



City of Memphis Alcohol Commission Minutes August 7, 2013

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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 9:09 a.m.
- II. Roll Call** – The following Commissioners were present: Eugene Bryan, Erma Hayslett, Jared Johnson, Billy Post, Johnsie Wallace, Wayne West and Beth Flanagan (alternate). Commissioners Barry Chase, Sherman Greer and Martavius Jones were absent.
- III. Approval of Minutes** – The minutes of the previous meeting were distributed electronically prior to this meeting. **Commissioner West moved approval of the minutes of the July 17, 2013 meeting. Commissioner Hayslett seconded. The motion passed.**
- IV. Special Beer Applicant(s):**
1. David A Cenker – 5101 Sanderlin Ste. 103 – **“Table 613”**
August 8 – September 7, 2013 – Time: Mon. – Sat. 11:00 a.m. – 10:00 p.m. /Sun. 12:00 Noon – 9:00 p.m.
Sponsoring Organization: **Table 613, LLC**
Purpose of funds: **Profit: 1 booth(s)**
Upon routine questioning by the commissioners Commissioner Hayslett, moved approval. Commissioner West seconded. The motion passed.
 2. John M. Bryant III – 2119 Young Ave. – **“Young Ave. Deli”**
September 14, 2013 – Time: 9:00 a.m. – 8:00 p.m.
(Rain Date) September 15, 2013
Sponsoring Organization: **CVBA**
Purpose of funds: **Profit: 1 booth(s)**
The applicant was asked about his knowledge of the rules relative to allowing patrons to carry beer from his location onto the streets of the Cooper Young festival relative to his permit not allowing sales outside of the boundaries of his facility. There was a general discussion about the rules between the commission and the applicant. There being no further questions,
Commissioner Post moved approval. Commissioner Johnson seconded. The motion passed.
 3. John M. Bryant III – 836 S. Cooper – **“Soul Fish Café”**
September 14, 2013 – Time: 9:00 a.m. – 8:00 p.m.
(Rain Date) September 15, 2013
Sponsoring Organization: **CVBA**
Purpose of funds: **Profit: 1 booth(s)**
The applicant was questioned about his knowledge of the alcoholic beverage rules and regulations of the City of Memphis as it relates to patrons taking beer off of the property where it is served. *Upon routine questioning by the commissioners Commissioner Post, moved approval. Commissioner Johnson seconded. The motion passed.*

4. Daniel W. Clark – 3717 Elvis Presley – “Elvis Week – Main Stage Tent”
August 10 – 17, 2013 – Time: Mon. – Sat. 11:00 a.m. – 11:00 p.m. & Sun. 12:00 Noon – 11:00 p.m.
Sponsoring Organization: **Elvis Presley Enterprises, Inc.**
Purpose of funds: **Profit: 1 booth(s)**
The applicant satisfied the commissioners about his knowledge of the rules. Commissioner Post moved approval. Commissioner Johnson seconded. The motion passed
5. Kristan A. Huntley – 795 S. Copper – “Cooper Young Festival Friday 4 Miler”
September 13, 2013 – Time: 7:00 p.m. - 10:00 p.m.
Sponsoring Organization: **Cooper Young Community Association**
Purpose of funds: **Charitable: 3 booth(s)**
The commissioners reminded the applicant about the rules relative to not allowing patrons to leave the designated areas with beer. *Commissioner Post moved approval. Commissioner Johnson seconded. The motion passed.*
6. Dave S. Gaines – 7144 Winchester – “The Legend”
August 8 – September 7, 2013 – Time: 11:00 a.m. – 2:00 a.m.
Sponsoring Organization: **N/A**
Purpose of funds: **Profit: 1 booth(s)**
Upon routine questioning about alcoholic beverage laws of Memphis and the state by the commissioners, *Commissioner Post moved approval. Commissioner Johnson seconded. The motion passed.*
7. Eva Perez – 3816 Shelby Drive – “Grand Opening for Tari-Taco”
August 8 – September 7, 2013 – Time: Mon. – Sat. 9:00 a.m. – 9:00 p.m. & Sun. 12 Noon – 9:00 p.m.
Sponsoring Organization: **N/A**
Purpose of funds: **Profit: 1 booth(s)**
Upon routine questioning about alcoholic beverage laws of Memphis and the state by the commissioners, *Commissioner Post moved approval. Commissioner Johnson seconded. The motion passed.*
8. Aldo Gaines – 73 Monroe – “Breakaway Bardog 5K – Alley Party - Anniversary”
August 18, 2013 – Time: 4:00 a.m. – 7:00 a.m.
Sponsoring Organization: **Bardog Tavern**
Purpose of funds: **Profit: 6 booth(s)**
Upon routine questioning by the commissioners about alcoholic beverage laws, Commissioner Post moved approval. Commissioner Johnson seconded. The motion passed.
9. William B. Brown – 8071 Trinity – “T J Mulligans Country Hoedown”
August 16 & 17, 2013 – Time: 11:00 a.m. – 3:00 a.m.
Sponsoring Organization: **N/A**
Purpose of funds: **Profit: 1 booth(s)**
Upon routine questioning by the commissioners about alcoholic beverage laws, *Commissioner Post moved approval. Commissioner Johnson seconded. The motion passed.*

