

ARCHER & LOVELL, P.C.

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MEMORANDUM

TO: Mayor & City Council
CC: Randy Mannino, Planning & Development Director
Frank McCann, Chief of Police
Dan Porta, City Manager
FROM: E. Keith Lovell (EKL)
DATE: April 6, 2021
RE: Appeals of Alcohol Control Board Orders from
March 10, 2021 and March 24, 2021 ACB Hearings

- El Nopal
- Short Trip/Easy Trip 2
- The Local Bar & Grill
- The Page fka Corona's

The City has received four (4) notices of appeal from the Orders issued as a result of the March 10, 2021 and March 24, 2021 Alcohol Control Board hearings. Each establishment violated City of Cartersville Alcohol Control Ordinances, specifically Section 4-21 selling alcohol to a minor and Section 4-13, responsibility of Licensee for violations. Each of these cases have been placed on the April 15, 2021 City Council Agenda for the Mayor and City Council to hear the appeals. At the bottom of this Memo are the standards for the Mayor and City Council to consider if making any reduction to the penalties imposed by the ACB, and the procedures for appeals.

The record of each appeal is attached for your consideration. Additionally, part of the record includes the video of the incident in question, and although not a part of your package, will be available at the Council Meeting if you want to review. A brief summary of each appeal is listed out below:

1) *El Nopal (first time offender)*. Counsel for licensee/owner, Jana Allen, filed an appeal of the ACB March 10, 2021 Order. This licensee sent his wife/co-owner to the City to pay the fine and return the consent order on the last day due and after discussions with Planning & Development staff realized a reduction of the probation could not be provided by said staff. Licensee failed to appear for the ACB hearing, and the Board entered an order finding the licensee Guilty, imposing a \$1,000.00 fine and 3 years' probation. After the wife of licensee realized the failure to appear before the ACB, Jana Allen was hired and immediately contacted the City attorney's office. Licensee is actually hospitalized at this time. An actual hearing for this establishment was placed on the March 24, 2021 calendar and a motion for reconsideration was presented by counsel, Jana Allen. The Board considered the motion and denied the same. The appeal of the March 10, 2021 order requests a higher fine and reduction of the 3 years' probation period via an alternative method of punishment (community service or similar). As the establishment had two (2) violations, the maximum penalties were fines of up to \$1,000.00 on each violation, plus, three (3) years' probation on each violation.

2) *Short Trip/Easy Trip2 (first time offender)*. The licensee holder/owner filed an appeal of the decision of the ACB March 10, 2021 Order. This licensee failed to return the Consent Order delivered to it and failed to appear for the ACB hearing. The Board entered an order finding the licensee Guilty, imposing a \$1,000.00 fine and 3 years' probation. This appeal just asks for reconsideration. As the establishment had two (2) violations, the maximum penalties were fines of up to \$1,000.00 on each violation, plus, three (3) years' probation on each violation.

3) *The Local Bar & Grill (first time offender)*. Counsel for licensee, Taff Wren, filed an appeal of the ACB March 10, 2021 Order. At said hearing, the establishment pled No Contest and a fine of \$1,000.00 was imposed and three (3) years' probation. This appeal asks for leniency/reduction of the probation period. As the establishment had two (2) violations, the maximum penalties were fines of up to \$1,000.00 on each violation, plus, three (3) years' probation on each violation.

4) *The Page fka Corona's (first time offender)*. The co-owner of the establishment filed an appeal of the decision. At said hearing, the co-owner of the establishment pled Guilty and a fine of \$1,000.00 was imposed and three (3) years' probation. This appeal is asking for reconsideration of the fine and/or probation. As the establishment had three (3) violations, the maximum penalties were fines of up to \$1,000.00 on each violation, plus, three (3) years' probation on each violation.

The recommended penalties pursuant to Section 4-209(c) are as follows:

Sec. 4-209. - Action by alcohol control board,

(c) Subject to the notice, hearing and appeal rights of a licensee as provided in this chapter, if the alcohol control board determines that a violation has occurred and been adjudicated guilty or the licensee has pled guilty or no contest it is authorized to levy the following fines and penalties. The board has the right to impose additional penalties or waive any of the penalties imposed based upon the facts of the incident as presented to them.

For violations within a three-year period involving the same license, owners or location the following recommended guidelines are hereby adopted.

Offense	Fine	Probation	Suspension/Revocation
First	Up to \$1,000.00	3 years	None
Second	Up to \$1,000.00	3 years	30 days suspension
Third	Up to \$1,000.00	3 years	Revocation; no reapplication for one year

Memo to Planning & Development & Public Works
Memo from E. Keith Lovell
Date: April 6, 2021
Re: Appeals of ACB March 10, 2021 Orders
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The procedures for an appeal are outlined in Section 4-209(e)(4), and are as follows:

- (4) The notice of appeal to the mayor and city council shall be in writing and accompanied by a memorandum or other writing setting out fully the grounds for such appeal and all arguments in support thereof. The notice of appeal must be filed in writing at the office of planning and development. The grounds for the appeal shall be limited to issues that were addressed in the hearing. Upon receipt of a notice of appeal, the city manager shall submit the entire record of the case to the mayor and city council and the planning and development director or his/her designee may also submit a memorandum in response to the memorandum filed by the licensee. The planning and development director or his/her designee shall place the appeal on the agenda of the next regular council meeting occurring not less than ten (10) or more than thirty (30) days after receipt of the appeal, unless the parties stipulate to another date. The appellant shall have the right to be represented by legal counsel. At the hearing, the mayor and city council will receive oral arguments on the written memoranda and the evidence in the record. The right to offer oral argument may be waived. No additional evidence or arguments shall be permitted at the council meeting, and the council shall base its decision on the memoranda, oral arguments, if any, and other evidence in the record. Following the appeal hearing, the council may sustain, overrule or modify the order. In lieu of suspension or revocation, the mayor and city council may impose a fine upon any licensee, such fine as set forth in this chapter, for each violation occurring on the licensed premises. The mayor and city council shall also have the option to remand the matter to the alcohol control board for a de novo hearing or for the taking of additional evidence on specific points. The mayor and city council have thirty (30) days from the date of the hearing to render a decision in this matter. If the city council does not refer the matter back to the alcohol control board the decision of the mayor and city council shall be final and the appellant shall have the right to seek a writ of certiorari to the superior court of the county within thirty (30) days of the final action of the mayor and city council. The final action of the city council shall be reduced to a written order signed by the mayor. The original of the mayor's order shall be filed in the record of the case, and a copy of the order shall be included in the minutes of the mayor and city council meeting. It shall be the responsibility of the city clerk to provide a copy of the order to the appellant.

Memo to Planning & Development & Public Works
Memo from E. Keith Lovell
Date: April 6, 2021
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CITY OF CARTERSVILLE ORDINANCE – STANDARDS TO CONSIDER IF REDUCING PENALTIES:

Sec. 4-209. - Action by alcohol control board.

- (f) The penalties for establishments and license holders may be mitigated if such establishments are found to have maintained an effective compliance program. Factors to be considered are:
- (1) Whether and to what extent the establishment requires its servers to attend alcohol ordinance compliance seminars.
 - (2) Whether the establishment conducts its own "secret shopper" or internal "sting" operations.
 - (3) Whether the establishment has a written policy dealing with the problems of minors attempting to obtain alcohol at such establishment.
 - (4) Whether the establishment has appropriate signs and other displays such as "We ID" or "If you're a minor, the soft drinks are this way".
 - (5) The degree to which the establishment has procedures in place to monitor its servers for compliance with the ordinance.
 - (6) Whether the establishment makes available a copy of the ordinance to its servers.
 - (7) Extent to which the establishment has met the other requirements of the ordinance.
 - (8) Other evidence demonstrating the establishment's compliance with the ordinance and prevention of underage drinking in the establishment and the community at large.

