



City of Memphis

Alcohol Commission Minutes

July 17, 2013

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- 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 9:12 a.m.
- II. Roll Call** – The following Commissioners were present: Eugene Bryan, Jared Johnson, Barry Chase, Sherman Greer, Billy Post and Johnsie Wallace. Commissioners Wayne West, Martavius Jones, and Erma Hayslett 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 Greer moved approval of the minutes of the July 3, 2013 meeting. Commissioner Post seconded. The motion passed.**
- IV. Special Beer Applicants**
1. John Kiersky – 412-414 N. Cleveland – **“Crosstown Arts Concert Series”**
July 18, 20, 26, 28, 29 – 31, 2013 Aug 1, 2, 3, 4, 8, 2013 - Time: 4 p.m. – 2 a.m.
Sponsoring Organization: **Crosstown Arts Chairman** - Upon routine questioning by the commissioners
Commissioner Johnson moved approval. Commissioner Post seconded. The motion passed.
 2. Michael Andrews – 2535 Broad – **“Social Art Club”**
July 20, thru Aug 21, 2013 – Time: 12 noon – 3 a.m.
Sponsoring Organization: **Five In One Social Club, LLC**
Upon routine questioning by the commissioners, **Commissioner Johnson moved approval. Commissioner Post seconded. The motion passed.**
 3. Alfonso Herrera – 6542 Quince Rd. – **“Los Cabos Seafood Bar & Grill”**
July 22, thru Aug 21, 2013 – Time: 11 a.m. – 11 p.m.
Sponsoring Organization: **Los Cabos Seafood Bar & Grill**
Upon routine questioning by the commissioners, **Commissioner Johnson moved approval. Commissioner Post seconded. The motion passed.**
 4. Lewis D. Conley – 1427 Thomas St. – **“Bike Night”**
July 24 – 31, 2013 thru Aug 7, 14, 21, 2013 – Time: 6 p.m. – 1 a.m.
Sponsoring Organization: **CC Blues Club**
Upon routine questioning by the commissioners, **Commissioner Johnson moved approval. Commissioner Post seconded. The motion passed.**
 5. Trish Hanks – 7777 Walnut Grove Rd. – **“Mid-South Hunting & Fishing Extravaganza”**
Aug 9 - 11, 2013 – Time: 2 p.m. – 8 p.m. Fri
10 a.m. – 7 p.m. Sat Noon – 5 p.m. Sun
Sponsoring Organizations: **Mid-South Hunting & Fishing Extravaganza**
Upon routine questioning by the commissioners, **Commissioner Johnson moved approval.**

Commissioner Post seconded. The motion passed.

