

ALCOHOL CONTROL COMMISSION

Monday, May 17, 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 Harold Morgan, Billy Cooper, and Commissioner Quick. Steve VanMeter and John Kendrick were absent. Assistant City Attorney Stephen Moseley was also present.

Minutes – April 19, 2021

The minutes of the April 19, 2021 meeting, as submitted in writing by the Secretary, were approved by unanimous consent.

Country House Buffet, 144 Hicks Drive

The application of Mr. Manases Monterroso, owner and manager of Country House Buffet, 144 Hicks Drive, was presented. Mr. Monterroso requested that a new Beer Pouring License be issued to him at that location. Mr. Monterroso was present, and all papers were in order. He explained that this restaurant has been open three to four years, and he feels that the addition of beer pouring may be good for his business. This is a family-owned business with three to four employees working there in addition to family members. They are open seven days a week from 9 a.m. to 11 p.m. Monday – Saturday, and from 11 a.m. until 8 p.m. on Sunday.

There were questions regarding the manner in which beer would be served at this establishment since it is primarily an all-you-can-eat (self-serve) buffet. Obviously, the customers will not be able to self-serve alcohol, and that task will be handled by the employees. Mr. Monterroso was encouraged to use one of the reputable online training programs for his employees. Mr. Monterroso is also aware that his beer sales at this type of restaurant may be minimal, and he may find that a beer license is not financially feasible for his operation.

Mr. Cooper moved to approve the Beer Pouring License be approved as submitted. Mr. Morgan seconded, and the vote was unanimously in favor.

Hearing – Calhoun EZ Shop, 618 Calhoun Avenue

Secretary Smith stated that two Hearings were scheduled at the April 19, 2021 ACC meeting due to recent Georgia Department of Revenue and the Rome Police Department undercover operation at 20 package sale locations. During this investigation, citations were issued at the Maple Food Mart, 2017 Maple Avenue, Suite A, and the Calhoun EZ Stop, 618 Calhoun Avenue. A License Hearing was held for the Maple Food Mart at the April 19th ACC meeting, and that matter has been resolved. No one was present at the April meeting representing the Calhoun EZ Stop, and the Hearing was rescheduled for this meeting. Secretary Smith assured the ACC members that Calhoun EZ Stop has been

notified. He personally delivered a second letter regarding the ACC Hearing to this location on April 22nd. Additionally, on Friday, May 14th, a call was made to this establishment reminding them of today's Hearing. In spite of these notifications, no one was present from the Calhoun EZ Stop, 618 Calhoun Avenue.

Assistant City Attorney issued the Oath of Office to Rome Police Detective Kyle York. Mr. York explained that, on the morning of March 10, 2021 beginning at 10:30 a.m., he participated along with persons from the Alcohol and Tobacco Division of the Georgia Department of Revenue to check compliance with state laws concerning the sale of alcoholic beverages for consumption off of the premise. Twenty stores were visited that day, and seventeen of the locations properly attempted to identify the person's age and denied the sale. One location was closed, and the clerks at two locations sold an alcoholic beverage to a person under 21. Those clerks were issued citations requiring their appearance in Rome Municipal Court. Those two establishments were the Calhoun EZ Stop, 618 Calhoun Avenue and the Maple Food Mart, 2017 Maple Avenue.

Mr. Cooper moved to recommend to the Rome City Commission that the City of Rome Alcohol Package License at the Calhoun EZ Stop, 618 Calhoun Avenue, be suspended. **If this recommended penalty is approved by the City Commission, this establishment may appear at the June 21st Alcohol Control Commission meeting to explain their failure to appear at either of the two Hearings and request that their alcohol license be reinstated.** This matter will be presented to the Rome City Commission on May 24th. Mr. Morgan seconded the motion, and the vote was unanimously in favor.

Public Consumption of Alcohol in Downtown Rome

The topic of allowing alcohol to be consumed on the sidewalks of our downtown area was once again discussed. Secretary Smith reminded the members that the Alcohol Control Commission discussed the topic of downtown public consumption of alcohol at several meetings in 2017. Ultimately, the recommendation to allow public consumption was sent to the City Commission; however, it failed to pass. In 2020, the Alcohol Control Commission once again recommended that the public consumption of alcohol be allowed in downtown Rome on a limited, temporary basis. The continued feeling that this amendment could be beneficial for downtown Rome and now provide additional benefits to businesses due to the COVID restrictions were the catalyst for the 2020 ACC action. Once again, this recommendation failed to gain approval by the City Commission.

Downtown Development Director Aundi Lesley along with staff member Meagan Otwell and DDA member and local business owner Elaine Abercrombie were present at today's meeting. It has been suggested that the City of Rome once again consider allowing the public consumption of alcohol in the downtown and River District area. The proposal is to allow consumption on Thursday, Friday, and Saturday from 11 a.m. until 11 p.m.

during a 90-day trial period. It was noted that more than 30 cities in Georgia now allow the public consumption of alcohol in portions of their towns. Cartersville has recently approved this matter on a temporary basis. Ms. Lesley noted that on May 1st, the downtown Arts Festival was held, and once again alcohol was allowed to be consumed on the sidewalks as it has been many times in the past during specific Rome events and festivals.

Mr. Cooper questioned Rome Police Major Rodney Bailey regarding this proposal. The Rome Police Department has expressed some concern over this suggestion in the past; however, Major Bailey stated that the Rome Police Department does not object to this proposal and would then be able to provide feedback during and after the trial period. Ms. Abercrombie feels that allowing the public consumption of alcohol on a limited basis could be beneficial for retail and service businesses in addition to those that sell food and beverage. Downtown specific cups would likely be used if this measure is ultimately approved. The possibility of using specially designed aluminum cups made at the local Ball Manufacturing Plant is a possibility. Commissioner Quick questioned why the hours of 11 a.m. to 11 p.m. have been proposed. Ms. Leslie stated that this seems to be the most commonly used format in other cities; however, those hours can be discussed.

Ms. Leslie said that her office is planning to do research with the downtown businesses and downtown residents concerning this proposal, and this matter will appear on the June 21st ACC agenda for further discussion.

Gaming Machines

There was a continued, but short discussion regarding gaming machines in our community. Rome Police Major Bailey has compiled information regarding crimes and other police involvement issues at locations where gaming machines are located. Chairman Sheppard suggested that members take time to review this data, and a further discussion can be planned at the June 21st ACC meeting.

Police Report

Rome Police Major Rodney Bailey presented the police report for the previous 30-day period. It was fairly routine in nature with there being no incidents indicating any issues by alcohol business owners or operators.

Adjourned

With there being no further business, Chair Sheppard adjourned the meeting at 6:05 p.m.

Joseph F. Smith
City Clerk