



City of Memphis

Alcohol Commission Minutes

August 19, 2015

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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 9:19 a.m.
- II. Roll Call** – The following Commissioners were present: Billy Post, Barry Chase, Johnsie Wallace, Erma Hayslett, Africa Gonzalez McCloy and alternate Lee Jackson. Commissioners Sherman Greer, Eugene Bryan, Wayne West, and Jared Johnson were absent.
- III. Approval of the minutes from the previous meeting** – The minutes of the previous meeting were distributed electronically prior to this meeting. *Commissioner Chase moved approval of the minutes of the August 5, 2015 meeting. Commissioner Hayslett seconded. The motion passed.*
- IV. Special Beer Applicant(s):**
- Barry Roberson – Center Lane Alley from Union to Floyd & Monroe from Front St. to S. Main – **“Breakaway Bardog 5K & Monroe Ave. Street Festival”**
Date(s): **August 30, 2015** – Time: **9:00 a.m. – 6:00 p.m.**
Sponsoring Organization: **Breakaway Athletics**
Purpose of funds: **Charitable; 4-6 booth(s)**
Upon routine questioning by the commissioners about the alcoholic beverage laws, *Commissioner Chase moved approval. Commissioner Wallace seconded. The motion passed.*
 - Sharron Johnson – 993 S. Cooper – **“Stone Soup Festival”**
Date(s): **September 19, 2015** – Time: **5:00 a.m. – 8:00 p.m.**
Rain Date: Sunday, September 20, 2015 – Time: **12:00 p.m. – 8:00 p.m.**
Sponsoring Organization: **Stone Soup Cafe**
Purpose of Funds: **Profit; 2 booth(s)**
Upon routine questioning by the commissioners about the alcoholic beverage laws, *Commissioner Chase moved approval. Commissioner Wallace seconded. The motion passed.*
 - Frank Rouse, Jr. – 3532 Broad – **“Break Fest”**
Date(s): **September 26, 2015** – Time: **10:00 a.m. – 4:00 p.m.**
Sponsoring Organization: **Urban Bicycle Food Ministry**
Purpose of funds: **Charitable; 2 booth(s)**
Upon routine questioning by the commissioners about the alcoholic beverage laws, *Commissioner Chase moved approval. Commissioner Jackson seconded. The motion passed.*

4. Andy Ashby – 768 S. Cooper – “Cooper-York Festival”
Date(s): **September 19, 2015** – Time: **9:00 a.m. – 7:00 p.m.**
Rain Date: Sunday, September 20, 2015 – Time: **12:00 p.m. – 7:00 p.m.**
Sponsoring Organization: **Memphis Made Brewing Co.**
Purpose of Funds: **Profit; 2 booth(s)**
Upon routine questioning by the commissioners about the alcoholic beverage laws,
Commissioner Chase moved approval. Commissioner Jackson seconded. The motion passed.

V. **Special Hearing:**

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

5. Eyassu Gimikael – 742 S. Parkway – dba – “In & Out Market” –Citation #780394
Date of Violation: **Monday, May 25, 2015**
Date Permit Approved: 03-19-2014
Officer(s): Hightower #13143, Ward #0502, Galison #3156
The Off Premise Permit had been revoked at the previous meeting because the location had not responded to two notices to appear before the commission. **Commissioner Chase moved to lift the revocation.** Mr. Howard, a point of order, noted that the location had indicated they were not interested in operating anymore at that location and had sold the business. **Commission Chase then withdrew the motion.** Commissioner Post questioned Mr. Gimikael to make sure he either wanted to pay the fine and not be revoked or remain in revoked status. Mr. Gimikael confirmed the was not interested in having a permit. Commissioner Post reminded that he cannot apply for a beer license in three years. The owner agreed for the location to remain in revoked status and agreed to the stipulation of being revoked.

VI. **Violation(s):**

The following location(s) is in violation of A C Rule C-4, C-5 WITH priors:

6. Mini Abdelmalik & Mark Said – 6105 Summer – Saint Maria, Inc. - dba – “Saint Maria, Inc.”
- Citation #780338 & #C-335249
Date of Violation: **Thursday, July 30, 2015**
Date Permit Approved: 07-17-2013
Prior Violation(s): 10-02-2013 (C-4); 07-29-2014 (C-4, C-5, D-4)
Officer(s): Boykin #10107, Ward #0502, Aldridge #0135
The owner stipulated to the charges. *Commissioner Hayslett moved to fine the location \$1,300.00 along with 60 day probation or a 30 day suspension. Commissioner Chase seconded. The motion passed.* The owner agreed to the fine and probation.