6. Trish Hanks – 7777 Walnut Grove Rd. – **“Delta Fair & Music Festival”**
Aug 30 thru Sept 8, 2013 – Time: 10 a.m. thru 10 p.m. Mon -Thur
10 a.m. – 11 p.m. Fri – Sat – Sun
Sponsoring Organization: **Delta Fair & Music Festival**
Upon routine questioning by the commissioners, **Commissioner Johnson moved approval.**
Commissioner Post seconded. The motion passed.
7. Joseph D. Shanks - 3717 Elvis Presley – **“Elvis Week 2013”**
Aug 12, 2013 - Time: 12 p.m. – 1 a.m.
Sponsoring Organization: **Elvis Presley Enterprises**
Upon routine questioning by the commissioners, **Commissioner Johnson moved approval.**
Commissioner Post seconded. The motion passed.
8. Daniel Flanagan – 122 Gayoso - **“Tamp & Tap” August 3 thru August 8, 2013 -**
Time: 11 a.m. – 9 p.m.
Sponsoring Organization: **Tamp & Tap**
Upon routine questioning by the commissioners, **Commissioner Johnson moved approval.**
Commissioner Post seconded. The motion passed.
9. Judy Elaine Davis – 374 Metal Museum Dr. – **“Whet Tuesday”**
Aug 6, 2013 – Time: 5 p.m. – 8 p.m.
Sponsoring Organization: **The Metal Museum**
Upon routine questioning by the commissioners, **Commissioner Johnson moved approval.**
Commissioner Post seconded. The motion passed.
10. Kevin Darker - 7990 Horizon Center Blvd. – **“Bike Night at Joe’s Crab Shack”**
Aug 7, 14, 21, 2013 – Time: 7 p.m. – 11 p.m.
Sponsoring Organization: **Joe’s Crab Shack**
Upon routine questioning by the commissioners, **Commissioner Johnson moved approval.**
Commissioner Greer seconded. The motion passed.
11. Shawn Carter – 66 Cooper St. – **“CC Les Miserables Benefits”**
Aug 17, 2013 - Time: 6 p.m. – 10 p.m.
Sponsoring Organization: **Jerry and Nina Patton Family Foundation**
Upon routine questioning by the commissioners, **Commissioner Johnson moved approval.**
Commissioner Post seconded. The motion passed.
12. Tamara Cook – 2120 Young Ave. – **“Cooper Young Festival”**
Sept 14, 2013 – Time: 9 a.m. – 7 p.m. Rain Date 9/15/2013 (Sun beer sales begin @ 12 p.m.)
Sponsoring Organization: **Cooper Young Business Association**
Commissioners raised several questions about past operations at the festival that raised concerns of the possibility of liquor being sold to minors and/or customers taking liquor off premises from on-premise establishments. The representative indicated that the association had met and discussed past issues with the thought of avoiding them in the future. No further the discussion, **Commissioner Greer moved approval. Commissioner Post seconded. The motion passed.**

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

13. Loft Ali Al-Kabsh – 184 A W Willis Ave. – Uptown Quick N Easy, Inc. – d/b/a - **“Uptown Quick N Easy”**. Upon routine questioning by the commissioners, **Commissioner Greer moved approval. Commissioner Johnson seconded. The motion passed.**
14. Kristine Doan – 1278 Jefferson Ave. – dba –**“De Nhat Bida & Cafe”**
Noting that the applicant failed to run the required newspaper ad, **Commissioner Greer moved to continue the application until the August 7, 2013 meeting. Commissioner Johnson seconded. The motion passed.**
15. Jatin Batra – 3076 Kirby Pkwy. – Hospitality Inc. – dba - **“Courtyard by Marriott”**.
Upon routine questioning by the commissioners, **Commissioner Johnson moved approval with the stipulation that the applicant submit a current Business License prior to issuance of the Beer Permit. Commissioner Post seconded. The motion passed.**
16. Luis Javier Rodriguez – 6063 Mt. Moriah Ext., Suite 1 – Cinco De Mayo Bar & Grill, Inc. - d/b/a/ - **“Cinco De Mayo Mexican Restaurant”**. Upon noting that applicant failed the Notice to the Public sign check, **Commissioner Greer moved to continue the application to the August 7, 2013. Commissioner Johnson seconded. The motion passed.**

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

17. Mussa H. Ashoga – 987 Berclair - dba – **“Mario Mart”**.
Upon routine questioning by the commissioners, **Commissioner Johnson moved approval. Commissioner Post seconded. The motion passed.**
18. Mustafa A. Murshed – 1846 Burnham – dba **“C D Food Mart”**.
Upon routine questioning by the commissioners, **Commissioner Johnson moved approval. Commissioner Post seconded. The motion passed.**
19. Mohammad A. Ullah/Mohammad M. Islam – 2456 Chelsea Ave. – Jams Business Enterprises, Inc. – d/b/a – **“Chelsea Food Mart”**. Upon routine questioning by the commissioners, **Commissioner Johnson moved approval. Commissioner Greer seconded. The motion Passed.**
20. Luong T. Nguyen – 865 E. Brooks Rd. – Sole Priority, LLC – d/b/a – **“L T Food Express”**
Upon routine questioning by the commissioners, **Commissioner Johnson moved approval. Commissioner Post seconded. The motion Passed.**
21. Haze Shoman – 3474 Elvis Presley Blvd. – EGY Management V, Inc. –d/b/a – **“Exxon/Hop In”**. Upon routine questioning by the commissioners, **Commissioner Johnson moved approval. Commissioner Post seconded. The motion Passed.**
22. Mina Abdelmalk – 6105 Summer Ave. – Saint Maria, Inc. - d/b/a – **“Saint Maria Inc.”**
Upon routine questioning by the commissioners, **Commissioner Johnson moved approval. Commissioner Post seconded. The motion Passed.**
23. Sadam Alkanshaly – 3467 Range Line Rd. – Range Line Discount, Inc. – d/b/a – **“Range Line**

