



City of Memphis Alcohol Commission Minutes December 3, 2014

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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 Lake at approximately 9:15 a.m.
- II. Roll Call** – The following Commissioners were present: Billy Post, Sherman Greer, Jared Johnson, Eugene Bryan, Wayne West, Erma Hayslett and Barry Chase. Commissioner Johnsie Wallace and Africa Gonzalez-McCloy 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 November 19, 2014 meeting. Commissioner Greer seconded. The motion passed.*
- IV. Special Beer Applicant(s):**
- Holly Smith – 126 Beale from Main to Second – **“Hard Rock Guitar Drop”**
Date(s): December 31, 2014 – January 1, 2015 – Time: **7:00 p.m. – 3:00 a.m.**
Sponsoring Organization: **Hard Rock Café**
Purpose of funds: **Profit; 2 booths**
Upon routine questioning by the commissioners about the alcoholic beverages laws,
Commissioner West moved approval. Commissioner Johnson seconded. The motion passed.
- V. The following person(s) has applied to sell beer for “ON” premises consumption:**
- Michael Hudman/Andrew Ticer – 711 W. Brookhaven Circle – Porcellino’s Craft Butcher, LLC – dba - **“Porcellino’s Craft Butcher”**
No Show
Commissioner West moved to continue this location to the December 17, 2014 meeting. Commissioner Bryan seconded. The motion passed.
 - Nadia Habeeb – 5281 Knight Arnold – Wow Food Mart, Inc. - dba – **“Wow Food Mart, Inc.”**
Upon routine questioning by the commissioners about the alcoholic beverages laws,
Commissioner West moved approval. Commissioner Johnson seconded. The motion passed.
 - Sean Feizkhah – 3358 Poplar – Feiz Business Development, LLC – dba - **“Raffe’s Deli”**
Upon routine questioning by the commissioners about the alcoholic beverages laws,
Commissioner West moved approval. Commissioner Johnson seconded. The motion passed.
 - Jerry Roach – 1220 Primacy Parkway – Aimbridge Concessions, Inc. - dba – **“Hyatt Place Memphis/Primacy Parkway”**
Upon routine questioning by the commissioners about the alcoholic beverages laws,
Commissioner West moved approval. Commissioner Johnson seconded. The motion passed.

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

6. Ramiz Alkifi – 2209 Eldridge – dba - “**A & H Grocery**”
Upon routine questioning by the commissioners about the alcoholic beverages laws,
Commissioner West moved approval. Commissioner Hayslett seconded. The motion passed.
7. Mohammad Asad – 4675 Hwy 61 – Memphis Convenience, LLC - dba – “**Hop In Exxon Hwy 61**”
Upon routine questioning by the commissioners about the alcoholic beverages laws,
Commissioner West moved to continue this location to the December 17, 2014 meeting because of power of attorney letter was not notarized. Commissioner Johnson seconded. The motion passed.
8. Mohammad Asad – 6455 E. Shelby Dr. – Memphis Convenience, LLC - dba – “**Hop In Exxon E. Shelby**”
Upon routine questioning by the commissioners about the alcoholic beverages laws,
Commissioner West moved to continue this location to the December 17, 2014 meeting because of power of attorney letter was not notarized. Commissioner Johnson seconded. The motion passed.

VII. Violation(s):

The following location(s) is in violation of AC Rule C-4, C-5, D-4 WITH prior(s):

9. Musatafa Hajali & Ahmad Mohammad – 3040 Shelby Dr.- dba – “**Shelby Food Mart**”
Date of Violation(s): Wednesday, August 6, 2014 (C-5, D-4)
Friday, August 15, 2014 (C-4, C-5)
Date Permit Approved: 03-20-2013
Prior Violation(s): 06-13-2013 (D-4)
Officers: Ward #0502, Richardson #1326, Chambers #12433, Shank #10624, Holmes #12128,
Croom #10914, Galison #3156
The owner stipulated to the charges. *Commissioner West moved to suspend the beer permit for 30 days. There was not a second. It was then put to roll call 4-3 where the motion failed. Commissioner Greer moved to fine the location \$2,750.00 along with a 60 day probation or a 30 day suspension. Commissioner Hayslett seconded. The motion passed.* The owner agreed to the fine and probation.

