

## **ALCOHOL CONTROL COMMISSION**

**Monday, September 18, 2023**

The Alcohol Control Commission met at 5:00 p.m. this date in the City Commission Chambers of City Hall, 601 Broad Street. Billy Cooper, Steve VanMeter, Harold Morgan, Doug Phipps, and Commissioner McDaniel were present. Taylor McMichael was absent. Also present were Rome Police Major Tison and Mr. Jacob Harper, representing the City Attorney's Office.

### **Minutes – August 21, 2023**

The minutes of the August 21, 2023, meeting, as submitted in writing by the Secretary, were approved by unanimous consent.

### **The Movies at Mount Berry Square – 2820 Martha Berry Blvd.**

The application of Mr. Russell Branyon Schiesser, manager of The Movies at Mount Berry Square, 2820 Martha Berry Blvd., was presented. Mr. Schiesser requested that a new beer, wine and liquor pouring license be issued to him at that location. Mr. Schiesser was present, along with other representatives of the movie theater company.

Bo Chambliss, President of the Georgia Theater Company, explained that this facility at Mount Berry Square Mall has been purchased by a new owner. This owner represents 24 movie theaters, and their operating model includes the service of beer, wine, and liquor. Mr. Chambliss indicated they are aware of Rome's rules and regulations concerning alcohol sales, especially as they relate to liquor pouring, including the food/drink ratio and mixed drink tax. It was explained that the alcoholic beverages would be served in containers for consumption on the premises. Beer, wine, and the canned variety of distilled spirit drinks are planned. Compliance with Rome's food/drink ratio does not present a problem for their operating model.

There was general discussion concerning this concept, and it was explained that all servers will be TIPS certified and that training certification will be submitted to the City of Rome. Some of the other movie theaters in this company's management also serve alcohol and there have not been any problems regarding over consumption or underage consumption at these facilities. The typical customer purchasing alcoholic beverages at a movie buys one or two drinks. While employees will periodically check inside the theater, there has not been a history of underage consumption at other facilities.

Mr. VanMeter moved to approve the beer, wine and liquor pouring license as requested. Mr. Phipps seconded, and the vote was unanimously in favor.

Secretary Smith cautioned the owners of this facility to keep detailed and accurate records of their food sales and food acquisition invoices that will be needed when the time for an audit arrives. It was also noted that this is not the first theater in Rome to serve alcoholic beverages. Several years ago, the theater at the Village Shopping Center had a beer and wine pouring license.

### **Mega Beverage Rome – 42 Hicks Drive**

The application of Mr. Ravikumar Patel, owner and operator of Mega Beverage Rome, 42 Hicks Drive, was requested. Mr. Patel requested that a new beer, wine and liquor package license be issued to him at that location. It was noted that this is the current location of Fazoli's Italian Restaurant. This is a free-standing parcel in the East Bend Shopping Center. Mr. Patel explained that the plan is to expand this building to approximately 8,100 square feet and convert it to a liquor package store. Mr. Patel is aware of the package license that was recently approved for the old Ace Hardware building, located near Turner McCall and 8<sup>th</sup> Street.

There was general discussion concerning this concept, especially as it relates to the training of employees. All employees will be serve/safe qualified, and those certifications will be submitted to the City of Rome. It was explained that this facility will use an ID scanning system.

Mr. VanMeter moved to approve the beer, wine and liquor package license as requested. Mr. Morgan seconded, and the vote was unanimously in favor. Mr. Patel was informed that his approval will be valid for 180 days and that if this facility is not ready for operation within six months, that they will need to reapply to the ACC for an extension.

### **The Spot Convenience Store and Deli – 1911 Dean Avenue**

The application of Mr. Vinodbhai Patel, owner and operator of The Spot Convenience Store and Deli, 1911 Dean Avenue was presented. It was noted that this was the former location of Roy's Little Garden and Rick's Little Garden. The former store was completely demolished, and the new store was rebuilt on the same foundation. Mr. Patel explained that his will be a convenience store and deli typically employing four employees. The hours of operation will be 6:00 a.m. to 11:00 p.m. and they expect to open within three weeks. All employees are to be serve/safe certified with that documentation submitted to the City of Rome. Mr. Patel commented on his camera system and his past experience with alcohol sales. He also stated there are no coin operated amusement machines planned for this facility.

Mr. Morgan moved to approve the beer and wine package license as requested. Mr. VanMeter seconded, and the vote was unanimously in favor.