Discount". This application is based upon Ordinance 5459 Section 7 which relaxes distance requirements beer sales is less than 10% of its gross sales. At renewal, the applicant must present proof of sales consistent with the ordinance. **Commissioner Johnson moved approval. Commissioner Post seconded. The motion passed.**

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

24. Rahul and Chhaya Saigal – 420 S. Germantown RD., Suite 101 – Wine and Spirits Oasis, LLC – d/b/a - **“Parkway Wine and Liquors”**. Upon routine questioning by the commissioners, **Commissioner Post moved approval to recommend to the mayor to recommend to the Governor to approve the application. Commissioner Greer seconded. The motion passed.**
25. **New Store:**
Jumar Yogesh – 7505 Hwy 64, Ste 103 – d/b/a – “Wine and Spirits for Less”
Upon routine questioning by the commissioners, **Commissioner Johnson moved approval to recommend to the mayor to recommend to the Governor to approve the application. Commissioner Greer seconded. The motion passed.**

VIII. Special Hearing: None

IX. Violation(s):

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

26. Edward Lee – 1433 Elvis Presley Blvd – dba – **“Hamkirk Grocery”**.
Date of Violation: Saturday, March 16, 2013 Business Began: 02/06/2005
Officers: L. Harris #12033 T. Mell #11125 C. Scruggs # 1088
Disposition: The owner was not present, a representative appeared but did not have a Power Of Attorney. **Commissioner Johnson moved to continue the matter to the August 7, 2013. Commissioner Post seconded. The motion passed.**
27. Naffee Baninemra – 1560 S. Parkway E. – dba – **“Bargain Market”**
Date of Violation: Saturday, March 16, 2013 Business Began: 05/16/2012
Officers: L. Harris #12033 T. Mell #11125 C. Scruggs # 1088
Disposition: The owner stipulated to the violation. **Commissioner Jones moved to fine the location \$100.00 with a 60 day probationary period or a 30 day suspension of the Beer Permit. Commission Johnson seconded. The motion passed. The owner was allowed to choose from among the options. The owner accepted the fine.**
28. Khalid J. Ibrahim – 1362 S. Main St. – d/b/a – **“Neighborhood Grocery”**
Date of Violation: Saturday, March 16, 2013 Business Began 01/03/2007
Officers: Wright #11063 J. Croom #10914
Disposition: The owner stipulated to the violation. **Commissioner Post moved to fine the location \$100.00 with a 60 day probationary period or a 30 day suspension of the Beer Permit. Commissioner Johnson seconded. The motion passed. The owner was granted the option. The owner chose the fine.**
29. Billy Joe Wilchie – 455 Trigg Ave.– dba – **“M & R Grocery”**
Date of Violation: Saturday, March 16, 2013 Business Began: 07/18/2012

Officers: L. Harris #12033 T. Mell #11125 C. Scruggs # 1088

Disposition: The owner stipulated to violation. **Commissioner Post** moved to fine the location **\$100.00 with a 60 day probationary period or a 30 day suspension of the Beer Permit. Commissioner Johnson seconded. The motion passed. The owner granted the option. The owner chose the fine.**

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

30. Annette Hamilton – 9 W. Mallory – dba – **“South Memphis Grocery”**
Date of Violation: Tuesday, March 26, 2013 Business Began: 07/18/2012
Officers: J. Wright #11063 J. Croom #10914
Disposition: The owner was present and stipulated to the violation. **Commissioner Post** moved to fine the location **\$700.00 with a 60 day probationary period. Commission Johnson seconded. The motion passed. The owner was granted the option. The owner chose the fine.**

