

**CITY OF TIFTON**  
**January 4, 2016**  
**5:00 p.m.**  
**REGULAR CITY COUNCIL MEETING**  
**City Hall Council Chambers**  
**130 E. 1st Street**

**ATTENDEES**

Julie Smith, Mayor  
Johnny Terrell, Vice Mayor  
Wes Ehlers, Council Member  
Jack Folk, Council Member  
Frank Sayles, Council Member  
Rob Wilmot, City Attorney  
Rona Martin, City Clerk

**SWEARING IN CEREMONY**

City Attorney Rob Wilmot administered the Oath of Office to the following newly elected officials:

Julie Smith, Mayor  
Jack Folk, Council Member District #2  
Frank Sayles, Council Member District #4

**CALL TO ORDER**

Mayor Smith called the meeting to order at 5:05 p.m.

**ADMINISTRATIVE HEARING FOR LO-LO MEAT MARKET**

City Attorney Rob Wilmot served as the hearing officer for the above hearing. He reminded Council of the previous action on the application request which was to table the request in order to give Lo Lo Meat Market time to show cause as to whether the request should be granted or denied. He swore in Rona Martin, City Clerk. He asked Mrs. Martin about the application wherein she stated they submitted an application in August of 2015 for the previous location of Sunmart and a number of other convenience stores. She stated when they came in discussion was held regarding an application for a business license as well as for alcohol in as much as convenience stores generally apply for alcohol licenses. She stated they wanted to think about that and would get back with her. She stated when they turned in the business license application she spoke with them again about the alcohol and they decided they were not going to apply for an alcohol license at this time. She stated she discussed the importance of proper alcohol licensing should they decide to sell alcohol, but still chose not to apply for an alcohol license at the time. Attorney Wilmot then asked if there was a time that they appeared to be selling alcohol. Ms. Martin explained that in November when driving by the store there was a sign in the window advertising the sale of beer. She stated she called Houston Shultz and asked him to check and see if they were selling. Mr. Wilmot then told Mr. Milton he had a right to ask any question of the person testifying and asked if he wished to ask any questions of Ms. Martin. Mr. Milton stated no. Mr. Wilmot then swore in Houston Shultz, Code

enforcement Officer. He asked Mr. Shultz if he received a call in November from Ms. Martin concerning Lo Lo Meat Market selling alcohol. He stated yes, and went to 902 S. Central Avenue. He stated he witnessed Mrs. Patel selling alcohol to an individual. He then called Ms. Martin to double check to ask if the license was active wherein she stated it was not. He stated he asked both of the Patels together if they had an alcohol license. He stated Mr. Patel stated he did have a license from the State of Georgia and the City of Tifton. Mr. Shultz stated Mr. Patel provided the licenses, however, it was under Pinkesh Foods Inc. dba/Sunmart, Mr. Chandaben Patel, and asked Mr. Patel if these were his licenses. He then advised Mr. Patel that he had already checked his license and he did not have a current alcohol license. He then advised him that he was not Mr. Chandaben Patel and was not with Pinkesh Foods. He then told them they had to cease and desist from selling any alcohol and had to remove it from the premises before they could continue doing business. He asked if they understood, and they stated they did understand. He took Mrs. Patel's ID and went to his patrol call to write a citation, and as he was coming back in, Mr. Patel was by the cash register selling a beer and hotdog to a gentleman. Mr. Shultz told Mr. Patel he had to stop. He then issued a citation to Mr. Patel as well, so they both received citations for compliance required. Mr. Wilmot stated this meant they had to have an alcohol licensed from the City of Tifton to sell alcohol. Mr. Shultz responded yes. Mr. Wilmot asked about the disposition of the citations. Mr. Shultz stated he spoke with the Patels and Mr. Milton and they reached an agreement to plea out the case and pay one of the fines for compliance required. He stated they pled guilty and paid the fine. Mr. Middleton came forward representing Lo Lo Meat Market. He expressed the events that had occurred and stated that at this point in time he accepts all responsibility for Lo Lo Meat Market and everything will go thru him and no more thru the Patels. He stated he could do better if they do the right thing. He asked for an opportunity as this is a new business. He asked for an opportunity to improve and give him a chance. Councilman Ehlers asked how long Mr. Middleton was aware beer was being sold. He told him he did not know and he had asked that the coolers be locked. He stated all the beer has been removed. Mr. Wilmot stated he told them not to sell alcohol and they did anyway. Mr. Middleton acknowledged yes. Councilman Folk asked Mr. Middleton if he was the one who applied for the license and if he heard Mrs. Martin say alcohol could not be sold. Mr. Middleton stated yes, but he is not at the store all the time as he works for Big Lots as well. He stated they manage the store for him. Councilman Folk asked if he saw the beer sign in the window. He stated the sign was already there and when told about the alcohol he turned it off and took down all of the billboards and everything. He stated he is managing the store. He stated there is no beer in the store. Mr. Wilmot asked if Lo Lo Meat Market was an LLC. Discussion was held regarding ownership of the store. Mrs. Martin stated the code requires that the manager be there at least 35 hours per week. Mayor Smith asked what Council's options were regarding this license. Mr. Wilmot stated they could approve or deny the license at this point. She asked how long the denial would be for. Mrs. Martin stated about one year; she also stated probations have been handed down before. Mr. Wilmot stated a decision does not have to take place this evening. Councilman Folk asked about the percentage of sales. Mr. Middleton stated about 40 to 50%. Mr. Wilmot discussed the penalties if one has a license and violates the chapter; and wasn't sure about an applicant who doesn't yet have a license. He stated he would look into whether there is a probation period for a new applicant. Mayor Smith asked that this be continued to allow the city attorney to review further options.

Councilman Ehlers moved, seconded by Councilman Folk and unanimously carried to table this hearing to the January 21, 2016 Council Workshop.

**PRAYER AND PLEDGE**

Reverend Hugh Ward led the prayer and pledge of allegiance.

**ELECTION OF VICE MAYOR**

Council Member Sayles moved, seconded by Council Member Folk and carried to elect Council Member Wes Ehlers as Vice Mayor for the next two years. Council Member Ehlers abstained.

**PRESENTATION BY BILL WELLS**

This item was removed from the agenda.

**CITIZEN INPUT**

Commission Chairman Grady Thompson congratulated everyone on the election. He stated he looked forward to working with the City, that this is a good day in Tifton, Georgia. He stated he will do everything possible to work with the city and we need to move forward. He stated there is a good Council and has known Mayor Smith for a long time. He stated he looks forward to working with everyone.

**APPROVAL OF MINUTES**

Council Member Terrell moved, seconded by Council Member Ehlers and unanimously carried to approve the minutes of the December 7, 2015 Regular Council Meeting.

**OTHER BUSINESS**

**Discussion of Mayor's Day Conference and Possible Retreat**

Rona Martin reviewed the activities of the upcoming conference and retreat.

**Discussion of Grand Opening of the LeRoy Rogers Senior Center**

Fran Kinchen gave an overview of the planning for the grand re-opening of the LeRoy Rogers Senior Center. She asked them for suggestions as well. She stated there will be new programming and activities throughout each day. She discussed current activities taking place at the center.

There being no further business, the meeting was adjourned.



Julie Smith, Mayor



Rona Martin, City Clerk