Tuesday, January 8, 2013

Business Began:

Officers: Miller #4475

Continued until June 19, 2013 per request of Attorney Eddie Bearman.

26. Ahamed N. Al Jaishi – 3240 Thomas – dba – **“Thomas Express”**

Date of Violation: Thursday, January 31, 2013

Business Began: 12-19-2012

Officers: Wright #11063, Scott #11510, Mell #11125

The owner was not present. Commissioner Jones moved to Indefinitely Suspend the Beer Permit at this location. Commissioner Post seconded. The motion passed.

27. Daniel K. Kassayei – 2626 N. Watkins – dba – **“DTK Mart”**

Date of Violation: Thursday, January 31, 2013

Business Began: 08-07-2011

Officers: Wilson #1494, Redd #2842

The owner stipulated to the charge. Commissioner Jones moved a \$500.00 fine along with a 60 day probationary period or a 30 day suspension of the Beer Permit. Commissioner Post seconded. The motion passed. The owner accepted the fine.

The following location(s) is in violation of AC Rule C-5 & D-4 with no priors:

28. Blanca E. Jaurez-Rivera – 2845 N. Houston Levee Ste. 108-110 – dba – “**El Nopal Mexican Restaurant**”

Date of Violation: Tuesday, January 22, 2013

Business Began: 10-06-2004

Officers: Winfrey #3797

The owner was not present. Commissioner Jones moved to Indefinitely Suspend the Beer Permit at this location. Commissioner Post seconded. The motion passed.

The following location(s) is in violation of AC Rule C-5 with priors:

29. Alex J. Crowder – 3285 Hack Cross Ste. 105 – dba – “**Mr. P’s Buffalo Wings Plus**”

Date of Violation: Monday, January 7, 2013

Business Began: 09-16-2009

Prior Violation(s): 03-02-11 (C1)

Officers: Miller #4475

The owner stipulated to the charge. Commissioner Jones moved a \$750.00 fine along with a 60 day probationary period or a 30 day suspension of the Beer Permit. Commissioner Greer seconded. The motion passed. The owner accepted the fine.

30. **The following location(s) is in violation of AC Rule C-4 & C-5 with priors:**

Salah I. Obdilahi – 3727 N. Watkins – dba – “**Watkins BP**”

Date of Violation: Thursday, January 31, 2013

Business Began: 03-02-2011

Prior Violation(s): 02-15-2012 (C4)

Officers: Croom #10914, Scruggs #1088

The owner stipulated to the charge. Commissioner Jones moved a \$950.00 fine along with a 60 day probationary period or a 30 day suspension of the Beer Permit. Commissioner Post seconded. The motion passed. The owner accepted the fine.

The following location(s) is in violation of AC Rule C-4 & D-4 with priors:

31. Ali Shams – 5895 Winchester – dba – “**Hickory Hill 76**”

Date of Violation: Saturday, January 5, 2013 (C4)

Tuesday, March 26, 2013 (D4)

Business Began: 11-07-2001

Prior Violation(s): 02-02-2011 (C15)

Officers: Stepney #1348, Richardson #1326

Continued until June 5, 2013 per owner request.

The following location(s) is in violation of AC Rule C-1 & C-4 with priors:

32. Ali Shams – 8941 Hwy 64 – dba – “**Hwy 64 Food & Fuel**”

Date of Violation: Thursday, February 21, 2013

Business Began: 01-05-2005

Prior Violation(s): 06-24-2012 (C5)

Officers: Stepney #1348, Richardson #1326

Continued to June 5, 2013 per owner request.

X. Adjournment - There being no further business to come before the commission, Commissioner Jones moved for adjournment at approximately 11:04 a.m. Commissioner Greer seconded. The motion passed.

Eugene Bryan – Chairman

Date

Aubrey J. Howard – Executive Secretary

Date