



City of Memphis Alcohol Commission Minutes October 16, 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 9:15 a.m.
- II. Roll Call** – The following Commissioners were present: Eugene Bryan, Martavius Jones, Jared Johnson, Barry Chase, Billy Post, Johnsie Wallace and Sherman Greer. Commissioners Wayne West, , 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 October 2, 2013 meeting. Commissioner Post seconded. The motion passed.**
- IV. Special Beer Applicants**
1. Stacey Greenberg – Overton Park – **“Rock – n - Romp”**
November 2, 2013 - Time: 2 p.m. – 5 p.m.
Sponsoring Organization: **Rock n Romp** . Upon *routine questioning by the commissioners*, **Commissioner Post moved approval. Commissioner seconded. The motion passed.**
 2. Ladon Relliford – 4155 Elvis Presley Blvd. – **“ CVG Pharmacy #10204 Grand Opening”**
October 17 thru November 16, 2013 –
Time: 7 a.m. – 3 a.m. Mon – Sat 12 a.m. – 3 a.m. - Sun
Sponsoring Organization: **Tennessee CVG Pharmacy, LLC**
Upon routine questioning by the commissioners, **Commissioner Post moved approval. Commissioner Jones seconded. The motion passed.**
 3. Howard Stovall – South Main Historic District – **“River Arts Festival”**
October 25, 26, 27, 2013
Time: Fri - 6 p.m. – 9 p.m. Sat 9 a.m. - 7 p.m. Sun 12 p.m. – 5 p.m.
Sponsoring Organization: **River Arts Festival, Inc.**
Upon routine questioning by the commissioners, **Commissioner Post moved approval. Commissioner Johnson seconded. The motion passed.**
 4. David Branch – 3050 Central Ave. – **“2nd Annual BooBall”**
October 25, 2013 Time: 7 p.m. – 12 a.m.
Sponsoring Organization: Memphis Museums, Inc. / Memphis Pink Palace Museum
Upon routine questioning by the commissioners, **Commissioner Post moved approval. Commissioner Johnson seconded. The motion passed.**

5. Kevin Keough – 12 S. Main St. – “Café Keough”
October 21, thru November 20, 2013 – Time: 6 p.m. – 12 a.m.
Sponsoring Organization: **Café Keough**
Upon routine questioning by the commissioners, **Commissioner Post moved approval.**
Commissioner Johnson seconded. The motion passed.
6. Libby Wyatt – 2000 N. Parkway– “Rhodes Homecoming”
October 26, 2013 – Time: 2 p.m. – 5 p.m.
Sponsoring Organizations: Rhodes College
Upon routine questioning by the commissioners, **Commissioner Post moved approval.**
Commissioner Johnson seconded. The motion passed.
7. Amy Lejeune – 5022 Poplar Ave. – “Friday Night Beer Features”
October 18, 25, 26, & November 1, 8, 2013 – Time: 4 p.m. – 8 p.m.
Sponsoring Organization: Whole Food Market
Upon routine questioning by the commissioners, **Commissioner Post moved approval.**
Commission Johnson seconded. The motion passed.

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

8. John Kiersky – 412-414 N. Cleveland – dba – “”. Upon routine questioning by the commissioners, **Commissioner Post moved approval. Commissioner Johnson seconded. The motion passed.**
9. Gary Williams – 51 S. Main St. – Déjà Vu Restaurant, Inc. - dba – “Déjà Vu Restaurant”
Upon routine questioning by the commissioners, **Commissioner Post moved for approval.**
Commissioner Jones seconded. The motion passed.
10. Ana F. Rios – 3705 Malco Way, Ste 101 – dba- “Lafogata Restaurant”.
Upon routine questioning by the commissioners, **Commissioner Post moved approval.**
Commissioner Jones seconded. The motion passed.
11. Chad Foreman – 1199 Ridgeway Rd. – Pyro’s ParkPlace, LLC – d/b/a – “Pyro’s Fire Fresh Pizza”
Upon routine questioning by the commissioners, **Commissioner Post moved approval.**
Commissioner Johnson seconded. The motion passed.