7. Terrance Williams & Delmore Sanders – 2637 James – Sanders-Williams, LLC –
“Del Hollywood BP” - Citation #773678 & #C-335536
Date of Violation: **Saturday, June 6, 2015**
Date Permit Approved: 09-02-2009
Prior Violation(s): 02-01-2012 (C-1); 07-19-2012 (C-5)
Officer(s): Richardson #1326, Taylor #1828, Pickens #4134
The owner stipulated to the charges. *Commissioner Hayslett moved to fine the location \$1,300.00 along with 60 day probation or a 30 day suspension. Commissioner Chase seconded. The motion passed.* The owner agreed to the fine and probation.
8. Gamal Saeed – 6456 E. Shelby – Shelby Kirby Express, Inc. – dba – **“Shelby Kirby Express”**
Citation(s) #780517 & #C-335291
Date of Violation: **Friday, July 31, 2015**
Date Permit Approved: 04-02-2014
Prior Violation(s): 08-15-2014 (C-5)
Officer(s): Stepney #1348, Galison #3156, Lake #1783
The owner stipulated to the charges. The owner was represented by Attorney Jaber.
Commissioner Hayslett moved to fine the location \$950.00 along with 60 day probation or a 30 day suspension. Commissioner Chase seconded. The motion passed. The owner agreed to the fine and probation.

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

9. Saleem Virani & Noorallah Dharani – 6745 Winchester – Q Mart Food & Fuel, Inc. – dba –
“Q Mart Food & Fuel” – Citation #780416
Date of Violation: **Thursday, July 30, 2015**
Date Permit Approved: 11-06-2013
Prior Violation(s): 01-15-2014 (C-5); 08-15-2014 (C-5)
Officer(s): Johnson #2884, Smith #8636, Richardson #1326
The owner stipulated to the charge. The owner was represented by Rick Middlebrook.
Commissioner Chase moved to revoke the Off Premise Beer Permit because of the time frame that require revocation from commission attorney Roane Waring. Commissioner Wallace seconded. The motion passed. The owner was told that he needed to stop selling beer immediately and that an officer will come and pick-up the beer license.

10. Mapco Express, Inc. – 6193 Mt. Moriah – dba – “Mapco #3150” – Citation #780460
Date of Violation: **Saturday, June 27, 2015**
Date Permit Approved: 07-18-2001
Prior Violation(s): 07-24-2014 (C-5); 01-17-2015 (C-5)
Officer(s): Richardson #1326, Galison #3156
The manager stipulated to the charge. After considerable discussion, *Commissioner Chase moved to revoke the Off Premise Beer Permit because of the time frame that require revocation from commission attorney Roane Waring. Commissioner Wallace seconded. The motion passed.* The manager was told that she needed to stop selling beer immediately and that an officer will come and pick-up the beer license.
11. Eyad Abu Obied – 1590 Sycamore View – Eam, Inc. – dba - “Road Runner”
Citation #780397
Date of Violation: **Friday, June 19, 2015**
Date Permit Approved: 01-02-2013
Prior Violation(s): 05-24-2013 (D-4); 01-19-2015 (C-1, C-4, C-5)
Officer(s): Ward #0502, Galison #3156, Lake #1783
The owner stipulated to the charge. *Commissioner Hayslett moved to fine the location \$1,000.00 along with 60 day probation or a 30 day suspension. Commissioner Wallace seconded. The motion passed.* The owner agreed to the fine and probation.
12. Audello Vicente – 5855 Winchester – dba – “Maricos El Quetzal” – Citation(s) #780446
Date of Violation: **Friday, May 22, 2015**
Date Permit Approved: 01-07-2009
Prior Violation(s): 05-07-2014 (C-4, C-5)
Officer(s): Stepney #1348, Ward #0502, Moore #10882
The owner stipulated to the charge. The owner was represented by Attorney Amann. *Commissioner Hayslett moved to fine the location \$750.00 along with 60 day probation or a 30 day suspension. Commissioner Chase seconded. The motion passed.* The owner agreed to the fine and probation.

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

13. Mapco Express, Inc. – 6566 Winchester – dba – “Mapco #3288” – Citation #C-335454
Date of Violation: **Saturday, June 27, 2015**
Date Permit Approved: 07-18-2001
Prior Violation(s): 03-26-2013 (D-4)
Officer(s): Galison #3156
The manager stipulated to the charge. *Commissioner Hayslett moved to fine the location \$200.00 along with 60 day probation or a 30 day suspension. Commissioner Wallace seconded. The motion passed.* The manager agreed to the fine and suspension.

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

14. Askar Alawdi – 2511 Jackson - dba – “Merton St. Grocery” – Citation #C-335238
Date of Violation: **Wednesday, June 17, 2015**
Date Permit Approved: 01-05-2005
Prior Violation(s): 03-06-2013 (D-4)
Officer(s): Galison #3156
The owner didn't show. *Commissioner Hayslett moved to indefinitely suspend the beer license. Commissioner Chase seconded. The motion passed.* The owner agreed to the fine and probation.