4) THE PAGE FKA CORONA'S

- **Hearing notice for appeal before Mayor & Council**
- **Notice of appeal**
- **March 10, 2021 ACB Order**
- **Minutes of March 10, 2021 ACB hearing**
- **ACB Package for March 10, 2021 hearing**

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E. Keith Lovell

Phone (770) 386-1116
Fax (770) 382-7484

March 26, 2021

Mr. Dongsik Kwak
YD Enterprises, Inc.
212 S. Tennessee Street
Cartersville, GA 30120

*VIA CERTIFIED MAIL/RETURN RECEIPT
AND VIA HAND DELIVERY TO THE
ESTABLISHMENT*

Mr. William Watkins
PO Box 2365
Cartersville, GA 30120

VIA CERTIFIED MAIL/RETURN RECEIPT

IN RE: **NOTICE OF HEARING ON APPEAL – APRIL 15, 2021, 7:00 P.M.**
Alcohol License Certificate Number: LL202002506
License Type: Pouring: Beer, Wine, Distilled Spirits, Sunday Sales
License Holder: Dongsik Kwak
Establishment: The Page fka Corona's, 212 S. Tennessee Street, Cartersville, GA

Gentlemen:

The City of Cartersville received your appeal to the Order issued by the Alcohol Control Board for the alcohol licensee listed above. **You are hereby notified that the Mayor and City Council of the City of Cartersville, Georgia, will hear said appeal at 7:00 pm on April 15, 2021, at the City Council Chambers, Third Floor, City Hall, 10 North Public Square, Cartersville, Georgia 30120.**

Below is a brief synopsis of the case and your appeal:

The Page fka Corona's (first time offender). The co-owner of the establishment filed an appeal of the decision. At said hearing, the co-owner of the establishment pled Guilty and a fine of \$1,000.00 was imposed and three (3) years' probation. This appeal is asking for reconsideration of the fine and/or probation. As the establishment had three violations, the recommended penalties were fines of up to \$1,000.00 on each violation, plus, three (3) years' probation on each violation.

And, below is City of Cartersville Ordinance, Sec. 4-209(c)(4), as it relates to appeals and the process.

- (4) The notice of appeal to the mayor and city council shall be in writing and accompanied by a memorandum or other writing setting out fully the grounds for such appeal and all arguments in support thereof. The notice of appeal must be filed in writing at the office of planning and development. The grounds for the appeal shall be limited to issues that were addressed in the hearing. Upon receipt of a notice of appeal, the city manager shall submit the entire record of the case to the mayor and city council and the planning and development director or his/her designee may also submit a memorandum in response to the memorandum filed by the licensee. The planning and development director or his/her designee shall place the appeal on the agenda of the next regular council meeting

Dongsik Kwak/William Watkins
March 26, 2021
Notice of Appeal Hearing – Mayor & City Council
Establishment: The Page fka Corona's
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occurring not less than ten (10) or more than thirty (30) days after receipt of the appeal, unless the parties stipulate to another date. The appellant shall have the right to be represented by legal counsel. At the hearing, the mayor and city council will receive oral arguments on the written memoranda and the evidence in the record. The right to offer oral argument may be waived. No additional evidence or arguments shall be permitted at the council meeting, and the council shall base its decision on the memoranda, oral arguments, if any, and other evidence in the record. Following the appeal hearing, the council may sustain, overrule or modify the order. In lieu of suspension or revocation, the mayor and city council may impose a fine upon any licensee, such fine as set forth in this chapter, for each violation occurring on the licensed premises. The mayor and city council shall also have the option to remand the matter to the alcohol control board for a de novo hearing or for the taking of additional evidence on specific points. The mayor and city council have thirty (30) days from the date of the hearing to render a decision in this matter. If the city council does not refer the matter back to the alcohol control board the decision of the mayor and city council shall be final and the appellant shall have the right to seek a writ of certiorari to the superior court of the county within thirty (30) days of the final action of the mayor and city council. The final action of the city council shall be reduced to a written order signed by the mayor. The original of the mayor's order shall be filed in the record of the case, and a copy of the order shall be included in the minutes of the mayor and city council meeting. It shall be the responsibility of the city clerk to provide a copy of the order to the appellant.

Very truly yours,

ARCHER & LOVELL, P.C.

E. Keith Lovell

E. Keith Lovell
Assistant Attorney for the City of Cartersville

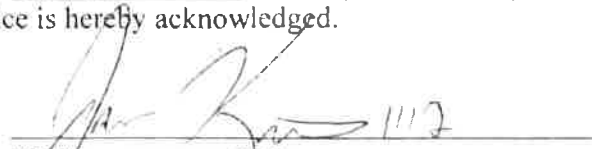
EKL/slf

cc: City Manager, City of Cartersville
Planning and Development Director, City of Cartersville
Chief of Police, City of Cartersville
City Clerk, City of Cartersville

.....

This letter was served upon WILLIAM D. WATKINS at 212 S. Tennessee Street, Cartersville, GA on the 26 day of MARCH, 2021 by the undersigned Police Officer/Code Enforcement Officer and service is hereby acknowledged.


Signature of Person Served


POLICE OFFICER/CODE ENFORCEMENT OFFICER

APPEAL TO THE MAYOR AND CITY COUNCIL

VIOLATION HEARING NO: 21-021

On the behalf of The Page Bar and Grill fka Corona's whose principle address is 212 South Tennessee Street Cartersville, I'm asking for leniency for the violation that was committed on February 03, 2021.

As I know that stupidity is no excuse, I'm being honest with you as to why I'm here before you in the first place. I was asked to invest in this bar back in December of 2020. My investment was suppose to be in the amount of \$25,000.00. I was supposed to be a silent partner who was suppose to be able to collect a check once a month and check on the place from time to time.

I have since spent \$45,000.00 on this place and not worked from December 22, 2020 until January 15, 2021 due to trying to secure my investment.

I own a trucking company who is contracted to the military. I have a PSS Security Clearance which would tell you that I don't do anything purposely to jeopardize my career. I explained this to the Alcohol Board on March 10, 2021. I have since purchased a book called "Running a Bar for Dummies" as well as watch every episode of Bar Rescue that I can when time permits.

With that said, I will agree that I had two bar tenders at the Bar on February 03, 2021. One of them took the patron's money and the other one served the beer. When I got to the bar, officer Payne I'm guessing explained to me what had happened. I apologized to him and told him i would take care of it. I terminated one of the bartenders after I made sure I wasn't breaking any laws by doing so. The other bartender is my wife of 31 years and as much as I wanted to terminate her, It was not in my best interest to do so. We have since hired a doorman to check IDs at the door, hired two well seasoned bar tenders who Id at the bar, hired a manager to manage what the bartenders are doing, and upgraded the camera system so I can see what's going on in my absence.

I'm also working with an entity who is preparing literature for everyone associated with the establishment to further educate us on the rules and regulations of the bar and alcohol business.

After my case, I walked out due to anxiety. I later returned for the remainder of the hearing. I heard someone ask if there could be something done along the line of a training kiosk when you go for your pouring license. I would love to help out with this if possible as I hold a hazmat endorsement in which we have to do some type of training on yearly. In my opinion, the liquor license should be renewed every year or maybe every two years and you should have to pass a knowledge based test on the rules and regulations of serving alcohol.

In my closing, I'm throwing myself at the mercy of the Council and the Mayor for several reasons. First, I've spent a great deal out of my our savings on what was supposed to be an investment that I was never suppose to run and manage in the first place. Second, while it is not my intentions to make mistakes, I know we're human and should there be another mistake or violation made of any kind within this three year probation period, it would be detrimental to the business as I am still in the learning process myself. Third, I'm trylng to recoup our investment/ savings so I may have an exit strategy of the bar business altogether.

I know we did something wrong and therefore need to be reprimanded for it however, it was definitely unintentional. I also want to apologize for taking up your time.

Respectfully

William D Watkins

VIOLATION HEARING NO: 21-021

BEFORE THE ALCOHOL CONTROL BOARD
CITY OF CARTERSVILLE

CITY OF CARTERSVILLE, GEORGIA) CARTERSVILLE ALCOHOL
) CONTROL BOARD
Licensor,) VIOLATION HEARING NO: 21-021
)
v.) HEARING DATE: 3/10/2021
)
DONGSIK KWAK,)
)
Licensee.)
)
Establishment: The Page Bar fka Corona's)
)
Address: 212 S. Tennessee Street)
Cartersville, GA)
)
Pouring: Beer, Wine, Distilled Spirits,)
Sunday Sales)
)
Alcohol License Certificate Number:)
LL202002506)

ORDER

On March 10, 2021, the Cartersville Alcohol Board held a hearing on alleged violations of the City of Cartersville Code of Ordinances, specifically Section 4-13 and Section 4-21 as stated in the Notice Letter of February 22, 2021.

William Watkins, co-owner of the Establishment, appeared on behalf of the Licensee, and pled GUILTY to the charges of selling alcohol to a minor on February 3, 2021.

After consideration, and on motion, the Board unanimously accepted the Licensee's plea of GUILTY and imposed the following penalty:

1. A fine in the amount of: \$1,000.00; and
2. Three (3) years' probation from March 10, 2021 through and including March 11, 2024.

Payment of the fine is to be made at the City of Cartersville Community Development Department Office located at 10 North Public Square 2nd Floor, P.O. Box 1390 Cartersville Georgia 30120, and is due by Wednesday, March 24, 2021, at 3:00 p.m.

Additionally, pursuant to the City of Cartersville Code Section 4-14(e)(1)(2) and (3), the Licensee has the right to appeal this Order to the Mayor and City Council. If no appeal is filed by March 24, 2021, at 3:00 p.m., this Order becomes final. If an appeal is filed, the probation and fine are stayed until said appeal is heard.