The following location(s) is in violation of AC Rule C-5, D-4 WITH prior(s):

10. Owda Khmous – 11417 Hwy 64 – dba – “**Z Market**”
Date of Violation(s): Monday, August 11, 2014
Date Permit Approved: 06-18-2008
Prior Violation(s): 02-20-2012 (C-4), 04-13-2013 (D-4)
Officers: Smith #12944, Smith #8636, Richardson #1326, Stepney #1348
Commissioner Greer moved to indefinite suspend the Beer Permit for failure to appear.
Commissioner West seconded. The motion passed. The representative with power attorney letter appeared soon after. Commissioner Greer rescinded the motion. Bryan seconded. The motion passed. The owner stipulated to the charges. *Commissioner Hayslett moved to fine the location \$750.00 along with a 60 day probation or a 30 day suspension. Commissioner West seconded. The motion passed.* The owner agreed to the fine and probation.

11. Mike Khmous – 3991-1A Lamar – dba – “**Mike’s Market**”
Date of Violation(s): Friday, August 1, 2014
Date Permit Approved: 06-03-2009
Prior Violation(s): 10-16-2012 (C-5)
Officers: Rogers #7124, Turner #12946, Ward #0502, Brown #0796
Commissioner Greer moved to indefinite suspend the Beer Permit for failure to appear.
Commissioner West seconded. The motion passed. The owner appeared soon after.
Commissioner Greer rescinded the motion. Bryan seconded. The motion passed. The owner stipulated to the charges. *Commissioner Hayslett moved to fine the location \$750.00 along with a 60 day probation or a 30 day suspension. Commissioner West seconded. The motion passed.* The owner agreed to the fine and probation.

The following location(s) is in violation of AC Rule C-1, C-5 WITH prior(s):

12. Mark Said – 1885 Berryhill – Egy Management IV, Inc. -- dba – “**Berryhill C-Store**”
Date of Violation(s): Monday, August 11, 2014
Date Permit Approved: 04-03-2013
Prior Violation(s): 04-13-13 (D-4)
Officers: Ward #0502, Galison #3156, Smith #12953, Richardson #1326
The owner stipulated to the charges. *Commissioner Hayslett moved to fine the location \$950.00 along with a 60 day probation or a 30 day suspension. Commissioner West seconded. The motion passed.* The owner agreed to the fine and probation.

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

13. T. G. I. Friday's, Inc. – 8325 Hwy 64 – dba – “T. G. I. Friday's”
Date of Violation(s): Thursday, July 31, 2014
Date Permit Approved: 04-20-2005
Prior Violation(s): 09-18-12 (C-2, D-4), 07-15-13 (C-5)
Officers: Rogers #2846, Smith #8636, Stepney #1348, Smith #12944
Commissioner Greer moved to indefinite suspend this location for failing to appear.
Commissioner Bryan seconded. The motion passed. Counsel appeared soon after on behalf of this location. Commissioner Bryan moved to rescind the motion. Commissioner Greer seconded. The motion passed. Attorney Curry request to continue until the December 17, 2014.
Commissioner Greer moved to continue this location to the December 17, 2014 meeting. Commissioner West seconded. The motion passed. Attorney Curry agreed.
14. Amratlal Jeevan & Maya Jeevan – 306 Tillman – Laxmi Enterprises, Inc. - dba – “King's Drive In Grocery #2”
Date of Violation(s): Tuesday, August 12, 2014
Date Permit Approved: 01-08-2006
Prior Violation(s): 03-06-13 (D-4)
Officers: Ward #0502, Galison #3156, Braswell #12945, Roger#7124
The owner stipulated to the charges. ***Commissioner Hayslett moved to fine the location \$750.00 along with a 60 day probation or a 30 day suspension of the Beer Permit. Commissioner Johnson seconded. The motion passed.*** The owner agreed to the fine and probation.
15. Mapco Express, Inc. – 2100 Sycamore View – dba – “Delta Express #3292”
Date of Violation(s): Tuesday, July 29, 2014
Date Permit Approved: 07-2001
Prior Violation(s): 08-27-13 (C-5, 03-29-11 (C-4)
Officers: Clay #12947, Smith #8636, Richardson #1326, Stepney #1348
Commissioner Greer moved to lift the indefinite suspension. Commissioner Johnson seconded. The motion passed. The owner stipulated to the charges. ***Commissioner Hayslett moved to fine the location \$200.00 along with a 60 day probation or a 30 day suspension of the Beer Permit. Commissioner Greer 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 prior(s):

