

Duluth



*Joy Thompson, Chair
Rod Parris, Vice Chair
Richard Hill, Secretary
Frank Bell*

*William Corley
Bethany Marciniak
Kimberley Stufflet*

**MINUTES
ALCOHOL BEVERAGE REVIEW BOARD
CITY OF DULUTH, GA
3167 Main Street
Duluth, GA 30096**

JULY 25, 2019 **CITY HALL – MAIN STREET CONFERENCE ROOM** **5:30 pm**

PRESENT: Joy Thompson, Richard Hill, Frank Bell, William Corley, Bethany Marciniak, City Clerk, Deputy City Clerk, City Attorney, Director of Parks & Recreation

ABSENT: Rod Parris and Kimberley Stufflet

Board Chair, Joy Thompson called the meeting to order at 5:30pm and noted a quorum of the Board was present.

I. APPROVAL OF MINUTES

A. Approval of October 9, 2019 minutes

A motion was made by William Corley and seconded by Richard Hill to approve the October 2018 minutes.

Those voting for: Bell, Corley, Hill, Marciniak
Motion carried.

II. NEW BUSINESS

A. AMENDMENT TO ARTICLE 3 DULUTH CODE OF ORDINANCES – ALCOHOLIC BEVERAGE SECTIONS

1. Section 3-341 (G) – “Alcohol beverages in public places” which references consumption of alcoholic beverages.

Director Marelle presented how the youth leagues and activities have changed since the opening of Bunten Park. She pointed out that the park is transitioning and wants to be able to meet the needs of the community. The Parks & Recreation Board met to consider allowing beer and wine only. The Board noted a few stipulations; no alcohol rentals during youth activities, no alcohol outside of the large activity room, if there is a server they are to be licensed, police officer present, and that it is not a rental facility for weddings or graduations/parties. The City Attorney stated that the City is not allowed to limit certain groups from renting the facility however policies may be added to state that

the large room at Bunten Park only rents to non-profit organizations for example. Or the room is only allowed to be rented a determined number of days during a month.

A motion was made by Richard Hill and seconded by William Corley to recommend to Mayor & Council amendments to the City's Code of Ordinances, Article III, to allow for consumption of alcohol beverages (beer/wine) in the Activity Building at Bunten Park aka The Max Building.

Those voting for: Bell, Corley, Hill, Marcinik
Motion carried.

2. Section 3-204 – “Application; form, content; process; deposit” which references the moral character, criminal record of owners, officers, and shareholders.

The City Clerk presented that Section 3-204 be updated to match Section 3-221 previously approved by Mayor & Council that clarifies the felony conviction for owners of businesses as it relates to the number of years being convicted, plead guilty, or nolo-contendere to any felony, misdemeanor, or a violation of any municipal ordinance within a period of ten (10) years prior to the license application, to five (5) years.

A motion was made by William Corley and seconded by Frank Bell to recommend to Mayor & Council to amend the Code of Ordinances as presented.

Those voting for: Bell, Corley, Hill, Marcinik
Motion carried.

3. Section 3-103 – “Definition of Registered Agent.”

The City Clerk presented that Section 3-103 be amended to define Registered Agent as “residing in the State of Georgia.”

A motion was made by William Corley and seconded by Richard Hill to recommend to Mayor & Council to amend the Code of Ordinances as presented.

Those voting for: Bell, Corley, Hill, Marcinik
Motion carried.

4. Section 3-270 – “Prohibited – Promotions and Sales.”

The City Attorney presented a brief history of the prohibition of Happy Hour. Currently the City allows Happy Hour however the Ordinance had not been updated to reflect such change. Staff recommended the title of this section “Happy Hour – Promotions and Sales,” be deleted and replaced with “Prohibited Promotions and Sales.”

A motion was made by Bethany Marcinik and seconded by Richard Hill to recommend to Mayor & Council to amend the Code of Ordinances as presented.

Those voting for: Bell, Corley, Hill, Marcinik

Motion carried.

Subsequently, Board members asked for clarification on subsection (3) of 3-270. The City Attorney recommended amending the subsection to state, "Sell, offer to sell, or deliver unlimited alcoholic beverages during any set period of time for a fixed price, except at private functions not open to the public or special events permitted by the City."

A motion was made by William Corley and seconded by Frank Bell to recommend to Mayor & Council to amend the Code of Ordinances as presented.

**Those voting for: Bell, Corley, Hill, Marcinik
Motion carried.**

III. ADJOURN

Chair Thompson adjourned the meeting at 6:05pm.

Chair Joy Thompson

ATTEST: _____
Richard Hill, Secretary