Appeals shall be filed at the City Manager's office by mail to: City of Cartersville, Attn: Dan Porta, P.O. Box 1390, Cartersville, GA 30120.

BE IT AND IT IS ORDERED, as of this 10th day of March, 2021.

RIC NAPPS

Ric Napps, Chairman for the
Cartersville Alcohol Control Board

CERTIFICATE OF SERVICE

This is to certify I have this day caused to be served the above Licensee via certified mail, return receipt requested, to the address provided by the Licensee at the Hearing, this 12th day of March, 2021.

14 E. Keith Lovell

E. Keith Lovell, Assistant City Attorney
City of Cartersville

P. O. Box 1024
Cartersville, Georgia 30120
(770) 386-1116

MINUTES OF THE ALCOHOL CONTROL BOARD

The Alcohol Control Board met in a regular meeting on Wednesday, March 10, 2021 at 10:00 A.M. in the Council Chambers, 3rd Floor, City Hall.

CALL TO ORDER at 10:01 AM

ROLL CALL

Present: Rick Napps, Christine Brown, Jennifer Smith, Cortney Hultman, David Holt, Richard Kollhoff

Absent: Dan Heilman

Staff Present: Randy Mannino, Julia Drake, and Keith Lovell

APPROVAL OF MINUTES

1. Approval of minutes of the February 10, 2021 meeting minutes.

Motion to approve the February 10, 2021 meeting minutes was made by Board Member Hultman and seconded by Board Member Smith. Motion carried unanimously. Vote: 5-0.

TEXT AMENDMENTS

2. Amendment to Festival Zone Ordinance

Chairman Napps called for the next item.

Keith Lovell, Assistant City Attorney, gave an overview of the amendment stating this amendment is to clarify the use of Downtown Entertainment Zone cups in the Festival Zone.

Motion to approve the amendment to the Festival Zone Ordinance was made by Board Member Hultman and seconded by Board Member Holt. Motion carried unanimously. Vote: 5-0

NEW APPLICATION

3. Review of Beer/Wine Package Alcohol License by Tanveer Javed for Great Eastern Company located at 2472 US-411. New Owner/Application.

Chairman Napps called for the next item.

Applicant was not present for the hearing and review of the new Alcohol Application.

Motion to table the application was made by Board Member Kollhoff and seconded by Board Member Smith. Motion carried unanimously: 5-0.

4. Review of Pouring (Beer/Wine/Distilled Spirits/Sunday Sales) License Application for Johnny Archer's Place located at 138 Tennessee Street.

Chairman Napps called for the next item.

Mr. Johnny Archer came forward to represent the application and answer questions from the Board. Board Member Hultman stated that the application was incomplete due to the Affidavit not being completed and no lease agreement being included.

Motion to table the application until application can be completed was made by Board Member Hultman and seconded by Board Member Holt. Motion carried unanimously: 5-0.

VIOLATIONS

Mr. Lovell stated the City of Cartersville Police Department conducted a sting operation; this operation is still ongoing, 21 out of 53 establishments served to an undercover minor. This includes 14 package and 7 pouring establishments. First time offenders were sent a notice that included a prepared consent order pleading no contest, resulting in \$1,000 fine, 3-year probation, and waiving their right to an appeal. Each first-time offender was given the opportunity to submit their signed consent order and fee to the City Clerk's Office no later than Friday, March, 5th at 4:30 P.M. The following establishments submitted their signed consent order and paid their fines.

Jefferson's located at 28 W. Main Street. Ate Track Bar & Grill located at 25 N. Wall Street. Amerimart located at 1153 A Burnt Hickory Rd. Texaco located at 2472 Hwy 411. Circle K located at 501 N. Tennessee Street. El Dorado located at 910 Joe Frank Harris Parkway. Tarasco's Tacos and Wings located at 1350 Joe Frank Harris Parkway Suite 115. Sunoco located at 2471 Hwy 411. Sunaco Stop 'n Shop located at 700 Joe Frank Harris Parkway. Travel Center Shell located at 1340 E. Main Street. Cartersville Beverage located at 831 West Avenue.

Mr. Lovell recommended the Alcohol Control Board to accept the signed consent orders.

Motion to approve all listed signed consent orders was made by Board Member Holt and seconded by Board Member Hultman. Motion carried unanimously. Vote: 5-0

Mr. Lovell proceeded by explaining that the remaining violators have the right to appeal their case to City Council. Appeal must be made within 14 days; otherwise, the fine is due within 14 days. All violations go with the establishment.

5. Applebee's: 185 Cherokee Place: 2nd violation

Mr. Lovell gave an overview of the violation stating this is Applebee's 2nd Violation. Applebee's is being charged with the following:

Section 4-13. – Licensees to keep copy of article on-premises; employees to be familiar with terms; responsibility of licensee for violations, subject to \$1,000 fine and 3-years' probation

and Section 4-21. – Purchase by or sales to underage persons subject to \$1,000 fine and 3-years' probation.

Mr. Lovell sworn in Steven Gonzalez, representative for Applebee's. Employee that sold to underage person was also cited and will be heard before City Court.

Mr. Gonzalez stated he would like to plead guilty on both violations and stated that he, nor Applebee's, takes these violations lightly. Furthermore, he stated that the employee had been terminated and the manager had been reprimanded.

Board Member Hultman made a motion to evoke a \$2,000 fine, 30 day Alcohol License suspension, and an additional 3 year probation, for a total of 5 years. Board Member Smith seconded the motion. Motion carried unanimously. Vote: 5-0

Mr. Lovell stated the alcohol does not need to be removed from the premises; however, signage must be posted stating "No Alcohol Sales for 30 Days".

6. The Local Bar and Grill: 120 S. Erwin St.: 1st violation

Mr. Taff Wren, 128 W. Cherokee Ave, came forward as legal representation for The Local Bar & Grill. Mr. Wren stated that as a Council Member for The City of Cartersville, he will be recusing himself from all future hearings/appeals pertaining to this violation.

Board Member Kollhoff recuses himself as well.

Mr. Lovell gave an overview of the violation stating this is The Local Bar & Grill's first violation. The Local Bar & Grill is being charged with the following:

Section 4-13. – Licensees to keep copy of article on-premises; employees to be familiar with terms; responsibility of licensee for violations, subject to \$1,000 fine and 3-years' probation and Section 4-21. – Purchase by or sales to underage persons subject to \$1,000 fine and 3-years' probation.

Mr. Wren stated that he wanted to please no contest to the charges and recommended the Board give a warning to the establishment considering this is a first offense in 10+ years of business. Furthermore, he stated that, from this point forward, all servers will be given a server packet (see Exhibit M) to review and must sign an acknowledgement of said package. The server that was charged with the violation has been terminated. Mr. Wren has provided The Local Bar & Grill with a binder that included all of the alcohol ordinances and stated that all employees have received the server packet, reviewed and signed the acknowledgment.

Board Member Brown inquired if proper training is supplied to all employees upon employment to which Mr. Wren replied 'only if they have no experience'. Board Member Brown asked why everyone is not fully trained, despite their experience. Mr. Wren stated the manager does assist those that are hired with experience to ensure rules are followed.

Motion was made to evoke \$1,000 fine and 3 years' probation by Board Member Holt and seconded by Board Member Hultman. Motion carried unanimously. Vote: 4-0-1

7. The Page aka Corona's: 212 Tennessee St.: 1st violation

Mr. Lovell sworn in William Watkins, co-owner of establishment. Mr. Lovell gave an overview of the violation stating this is The Page aka Corona's first violation. The Local Bar & Grill is being charged with the following:

Section 4-13. – Licensees to keep copy of article on-premises; employees to be familiar with terms; responsibility of licensee for violations, subject to \$1,000 fine and 3-years' probation and Section 4-21. – Purchase by or sales to underage persons subject to \$1,000 fine and 3-years' probation.

Mr. Watkins stated that the employee that sold to underage person was also cited and will be heard before City Court. Both the employee and manager was terminated. Two employees were cited as one server took the order and the other server delivered the drink and cashed the patron out. Only one server was terminated as the other employee was the owner's wife. Mr. Watkins continued to add that signage had been added stating "ID REQUIRED" and has also hired staff to monitor the entrance and check identification prior to entrance into the establishment.

Motion was made to evoke \$1,000 fine and 3 years' probation by Board Member Kollhoff and seconded by Board Member Brown. Motion carried unanimously. Vote: 5-0

Mr. Watkins stated he is looking to sell the establishment to which Mr. Lovell explained that the violation goes with the establishment.

8. El Nopal: 540 Old Mill Rd.: 1st violation

Neither the Licensee, nor representative of, appeared on behalf of El Nopal regarding the following charges:

Section 4-13. – Licensees to keep copy of article on-premises; employees to be familiar with terms; responsibility of licensee for violations, subject to \$1,000 fine and 3-years' probation and Section 4-21. – Purchase by or sales to underaged persons subject to \$1,000 fine and 3-years' probation.

