



City of Memphis Alcohol Commission Minutes December 18, 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 9:15 a.m.
- II. Roll Call** – The following Commissioners were present: Eugene Bryan, Martavius Jones, Barry Chase, Jared Johnson, Billy Post and Johnsie Wallace. Commissioners Sherman Greer, Erma Hayslett and Wayne West were absent.
- III. Approval of Minutes** – The minutes of the previous meeting were distributed electronically prior to this meeting. **Commissioner Post moved approval of the minutes of the December 4, 2013 meeting. Commissioner Johnson seconded. The motion passed.**
- IV. Special Beer Applicant(s):**
1. David J. Pippin – 1014 N. Germantown Pkwy. – **“3 Guys Pizza Grand Opening”**
Date: **December 19, 2013 – January 8, 2014** - Time: **11:00 a.m. – 10:00 p.m.**
Sponsoring Organization: **3 Guys Pizza Grand Opening**
Purpose of funds: **Profit: 1 booth**
Upon routine questioning by the commissioners about the alcoholic beverages laws, Commissioner Post moved approval. Commissioner Johnson seconded. The motion passed
 2. Tyler C. Miller – 1015 S. Cooper St. – **“New Year’s Eve Trash Bash”**
Date: **December 31, 2013 – January 1, 2014** - Time: **9:00 p.m. – 1:00 a.m.**
Sponsoring Organization: **Memphis Punk Promotions**
Purpose of funds: **Profit: 1 booth**
Upon routine questioning by the commissioners about the alcoholic beverages laws, Commissioner Post moved approval. Commissioner Johnson seconded. The motion passed.
 3. Kevin E. Keough – 12 S. Main St. – **“Christmas Party for #10 Main”**
Date: **December 21, 2013- January 20, 2014** - Time: **4:00 p.m. – 7:00 p.m.**
Sponsoring Organization: **Café Keough**
Purpose of funds: **Profit: 1 booth**
In addition to the routine questions by the commissioners about the alcoholic beverages laws, the applicant was questioned about the number of events to be held during the time frame of the permit. Commissioner Post moved approval. Commissioner Johnson seconded. The motion passed.
 4. Phillip W. Doyle – 5796 Shelby Oaks Dr., Ste. 7 – **“Grand Opening of the Variety Club of Memphis”**
Date: **December 19, 2013 - January 18, 2014** – Time: **5:00 p.m. – 10:00 p.m.**
Upon routine questioning by the commissioners about the alcoholic beverages laws, Commissioner Post moved approval. Commissioner Jones seconded. The motion passed.

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

5. Teresa K. Saunders – 163 Beale St. – A. Schwab Trading Co., LLC – d/b/a – **“A. Schwab”**
The applicant was asked about allowing beer to be taken from the location and was informed that beer in glass bottles could be taken off site prior to the approval. Commissioner Post moved approval. Commissioner Johnson seconded. The motion passed. Counsel later informed the Commission that it was not accurate. Staff indicated they would provide the applicant a copy of the requisite law stating that either paper or plastic containers must be used at the time they pick up the permit.
6. Ngoc K. Truong – 74 N. Cleveland St. – d/b/a – **“Café Cali & Bida”**
Upon routine questioning by the commissioners about the alcoholic beverages laws, Commissioner Post moved approval. Commissioner Johnson seconded. The motion passed.
7. Deswick & TaRhonda Bonds – 5020 US Hwy 78 – d/b/a – **“Fusion Restaurant Sports Bar & Grill”**
Upon routine questioning by the commissioners about the alcoholic beverages laws, Commissioner Post moved approval. Commissioner Johnson seconded. The motion passed.
8. Marco T. Puerto – 6195 Macon Rd., Ste. 9 – Dos Amigos, LLC – d/b/a – **“Dos Amigos Restaurant”**
Upon routine questioning by the commissioners about the alcoholic beverages laws, Commissioner Post moved approval. Commissioner Johnson seconded. The motion passed.
9. Geraldine Mims – 6980 Winchester Rd. – Prive’, LLC – d/b/a – **“Prive’ Restaurant”**
Upon routine questioning by the commissioners about the alcoholic beverages laws, Commissioner Post moved approval. Commissioner Johnson seconded. The motion passed.

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

10. Amanullah R. Devji & Nawazali A. Virji – 2675 Getwell Rd. – San Investment 8, Inc. – d/b/a – **“Getwell Express”**
Staff informed the Commission that violations at this address were on the agenda. The applicant indicated that he had no relationship to the previous owner. Upon further questioning by the commissioners about the alcoholic beverages laws, Commissioner Post moved approval. Commissioner Johnson seconded. The motion passed.
11. Sergio A. Ruiz & Luis A. Pineda – 6466 Winchester Rd. – Tienda San Jose General Partnership - d/b/a/ - **“Tienda San Jose”**
Upon routine questioning by the commissioners about the alcoholic beverages laws, Commissioner Post moved approval. Commissioner Johnson seconded. The motion passed.

VII. Special Hearing:

Lift the indefinite Suspensions:

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

12. Abdusemed A. Finne – 2293 Airways Blvd. – d/b/a – “Airways Food Mart”

Date of Violation: Wednesday, April 17, 2013

Date Permit Approved: 11/07/2007

Officer(s): Mell #11125, Shank #10624

Prior(s): 03/08/13 (D-4)

The location was previously Indefinitely Suspended for non-appearance. Commissioner Jones moved to lift the indefinite suspension. Commissioner Post seconded. The motion passed. The location stipulated to the violations. Commissioner Jones move to fine the location \$200.00 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 WITH PRIOR(S):

13. Fadl Athaibani – 1559 Sycamore View – d/b/a – “Stop & Shop Mini Market”

Date of Violation: Friday, May 24, 2013

Date Permit Approved: 04/06/2011

Officer(s): Howard #1682, Stepney #1348

Prior(s): 07/10/12 (C-5, D-4)

The owner stipulated to the charge. Commissioner Jones moved to uplift the indefinite suspension. Commissioner Post seconded. Commissioner Jones 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.

