

ALCOHOL CONTROL COMMISSION

Monday, March 15, 2021

The Alcohol Control Commission met at 5:00 p.m. this date in the City Commission Chambers of City Hall, 601 Broad Street. Monica Sheppard, Chair, was present along with John Kendrick, Harold Morgan, Billy Cooper, and Commissioner Quick. Steve VanMeter was absent. Assistant City Attorney Stephen Moseley was also present.

Minutes – February 15, 2021

The minutes of the February 15, 2021 meeting, as submitted in writing by the Secretary, were approved by unanimous consent.

Billy Cooper

Ms. Sheppard welcomed Mr. Billy Cooper to his first meeting of the Alcohol Control Commission.

Olea Olive Oil and Wines, 424 Broad Street

The application of Ms. Elizabeth Kieler, owner and operator of Olea Olive Oil and Wines, 424 Broad Street, Suite 100, was presented. Ms. Kieler has requested that a new Beer and Wine Package and Pouring License be issued to her at that location. Ms. Kieler was present, and all papers were in order. Secretary Smith explained that Ms. Kieler's application was initially approved by the Alcohol Control Commission via email in January 2021 (there was no ACC in-person meeting at this time). This business has been open for a few weeks.

Ms. Kieler explained that, currently, only she and her partner are working at this location. However, they will be adding employees in the future and will be using one of the online alcohol training programs. She did indicate that they plan to use a phone app which can verify the validity of a person's license if needed. Their current hours are 11 a.m. – 7 p.m. Monday through Saturday; however, these hours may be altered as needed in the future.

Mr. Kendrick moved to approve the license request as submitted. Mr. Morgan seconded, and the vote was unanimously in favor.

The Shrimp Boat, 402 East 2nd Avenue

The application of Jeremy Duke, owner and manager of the Shrimp Boat, 402 East 2nd Avenue, was presented. Mr. Duke requested that a new Beer Pouring License be issued to him at that location. Secretary Smith explained that, although the Shrimp Boat has been in operation for many years in Rome, this will be the first application for an alcohol license at that business – either at the current location or the former location near Central

Plaza. Mr. Duke is currently the owner/operator of the Mellow Mushroom on Broad Street and Moe's Barbeque at Bridge Point Plaza.

Mr. Duke stated that he will have approximately 16 employees and plans to train them via the Serve Safe Program.

Mr. Cooper moved to approve the request for a new Beer Pouring License at the Shrimp Boat, 402 East 2nd Avenue, subject to all final inspections and approvals by the appropriate city officials. Mr. Kendrick seconded, and the vote was unanimously in favor.

Gravity 1818, 1818 Redmond Circle

The application of Sherry Saudagar, co-owner and manager of Gravity 1818, 1818 Redmond Circle, was presented. Ms. Saudagar requested that a new Beer and Wine Package License be issued to her at that location.

Currently, there is a convenient store operating at this site, and the owners wish to add beer and wine package. Ms. Saudagar explained that this is a 24-hour/day store and currently, only she and her husband are full time employees. Her father-in-law apparently helps out as needed, and they hope to add other employees as funds allow in the future. Ms. Saudagar indicated that the cash register will require that a date-of-birth be entered for all alcohol sales, and they may add an ID scanner in the future. Upon being questioned, she indicated that they do have coin-operated amusement machines (COAM), and nine of these machines are at this facility.

Mr. Kendrick moved to approve the license request as submitted, subject to all final inspections and approvals by the appropriate city officials. Mr. Morgan seconded, and the vote was unanimously in favor.

Alcohol Sales Permit Appeal – Brandy Mathis

Secretary Smith reported there has been some communication between Ms. Mathis and the City of Rome regarding her request for an Alcohol Sales Permit. As reported by the Rome Police Department, Ms. Mathis currently has a felony conviction and a yet-to-be-adjudicated felony charge or charge for an additional felony. Ms. Mathis was not present at today's meeting.