16. Said Jaber – 5006 Raleigh Lagrange – dba – “Save More Market”
Date of Violation(s): Tuesday, July 29, 2014
Date Permit Approved: 08-06-2008
Prior Violation(s): 05-24-13 (C-4, D-4)
Officers: Smith #12953, Ward #0502, Lake #1783, Norris-Smith #2829
The owner stipulated to the charges. ***Commissioner Hayslett moved to fine the location \$500.00 along with a 60 day probation or a 30 day suspension of the Beer Permit. Commissioner West seconded. The motion passed.*** The owner agreed to the fine and probation.

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

17. Gabriel Yak – 263 Chelsea – dba – “**Convenience 4 Less**”
Date of Violation(s): Wednesday, June 11, 2014
Date Permit Approved: 04-08-2012
Prior Violation(s): 04-06-13 (D-4)
Officers: Croom #10914, Holmes #12128
Commissioner Greer moved to lift the indefinite suspension. Commissioner Johnson seconded. The motion passed. The owner stipulated to the charges. *Commissioner Hayslett moved to fine the location \$200.00 along with a 60 day probation or a 30 day suspension of the Beer Permit. Commissioner Greer seconded. The motion passed.* The owner agreed to the fine and probation.

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

18. Feisel Ahmed – 2695 Getwell – dba – “**Circle S Mart**”
Date of Violation(s): Friday, August 1, 2014
Date Permit Approved: 01-22-2014
Officers: Stepney #1348, Smith #8636, Clay #12947, Richardson #1326
The owner stipulated to the charges. *Commissioner Greer moved to dismiss the D-4 violation because owner showed evidence that employee did ask for identification. Commissioner Johnson seconded. The motion passed. Commissioner Hayslett moved to fine the location \$600 along with a 60 day probation or a 30 day suspension of the Beer Permit. Commissioner Greer seconded. The motion passed.* The owner agreed to the fine and probation.
19. Sam Obad – 4789 Shelby Dr. – dba – “**S & P Express Mart**”
Date of Violation(s): Friday, August 1, 2014
Date Permit Approved: 06-20-2012
Officers: Payne #6806, Craig #1630, Smith #12944
The owner and Attorney McGhee stipulated to the charges. *Commissioner Hayslett moved to fine the location \$600.00 along with a 60 day probation 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 C-5, D-4 NO prior(s):

20. Mohammad Jafari – 3999 Knight Arnold – dba – “**“Xaiya Food Market”**”
Date of Violation(s): Friday, August 1, 2014
Date Permit Approved: 09-30-2003
Officers: Ward #0502, Brown #0796, Rogers #7124, Turner #12946
The owner and stipulated to the charges. *Commissioner Hayslett moved to fine the location \$500.00 along with a 60 day probation or a 30 day suspension of the Beer Permit. Commissioner West seconded. The motion passed.* The owner agreed to the fine and probation.