After Mr. Lovell gave an overview of the violations and charges, a motion was made by Board Member Holt and seconded by Board Member Smith to find the Licensee and establishment guilty of the charges resulting in evoking \$1,000 fine and 3 years' probation. Motion carried unanimously. Vote: 5-0

9. Short Trip-Easy Trip No.2: 165 Cassville Rd.: 1st violation

Neither the Licensee, nor representative of, appeared on behalf of Short Trip-Easy Trip No.2 regarding the following charges:

Section 4-13. – Licensees to keep copy of article on-premises; employees to be familiar with terms; responsibility of licensee for violations, subject to \$1,000 fine and 3-years’ probation and Section 4-21. – Purchase by or sales to underaged persons subject to \$1,000 fine and 3-years’ probation.

After Mr. Lovell gave an overview of the violations and charges, a motion was made by Board Member Holt and seconded by Board Member Kollhoff to find the Licensee and establishment guilty of the charges resulting in evoking \$1,000 fine and 3 years’ probation. Motion carried unanimously. Vote: 5-0

Board Member Holt leaves Council Chambers.

A motion was made to remove new Alcohol Application for Great Eastern Company from the table. Motion was made by Board Member Kollhoff and seconded by Board Member Smith. Motion carried unanimously. Vote: 4-0

10. Review of Beer/Wine Package Alcohol License by Tanveer Javed for Great Eastern Company located at 2472 US-411. New Owner/Application.

Mr. and Mrs. Javed came forward to speak for their application. Board Member Hultman explained that this establishment is currently under violation and has a 3 year probation. Mr. and Mrs. Javed stated that they were made aware of the violation by the current owner and understands the probation term.

A motion was made to approve the Package Beer/Wine Alcohol License for Great Eastern Company by Board Member Kollhoff and seconded by Board Member Brown. Motion carried unanimously. Vote: 4-0

Board Member Holt returns to the Council Chambers.

11. ABC Liquor: 330 Cherokee Place: 1st Violation

Mr. Lovell sworn in Kenny Shah, license holder for the establishment. Mr. Lovell gave an overview of the violation stating this is ABC Liquor’s first violation. ABC Liquor is being charged with the following:

Section 4-13. Licensees to keep copy of article on-premises; employees to be familiar with terms; responsibility of licensee for violations, subject to \$1,000 fine and 3-years’ probation and Section 4-21. – Purchase by or sales to underaged persons subject to \$1,000 fine and 3-years’ probation.

Kenny Shah came forward and stated he would like to plead guilty to all charges. He stated it was his father who sold to an underage patron and had previously been skipping the identification check. However, Mr. Shah has installed a program onto the cash register that now requires the date of birth to be entered into the register prior to any sale being completed.

Officer Ashley Payne was asked to come forward and sworn in by Mr. Lovell. The video was played that reflected the vertical (Under 21) identification was shown and the sale still commenced.

A motion was made to evoke \$1,000 fine and 3 years' probation by Board Member Kollhoff and seconded by Board Member Holt. Motion carried unanimously. Vote: 5-0

12. IMP Fuel/Gas N Go: 301 S. Erwin St.: 1st Violation

Mr. Lovell sworn in Chetan Patel, license holder for the establishment. Mr. Lovell gave an overview of the violation stating this is IMP Fuel/Gas N Go's first violation. IMP Fuel/Gas N Go is being charged with the following:

Section 4-13. – Licensees to keep copy of article on-premises; employees to be familiar with terms; responsibility of licensee for violations, subject to \$1,000 fine and 3-years' probation and Section 4-21. – Purchase by or sales to underaged persons subject to \$1,000 fine and 3-years' probation.

Mr. Patel came forward and stated he would like to plead guilty to the charges and stated he had worked very long hours and was very exhausted which led to not asking for proper identification.

A motion was made to evoke \$1,000 fine and 3 years' probation by Board Member Holt and seconded by Board Member Kollhoff. Motion carried unanimously. Vote: 5-0

13. BP Foodmart: 263 Cassville Rd.: 1st Violation

Mr. Lovell sworn in Sanjaykumar Rameshbhai Patel, license holder for the establishment. Mr. Lovell gave an overview of the violation stating this is BP Foodmart's first violation. BP Foodmart is being charged with the following:

Section 4-13. – Licensees to keep copy of article on-premises; employees to be familiar with terms; responsibility of licensee for violations, subject to \$1,000 fine and 3-years' probation and Section 4-21. – Purchase by or sales to underaged persons subject to \$1,000 fine and 3-years' probation.

Mr. Patel came forward and stated he would like to plead guilty to the charges.

A motion was made to evoke \$1,000 fine and 3 years' probation by Board Member Holt and seconded by Board Member Smith. Motion carried unanimously. Vote: 5-0

Mr. Lovell stated that two cases have sought legal counsel and have requested an extension due to conflict of scheduling. These two cases will be heard at a Special Called Alcohol Control Board Meeting scheduled for Wednesday, March 24, 2021 at 10:00 A.M. at City Hall, 3rd Floor, Council Chambers. These two cases are Citgo Express located at 1144 N. Tennessee Street and Mack's Marathon located at 1139 N. Tennessee Street.

Frank McCann, Chief of Police, came forward to give accolades to the individuals that organized and executed this successful sting operation.

Board Member Hultman suggested to require servers licensing for retail establishments that serve alcohol. Mr. Lovell stated it is possible and that is something that can be looked at further.

Board Member Holt asked about training provided by the City for servers prior to obtaining their servers license. Chief McCann stated he would look into an automated testing program. It was also suggested by Board Member Hultman to require the ServSafe certificate prior to obtaining servers license as a viable option as well.

Mr. Lovell called Randy Mannino, Planning and Development Director, up to inquire about JZ's Taste of Georgia having a Sunday Sales license despite the fact that they do not meet the local or state requirements. Julia Drake, City Clerk, stated that they do currently hold a Sunday Sales license. Mr. Lovell stated that the Sunday Sales portion of their alcohol license must be revoked and a refund issued for the issuance of said license for 2021.

A motion was made to adjourn by Board Member Holt at 11:30 A.M. Board Member Smith seconded the motion.

Meeting adjourned.

Date Approved

/s/ _____
Chairman

/s/ _____
Secretary

ACB PACKAGE COVER PAGE

ACB CASE NO.:	21-021
ESTABLISHMENT:	THE PAGE BAR FKA CORONAS**
ESTABLISHMENT ADDRESS:	212 S. TENNESSEE STREET
LICENSEE:	KWAK, Dongsik
HEARING DATE:	MARCH 10, 2021

DOCUMENTS WITHIN PACKAGE:

Notice Letter with Plea Offer/Consent Order - Acknowledgment Copy
by Establishment

Alcohol License

Business License

Field Report

Investigative Summary

Receipt for Purchase

Citation to Employee ** - 2 employees cited - one took order &
handed over drink and other cashed out

ARCHER & LOVELL, P.C.

ATTORNEYS AT LAW
102 LEAKE STREET
P. O. BOX 1024
CARTERSVILLE, GEORGIA 30120

David G Archer
E. Keith Lovell

Phone: (770) 386-1116
Fax: (770) 382-7484

February 22, 2021

Dongsik Kwak
YD Enterprises, Inc.
212 S. Tennessee Street
Cartersville, GA 30120

*VIA REGULAR MAIL AND VIA HAND DELIVERY TO THE
ESTABLISHMENT LOCATION IN CARTERSVILLE,
GEORGIA*

IN RE: **NOTICE OF SUSPENSION, PROBATION, FINE AND/OR REVOCATION
HEARING BEFORE THE CARTERSVILLE ALCOHOL CONTROL
BOARD ON MARCH 10, 2021 AT 10:00 AM**
Alcohol License Certificate Number: LL202002506
Customer Number: LCB201700041
License Type: Pouring: Beer, Wine, Distilled Spirits, Sunday Sales
License Holder: Dongsik Kwak / Corono's
Establishment: The Page Bar

Dear Mr. Kwak:

You are hereby notified by the Mayor and City Council of the City of Cartersville, Georgia, that Christian Joy Crespo-Kuykendall and Delores Elaine Watkins, employees of YD Enterprises, Inc. were each charged and issued a citation for selling alcohol to minors on February 3, 2021. (One person took the order and handed the beverage over and the other person rang up the transaction.) Christian Joy Crespo-Kuykendall and Delores Elaine Watkins are both scheduled for trial on July 12, 2021, at 3:00 pm in the City of Cartersville Municipal Court for the citation of selling to minors.

