



City of Memphis Alcohol Commission Minutes July 3, 2013

- I. Call to Order** – The regularly scheduled meeting of the Memphis Alcohol Commission was called to order by Sgt-At-Arm Officer Gerald Lake at 9:06 a.m.
- II. Roll Call** – The following Commissioners were present: Eugene Bryan, Martavius Jones, Jared Johnson, Barry Chase, Erma Hayslett and Sherman Greer. Commissioners Wayne West, Billy Post and Johnsie Wallace were absent. Chair-person Bryan declared a quorum present.
- III. Approval of the Minutes** - The minutes of the previous meeting had been distributed prior to this meeting. **Commissioner Jones moved approval of the minutes of the June 19, 2013 meeting. Commissioner Johnson seconded. The motion passed.**
- IV. Special Beer Applicants**
1. Jim Ogle– 251 Riverside Dr. – **“Independence Day Fireworks Spectacular”
July 4, 2013 - Time: 6 p.m. – 10 p.m.**
Sponsoring Organization: **Riverfront Development Corp.**
Upon routine questioning by the commissioners, **Commissioner Johnson moved approval. Commissioner Greer seconded. The motion passed.**
 2. Kristine Thai Doan – 1278 Jefferson Ave. – **Grand Opening “De Nhat Bida & Cafe”
July 4, thru Aug 3, 2013 – Time: 10 a.m. – 10 p.m. Mon – Thurs
10 a.m. – 10 p.m. Fri – Sat 12 p.m. – 3 a.m. Sun**
Sponsoring Organization: **De Nhat Bida & Cafe**
Upon routine questioning by the commissioners, **Commissioner Johnson moved approval. Commissioner Greer seconded. The motion passed.**
 3. Kerry Crawford – Pipkin Building (Tiger Lane) – **“Memphis Roller Derby”
July 13, 2013 – Time: 5 p.m. – 10 p.m.**
Sponsoring Organization: **Memphis Roller Derby**
Upon routine questioning by the commissioners, **Commissioner Johnson moved approval. Commissioner Greer seconded. The motion passed.**
 4. Karina Gonzalez – 335 S. Hollywood– **“Festival Latino 2013”
October 12, 2013 Time: 11 a.m. – 8 p.m.**
Sponsoring Organization: **Radio Ambiente**
Upon routine questioning by the commissioners, **Commissioner Johnson moved approval. Commissioner Greer seconded. The motion passed.**
 5. Daniel Flanagan – 122 Gayoso Ave – **“Tamp & Tap Grand Opening”
July 5 thru Aug 3, 2013 – Time: 11 a.m. – 11 p.m.**
Sponsoring Organization: **Tamp & Tap**

Upon routine questioning by the commissioners, **Commissioner Greer moved approval. Commissioner Johnson seconded. The motion passed.**

6. Robb Hunter – 250 Peabody Ave. – **“Havana Mix, ICHF”**
July 3 thru Aug 2, 2013 – Time: 11 a.m. – 11 p.m. Mon – Thurs
11 a.m. – 1 a.m. Fri – Sat 12 p.m. – 10 p.m. Sun

Sponsoring Organizations: **Havana Mix, ICHF**

Upon routine questioning by the commissioners, **Commissioner Johnson moved approval. Commissioner Greer seconded. The motion passed.**

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

7. Rezell Foster – 2090 Person Ave. – dba – **“Foster’s Lounge”**. Upon routine questioning by the commissioners, **Commissioner Johnson moved approval pending the receipt of a current Shelby County License for the business. Commissioner Jones seconded. The motion passed.**
8. Leng Khoun – 4792 Summer Ave. – dba – **“Edo Japanese Restaurant”**
Upon routine questioning by the commissioners, **Commissioner Johnson moved for approval. Commissioner Greer seconded. The motion passed.**
9. Arreba Lyons – 1351 Thomas St – dba- **“Reba’s Place”**.
Upon routine questioning by the commissioners, **Commissioner Johnson moved approval. Commissioner Jones seconded. The motion passed.**