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

12. Degan I. Wais – 1503 E. McLemore – Jama Enterprise, Inc - dba – “McLemore Market”.
Upon routine questioning by the commissioners, **Commissioner Post moved approval.**
Commissioner Johnson seconded. The motion passed.
13. Bashir Moageb – 1553 Pillow St. – dba – “20/20 Grocery”
The applicant failed to appear Oct 2, 2013 due to illness. Application was continued for October 16, 2013 **Commissioner Post moved approval. Commissioner Johnson seconded.**
The motion Passed.
14. Samuel Banga – 3241 S. Third St. – “Corner Food Market” – The applicant failed to meet the Notice to the Public newspaper requirements previously. Upon routine questioning by the commissioners, **Commissioner Post moved approval. Commission Johnson seconded.**
The motion Passed.

15. Rahim Umlani – 8111 Walnut Grove Rd. – Bloomingrove, LLC – d/b/a – “Fill – N – Chill”
Upon routine questioning by the commissioners, **Commissioner Post moved approval. Commissioner Johnson seconded. The motion passed.**
16. Mahmoud Mohammad – 3164 N. Watkins – d/b/a – “Nana Market”
Upon routine questioning by the commissioners, **Commissioner Post moved approval. Commissioner Johnson seconded. The motion passed.**
17. Abdullah Alssakaf – 1841 Winchester Rd. – d/b/a - “Winchester Tobacco”
Applicant assigned Power of Atty to Mr Alawdi. Commissioners preferred Mr. Alssakaf to appear. Applicant Mr Alssakaf failed to appear. Atty John Parker was present and stated that it was unknown as to when applicant might return to the states. **Commissioner Post moved to dismiss application. Commissioner Johnson seconded. The motion passed.**

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

NONE

VIII. Special Hearing:

Requesting lifting revocation of Beer Permit

18. Ronald E. Maxwell – 105 Germantown Pkwy –d/b/a - “Maxwell Concessions”
Applicant is requesting that the Commission recind the March 20, 2013 revoation of the beer permit, due to failure to appear before the Alcohol Commission. Mr Maxwell failed to appear once again. **Commissioner Jones moved to dismiss application. Commissioner Johnson seconded. The motion passed.**

Lift Indefinite Suspension(s):

The following location(s) is in violation of AC Rule C-4 and D-4 With No Priors:

19. Mohamed Omer – 1076 N. Hollywood – dba – “Z Food Mart”.
Date of Violation: Saturday, April 6, 2013 Date Permit Approved: 10/03/2012
Officers: Galison #3156 M. Richardson #1326
Disposition Commissioner Jones moved to lift Indefinite Suspension. Commissioner Post seconded. The motion passed. The owner stipulated to the charges. Commissioner Jones moved to fine the location \$350.00 with a 60 day probationary period. Commissioner Post seconded. The owner accepted the fine

The following location(s) is in violation of AC Rule C-4 and D-4 With Priors:

20. Mengestear Gebregziabher – 2230 Chelsea Ave.. – dba – “Lion Market”
Date of Violation: Saturday, April 6, 2013 Friday, June 28, 2013
Date Permit Approved: 03/21/2012 **Prior Violation(s): C-5 06/14/2011**
Officers: R. Galison #3156

Disposition: Commissioner Jones moved to lift the Indefinite Suspension. Commissioner Post seconded. The motion passed. The owner was present and stipulated to the charges. Prior to any fine being assessed, Atty Jaber quoted TCA 57-5-301, therefore the applicant was cont'd for the November 6, 2013 hearing due to a difference of interpretation between Alcohol Counsel and the applicants Atty.

The following location(s) is in violation of AC Rule D-4 With Priors:

21. Wahib H. Al Qahshi – 2466 Jackson Ave. – d/b/a – **“Saver Stop #3”**
Date of Violation: Saturday, April 6, 2013 Date Permit Approved: 09/21/2011
Prior Violation(s): C-5 02/28/2012
Officers: Galison #3156
Disposition: Commissioner Jones moved to lift Indefinite Suspension. Commissioner Post seconded. This violation was also cont'd for November 6, 2013 pending resolution of issue stated in TCA 57-5-301.

IX. Violation(s):

The following location(s) is in violation of AC Rule C-4 and D-4 With Priors:

22. Yahya Mushreh – 1590 Vollentine – dba – **“North Memphis Market”**
Date of Violation: Sunday, April 6, 2013 Date Permit Approved: 12/02/2009
Prior Violation(s): C-4 C-20 12/04/2009 D-4 7/23/2010 C-5 6/14/2011 C-5 6/24/2012
Officers: R. Galison #3156
Disposition: The owner was represented by Atty Larry Weissman and requested to be cont'd for November 6, 2013. Commissioner Jones moved to continue for November 6, 2013. Commissioner Post seconded. The motion passed.