Selling alcohol to minors is a violation of the City of Cartersville Code of Ordinance Section 4-21. It is also a violation by the license holder, pursuant to Sec. 4-13 of the City of Cartersville Code of Ordinances. The Alcohol Control Board of the City of Cartersville has scheduled a hearing to determine whether or not your City of Cartersville Alcohol License should be fined, suspended, revoked, placed on probation and/or any combination thereof pursuant to City of Cartersville Code of Ordinances Sections 4-203 and 4-209.

You and/or your employee have been charged with two (2) violations of the City of Cartersville Alcohol Ordinance, specifically, Sections 4-13 and 4-21 of the City of Cartersville Code of Ordinances. You, as the license holder, are subject to a fine of up to \$1,000.00 on each violation, and up to three (3) years' probation on each violation for a total of \$2,000.00 and/or 6 years' probation. Additionally, the Alcohol Control Board reserves the right to suspend and/or revoke your license(s) for each violation.

YD Enterprises, Inc.
February 22, 201
Notice of Hearing – Alcohol Control Board
Establishment: The Page Bar
Page 2

Please be advised that if found guilty of the alleged violations, you have the right to appeal pursuant to the requirements of City of Cartersville Code of Ordinances Section 4-209(e)(1), (2) and (3).

You are hereby ordered to be and appear at said Alcohol Control Board hearing at 10:00 am on March 10, 2021, at the City Council Chambers, Third Floor, City Hall, Cartersville, Georgia, to show cause why your license should not be suspended, probated, revoked and/or a fine imposed. You have the right to plead guilty, not guilty, or no contest to the charges. Grounds for this hearing is that your establishment violated Sections 4-13 and 4-21 of the City of Cartersville Code of Ordinances.

IN LIEU OF A HEARING, THE ALCOHOL CONTROL BOARD HAS AUTHORIZED A PLEA AGREEMENT WITH YOU, SINCE THIS IS YOUR FIRST VIOLATION, UPON THE FOLLOWING CONDITIONS: YOU ENTER A PLEA OF "NO-CONTEST," PAY A FINE IN THE AMOUNT OF \$1,000.00, AND THREE (3) YEARS' PROBATION. IF YOU WISH TO ACCEPT THIS PLEA AGREEMENT, THE ATTACHED ORDER MUST BE SIGNED, AND PAYMENT IN THE AMOUNT OF \$1,000.00 MUST BE DELIVERED TO:

**ALCOHOL LICENSING CLERK
OFFICE OF COMMUNITY DEVELOPMENT
CITY HALL - 2ND FLOOR
10 NORTH PUBLIC SQUARE
CARTERSVILLE, GA 30120**

OR VIA MAIL TO:

**COMMUNITY DEVELOPMENT DEPARTMENT
PO BOX 1390
CARTERSVILLE, GA 30120**

SAID PAYMENT AND SIGNED ORDER MUST BE RECEIVED BY FRIDAY, MARCH 5, 2021, NO LATER THAN 4:30 PM. IF SAID ORDER AND PAYMENT IS NOT RECEIVED BY SAID DATE AND TIME, THE PLEA OFFER IS WITHDRAWN, AND THE HEARING SHALL BE HELD AS STATED ABOVE ON MARCH 10, 2021, 10:00 AM.

This hearing does not concern any other licenses which are held by the license holder. This letter is being sent pursuant to the requirement of the City of Cartersville Code of Ordinance Section 4-209(e).

YD Enterprises, Inc.
February 22, 201
Notice of Hearing – Alcohol Control Board
Establishment: The Page Bar
Page 3

Additionally, you have the right to be represented by counsel and to all subpoena powers which are available to the Alcohol Control Board at said hearing.

This 22nd day of February, 2021.

Very truly yours,

ARCHER & LOVELL, P.C.

E. Keith Lovell

E. Keith Lovell
Assistant Attorney for the City of Cartersville

EKL/slf
cc: City Manager, City of Cartersville
Planning and Development Director, City of Cartersville
Chief of Police, City of Cartersville
City Clerk, City of Cartersville
Enclosure

.....
This letter was served upon Delores Watkins at
212 S Tennessee St on the 24 day of February, 2021 by the
undersigned Police Officer/Code Enforcement Officer and service is hereby acknowledged.

Delores Watkins
Signature of Person Served

[Signature]
POLICE OFFICER/CODE ENFORCEMENT OFFICER

BEFORE THE ALCOHOL CONTROL BOARD
CITY OF CARTERSVILLE

CITY OF CARTERSVILLE, GEORGIA) CARTERSVILLE ALCOHOL
Licensor,) CONTROL BOARD
v.) VIOLATION HEARING NO: 21-_____
DONGSIK KWAK,)
Licensee.)
Establishment:)
THE PAGE BAR F/K/A CORONA'S)
212 N. TENNESSEE STREET)
CARTERSVILLE, GA)
Alcohol License Certificate No:)
LL202002506)

CONSENT JUDGMENT AND ORDER

On February 3, 2021, License Holder committed a violation of the City of Cartersville Code of Ordinances, specifically Section 4-21 as stated in the Notice Letter of February 22, 2021.

The Licensee consents to the jurisdiction of the Alcohol Control Board in this matter. As this is a first offense, the Alcohol Control Board has offered a plea deal to the Licensee of a fine in the amount of \$1,000.00 and three (3) years' probation. Licensee has reviewed this plea individually and/or with legal counsel of their choosing, and hereby consents to said Judgment.

This Plea Offer is only valid until March 5, 2021. If received after March 5, 2021, 4:30 p.m., said Plea Offer is NULL AND VOID.

In lieu of a hearing, the Licensee enters a plea of NO CONTEST to the violations of City of Cartersville Code of Ordinances 4-21 and the Board accepts the Licensee's plea of no contest and imposes the following penalties:

- 1) A fine in the amount of: \$1,000.00 per violation; and

Consent Judgment and Order
Licensee: Dongsik Kwak
Establishment: The Page Bar fka Corona's
Page 3

CERTIFICATE OF SERVICE

This is to certify I have this day served the above Licensee, or counsel of record, via mail to the address listed on Licensee's Alcohol License, with a copy of the within and foregoing Consent Judgment and Order, this 10th day of March, 2021.

E. Keith Lovell

E. Keith Lovell, Assistant City Attorney
City of Cartersville

PO Box 1024
Cartersville, Georgia 30120
(770) 386-1116

Alcohol License

City of Cartersville, Georgia



Business Mailing Address:

DONGSIK KWAK
YD ENTERPRISES, INC.
212 S TENNESSEE ST
CARTERSVILLE, GA 30120

Certificate Number
LL202002506

Business Address	212 TENNESSEE ST
Alcohol License Type	Pouring: Beer, Wine, Distilled Spirits, Sunday Sales
Business Type	722511 - Full-Service Restaurants 722410 - Alcoholic Beverages
Customer Number	LCB201700041
Certificate Issued to	CORONA'S
Certificate Amount	\$ 2,000.00
Expiration Date	12/31/2021

Date Issued: February 05, 2021

Director of Planning and Development

DISPLAY IN A CONSPICUOUS PLACE. MAY BE
REVOKED FOR CAUSE

Occupational Tax Certificate City of Cartersville, Georgia



Business Mailing Address:

DONGSIK KWAK
YD ENTERPRISES, INC.
212 S TENNESSEE ST
CARTERSVILLE, GA 30120

Certificate Number
0001202000934

Business Address: 212 TENNESSEE ST

Business Type: 722511 - Full-Service Restaurants
722410 - Alcoholic Beverages

Customer Number: LCB201700041

Certificate Issued To: CORONA'S

Certificate Amount: 90.00

Expiration Date: 12/31/2021

Date Issued: December 30, 2020

Director of Planning and Development

DISPLAY IN A CONSPICUOUS PLACE. MAY BE
REVOKED FOR CAUSE

MISC00000889315

CARTERSVILLE POLICE DEPARTMENT

FIELD CASE REPORT

CASE# 2021-00001951

EVENT	REPORTED DATE/TIME 02/03/2021 21:40	OCCURRED INCIDENT TYPE Traffic/City	
	OCCURRED FROM DATE/TIME 02/03/2021 21:30	OCCURRED THRU DATE/TIME 02/03/2021 21:50	LOCATION OF OCCURRENCE THE PAGE 212 S TENNESSEE ST SE CARTERSVILLE, GA

	STATUTE/DESCRIPTION	COUNTS	ATTEMPT/COMMIT
OFFENSES	01 4-21 Purchase by or sales to underaged persons	1	Completed

