

CITY OF BROOKHAVEN

ALCOHOL BOARD

Joseph Patin Chairman
Michael Lennon
Kris Sokolowski
Adam Caskey
Richard Grice

AGENDA

November 29, 2017

Special Called Meeting

6:00 PM

4362 Peachtree Road, Brookhaven, GA 30319

I) CALL TO ORDER

1. Roll Call

II) ORGANIZATIONAL AND PROCEDURAL ITEMS

1. Approval of November 8, 2017 Alcohol Board Special Called Meeting Minutes
2. Approval of November 16, 2017 Alcohol Board Special Called Meeting Minutes

III) APPEAL HEARING - DENIAL OF PERMIT APPLICATION

IV) ADJOURNMENT

CITY OF BROOKHAVEN**ALCOHOL BOARD****DRAFT MINUTES**

November 8, 2017

Special Called Meeting

5:00 PM

4362 Peachtree Road, Brookhaven, GA 30319

I) CALL TO ORDER

Attendee Name	Title	Status	Arrived
Joseph Patin	Chairman	Present	
Michael Lennon		Absent	
Kris Sokolowski		Present	
Adam Caskey		Absent	
Richard Grice		Present	

II) ORGANIZATIONAL AND PROCEDURAL ITEMS

1. Approval of August 17, 2017 Alcohol Board Special Called Meeting Minutes

RESULT: APPROVED [UNANIMOUS]
MOVER: Richard Grice
SECONDER: Kris Sokolowski
AYES: Patin, Sokolowski, Grice
ABSENT: Lennon, Caskey

III) APPEAL HEARING - APPEAL OF DENIAL OF ALCOHOLIC BEVERAGE POURING PERMIT

Chairman Patin opened the meeting at 5:06 p.m. and recognized appellant who came to the podium to speak. Appellant presented his case of why he was appealing the denial of a pouring license. The appellant provided background of his two convictions. The information about the convictions and appellant's letter of appeal is available in the record in the City Clerk's Office. He had two witnesses present who spoke on his behalf.

The appellant explained he had received the citations back in 2011 when he had moved to the area from Chicago, Illinois. He was depressed. He was now attending AA meetings. The previous citations were not a reflection of who he was now. He needed the pouring permit to advance. At one time, he had a pouring permit issued by Forsythe County. He also had employment in Fulton County which did not require a permit. He lived in Chamblee and wanted to work closer to his home which was Marlow's. He mentioned how long the Court took to hear his cases and noted the citations were back in 2011 and 2012.

The appellant's witnesses spoke favorably about the appellant. They indicated he was a good decent man, law abiding citizen, hard worker, and wanted an opportunity to advance.

Mr. Patin asked if there were any questions. There were no questions.

City Attorney Chris Balch asked Major Donald Chase of the Brookhaven Police Department to present the case.

Following the Police Department's presentation, the Board went into executive session.

Minutes Acceptance: Minutes of Nov 8, 2017 5:00 PM (Organizational and Procedural Items)

1. Motion to go into Executive Session

RESULT: APPROVED [UNANIMOUS]
MOVER: Richard Grice
SECONDER: Kris Sokolowski
AYES: Patin, Sokolowski, Grice
ABSENT: Lennon, Caskey

2. Motion to Close Executive Session

RESULT: APPROVED [UNANIMOUS]
MOVER: Richard Grice
SECONDER: Kris Sokolowski
AYES: Patin, Sokolowski, Grice
ABSENT: Lennon, Caskey

3. Consideration of Appeal of the Denial of Alcoholic Beverage Pouring Permit

Board member Grice made motion to grant the appeal. Board member Sokolowski seconded the motion. The motion was approved 3-0.

RESULT: APPROVED [UNANIMOUS]
MOVER: Richard Grice
AYES: Patin, Sokolowski, Grice
ABSENT: Lennon, Caskey

IV) APPEAL HEARING - APPEAL OF REVOCATION NOTICE - MEDUSA RESTAURANT & LOUNGE

1. Appeal Hearing - Medusa Restaurant & Lounge

At 5:25 p.m. Chairman Patin announced the next hearing for the appeal of the revocation notification for Medusa Restaurant and Lounge.

City Attorney Chris Balch explained this hearing was the first hearing of any significance that had been presented to the Board. He noted Ms. Keaton would be advising the Alcohol Board. Ms. Keaton was here to advise legal board. Mr. Cary Wiggins was representing Medusa. They may need to work out some procedural issues and would ask Board how to proceed. His goal was to be as efficient as could be and there may be some hurdles to work through. Mr. Wiggins agreed to the terms for the hearing.