VIII. Violation(s):

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

14. Obsiye A. Adam – 1052 Lauderdale - d/b/a – “Lauderdale Market”

Date of Violation: Thursday, April 18, 2013

Date Permit Approved: 01/04/2006

Officer(s): Coleman #2464, Clark #1659, Galison #3156

The owner stipulated to the charge. Commissioner Jones moved to fine the location \$250.00 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.

15. Mohammed A. Sharhan – 3 S. Parkway E. – Saver Stop Express, Inc. – d/b/a – “Saver Stop Express”

Date of Violation: Friday, May 25, 2013

Date Permit Approved: 07/03/2013

Officer(s): Payne #6806, Ward #0502, Morris #5665

The owner stipulated to the charge. Commissioner Jones moved to fine the location \$250.00 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.

16. Osman M. Ahmed – 8 S. Parkway - d/b/a – “**Corner Food & Fuel**”
Date of Violation: Saturday, May 25, 2013
Date Permit Approved: 04/02/2008
Officer(s): Payne #6806, Galison #3156, Rogers #7124
The owner stipulated to the charge. Commissioner Jones moved to fine the location \$250.00 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.
17. Elias Michael & Abiey Dagne – 2196 S. Third St. – d/b/a – “**Triple AAA BP**”
Date of Violation: Saturday, May 25, 2013
Date Permit Approved: 04/02/2008
Officer(s): Payne #6806, Ward #0502, Morris #5665
The owner stipulated to the charge. Commissioner Jones moved to fine the location \$250.00 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 C-4, D-4 with NO PRIOR(S):

18. Adane K. Afedwork – 1709 E. Brooks Rd. – d/b/a – “**Quick Express**”
Date of Violation: Saturday, May 25, 2013
Date Permit Approved: 02/06/2008
Officer(s): Payne #6806, Morris #5665, Ward #0502
The owner stipulated to the charge. Commissioner Jones 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 C-4, C-5, D-4 with NO PRIOR(S):

19. Gamil Hider – 1707 Winchester Rd. - d/b/a – “**M & W BP Gas**”
Date of Violation: Saturday, May 25, 2013 (C-4, D-4)
Monday, July 22, 2013 (C-5)
Date Permit Approved: 01/02/2013
Officer(s): Payne #6806, Galison #3156, Rogers #7124, Smith #8636, Morris #5665, Richardson #1326
The owner stipulated to the charges. Commissioner Jones moved to fine the location \$1,100.00 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 PRIOR(S):

20. Louis J. Vescovo – 1610 Brooks Rd. – Pescovo, Inc. – d/b/a – “**Snak-Shak**”
Date of Violation: Saturday, May 25, 2013
Date Permit Approved: 04/11/1979
Officer(s): Payne #6806, Rogers #7124, Galison #3156
Prior(s): 05/10/11 (C-4)
The owner stipulated to the charge. Commissioner Jones to moved 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.

21. Samir S. Ali-Shami – 1670 Kansas St. – d/b/a – **“Brother’s Grocery”**
Date of Violation: Saturday, May 25, 2013
Date Permit Approved: 02/17/2010
Officer(s): Payne #6806, Smith #8636, Stepney #1348
Prior(s): 05/24/11 (C-4)
The owner stipulated to the charge. Commissioner Jones 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.
22. Kim Lay & Sarom Puth – 2095 Kansas St. – d/b/a – **“Pac-N-Go”**
Date of Violation: Saturday, May 25, 2013
Date Permit Approved: 11/18/2009
Officer(s): Payne #6806, Galison #3156, Rogers #7124
Prior(s): 05/24/11 (C-4)
The owner stipulated to the charge. Commissioner Jones to moved 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.
23. Wadah Alwageeh & Anwar A. Obeid – 2558 Warren St. – d/b/a – **“Warren Market”**
Date of Violation: Saturday, May 25, 2013
Date Permit Approved: 02/20/2008
Officer(s): Payne #6806, Smith #8636, Stepney #1348
Prior(s): 12/09/11 (C-5, D-4)
The owner stipulated to the charge. Commissioner Jones 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.
24. Sadruddin Morani – 2675 Getwell, Ste. 101 – M M Knight, Inc. - d/b/a – **“Jubilee Texaco”**
Date of Violation: Thursday, June 6, 2013
Date Permit Approved: 01/23/2008
Officer(s): Howard #1682, Smith #8636, Stepney #1348
Prior(s): 08/27/10 (C-5, D-4)
The owner was not present. Commissioner Jones moved to revoked the beer permit at this location. The owner was unable to be contacted. Commissioner Post seconded. The motion passed. The beer permit was revoked indefinitely.
25. Abdelrazeq A. Abdelmushsen – 3174 Elvis Presley Blvd. – Abdel Enterprises, Inc. –
d/b/a – **“Brooks Rd BP”**
Date of Violation: Friday, May 25, 2013
Date Permit Approved: 02/03/2010
Officer(s): Payne #6806, Ward #0502, Morris #5665
Prior(s): 05/10/11 (C-4), 03/03/12 (C-4)
The owner stipulated to the charge. Commissioner Jones moved to fine the location \$750.00 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.

XI. Old Business: None

X. New Business: None

XI. Adjournment – There being no further business to come before the commission, Commissioner Jones moved for adjournment at approximately 11:15 a.m. Commissioner Post seconded. The meeting adjourned.

Eugene Bryan – Chairman

Date

Aubrey J. Howard – Executive Secretary

Date