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

10. Mohammed Sharhan – Saver Stop Express - dba – **“Saver Stop Express”**.
Upon routine questioning by the commissioners, **Commissioner Johnson moved approval. Commissioner Jones seconded. The motion passed.**
11. Stephanie Jones– 6620 Winchester Rd. –Tennessee CVS Pharmacy, LLC - dba – **“CVS Pharmacy #8427”**. The application was for a location that meets the standards for an Off-Premise Beer Permit under the provision that allows beer sales where total alcohol sales would be no greater than 10% of all goods sold at that location. The applicant indicated that beer sales were expected not to exceed 10% of all sales. The applicant was advised that, if approved, they must present proof that at each renewal period of their sales. **Commissioner Greer moved approval. Commissioner Hayslett seconded. The motion Passed.**
12. Cedric D. Brown – 704-706 Waring Rd. – Prosperity Market, Inc. – dba – **“Smile Mart”**. Upon routine questioning by the commissioners, **Commissioner Johnson moved approval. Commissioner Greer seconded. The motion Passed.**

VII. Liquor Store(s): Transferring stocks, fixtures and lease

13. Gary Gordin & Ramona Gordin – 9959 Highway 64 – Scary Gary 2, Inc. – d/b/a **“Caesar’s Wine & Liquors”**. Upon routine questioning by the commissioners, **Commissioner Jones moved approval to recommend to Mayor A C Wharton, Jr. to recommend approval to the Governor. Commissioner Johnson seconded. The motion passed.**

IX. Violation(s):

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

14. Joanne Tran – 5925 E. Shelby Dr. – dba – **“Triple T Market”**.
Date of Violation: Tuesday, March 26, 2013 Business Began: 04/06/2011
Officers: Howard #1682 Stepney #1348 C. Smith #8636
Disposition: The owner stipulated to the violation. **Commissioner Jones moved to fine the location \$250.00 with a 60 day probationary period. Commissioner Greer seconded. The owner accepted the fine and probation.**

15. Chili’s, Inc. – 8100 Giacosa Dr. – dba – **“Chili’s Grill & Bar #0481”**
Date of Violation: Tuesday, February 5, 2013 Business Began: 03/25/1998
Officers: Brumley #6625 Castellaw #7551
Disposition: The owner’s Atty. James Curry requested a continuance for July 17, 2013. **Commissioner Jones moved to approve the request for continuance. Commission Johnson seconded. The motion passed.**

16. Vithal R. Bogale – 4138 Kirby Pkwy. – d/b/a – **“Kirby Food & Fuel”**
Date of Violation: Tuesday, March 26, 2013 Business Began 11/21/2012
Officers: Howard #1682 Stepney #1348 C. Smith #8636
Disposition: The owner was represented by Mr. Nefew Karae with a Power of Attorney. Mr. Karae stipulated to the violation. **Commissioner Jones moved to fine the location \$250.00 with a 60 day probationary period. Commissioner Greer seconded. The representative accepted the fine and probation.**

17. Kedir Muna – 5963 Knight Arnold – dba – **“Fox Ridge Mart”**
Date of Violation: Tuesday, March 26, 2013 Business Began: 04/17/2013
Officers: A. Howard #1682 L. Brown #0855 M. Richardson #1326
Disposition: The owner stipulated to violation. **Commissioner Jones moved to fine the location \$250.00 with a 60 day probationary period. Commission Johnson seconded. The motion passed.**

18. Mohanad Khmous – 3151 S. Perkins – dba – **“Hop In”**
Date of Violation: Tuesday, March 26, 2013 Business Began: 07/18/2012
Officers: A. Howard #1682
Disposition: The owner was present and stipulated to the violation. **Commissioner Jones moved to fine the location \$250.00 with a 60 day probationary period. Commission Johnson seconded. The owner the fine and probation.**