10. Laura Gavito – 5101 Sanderlin – **“Aloha To Summer”**
August 24, 2013 – Time: 11:00 a.m. – 11:00 p.m.
Sponsoring Organization: **Fox and Hound**
Purpose of funds: **Profit: 2 booth(s)**
The applicant indicated that a live band would be used outside. Commissioners expressed concerns about loud music late into the evening. No further comments, Commissioner Post moved approval. Commissioner Hayslett seconded. The motion passed.
11. Kerry Crawford – Pipkin Building – **“Memphis Roller Derby”**
August 17, 2013 – Time: 5:00 p.m. – 10:00 p.m.
Sponsoring Organization: **Memphis Roller Derby**
Purpose of funds: **Profit: 1 booth(s)**
The event is recurring. The commission asked the applicant if they have experienced any issues with selling beer to minors or patrons attempting to leave the designated area with beer. The applicant indicated there had been no issues. **Commissioner Post moved approval. Commissioner Hayslett seconded. The motion passed.**
12. Elise P. Bone – Tiger Lane, Central & Hollywood – **“Midnight Classic Bike Tour”**
August 24, 2013 – Time: 8:00 p.m. – 3:00 a.m.
Sponsoring Organization: **Meritan**
Purpose of funds: **Profit: 6 booth(s)**
Upon routine questioning by the commissioners about the applicant’s knowledge of alcoholic beverage laws, **Commissioner Post moved approval. Commissioner West seconded. The motion passed.**

V. The following person(s) has applied for Beer “Catering” Permit:

13. AIG TN Holding, LLC – 2114 Union – dba – **“Applebee’s Neighborhood Grill & Bar”**
The applicant was routinely queried about their knowledge of the rules and regulations of the Alcohol Commission. The responses were satisfactory. **Commissioner Post moved approval. Commissioner Hayslett seconded. The motion passed.**

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

14. Sandra Smith Robinson – 959 S. Cooper – Salted Rim Inc. - dba – **“Café Ole”**
The applicant was routinely queried about their knowledge of the rules and regulations of the Alcohol Commission. After satisfactory responses, **Commissioner Post moved approval. Commissioner Johnson seconded. The motion passed.**
15. William D. Flanagan – 122 Gayoso – The Coffee, LLC - dba – **“Tamp & Tap”**
Upon routine questioning by the commissioners about alcoholic beverage laws, **Commissioner Post moved approval. Commissioner Johnson seconded. The motion passed.**
16. Kristine Doan – 1278 Jefferson – dba – **“De Nhat Bida & Café”**
The applicant indicated that her facility would be used primarily as a banquet hall. Upon routine questioning by the commissioners about the applicant’s knowledge of alcoholic beverage laws, **Commissioner Post moved approval. Commissioner Flanagan seconded. The motion passed.**