21. Aman Devji – 4999 Shelby Dr. – Barn Investment I, Inc. – dba – **“Barn Investment I, Inc.”**
Date of Violation(s): Friday, August 1, 2014
Date Permit Approved: 01-16-2013
Officers: Ward #0502, Brown #0796, Turner #12946, Rogers #7124
The owner no showed. *Commissioner Greer moved to indefinite suspend the location. Commissioner Johnson seconded. The motion passed.*

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

22. Circle K Stores, Inc. – 585 S. Highland – dba – **“Circle K #8840”**
Date of Violation(s): Tuesday, August 12, 2014
Date Permit Approved: 10-17-2001
Officers: Stepney #1348, Smith #8636, Smith #12944, Rogers #7124
The owner stipulated to the charges. *Commissioner Hayslett moved to fine the location \$500.00 along with a 60 day probation or a 30 day suspension of the Beer Permit. Commissioner West seconded. The motion passed.* The owner agreed to the fine and probation.
23. Leobardo Ramirez – 3991 Lamar – dba – **“El Gallo Giro”**
Date of Violation(s): Friday, August 1, 2014
Date Permit Approved: 09-11-2010
Officers: Ward #0502, Brown #0796, Robinson #12952, Rogers #7124
The owner stipulated to the charges. *Commissioner Hayslett moved to fine the location \$500.00 along with a 60 day probation or a 30 day suspension of the Beer Permit. Commissioner West seconded. The motion passed.* The owner agreed to the fine and probation.
24. Mapco Express, Inc. – 6193 Mt. Moriah – dba – **“Mapco”**
Date of Violation(s): Thursday, July 24, 2014
Date Permit Approved: 07-2001
Officers: Smith #12944, Richardson #1326, Taylor #1828, Smith #8636
Commissioner Greer moved to lift the indefinite suspension. Commissioner Johnson seconded. The motion passed. The manager stipulated to the charges. *Commissioner Hayslett moved to fine the location \$500.00 along with a 60 day probation or a 30 day suspension of the Beer Permit. Commissioner Johnson seconded. The motion passed.* The owner agreed to the fine and probation.
25. Austin Pubs, Inc. – 7041 64, Ste. 107 – dba – **“Bubba’s Ale Haus & Grille”**
Date of Violation(s): Thursday, July 31, 2014
Date Permit Approved: 08-19-1998
Officers: Stepney #1348, Turner #12946, Smith #8636, Rogers #2846
The owner and counsel did not stipulate to the charges. *Upon routine questioning by the commissioners and the owner’s attorney about the alcoholic beverages laws, there was a roll call 3-3 on the matter to dismiss the violation. The roll call was a tie. Chairman Post had the deciding vote. Commissioner Post moved to dismiss the C-5 violation. The motion passed.* The owner agreed.

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

26. Lutifi Ahmed – 2756 Getwell – dba – **“Gem Texaco Food Market”**
Date of Violation(s): Friday, August 1, 2014
Date Permit Approved: 04-17-2013
Officers: Stepney #1348, Smith #8636, Norris-Smith #2829, Clay #12947, Smith #12944
The owner stipulated to the charges. *Commissioner Hayslett moved to fine the location \$100.00 along with a 60 day probation or a 30 day suspension of the Beer Permit. Commissioner Johnson seconded. The motion passed.* The owner agreed to the fine and probation.
27. JR Food Store of West Florida, Inc. – 9027 Hwy 64 – dba – **“Kwik Shop #206”**
Date of Violation(s): Monday, August 11, 2014
Date Permit Approved: 11-06-2013
Officers: Ward #0502
The owner stipulated to the charges. *Commissioner Hayslett moved to fine the location \$100.00 along with a 60 day probation or a 30 day suspension of the Beer Permit. Commissioner Johnson seconded. The motion passed.* The owner agreed to the fine and probation.

VIII. New Business: None

IX. Old Business: None

X. Adjournment:

There being no further business to come before the commission, Commissioner Greer moved for adjournment at approximately 11:08 a.m. Commissioner Bryan seconded. The meeting adjourned.

Billy Post, Chairman

Date

Aubrey J. Howard, Executive Secretary

Date