Opening Statements:

Mr. Balch presented information about the revocation letter (dated July 10, 2017). He stated the City was proceeding for items #1, #2, and #5 of the letter. They would not present arguments for Items #3 and #4. Mr. Balch provided background of the incident that occurred on May 13, 2017 at the Medusa Lounge. There was a verified member of the Bloods criminal organization who was at the club for a special advertised event at Medusa. That evening he was shot. There were two security guards present and employees of the club that were armed. He stated the City would be asking for revocation at the end of the case. He addressed the applicant allowed unlicensed security guards in violation of O.C.G.A. 43-38-6 and 43-38-16, allowed

unlicensed security personnel to carry firearms in the course and scope of their duties in violation of O.C.G.A. 43-38-10 and as licensee who failed to report criminal activity at the location to law enforcement. He addressed that Medusa allowed

Mr. Wiggins presented objection information to the proceeding. Mr. Wiggins presented response to the notice of alcohol license revocation for Medusa Restaurant & Lounge (dated August 1, 2017). He addressed that the letter unfortunately did not provide sufficient notice. He addressed the statue and stated there was no violation. He referred to paragraph of 5 of the letter. He stated there was not a crime spelled out in the revocation letter. He asked the City what was the crime and there had not been a response from the City. Mr. Wiggins's letter is Exhibit #1 and is available in the record.

Mr. Balch confirmed the hearing was related to #1, #2, and #5 of the letter.

A court reporter was present and took down a transcript. The Board heard arguments of counsel and sworn testimony regarding the City's recommendation of revocation of the license.

During the hearing, there were fifteen exhibits and they are available in the record of the City Clerk's Office.

Mr. Patin announced the Board would be entering executive session and would have an answer no later than ten days of the hearing.

2. Motion to go into Executive Session

RESULT:	APPROVED [UNANIMOUS]
MOVER:	Richard Grice
SECONDER:	Kris Sokolowski
AYES:	Patin, Sokolowski, Grice
ABSENT:	Lennon, Caskey

3. Motion to close Executive Session

RESULT:	APPROVED [UNANIMOUS]
MOVER:	Richard Grice
SECONDER:	Kris Sokolowski
AYES:	Patin, Sokolowski, Grice
ABSENT:	Lennon, Caskey

V) ADJOURNMENT

1. Motion to adjourn (10:38 p.m.)

RESULT:	APPROVED [UNANIMOUS]
MOVER:	Richard Grice
SECONDER:	Kris Sokolowski
AYES:	Patin, Sokolowski, Grice
ABSENT:	Lennon, Caskey

APPROVED:

Minutes Acceptance: Minutes of Nov 8, 2017 5:00 PM (Organizational and Procedural Items)

Joseph Patin, Hearing Officer

ATTEST:

Susan Hiott, City Clerk

Approved

Minutes Acceptance: Minutes of Nov 8, 2017 5:00 PM (Organizational and Procedural Items)

CITY OF BROOKHAVEN

ALCOHOL BOARD

DRAFT MINUTES

November 16, 2017

Special Called Meeting

8:00 AM

4362 Peachtree Road, Brookhaven, GA 30319

I) CALL TO ORDER

Attendee Name	Title	Status	Arrived
Joseph Patin	Chairman	Present	
Michael Lennon		Absent	
Kris Sokolowski		Present	
Adam Caskey		Late	
Richard Grice		Present	

II) APPEAL HEARING -REVOCATION OF ALCOHOL SALES LICENSE FOR ON PREMISES CONSUMPTION

1. Consideration and Approval for Appeal of Revocation - #8061 Medusa Restaurant & Lounge - Alcohol Sales License for on Premises Consumption

Chairman Patin named item, consideration and approval for the appeal of the revocation of Medusa Restaurant & Lounge's alcohol license that the Board heard last week (November 8, 2017).

Mr. Patin asked for a motion to overturn the City's revocation based on reasons submitted for the record. The reasons are available in the minute book in the City Clerk's Office. The motion passed unanimously.

There was no other business.

III) ADJOURNMENT

1. Motion to adjourn

RESULT:	APPROVED [UNANIMOUS]
MOVER:	Kris Sokolowski
SECONDER:	Richard Grice
AYES:	Patin, Sokolowski, Grice
ABSENT:	Lennon, Caskey

APPROVED:

Joseph Patin, Hearing Officer

ATTEST:

Minutes Acceptance: Minutes of Nov 16, 2017 8:00 AM (Organizational and Procedural Items)

Susan Hiott, City Clerk

Approved

Minutes Acceptance: Minutes of Nov 16, 2017 8:00 AM (Organizational and Procedural Items)