The following location(s) is in violation of AC Rule D-4 With Priors:

23. Shu Hui Dong – 1073 N. Watkins – dba – **“New JJ Market”**
Date of Violation: Saturday, April 6, 2013 Date Permit Approved: 09/15/2010
Prior Violation(s): D-4 03/06/2013 Officers: R. Galison #3156
Disposition: The owner was present and was subject to the TCA ruling. Commissioner Jones moved to continue for Nov 6, 2013. Commission Wallace seconded. The motion passed.
24. Alhamdi Murshed – 1243 Vollentine – dba – **“Vollentine Market”**
Date of Violation: Saturday, April 6, 2013 Date Permit Approved: 07/07/2004
Prior Violation(s): C-4 C-15 01/10/2011 Officers: R. Galison #3156
Disposition: The owner was present and was subject to the TCA ruling. Commissioner Jones moved to continue for Nov 6, 2013. Commission Wallace seconded. The motion passed.
25. Aziz Altarb / Mohamed Morshed – 1720 Hunter Ave. – dba – **“Geno’s Market”**
Date of Violation: Saturday, April 6, 2013 Date Permit Approved: 12/04/1996
Prior Violation(s): C-4 C-5 6/14/2011 Officers: R. Galison #3156
Disposition: The owner was present and was subject to the TCA ruling. Commissioner Jones moved to continue for Nov 6, 2013. Commission Wallace seconded. The motion passed

26. Sari Amro - 2032 Chelsea Ave. – d/b/a – **“Chelsea Express”**
 Date of Violation: Saturday, April 6, 2013 Date Permit Approved: 10/17/2007
Prior Violation(s): C-4 C-5 06/14/2011 Officer(s): R. Galison #3156
Disposition: The owner was present and was subject to the TCA ruling. **Commissioner Jones moved to continue for Nov 6, 2013. Commission Wallace seconded. The motion passed**
27. Khalid Abdi – 1098 Springdale – d/b/a – **“King’s Drive In Grocery”**
 Date of Violation: Saturday, April 6, 2013 Date Permit Approved: 04/07/2010
Prior Violation(s): C-4 C-5 12/23/2011 Officer(s): R. Galison #3156
Disposition: The owner requested to be continued for November 6, 2013, he was scheduled for City court at 9 a.m on 10/16/13 also. **Commissioner Jones moved to continue. Commissioner Post seconded. The motion passed.**
28. Kabiruddin M. Gilani – 2006 E. Shelby Dr. – d/b/a – **“Express Mart”**
 Date of Violation: Thursday, June 13, 2013 Date Permit Approved: 07/07/2010
Prior Violation(s): C-5 D-4 09/16/2010 Officer(s): M. Richardson #1326
Disposition: The owner stipulated to the charge. **Commissioner Jones 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 accepted the fine.**

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

29. Mohamed Aliye – 1069 N. Watkins – d/b/a – **“Lucky Green”**
 Date of Violation: Saturday, April 6, 2013 Date Permit Approved: 02/20/2013
 Officers: R. Galison #3156
Disposition: The owner was present and was subject to the TCA ruling. **Commissioner Jones moved to continue for Nov 6, 2013. Commission Wallace seconded. The motion passed**
30. Sammy Chu – 1112 Springdale – dba – **“Chu’s Supermarket”**
 Date of Violation: Saturday, April 6, 2013 Date Permit Approved: 11/05/1980
 Officer: R. Galison #3156
Disposition: The owner was present and was subject to the TCA ruling. **Commissioner Jones moved to continue for Nov 6, 2013. Commission Wallace seconded. The motion passed**
31. Ali Ahmed Mohamed – 2209 Eldridge – d/b/a – **“A & H Grocery”**
 Date of Violation: Saturday, April 6, 2013 Date Permit Approved: 04/16/2008
 Officer(s): R.Galison #3156
Disposition: The owner was present and was subject to the TCA ruling. **Commissioner Jones moved to continue for Nov 6, 2013. Commission Wallace seconded. The motion passed**

- 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