

MINUTES OF THE ALCOHOL CONTROL BOARD

The Alcohol Control Board met in a regularly scheduled meeting on Wednesday, December 14, 2022, at 10:00 A.M. in the Council Chambers, 3rd Floor, City Hall.

CALL TO ORDER at 10:03 AM

ROLL CALL

, Present: Rick Napps, David Holt, Richard Kollhoff, Patti Rogers, and Christine Brown,

Absent: Dan Heilman and Matt Terry

Staff Present: Randy Mannino, Julia Drake, and Keith Lovell (via phone)

APPROVAL OF MINUTES

1. Approval of November 9, 2022 Meeting Minutes.

Board Member Rogers made a motion to approve the November 9, 2022 minutes. Board Member Brown seconded the motion. Motion carried unanimously. Vote: 4-0

VIOLATIONS

2. JZ's Taste of Georgia

Chairman Napps called the next item and gave an overview of the violation stating that JZ's had submitted their 3rd Quarter Report. Pursuant to Section 4-59, Specialty Shops are limited to no less than 65% retail sales and no more than 35% in alcohol sales. After reviewing their reports, it was determined that their sales reflect 85% alcohol sales and 15% retail sales.

John Mroczko, 207 S. Erwin St., came forward to represent the owners of JZ's Taste of Georgia and stated that the violation was a result of plummeting retail sales in 2022. He asked the Board to please consider leniency with their decision.

Board Member Holt stated he was more interested in seeing the new business plan and suggested JZ's submit a new business plan at the next meeting.

Discussions commenced among the Board Members and Mr. Mroczko.

Board Member Rogers made a motion to have JZ's Taste of Cartersville submit a complete yearly report of numbers for 2022 to be reviewed at the January 2023 ACB meeting, submit a new business plan for review at the February 2023 ACB meeting, provide quarterly reports for all of 2023, and evoke a six (6) month probation period. Board Member Kollhoff seconded the motion. Motion carried unanimously. Vote: 4-0

3. Super Mercado El Tikal

Chairman Napps called the next item and explained that the 3rd Quarter Reports were due on November 21, 2022 and Super Mercado had been informed that this report needed to be turned in and had failed to do so.

Julia Drake, City Clerk, further stated that on December 6, 2022, she had reached out to the license holder, Bertha Becerra, and explained the reports were late and that these needed to be turned in as soon as possible. Despite the language barrier, Ms. Becerra seemed to understand.

Board Member Rogers suggested sending out a Cartersville Police Officer that was bilingual to bridge the language barrier gap and all members agreed that would be a positive way to approach this.

It was also recommended that Super Mercado El Tikal's 2023 Occupational Tax Certificate and 2023 Alcohol License were not to be renewed until the 3rd Quarter Reports were obtained.

TEXT AMENDMENTS

4. Attendance Ordinance

Randy Mannino, Planning and Development Director, stated that this text amendment to address attendance was being presented to all boards and commissions. Furthermore, it will go before City Council for a first reading on January 15, 2023 and a second reading on February 2, 2023.

Board Member Holt made a motion to proceed with presenting this to Council. Board Member Rogers seconded the motion. Motion carried unanimously. Vote: 4-0

DISCUSSION

5. Johnny Archer's Place LLC

Keith Lovell, Assistant City Attorney, stated that Johnny Archers Place was in violation of their 3rd Quarter Report, however, was unable to notify Mr. Archer in time with regards of notification requirements for Mr. Archer to appear before the ACB today.

Mrs. Drake also stated that in addition to the 3rd Quarter percentage violation, Johnny Archers Place opened on 10/15/2021 and has never submitted a 3% tax form/fee. Once this discrepancy was caught by administration at the end of October 2022, Mr. Archer was contacted immediately and was told the violation. Mr. Archer assured Mrs. Drake that he would get these reports turned in immediately. To date, no reports have been submitted.

Board Member Rogers made a motion to hold a Special Called Alcohol Control Board Meeting on Tuesday, December 20, 2022, at 10:00AM, given that the proper notification


is delivered to Johnny Archers Place today, December 14, 2022. Board Member Brown seconded the motion. Motion carried unanimously. Vote: 4-0

With no other business to be handled, Board Member Rogers made a motion to adjourn. Board Member Holt seconded the motion. Motion carried unanimously. Vote: 4-0

Meeting adjourned at 10:49 A.M.

January 11, 2023

/s/ 
Chairman

/s/ 
Secretary