SUBJECT	JACKET/SUBJECT TYPE Adult Suspect		NAME (LAST, FIRST, MIDDLE, SUFFIX) CRESPO-KUYKENDALL, CHRISTIAN JOY								
	DOB 01/18/1982		AGE or AGE RANGE 39		ADDRESS (STREET, CITY, STATE, ZIP) 1944 POINSETTA DR ACWORTH, GA 30102						
	RACE White			SEX Female		HEIGHT or RANGE 5'07 5'07		WEIGHT or RANGE 210 210		HAIR Brown	EYE Brown
	DL NUMBER/STATE 2100789190 / NV			PRIMARY PHONE (470)315-5478			PHONE #2		PHONE #3		

SUBJECT	JACKET/SUBJECT TYPE Adult Suspect		NAME (LAST, FIRST, MIDDLE, SUFFIX) WATKINS, DELORIS ELAINE								
	DOB 11/18/1972		AGE or AGE RANGE 48		ADDRESS (STREET, CITY, STATE, ZIP) 343 RICHARDS RD NE WHITE, GA 30184						
	RACE White			SEX Female		HEIGHT or RANGE 5'5 5'5		WEIGHT or RANGE 135 135		HAIR Brown	EYE Green
	DL NUMBER/STATE 055154609 / GA			PRIMARY PHONE (404)434-4398			PHONE #2		PHONE #3		

SUBJECT	JACKET/SUBJECT TYPE Business Victim		NAME (LAST, FIRST, MIDDLE, SUFFIX) CITY OF CARTERSVILLE,								
	DOB		AGE or AGE RANGE		ADDRESS (STREET, CITY, STATE, ZIP) 1 N ERWIN ST SE CARTERSVILLE, GA 30120						
	RACE			SEX		HEIGHT or RANGE		WEIGHT or RANGE		HAIR	EYE
	DL NUMBER/STATE			PRIMARY PHONE (770)387-7404			PHONE #2		PHONE #3		

REPORTING OFFICER 147 Payne	DATE 02/03/2021	REVIEWED BY Belcher, A.L.	DATE 02/05/2021
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CARTERSVILLE POLICE DEPARTMENT
FIELD CASE REPORT

CASE# 2021-00001951

ADDITIONAL SUBJECTS

SUBJECT	JACKET/SUBJECT TYPE	NAME (LAST, FIRST, MIDDLE, SUFFIX)					
	Adult Complainant	PAYNE, A D					
	DOB	AGE or AGE RANGE	ADDRESS (STREET, CITY, STATE, ZIP)				
			195 CASSVILLE RD SE CARTERSVILLE, GA 30120				
	RACE	SEX	HEIGHT or RANGE	WEIGHT or RANGE	HAIR	EYE	
	DL NUMBER/STATE	PRIMARY PHONE	PHONE #2	PHONE #3			
		(770)382-2526					

SUBJECT	JACKET/SUBJECT TYPE	NAME (LAST, FIRST, MIDDLE, SUFFIX)					
	DOB	AGE or AGE RANGE	ADDRESS (STREET, CITY, STATE, ZIP)				
	RACE	SEX	HEIGHT or RANGE	WEIGHT or RANGE	HAIR	EYE	
	DL NUMBER/STATE	PRIMARY PHONE	PHONE #2	PHONE #3			

SUBJECT	JACKET/SUBJECT TYPE	NAME (LAST, FIRST, MIDDLE, SUFFIX)					
	DOB	AGE or AGE RANGE	ADDRESS (STREET, CITY, STATE, ZIP)				
	RACE	SEX	HEIGHT or RANGE	WEIGHT or RANGE	HAIR	EYE	
	DL NUMBER/STATE	PRIMARY PHONE	PHONE #2	PHONE #3			

SUBJECT	JACKET/SUBJECT TYPE	NAME (LAST, FIRST, MIDDLE, SUFFIX)					
	DOB	AGE or AGE RANGE	ADDRESS (STREET, CITY, STATE, ZIP)				
	RACE	SEX	HEIGHT or RANGE	WEIGHT or RANGE	HAIR	EYE	
	DL NUMBER/STATE	PRIMARY PHONE	PHONE #2	PHONE #3			

SUBJECT	JACKET/SUBJECT TYPE	NAME (LAST, FIRST, MIDDLE, SUFFIX)					
	DOB	AGE or AGE RANGE	ADDRESS (STREET, CITY, STATE, ZIP)				
	RACE	SEX	HEIGHT or RANGE	WEIGHT or RANGE	HAIR	EYE	
	DL NUMBER/STATE	PRIMARY PHONE	PHONE #2	PHONE #3			

REPORTING OFFICER	DATE	REVIEWED BY	DATE
147 Payne	02/03/2021	Belcher, A.L.	02/05/2021

CARTERSVILLE POLICE DEPARTMENT

FIELD CASE REPORT

CASE# 2021-00001951

NARRATIVE

On Wednesday, February 3, 2021, between the hours of 1700-2200, the Cartersville Police Department's Criminal Investigation Division conducted alcohol license compliance checks at businesses within the City Of Cartersville.

During the compliance checks, multiple businesses were checked for their compliance with the regulations for identifying and selling alcohol to minors. During the compliance check, Christian Crespo-Kuykendall and Deloris Watkins were both working as bartenders at The Page, 212 S. Tennessee St. Mrs. Watkins and Ms. Crespo-Kuykendall were observed selling alcohol to an underage minor, not checking or asking for identification. Mrs. Watkins asked the underage minor what she wanted to drink, while Ms. Crespo-Kuykendall was standing next to her. The underage minor stated a Budlight, and Ms. Crespo-Kuykendall was observed going to the cooler and retrieving said drink. Mrs. Watkins then cashed out the minor.

Mrs. Watkins and Ms. Crespo-Kuykendall were both issued a misdemeanor citation form for Sale of Alcohol to Minor, City Ordinance 4-21; citation # 2021-1951, due to both of their roles in the sale of alcohol to the underage minor.

A copy of the citation was attached to the case file.

Nothing further.

REPORTING OFFICER

147 Payne

DATE

02/03/2021

REVIEWED BY

Belcher, A.L.

DATE

02/05/2021



Cartersville Police Department

Criminal Investigation Division

Investigative Summary

Case Number : 2021-1951
Investigator : Payne, A.D.
Date : 02/03/2021
Reference : Alcohol Purchase from The Page

On Wednesday, February 3, 2021, Sgt. Belcher, Sgt. Hichez, Inv. Herron, Inv. Reed and I, conducted an alcohol license compliance check at The Page Bar, 212 S Tennessee St., Cartersville, GA. The compliance check was conducted utilizing Confidential Informant (CI) #21-05 (an underage cooperating citizen). Prior to the operation, the CI and his/her vehicle were searched for contraband, and none was located. The CI was checked for personal money and found to have none. The CI was issued \$10 of government funds and equipped with an audio/video recording device. The CI was instructed to enter the business and attempt to purchase alcohol at the bar. Sgt. Belcher and I monitored a live video feed nearby.

At 9:29 P.M., the CI entered the business and sat directly at the bar. At 9:30 P.M., Mrs. Watkins asked the underage minor what she wanted to drink, while Ms. Crespo-Kuykendall was standing next to her. The underage minor stated a Bud Light, and Ms. Crespo-Kuykendall was observed going to the cooler and retrieving said drink. Mrs. Watkins then cashed out the minor and gave her a receipt. The CI paid a total of \$3.21 for the Bud Light. The CI left the business and met with Investigators at a prearranged location. Physical and technical surveillance was maintained throughout the entirety of the operation.

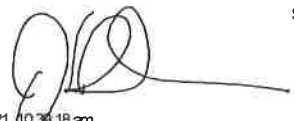
Sgt. Belcher, Inv. Reed, and I, made contact with Mrs. Watkins and Ms. Crespo-Kuykendall, Sgt. Belcher explained the alcohol license compliance check and alcohol license regulations to them. Mrs. Watkins and Ms. Crespo-Kuykendall were both issued a misdemeanor citation form for Sale of Alcohol to Minor, City Ordinance 4-21; citation # 2021-1951, due to both of their roles in the sale of alcohol to the underage minor.

I met with the CI and recovered the remaining government funds that he/she was provided. I also recovered the audio/video recording device from the CI. The video footage was entered into evidence. The remaining government funds and a voucher were turned over to Sgt. Belcher at the conclusion of the operation.

This case is cleared by arrest.