Las Palmas, Riverside Parkway – Cinco de Mayo Event

A representative for licensee Eva Santos was present at tonight's meeting. He explained that Las Palmas Riverside has hosted a Cinco de Mayo event each year typically in a tent area adjoining the restaurant. The first time the event was held, the Alcohol Control Commission gave permission for the event, and each subsequent year, the event has been held in a similar manner, with Las Palmas notifying the City in writing each year.

The Cinco de Mayo event was not held in 2020 due to the COVID pandemic; however, they would like to try to hold this event again this year. It was explained that in years past, anyone wishing to enter the tent area, must first go through the restaurant, and there will be off-duty police officers to ensure that all laws are enforced.

Mr. Cooper moved to approve the Cinco de Mayo event at Las Palmas, Riverside Parkway, as requested, subject to the enforcement of any and all orders from Governor Kemp and the City of Rome that are in effect on May 5, 2021. Mr. Kendrick seconded the motion, and the vote was unanimously in favor.

Alcohol Ordinance Amendment – Home Delivery of Alcohol

As introduced at the February 15, 2021 ACC meeting, an ordinance amendment which would allow the City of Rome to opt-in to the State of Georgia's Home Delivery of Alcohol program was discussed. House Bill 879, which was adopted and signed into law in 2020, authorized the home delivery of alcohol and other alcohol related amendments. Some of the particulars of the Home Delivery Program were discussed such as the responsibilities that are placed on the person actually making the physical delivery and the stipulation that all alcohol be paid for with the store before the delivery is made. Secretary Smith reported that he has not had requests from package or pouring establishments in the City of Rome for this option.

After considerable discussion by the ACC members, the Commission decided to not take action on this ordinance amendment at this time. If there are requests for the ability to provide for the home delivery of alcohol in the future, the ACC may revisit this topic.

Alcohol Ordinance Amendment – Sunday Package Sale Hours

Secretary Smith stated that the City of Rome approved the Brunch Bill Referendum a few years ago, which allowed pouring establishments to begin pouring alcohol at 11 a.m. on Sunday. The State of Georgia now allows cities like Rome to implement Sunday Package Sale hours at 11 a.m. with the adoption of an ordinance (no need for an additional referendum). Currently, Sunday Package may begin at 12:30 p.m. The City Attorney's office has prepared an ordinance amendment which would, if adopted, allow beer, wine, and liquor package sales to begin at 11 a.m. on Sunday.

Mr. Cooper moved for the Alcohol Control Commission to recommend to the City Commission that this ordinance amendment be adopted. Mr. Morgan seconded, and the vote was unanimously in favor.

Alcohol Ordinance Amendments – Debt/Obligation Payments

As introduced at the February 15, 2021 ACC meeting, two alcohol ordinance amendments have been prepared related to debt or other financial obligations due to the City of Rome. These ordinances would require alcohol license holders and holders of Alcohol Sales Permits to resolve any debt or other financial obligation owed to the City

of Rome in order to acquire or renew these permissions. Alcohol licensees could also be stripped of their license during the year for failure to resolve an obligation of this nature.

There was discussion regarding these topics by the ACC members, and concern was expressed that a person's ability to earn a salary and the ability to repay an obligation would be removed by the denial or revocation of their alcohol license or alcohol sales permit. The ACC did not recommend adoption of either of these ordinances.

Police Report

Assistant Police Chief Debbie Burnett presented a police report for the previous 30-day period. There was one Broad Street arrest reviewed. This arrest did not involve any improper action by an alcohol establishment.

Assistant Chief Burnett stated that a State of Georgia/City of Rome undercover investigation at 20 or so package establishments recently, resulted in two individuals being charged for furnishing alcohol to a person under 21 years of age. These two establishments were identified as the Calhoun EZ Mart, 618 Calhoun Avenue, NE, and the Maple Food Mart, 2017 Maple Avenue. Licensees of these two establishments will be directed to appear at a License Hearing at the April 19th ACC meeting.

Adjourned

With there being no further business, Chair Sheppard adjourned the meeting at 6 p.m.

Joseph F. Smith
City Clerk