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

31. Tasty Saleh – 3135 New Horn Lake – d/b/a – **“Horn Lake Amoco”**
Date of Violation: Saturday, March 9, 2013 Business Began: 12/01/2010
Officer(s): J. Croom #10914
The owner was present and stipulated to the violation. **Commissioner Post** moved to fine the location **\$200.00 with a 60 day probationary period or a 30 day suspension of the Beer Permit. Commission Greer seconded. The motion passed. The owner was granted the option. The owner chose the fine.**

The following location(s) is in violation of A C Rule C-5 with NO Priors:

32. Chili’s Mgr. – 8100 Giacosa – Chili’s, Inc. – d/b/a – **“Chili’s Grill & Bar”**
Date of Violation: Tuesday, February 5, 2013 Business Began: 03/25/1998
Officer(s): Brumley #662 Castellaw #7551
Attorney James Curry requested a continuance until the August 21, 2013. **Commissioner Greer moved continuance, as requested. Commissioner Johnson seconded. The motion passed.**

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

33. Mandouh H. Banna – 3340 Millington – d/b/a – **“F & S Grocery Express”**
Date of Violation: Thursday, January 31, 2013 Business Began: 02/07/2007
Officer(s): L. Harris #12035 R. Dugger #11385
The owner was present and stipulated to the violation. **Commissioner Post** moved to fine the location **\$750.00 with a 60 day probationary period or a 30 day suspension of the Beer Permit. Commission Johnson seconded. The motion passed. The owner was granted the option. The owner chose the fine.**

The following location(s) is in violation of A C Rule D-4 with no Priors:

34. Omar Hasan – 84 N. Main St. – Jack’s Food Store, Inc.- d/b/a - **“Jack’s Food Store”**
Date of Violation: Tuesday, February 19, 2013 Business Began: 02/18/2004
Officer(s): Galison #3156

The owner was present and stipulated to the violation. **Commissioner Post moved to fine the location \$250.00 with a 60 day probationary period or a 30 day suspension of the Beer Permit. Commissioner Johnson seconded. The motion passed. The owner was granted the option. The owner chose the fine.**

The following location(s) is in violation of A C Rule C-5 and D-4 with no Priors:

35. Blanca E. Juarez-Rivera – 2845 N. Houston Levee, Suite # 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 stipulated to the violation. **Commissioner Post 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 was granted the option. The owner chose the fine.**

The following location(s) is in violation of A C Rule C-4, C-5 and D-4 with no Priors:

36. Samir Issa – 3239 Hickory Hill – dba – “Best Market”

Date of Violation: Tuesday, March 26, 2013 Business Began: 05/06/2009
Officers: Howard #1682 Stepney #1348 C. Smith #8636

Disposition: The owner stipulated to the violation. **Commissioner Post moved to fine the location \$2650.00 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 30 day suspension of the Beer Permit and informed the commission that they would immediately surrender the Beer Permit.**

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

37. Amjad Hawari – 3497 Sharp Ave. – d/b/a – “McLemore Market”

Date of Violation: Saturday, March 16, 2013 Thursday, June 6, 2013
Business Began: 03/21/2012
Officers: J. Wright #11063 J. Croom #10914

Disposition: The owner stipulated to the charge. **Commissioner Post moved to fine the location \$350.00 with a 60 day probationary period or a 30 day suspension of the Beer Permit. Commissioner Johnson seconded. The motion passed. The owner was granted the option. The owner chose the fine.**

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

38. Robert Caldwell, Jr. – 474 W. Peebles – dba – “Caldwell’s Quick Stop”

Date of Violation: Saturday, March 9, 2013 Business Began: 09/19/1994
Officer: Mell #11125 Wright #11063

Prior(s): C-4 05/31/2011

Disposition: The owner was present and stipulated to the violation. **Commissioner Post moved to fine the location \$200.00 with a 60 day probationary period or a 30 day suspension of the Beer Permit. Commissioner Johnson seconded. The motion passed. The owner was granted the option. The owner chose 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. The motion passed.**

Respectfully submitted:

Eugene Bryan, Chairman

Date

Aubrey J. Howard, Executive Secretary

Date