 ^{SgPlus1}
02/18/2021 10:23:20 am

Reporting Investigator Signature / Date

 ^{SgPlus2}
02/18/2021 10:38:18 am

Approving Supervisor Signature / Date

ville F

The Page Bar And Grill

The Page Bar And Grill Main Store
gator_n_bait@yahoo.com

V

Receipt of Purchase(Exc 02/03/2021 9:31:05 pm

Tax)
Staff
Device

Deloris
Till2

1-10

PRODUCT	PRICE	QTY	TOTAL
Bud Light	\$3.00	1	\$3.00
Total Qty		1	

Sub Total \$3.00
 Tax \$0.21
Total \$3.21

Purc

TENDER AMOUNT
 Cash \$10.00
 - Change \$6.79

TAX RATE PERCENTAGE TAX
 Sales tax 7.00% \$0.21

Please retain your receipt for refunds within 14 days from the date of purchase

Thank you for shopping with us

2

as



RECB0002JDJC7JHQTFUO

21

STATE OF GEORGIA
UNIFORM CITATION, ACCUSATION & SUMMONS

GA 0080100

NCIC NUMBER

CITATION NUMBER

2021-1951 A

COURT COPY

Page 1 of 2

COUNTY OF BARTOW	AGENCY CARTERSVILLE P.D.	LATITUDE	AGENCY INCIDENT / CASE NO 2021-1951
CITY OF (IF APPLICABLE) CARTERSVILLE		LONGITUDE	COURT CASE NUMBER 21000 131
DAY OF WEEK WEDNESDAY	MONTH FEBRUARY	DAY 03	YEAR 2021
LOCATION OF OCCURRENCE 212 S TENNESSEE STREET			LOCATION DESCRIPTION THE PAGE BAR

PERSON(S)

DEFENDANT	NAME (FIRST) DELORES	NAME (MIDDLE) ELAINE	NAME (LAST) WATKINS	DATE OF BIRTH & AGE 11/18/1972 41	JUV	R W	S F	HGT 605	WGT 135	HAIR BRO	EYES GRN
	DOB	PLACE OF BIRTH	DLN / ID NUMBER 058154809	STATE GA	TYPE OF ID	ID EXPIRES 08/03/2022	ENDORSEMENTS				
	SCARS/MARKS/TATTOOS										
	STREET 343 RICHARDS RD	CITY WHITE	STATE GA	ZIP CODE 30184	PROBATION / PAROLE <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No						
	DATE OF ARREST 02/03/2021	LOCATION OF ARREST 212 S TENNESSEE ST									
	DEFENDANT EMAIL	DEFENDANT CELL # 404-434-4398									

VEHICLE(s)

TAG / REG	STATE	EXPIRATION	VIN	YEAR	MAKE	MODEL / COLOR
-----------	-------	------------	-----	------	------	---------------

CHARGE(S)

IN VIOLATION OF <input type="checkbox"/> GEORGIA CODE	VIOLATION LEVEL <input checked="" type="checkbox"/> MUST APPEAR BEFORE JUDGE
CODE SECTION	CODE DESCRIPTION
IN VIOLATION OF <input type="checkbox"/> COUNTY ORDINANCE	<input checked="" type="checkbox"/> CITY ORDINANCE
CODE SECTION	CODE DESCRIPTION
4-21	SALES TO UNDERAGE PERSON

NARRATIVE(S)

The undersigned certifies and swears that he/she has just and reasonable grounds to believe that the above named Defendant did commit, at the place and time aforementioned, the above violation(s) of law.

SHORT NARRATIVE DESCRIPTION

SAID ACCUSED DID SELL A DRAFT BUD LIGHT (AN ALCOHOLIC BEVERAGE) TO AN UNDERAGE PERSON.

OFFICER NAME PAYNE, A.D.	OFFICER'S SIGNATURE <i>Payne AD</i>
ID NO 147	ORGANIZATION / UNIT CID

COURT INFORMATION

YOU ARE HEREBY ORDERED TO APPEAR BEFORE / REPORT TO THE

CARTERSVILLE MUNICIPAL COURT
 178 WEST MAIN STREET
 CARTERSVILLE GEORGIA 30120

PHONE: (770)607-6307

DEFENDANT SIGNATURE:

[Handwritten Signature]

COURT DATE: 07/12/2021

COURT TIME: 0300 PM

To answer to the above charge. Your failure to appear shall result in a warrant issued for your arrest to be brought to court to answer the charge(s) above. By my signature, I authorize the court or a third party on their behalf to send text messages or phone calls to my cell phone to convey information regarding court appearances. I understand that standard text messaging rates will apply. I also understand that I may revoke this permission in writing.

STATE OF GEORGIA
CITATION, ACCUSATION, & SUMMONS
GA 0080100 NCIC NUMBER
CITATION NUMBER
2021-1951

DEFENDANT COPY

NOTICE TO APPEAR

If you do NOT sign the summons, you may be arrested and held in custody until bail is determined.

You have been served with a citation and summons. Signing the summons is not agreement with the charge or the information contained on the front of this citation. It is an agreement to appear at the time and place shown on the summons. By signing the summons and providing your e-mail address and/or cellular phone number, you agree that the court may use these, in addition to your address, to contact you. **If you do not appear in court to answer the charge, a warrant will be issued for your arrest.**

SPECIAL CONDITIONS

All charges require that you DO NOT VIOLATE THE LAW WHILE YOUR CASE IS BEING RESOLVED.

If you are charged with a violation of O.C.G.A. § 16-7-21 (CRIMINAL TRESPASS); O.C.G.A. § 16-8-14 (THEFT BY SHOPLIFTING); or O.C.G.A. § 16-8-14.1 (REFUND FRAUD), the Court requires that you:

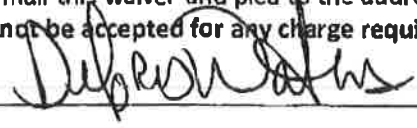
- 1) DO NOT RETURN TO THE LOCATION WHERE THE OFFENSE IS ALLEGED TO HAVE HAPPENED; &
- 2) DO NOT HAVE CONTACT WITH ANY VICTIM(S) OR WITNESS(ES) NAMED IN THE CITATION;

These conditions remain in place until the Court modifies the conditions of your release or your charges are disposed of.

If you are to be released, any additional Bond Procedures will be explained to you.

WAIVER AND PLEA OF GUILTY FOR CHARGES NOT REQUIRING A COURT APPEARANCE
[DOES NOT APPLY IF "MUST APPEAR BEFORE JUDGE" BOX ON REVERSE SIDE IS CHECKED]

I, the undersigned, do hereby enter my written, rather than personal appearance in the court case resulting from the charge on the reverse side of this citation. I understand that by paying my fine and not personally appearing before the court I am waiving any right that I might have had to a trial by judge or jury and to be represented by counsel. I further understand that by paying the fine, I have pled guilty to the offense as charged. I further agree to mail this waiver and plea to the address shown below or to deliver it in person to the court. **This waiver will not be accepted for any charge requiring a court appearance before a judge.**

SIGNATURE OF ACCUSED  DATE 2-3-21
SIGNATURE OF ATTORNEY _____ BAR NO _____

HOW TO CONTACT THE COURT

Requests to continue a case or change a court date must be in writing only, received prior to the court date, and approved by the court. You CANNOT be imprisoned solely for inability to pay a fine, but you MAY face imprisonment for failing to appear at a scheduled court date.

[Each agency should insert specific appearance instruction here and may include: methods for contacting the court, website information, map diagrams, any alternative dispute resolution which may be available, e-filing options, or procedures for resolving court conflicts or signing up for electronic notifications from the court.]

STATE OF GEORGIA
CITATION, ACCUSATION, & SUMMONS
GA 0080100 NC# NUMBER
CITATION NUMBER

COURT COPY

2021-19

ARRESTING OFFICER CERTIFICATE

The undersigned, being duly sworn upon his/her oath, deposes and states that s/he has just and reasonable grounds to believe, and does believe, that the person named on the reverse side committed the offense therein set forth, contrary to the law.

Sworn and subscribed before me this 03 day of February, 2023.

Notary Public
JANE SHIAN
CLERK
COUNTY

Officer Payre AD

Badge # 147

PROSECUTING OFFICIAL CERTIFICATE

IN THE _____ COURT OF _____

On behalf of the people of the State of Georgia, the undersigned, as prosecuting attorney for the city or county and state aforesaid, does hereby charge and accuse the person named on the reverse side of this citation with the offense named on the reserve side of this citation and that said offense was committed in the city/county and at the location named and at the time named on the reverse side of this citation. This offense was committed contrary to the laws of this state, the good order, peace and dignity thereof.

DISTRICT ATTORNEY/SOLICITOR/PROSECUTING OFFICIAL _____

APPEARANCE, PLEA, AND WAIVER

I, _____ have been advised that I am being charged with the offense named on the reserve side of this citation and that the minimum punishment that I can receive is _____ months imprisonment and/or a \$ _____ fine; and that the maximum punishment that I can receive is _____ months imprisonment and/or a \$ _____ fine. I have been advised of my rights to be represented by an attorney or that an attorney will be provided for me if I am determined to be indigent; to plead not guilty and be tried by a judge or jury; to confront the witnesses against me; and to not give incriminating evidence against myself. I hereby waive these rights; state that I have not been induced by any threat or promise to enter this plea, and do freely and voluntarily enter my plea.

This _____ day of _____, 20____.

