

Duluth



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

*William Corely
Bethany Marciniak
Kimberley Stufflet*

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

APRIL 10, 2018

CITY HALL – MAIN STREET CONFERENCE ROOM

5:30 pm

Call to order: The meeting of the Alcohol Review Board was called to order by the City Clerk at 5:30 pm in the Main Street Conference Room of Duluth City Hall. The Board welcomed new member Kimberley Stufflet, Alternate 1.

Members in attendance: Joy Thompson, Richard Hill, Rod Parris, Frank Bell, William Corley, and Kimberley Stufflet. City representatives were Teresa Lynn, City Clerk, Kristin McGregor, Deputy City Clerk, and Stephen Periera, City Attorney.

Members absent: Bethany Marciniak

I. BUSINESS ITEMS

a. Elections of Chair, Vice Chair & Secretary for 2018

Following nominations from the floor, a motion was made by Corley, seconded by Parris to appoint Joy Thompson as Chair for 2018, Rod Parris as Vice Chair, and Richard Hill as Secretary.

Those voting for: Thompson, Hill, Parris, Bell, and Corley
Motion carried.

b. Approval of Minutes October 18, 2016 and January 9th, 2018

A motion was made by Bell, seconded by Parris to approve the October 18, 2016 and January 9, 2018 minutes as presented.

Those voting for: Thompson, Hill, Bell, Corley and Parris
Motion carried.

II. NEW BUSINESS

A. Duluth Liquor Store Retailers

City Clerk announced that the City is in receipt of a request from six of the seven package store retailers requesting the Board consider recommending to the Mayor and Council an amendment to the City Ordinance by reinstating language that would restrict the number of package stores allowed within the City limits, based on population.

Bernard Robertson, owner of Duluth Package came forward and spoke on behalf of Peter Nguyen-World Beverage, Hemant Patel- Gwinnett Package, Abe Patel- Sweetwater Package, Bernard and Gareth Robertson- Duluth Package and Pratik Patel- Peachtree Liquors.

The group requested the Board to consider one of the two following requirements to prevent further proliferation of liquor store licenses within Duluth City limits.

1. Reinstatement of the Ordinance that was removed that one license be issued per every 5,000 residents within the City limits. According to 2016 data, there are approximately 29,000 residents in the City of Duluth. The next alcohol license would not be issued until the population exceeds 40,000 residents. All future liquor stores to be housed in a stand-alone building on at least ½ acre property with a minimum requirement of 10,000 sq. ft. retail space and sufficient parking as per City of Duluth's Unified Development Code.
2. The group expressed that due to Georgia being a franchise state, there is only one distributor for every product, therefore prohibiting all seven of the retailers from being able to shop for any bargain pricing or discounts. No product can be sold below cost as this is a violation of Federal Law. Due to the franchise law, the liquor store owners cannot lower prices that are currently the lowest they can be, consequently with more licenses being issued this cuts into sales of existing liquor store owners. The Duluth liquor store retailers pay a large amount of fees and taxes to the City namely liquor licenses of \$6,100 per annum, plus further Occupational Taxes and property/ad valorem taxes. 4. The owners expressed that due to the Franchise Law, the City of Duluth staff and council members should be protecting existing loyal business owners in Duluth. The owners also presented data analysis of eight neighboring cities liquor store licensing requirements and pointed out that Duluth, Johns Creek and Norcross did not have the language in their ordinances which required stand-alone buildings.

It was duly noted that current population of Duluth was approximately 29,000 residents thereby making a population increase to 40,000 before a new liquor license could be issued under the old ordinance.

Following discussion, Chair called for a motion.

A motion was made by Hill, seconded by Parris to authorize the Chair to recommend a proposed amendment to the Mayor and Council that would reinstate the rule that would require that one license be issued per every 5,000 residents within the City Limits.

Those voting for: Hill and Parris

Those voting against: Thompson, Corley and Bell

Motion denied.

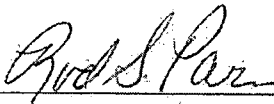
B. Section 3-281(a)- Sale of Growlers

Section 3-281 of the Code has language which restricts the sale of package malt beverages in growlers in any established engaged in the sale of distilled spirits. Following a request from a local restaurant owner licensed for consumption, staff contacted the State and was informed that there are no restrictions in State Code. Staff is recommending approval to authorize the City Attorney to research. If no issues are identified, the Board recommends that the Mayor and Council amend restrictive language, for consideration.

Being no further discussion, a motion was made by Hill, seconded by Thompson to authorize the City Attorney to research and if no issues are found, to recommend to the Mayor and Council an amendment to remove the restricted language.

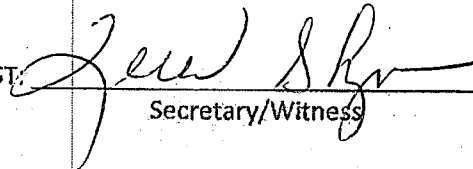
Those voting for: Thompson, Parris, Hill and Bell
Abstaining: Corley
Motion carried.

III. ADJOURN



Chair

ATTEST:



Secretary/Witness