17. Luis J. Rodriguez – 6063 Mt. Moriah – Cinco De Mayo Bar & Grill Inc. - dba – **“Cinco De Mayo Mexican Restaurant”**
Upon routine questioning by the commissioners about alcoholic beverage laws, **Commissioner Post moved approval. Commissioner Johnson seconded. The motion passed.**
18. Steven Ritter – 650 E. Parkway South – Aramark Educational Services LLC – dba – **“Christian Brothers Dining”**
The applicant was asked if they were aware of any state laws prohibit beer sales on college campuses. The applicant responded there are no general State laws prohibiting beer sales on college campuses while certain leagues may prohibit it at their member schools. **Commissioner Post moved approval. Commissioner Johnson seconded. The motion passed.**
19. Alfonso Herrera – 6542 Quince – Los Cabos Seafood Bar & Grill – dba – **Los Cabos Seafood Bar & Grill”**
Upon routine questioning by the commissioners about alcoholic beverage laws, **Commissioner Post moved approval. Commissioner Johnson seconded. The motion passed.**

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

20. Antoni Poux – 601 Colonial – Dayton Hudson Corporation – dba – **“Target Store T-0090”**
The applicant is applying for a permit based on a new ordinance that removed distance requirements where total alcoholic beverage sales are less than 10% of all sales at that location. The applicant must provide proof each time a permit is renewed **Commissioner Post moved approval. Commissioner Johnson seconded. The motion passed.**
21. Jamilah Shoufar & Nabil Sharan – 2757 Kimball Ste. 110 – Shoufar, Inc. - dba – **“Saver Stop #2”**
Commissioners routinely queried the applicant about any previous violations at this and any other stores owned and/or operated by the applicant. The applicant indicated there had been violations for clerks not having permits. Further questions by counsel, revealed that the applicant had had several violations of selling beer to minors at stores they owned and or/operated in deference to earlier responses to the commissioners. The applicant indicated they did not fully understand the question when posed by the commissioners. **Commissioner Post moved to deny a permit at this location. Commissioner Johnson seconded. The motion passed.**
22. Abdullah Alssakaf – 1841 Winchester – dba – **“Winchester Tobacco”**
The applicant was not present. **Commissioner West moved to continue the application to the August 21, 2013 meeting. Commissioner Johnson seconded. The motion passed.**

VIII. Liquor Store(s): None

IX. Violation(s):

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

23. Edward C. Lee – 1433 Elvis Presley – 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
The owner stipulated to the charge. Commissioner West moved to fine the location \$100.00 along with a 60 day probationary period or a 30 day suspension of the Beer Permit. Commissioner Hayslett seconded. The motion passed. The owner agreed to the fine and probation.

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

24. Habib A. Ali – 2782 Carnes – dba– **“Carnes Mini Market”**
Date of Violation: Wednesday, March 6, 2013
Business Began: 01-18-2007
Officers: R. Clark #1659
The owner stipulated to the charge. Commissioner West moved to fine the location \$250.00 along with a 60 day probationary period or a 30 day suspension of the Beer Permit. Commissioner Johnson seconded. The motion passed. The owner agreed to the fine and probation.
25. Lai Y. Lum – 2966 Carnes – dba – **“S & L Grocery & Market”**
Date of Violation: Wednesday, March 6, 2013
Business Began: 06-05-2012
Officers: R. Clark #1659
The owner stipulated to the charge. Commissioner West moved to fine the location \$250.00 along with a 60 day probationary period or a 30 day suspension of the Beer Permit. Commissioner Johnson seconded. The motion passed. The owner agreed to the fine and probation.
26. Samer S. Alkabsh – 2768 Park – dba – **“Save More Market”**
Date of Violation: Wednesday, March 6, 2013
Business Began: 03-21-2012
Officers: R. Clark #1659
The owner stipulated to the charge. Commissioner West moved to fine the location \$250.00 along with a 60 day probationary period or a 30 day suspension of the Beer Permit. Commissioner Johnson seconded. The motion passed. The owner agreed to the fine and probation.
27. Meriuim Hussein 2450 Summer – dba – **“Rainbow Gas Express”**
Date of Violation: Wednesday, March 6, 2013
Business Began: 08-15-2012
Officers: R. Clark #1659
The owner stipulated to the charge. Commissioner West moved to fine the location \$250.00 along with a 60 day probationary period or a 30 day suspension of the Beer Permit. Commissioner Johnson seconded. The motion passed. The owner agreed to the fine and probation.
28. Isreal Asfaw – 1073 National; Ste. 103 – dba – **“Zena’s Market”**
Date of Violation: Wednesday, March 6, 2013
Business Began: 05-04-2011
Officers: R. Clark #1659
The owner stipulated to the charge. Commissioner West moved to fine the location \$250.00

