

## ALCOHOL CONTROL COMMISSION

**Tuesday, January 19, 2016**

The Alcohol Control Commission met at 5:00 p.m. this date in the Commission Chambers of City Hall, 601 Broad Street. Chairman Slack presided with Commissioner Lee, Commissioner Stevenson, and Mr. Hyde present. Mr. Redding and Mr. Doss were absent.

Chairman Slack welcomed Commissioner Stevenson who is beginning her service as a City Commissioner assigned to the Alcohol Control Commission.

### **Minutes – December 21, 2015**

The minutes of the December 21, 2015 meeting, as submitted in writing by the Secretary, were approved by an unanimous consent.

### **Seasons, 208 Broad Street**

The application of Mr. Robert Blumberg, owner and manager of Seasons, 208 Broad Street, was presented. Mr. Blumberg has requested that a new Beer, Wine, and Liquor Pouring License be issued to him at that location. Mr. Blumberg explained that he will be developing a new restaurant on the ground floor of the building located at 208 Broad Street. He expects to have the restaurant open by May, 2016. Mr. Blumberg is very familiar with Rome's Alcohol Ordinance and is the current owner and operator of Johnny's New York Style Pizza, 233 Broad Street. Mr. Blumberg explained that he will have approximately 20 employees at Seasons, and it will be a restaurant featuring contemporary cuisine. Mr. Blumberg also spent time explaining his training program that he currently uses for Johnny's employees and will be using for employees of the Season.

Commissioner Lee moved to approve the Beer, Wine, and Liquor Pouring request for Seasons, 208 Broad Street, as requested, subject to all final approvals and inspections by the appropriate City officials. Commissioner Stevenson seconded, and the vote was unanimously in favor.

### **Big Time Liquor, Wine, and Tobacco, 1614 Shorter Avenue**

The application of Larry Martin, owner and manager of Big Time Liquor, Wine, and Tobacco, 1614 Shorter Avenue, was presented. Mr. Martin requested that a new Beer, Wine, and Liquor Package License be issued to him at that location.

Secretary Smith explained that, since Mr. Martin was ultimately unable to acquire a Liquor Package license at 2106 Shorter Avenue (which he had attempted to acquire in 2015), he is now planning to construct a new liquor store at 1614 Shorter Avenue. Mrs. Louise Sutton, owner of 1702 Shorter Avenue, was present. Mrs. Sutton had previously expressed her objection to the City granting the new Beer, Wine, and Liquor Package License at 1614 Shorter Avenue. Her property adjoins this site, and she leases the building on her property for a church. The church has operated at this location for the

past six or seven years. Secretary Smith explained that the City of Rome's definition of a church for the purposes of alcohol licensing is "a free standing building which is owned by a religious organization or association and primarily used for religious services, ceremonies, or instructions". Since the building at 1702 is not owned by the religious organization, it is not considered a church and is not required to be separated by a 300-foot buffer from alcohol establishments. Secretary Smith further stated that the State of Georgia also provides a 300-foot buffer between establishments selling distilled spirits and churches. After speaking with representatives of the Alcohol Division of the Georgia Department of Revenue, Secretary Smith stated that the State of Georgia's position is that the building would likely be considered a church even though it is not owned by the religious organization. Mr. Martin stated he did not agree with that position, and said he could convince the State that 1702 Shorter Avenue is not a church since the building belonged to an individual and was taxable. Mr. Martin emphasized that church buildings are tax-exempt. Mrs. Sutton was present at the meeting and stated that she has rented the property at 1702 Shorter Avenue to a Spanish group who has operated the church for the past six to seven years and continues to rent the property to them on a month-to month basis.

After further discussion by the ACC, Commissioner Lee moved to approve Mr. Martin's request for a new Beer, Wine, and Liquor Package License at 1614 Shorter Avenue, subject to all final inspections by the appropriate City officials, and subject to Mr. Martin being able to acquire a State of Georgia Beer, Wine, and Liquor Package License. After Mr. Martin acquires his City of Rome license, if he is not able to acquire a license from the State of Georgia, his City license would become void. Mr. Hyde seconded the motion, and the vote was unanimously in favor.

### **Police Report**

Rome Police Deputy Chief Denise Downer-McKinney was present and presented the police report for the previous 30-day period. The only arrest occurring at an alcohol establishment during that time was at the Sports Page, 1711 Dean Street. An individual was arrested for drunk and disorderly conduct and making threats. There were no other arrests.

### **Time To Acquire An Alcohol License**

Secretary Smith stated that he would like for the Alcohol Control Commission to consider recommending amending the appropriate sections of Rome's Alcohol Code which deal with the timeframe allowed to acquire alcohol licenses. Currently, when an establishment is granted approval for an alcohol license by the Alcohol Control Commission, they have a maximum time of 180 days to acquire that license. Secretary Smith pointed out that, often times when new tracts of property are being developed, it takes longer than 180 days to acquire all the necessary permits (and sometimes, variances) and construct the facilities. He suggested that the Code be amended to allow the Alcohol Control Commission to grant extensions after the expiration of the initial 180-day period. These extensions would be evaluated by the Alcohol Control

Commission on a case-by-case basis. Chairman Slack stated this was a worthwhile consideration, and that the ACC would discuss the matter at their February meeting.

**Adjourned**

With there being no further business, Chairman Slack adjourned the meeting at 5:38 p.m.

Joseph F. Smith  
City Clerk