ACCUSED _____
ATTORNEY _____

As Judge of the _____ COURT of _____, I have advised the above named accused as indicated of his/her rights, the nature of the charge against him/her, and possible consequences of the plea as entered. I am satisfied that there is a factual basis for the plea which the accused has entered and that it was entered freely and voluntarily with the nature of the charge and the consequences of the plea.

JUDGE _____

DISPOSITION AND SENTENCE

COURT: _____ COURT DATE: _____ CASE #: _____

DEFENDANT PLEA: GUILTY NOT GUILTY NOLO CONTENDERE IN PERSON BY MAIL

TRIAL: JURY NON-JURY BENCH VERDICT: GUILTY NOT GUILTY ATTORNEY: _____

OTHER ACTION: BOND FORFEITURE NOL PROS NO RECORD DEAD DOCKET DISMISSED

1st OFFENDER CONDITIONAL DISCHARGE

SENTENCE: Fine / Fee \$ _____ Probation _____

CONDITIONS/OTHER: _____

JUDGE: _____

[Each agency should insert specific appearance instruction here and may include: methods for contacting the court, website information, map diagrams, any alternative dispute resolution which may be available, e-filing options, or procedures for resolving court conflicts or signing up for electronic notifications from the court.]

**STATE OF GEORGIA
UNIFORM CITATION, ACCUSATION & SUMMONS
GA0080100 NCIC NUMBER**

CITATION NUMBER
2021-1951

COURT COPY

Page 1 of 2

COUNTY OF BARTOW	AGENCY CARTERSVILLE P.D.	LATITUDE	AGENCY INCIDENT/ CASE NO 2021-1951
CITY OF (IF APPLICABLE) CARTERSVILLE		LONGITUDE	COURT CASE NUMBER 21000130
DAY OF WEEK WEDNESDAY	MONTH FEBRUARY	DAY 03	YEAR 2021
TIME OF DAY 2140			LOCATION OF OCCURRENCE 212 S TENNESSEE STREET
LOCATION DESCRIPTION THE PAGE BAR			

PERSON(S)

DEFENDANT	NAME (FIRST) CHRISTIAN	NAME (MIDDLE) JOY	NAME (LAST) CRESPO-KUYKENDALL	DATE OF BIRTH & AGE 01/18/1982 39	JUV	R	S	HGT	WGT	HAIR	EYES	
	DTN	PLACE OF BIRTH		DLN/ID NUMBER 2100789190	STATE NV	TYPE OF I.D. ID	ID EXPIRES 01/18/2025					
	SCARS/MARKS/TATTOOS				ENDORSEMENTS							
	STREET 1944 POINSATTE DRIVE				CITY ACWORTH	STATE GA	ZIP CODE 30102	PROBATION/PAROLE <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No				
DATE OF ARREST 02/03/2021				LOCATION OF ARREST 212 S TENNESSEE ST								
DEFENDANT EMAIL				DEFENDANT CELL # 470-316-5478								

VEHICLE(S)

TAG / REG	STATE	EXPIRATION	VIN	YEAR	MAKE	MODEL / COLOR
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CHARGE(S)

IN VIOLATION OF <input type="checkbox"/> GEORGIA CODE CODE SECTION	CODE DESCRIPTION	VIOLATION LEVEL <input checked="" type="checkbox"/> MUST APPEAR BEFORE JUDGE
IN VIOLATION OF <input type="checkbox"/> COUNTY ORDINANCE CODE SECTION	<input checked="" type="checkbox"/> CITY ORDINANCE CODE DESCRIPTION 4-21 SALES TO UNDERAGE PERSON	

NARRATIVE(S)

The undersigned certifies and swears that he/she has just and reasonable grounds to believe that the above named Defendant did commit, at the place and time aforementioned, the above violation(s) of law.

SHORT NARRATIVE DESCRIPTION
SAID ACCUSED DID SELL A DRAFT BUD LIGHT (AN ALCOHOLIC BEVERAGE) TO AN UNDERAGE PERSON.

OFFICER NAME PAYNE, A.D.	OFFICER'S SIGNATURE <i>Payne AD #147</i>
ID NO 147	ORGANIZATION / UNIT CID

COURT INFORMATION

YOU ARE HEREBY ORDERED TO APPEAR BEFORE / REPORT TO THE CARTERSVILLE MUNICIPAL COURT 178 WEST MAIN STREET CARTERSVILLE GEORGIA 30120	DEFENDANT SIGNATURE: <i>[Signature]</i>
PHONE: (770)607-6307	COURT DATE: 07/12/2021
	COURT TIME: 0300 PM

To answer to the above charge. Your failure to appear shall result in a warrant issued for your arrest to be brought to court to answer the charge(s) above. By my signature, I authorize the court or a third party on their behalf to send text messages or phone calls to my cell phone to convey information regarding court appearances. I understand that standard text messaging rates will apply. I also understand that I may revoke this permission in writing at any time.

STATE OF GEORGIA
CITATION, ACCUSATION, & SUMMONS
GA 0080100 NCIC NUMBER
CITATION NUMBER
2021-1951

DEFENDANT COPY
NOTICE TO APPEAR

If you do NOT sign the summons, you may be arrested and held in custody until bail is determined.

You have been served with a citation and summons. Signing the summons is not agreement with the charge or the information contained on the front of this citation. It is an agreement to appear at the time and place shown on the summons. By signing the summons and providing your e-mail address and/or cellular phone number, you agree that the court may use these, in addition to your address, to contact you. **If you do not appear in court to answer the charge, a warrant will be issued for your arrest.**

SPECIAL CONDITIONS

All charges require that you DO NOT VIOLATE THE LAW WHILE YOUR CASE IS BEING RESOLVED.

If you are charged with a violation of O.C.G.A. § 16-7-21 (CRIMINAL TRESPASS); O.C.G.A. § 16-8-14 (THEFT BY SHOPLIFTING); or O.C.G.A. § 16-8-14.1 (REFUND FRAUD), the Court requires that you:

- 1) DO NOT RETURN TO THE LOCATION WHERE THE OFFENSE IS ALLEGED TO HAVE HAPPENED; &
- 2) DO NOT HAVE CONTACT WITH ANY VICTIM(S) OR WITNESS(ES) NAMED IN THE CITATION;

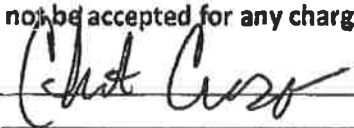
These conditions remain in place until the Court modifies the conditions of your release or your charges are disposed of.

If you are to be released, any additional Bond Procedures will be explained to you.

WAIVER AND PLEA OF GUILTY FOR CHARGES NOT REQUIRING A COURT APPEARANCE
[DOES NOT APPLY IF "MUST APPEAR BEFORE JUDGE" BOX ON REVERSE SIDE IS CHECKED]

I, the undersigned, do hereby enter my written, rather than personal appearance in the court case resulting from the charge on the reverse side of this citation. I understand that by paying my fine and not personally appearing before the court I am waiving any right that I might have had to a trial by judge or jury and to be represented by counsel. I further understand that by paying the fine, I have pled guilty to the offense as charged. I further agree to mail this waiver and plea to the address shown below or to deliver it in person to the court. **This waiver will not be accepted for any charge requiring a court appearance before a judge.**

SIGNATURE OF ACCUSED
SIGNATURE OF ATTORNEY



DATE 2/3/21
BAR NO _____

HOW TO CONTACT THE COURT

Requests to continue a case or change a court date must be in writing only, received prior to the court date, and approved by the court. You CANNOT be imprisoned solely for inability to pay a fine, but you MAY face imprisonment for failing to appear at a scheduled court date.

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STATE OF GEORGIA
CITATION, ACCUSATION, & SUMMONS
GA 0080100 NCIC NUMBER
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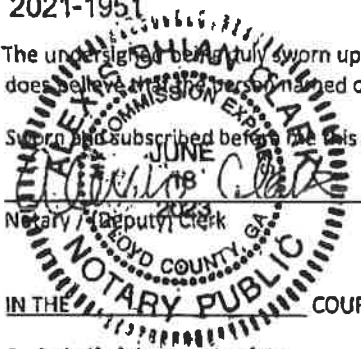
COURT COPY

2021-1951

ARRESTING OFFICER CERTIFICATE

The undersigned being duly sworn upon his/her oath, deposes and states that s/he has just and reasonable grounds to believe, and does believe that the person named on the reverse side committed the offense therein set forth, contrary to the law.

Sworn and subscribed before me this 03 day of February.
Notary / (deputy) Clerk _____ Officer Payne AD Badge # 147



PROSECUTING OFFICIAL CERTIFICATE

IN THE _____ COURT OF _____

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This _____ day of _____, 20 _____.

ACCUSED _____
ATTORNEY _____

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