The following location(s) is in violation of A C Rule C-5, D-4 NO priors:

15. Gabelinda De Paz – 4069 Sumer – dba – “Palmer Mexican Restaurant” –
Citation #780378 & #C-335177
Date of Violation: **Wednesday, June 17, 2015**
Date Permit Approved: 03-07-2012
Officer(s): Boykin #10107, Richardson #1326, Smith #1943
The owner didn't show. *Commissioner Hayslett moved to indefinitely suspend the Off Premise Beer Permit. Commissioner Wallace seconded. The motion passed.* The owner agreed to the fine and probation.

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

16. Mapco Express, Inc. – 459 E. Crump – dba – “Mapco #3164 – Citation(s) #753168
Date of Violation: **Thursday, June 4, 2015**
Date Permit Approved: 07-18-2001
Officer(s): Payne #6806, Boykin #10107, Lake #1781
The manager stipulated to the charge. *Commissioner Hayslett moved to fine the location \$500.00 along with 60 day probation or a 30 day suspension. Commissioner Chase seconded. The motion passed.* The owner agreed to the fine and probation.
17. Mapco Express, Inc. – 5009 Park – dba – “Mapco #3283 – Citation(s) #780459
Date of Violation: **Wednesday, June 17, 2015**
Date Permit Approved: 07-18-2001
Officer(s): Taylor #1828, Galison #3156
The manager stipulated to the charge. *Commissioner Hayslett moved to fine the location \$500.00 along with 60 day probation or a 30 day suspension. Commissioner Chase seconded. The motion passed.* The owner agreed to the fine and probation.

18. Ezuldin Murshed – 1441 Dellwood – dba – “EZ Express Food Mart” – Citation(s) #77369
Date of Violation: **Friday, June 5, 2015**
Date Permit Approved: 12-03-2003
Officer(s): Richardson #1326, Taylor #1828, Pickens #4134
The manager stipulated to the charge. *Commissioner Hayslett moved to fine the location \$500.00 along with 60 day probation or a 30 day suspension. Commissioner Chase seconded. The motion passed.* The owner agreed to the fine and probation.

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

19. Abdulsamaed Alkabsh – 4907 Airways – dba – “Airways Express” –
Citation #OS-367717 & OS-367718
Date of Violation: **Saturday, June 6, 2015**
Date Permit Approved: 07-02-2008
Officer(s): Ward #0502, Aldridge #0135
The owner stipulated to the charge. The owner was represented by Attorney Curry.
Commissioner Hayslett moved to fine the location \$100.00 along with 60 day probation or a 30 day suspension. Commissioner Chase seconded. The motion passed. The owner agreed to the fine and probation.

VII. Liquor Store(s):

(Grandfathered)

20. John Shikhule – 3305 S. Third – Three Star Investments, LLC – dba – “Three Star Liquor Store”
Upon routine questioning by the commissioners about the alcoholic beverages laws, *Commissioner Chase moved approval for recommendation to the Mayor and the Mayor recommends to the State. Commissioner Wallace seconded. The motion passed.*

(New Location)

21. George Saulsberry , Jr. – 6326 Winchester, Ste. 1 – dba – “George’s Discount Liquor Store”
Upon routine questioning by the commissioners about the alcoholic beverages laws, *Commissioner Chase moved to deny this location because the location didn’t meet the 500 radius footage requirement for school restriction. The motion passed.*

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

22. Greg Beavers – 2690 N. Germantown Pkwy., Ste. 193 – The Cheesecake Factory Restaurants, Inc. - dba – “The Cheesecake Factory Restaurants, Inc.”
Upon routine questioning by the commissioners about the alcoholic beverage laws, *Commissioner Chase moved approval pending that they bring in the original certificate of occupancy. Commissioner Wallace seconded. The motion passed.*

23. Richard Corley – 3445 Poplar, Ste. 1 – Rock’ N Dough Pizza Company, LLC – dba – **“Rock’ N Dough Pizza & Brew Co.”**
Applicant asked to be continued until the September 2, 2015 Alcohol Commission meeting. *Commissioner Chase moved to continue this location until the September 2, 2015 meeting. Commissioner Wallace seconded. The motion passed.*

24. Timothy Redmon – 6761 Winchester, Ste. 14 – dba – **“Castle Restaurant & Lounge”**
Administrative continuance to the September 2, 2015 meeting. *Commissioner Chase moved to continue this location until the September 2, 2015 meeting. Commissioner Wallace seconded. The motion passed.*

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

25. Seida Abawari – 3195 Coleman - dba – **“Rana Market”**
The owner was represented by Attorney Jaber. Upon routine questioning by the commissioners about the alcoholic beverage laws, *Commissioner Chase moved approval. Commissioner Wallace seconded. The motion passed.*

X. New Business:

XI. Old Business:

XII. Adjournment:

There being no further business to come before the commission, Commissioner Greer moved for adjournment at approximately 10:53 a.m. Commissioner West seconded. The meeting was adjourned.

Billy Post, Chairman

Date

Aubrey J. Howard, Executive Secretary

Date