### **Alcohol Sales Permit Appeal – Jessica Glenn**

Ms. Jessica Glenn was present to appeal for an alcohol sales permit. Ms. Glenn has been denied her permit due to her felony convictions. Ms. Glenn was convicted of a felony drug offense in July 2021 and a burglary and drug offense in June 2023. Ms. Glenn explained that she is an employee of Texas Roadhouse and would like to become a server at that facility. Ms. Glenn was accompanied by one of the management staff at Texas Roadhouse and the manager of the recovery facility in which Ms. Glenn lives. Both ladies were in support of Ms. Glenn receiving her alcohol sales permit and working in this industry.

Ms. Glenn presented a compelling case to the ACC regarding her past infractions and her current drug recovery. Her desire to be a server at Texas Roadhouse is primarily due to the substantial increase in income that she could receive.

There was considerable discussion and questions by the ACC members regarding this request, especially considering the recent second conviction. The ACC members understand that this an entry level type position and are in favor of Ms. Glenn being gainfully employed and moving her life in the right direction. Ms. Glenn added that she is randomly drug tested as part of her recovery program.

Mr. VanMeter moved to approve the issuance of the alcohol sales permit that Ms. Jessica Glenn has requested. Mr. Morgan seconded and the vote was unanimously in favor.

### **COAMS – Norma Reborido**

Ms. Norma Reborido addressed the City Commission concerning the coin-operated amusement machines that are so prolific in our community. There was a conversation with Ms. Reborido concerning these machines and the fact that the City of Rome has virtually no control over their placement or operation. Commissioner McDaniel emphasized that the Georgia Lottery Commission controls the operation of these type devices. Ms. Reborido questioned where she could receive accurate information regarding the proceeds from COAMS and how much money is submitted towards Georgia's education system. Mr. Reborido was encouraged to make an open records request to the Georgia Lottery Commission regarding this information.

### **Peaches – 325 Broad Street**

Ms. Stephanie Shaw, owner and operator of Peaches, 325 Broad Street, was present once again at the Alcohol Control Commission meeting. Ms. Shaw continues to request that her liquor pouring license be reinstated. This license was revoked in May 2023 due to her failure to meet Rome's food/drink ratio. Peaches' beer and wine pouring license, entertainment license and restaurant license remain in effect.

Ms. Shaw was not on today's agenda, since she had not contacted the City of Rome prior to today's meeting with food sale documentation. It was emphasized to Ms. Shaw at the August Alcohol Control Commission, that if she wishes to continue to pursue the reinstatement of a liquor pouring license, she should submit any documentation well in advance of the Alcohol Control Commission meeting in order to give time to analyze that documentation. Ms. Shaw presented folders for each of the ACC members today containing spreadsheets concerning food and alcohol sales. Accompanying Ms. Shaw was a lady and gentleman who are operating the kitchen at Peaches.

There was considerable discussion, along with some frustration from the ACC members regarding Ms. Shaw's failure to submit her documentation in a timely manner. However, they acknowledge that Peaches is somewhat unique in Rome since they are primarily an event venue and have and will continue to struggle to meet Rome's food/drink ratio. The

concept of a food/drink ratio variance that has been approved for two other downtown establishments was discussed. Ultimately Mr. Phipps made a motion to recommend to the City Commission that they consider approving some type of variance for Peaches in which the food sales, along with concert ticket sales can be used to meet Rome's 50/50 ratio. Mr. Morgan seconded the motion, and the vote was unanimously in favor.

This recommendation will be before the City Commission at their September 25, 2023, meeting and Ms. Shaw was instructed to be at that meeting. If the City Commission chooses to grant a variance, it will be their decision to specify if food is to constitute a particular percentage of her total sales.

### **Police Report**

Rome Police Major Mark Tyson was present and reported there were no offenses that occurred at alcohol establishments since the August ACC meeting.

### **ACC Preparatory Questionnaire**

The questionnaire devised previously to be submitted by alcohol applicants regarding various ACC items was briefly reviewed and approved.

### **Combat Market**

Mr. Brandon Pledger, owner and operator of Combat Market and Alibi Lounge, 214 Broad Street was present. Mr. Pledger stated he would like to come before the City Commission to request that the restriction that requires him to close at 11:00 p.m. each night be removed. Mr. Pledger was given a variance from Rome's food/drink ratio, by the City Commission on March 13, 2023, and he is allowed to meet this ratio with firearms sales instead of food sales. One of the conditions placed on Mr. Pledger's variances is that he closes at 11:00 p.m. each night unless the ACC grants an extension for specific events. Mr. Pledger was instructed to be at the City Commission meeting on September 25.

### **Adjourn**

With there being no further business, Mr. Cooper adjourned the meeting at 6:45 p.m.

Joseph F. Smith  
City Clerk