19. Blanca E. Juarez-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
Disposition: The owner was not present. **Commissioner Jones moved to Indefinitely Suspend the Beer Permit. Commissioner Johnson seconded. The motion passed.**

20. Earle J. Schwartz – 135 S. Main St. – Sekisui South Main, LLC– dba – “Bluefin Restaurant”
Date of Violation: Thursday, February 21, 2013 Business Began: 10/16/2004
Officers: Winfrey #3797 Boga #9154
Disposition: The owner stipulated to the charge. Commissioner Jones moved to fine the location \$500.00 with a 60 day probationary period or a 30 day suspension of the Beer Permit. Commissioner Johnson seconded. The motion passed. The owner accepted the fine.

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

21. Lalani Nizar – 6970 E. Shelby Dr. – d/b/a – “Shelby Drive BP”
Date of Violation: Tuesday, March 26, 2013 Business Began: 02/16/2011
Officers: Howard #1682 Stepney #1348 C. Smith #8636
Prior(s): C-5 02/08/2012
Disposition: The owner stipulated to the charge. Commissioner Jones moved to fine the location \$500 with a 60 day probationary period or a 30 day suspension of the Beer Permit. Commissioner Johnson seconded. The motion passed. The owner accepted the fine.

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

22. Rafat M. Khmous – 2903 S. Perkins – dba – “Z Market”
Date of Violation: Tuesday, March 26, 2013 Business Began: 06/02/2010
Officer: Howard #1682 Stepney #1348
Prior(s): C-5 05/07/2012
Disposition: The owner’s Attorney requested a continuance from Attorney Roane Waring for August 21, 2013. The Commission did not agree with the request and Commissioner Greer moved to continue for July 17, 2013. Commissioner Jones seconded. The motion passed.
23. Mohammad Ayesh - 3239 Hickory Hill –d/b/a – “Best Market”
Date of Violation: Tuesday, March 26, 2013 Business Began 05/06/2009
Officer: Howard #1682 Stepney #1348 C. Smith #8636
Disposition: The owner was not present. Commissioner Jones moved to Indefinitely Suspend the Beer Permit. Commissioner Johnson seconded. The motion passed.
24. Mohammad Salameh – 5470 Winchester Rd. – d/b/a – “Express 7/11 Market #1”
Date of violation: Tuesday, March 26, 2013 Business Began: 06/02/2010
Prior Violation: C-4 01/05/2013
Disposition: The owner stipulated to the charge. Commissioner Jones moved to fine the location \$500 with a 60 day probationary period or a 30 day suspension of the Beer Permit. Commissioner Johnson seconded. The motion passed. The owner accepted the fine.
25. Yayha A. Murshed – 6326 Winchester Rd. – d/b/a – “Winchester Mini Mart”
Date of Violation: Tuesday, March 26, 2013 Business Began: 07/07/2010
Officers: Howard #1682 Stepney #1348 C. Smith #8636
Prior Violation: 04/27/2011
Disposition: The owner’s Atty. James Curry requested a continuance for July 17, 2013. Commissioner Jones moved to approve the request for continuance. Commission Johnson seconded. The motion passed.

26. Mapco Mgr. Jallow – 6566 Winchester Rd. –Mapco Express, Inc. –d/b/a – “Mapco”

Date of Violation: Tuesday, March 26, 2013 Business Began: 07/18/2001

Officers: Howard #1682 L. Brown #0855 Richardson #1326

Prior(s): C-5 02/08/2012

Disposition: The owner stipulated to the charge. **Commissioner Jones moved to fine the location \$500 with a 60 day probationary period or a 30 day suspension of the Beer Permit. Commissioner Chase seconded. The motion passed. The owner accepted the fine.**

X. Old Business – None.

XI. New Business – None.

XII. Adjournment - There being no further business to come before the commission, **Commissioner Greer moved adjournment at approximately 10:30 a.m. Commissioner Post seconded. The motion passed.**

Eugene Bryan, Chairman

Date

Aubrey J. Howard, Executive Secretary

Date