along with a 60 day probationary period or a 30 day suspension of the Beer Permit. Commissioner Johnson seconded. The motion passed. The owner agreed to the fine and probation.

29. Lamix Enterprises, Inc. – 306 Tillman – dba – “King’s Drive N Grocery 2”
Date of Violation: Wednesday, March 6, 2013
Business Began: 01-18-2006
Officers: R. Clark #1659
The owner stipulated to the charge. Commissioner West moved to fine the location \$250.00 along with a 60 day probationary period or a 30 day suspension of the Beer Permit. Commissioner Johnson seconded. The motion passed. The owner agreed to the fine and probation.

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

30. Ibssa A. Mohamed – 245 Tillman – dba – “Tillman Food & Deli”
Date of Violation: Wednesday, March 6, 2013 D4
Thursday, April 4, 2013 C4
Business Began: 05-18-2005
Officers: Clark #1659, Scruggs #1088, J. Croom #10914, J. Wright #11063
The owner stipulated to the charge. Commissioner West moved to fine the location \$350.00 along with a 60 day probationary period or a 30 day suspension of the Beer Permit. Commissioner Post seconded. The motion passed. The owner agreed to the fine and probation.

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

31. Sameer M. Gaber – 1457 National – dba – “Nat Jack Market”
Date of Violation: Wednesday, March 6, 2013
Business Began: 02-20-2008
Prior Violation(s): 9-24-2009 C5
Officers: R. Clark #1659
The owner was not present. Commissioner West moved to Indefinitely Suspend the Beer Permit at this location. Commissioner Post seconded. The motion passed.
32. Rafat M. Khmous – 2903 S. Perkins – dba – “Z Market”
Date of Violation: Tuesday, March 26, 2013
Business Began: 06-02-2010
Prior Violation(s): 5-7-2011 C5
Officers: Croom #10914, Scruggs #1088
Commission Attorney Roane Waring advised the commission that he had received a request from an attorney representing this location to continue the matter until the next meeting. Commissioner West moved to continue location to August 21, 2013 meeting. Commissioner Johnson seconded. The motion passed.
33. Askew H. Alawdi – 2511 Jackson – dba – “Merton Street Grocery”
Date of Violation: Saturday, January 5, 2013 (C4)
Tuesday, March 26, 2013 (D4)
Business Began: 11-07-2001

Prior Violation(s): 7-9-2010 C5

Officers: Stepney #1348, Richardson #1326

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

34. Yayha A. Murshed – 6326 Winchester – dba – “Winchester Mini Market”

Date of Violation: Tuesday, March 26, 2013

Business Began: 07-07-2010

Prior Violation(s): 5-7-2011 C4 C5

Officers: Howard #1682, Stepney #1348, C. Smith #8636

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

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

35. Oumer A. Oumer – 3002 Park – dba – “Park Ave Market”

Date of Violation: Wednesday, March 6, 2013

Business Began: 11-04-2009

Prior Violation(s): 11-19-2011 C5 D4

Officers: R. Clark #1659

The owner stipulated to the charge. Commissioner West moved to fine the location \$700.00 along with a 60 day probationary period or a 30 day suspension of the Beer Permit. Commissioner Post seconded. The motion passed. The owner stipulated to the charge. The owner agreed to the fine and probation.

X. Old Business: None.

XI. Adjournment - There being no further business to come before the commission, Commissioner Bryan moved for adjournment at approximately 11:25 a.m. Commissioner Johnson seconded. The meeting adjourned.

Eugene Bryan – Chairman

Date

Aubrey J. Howard – Executive Secretary

Date