



**BLAKELY CITY COUNCIL
MINUTES**

JANUARY 28, 2016

CITY HALL

10:00A.M.

I) Public Hearing Pokey's Event Center

The City Attorney, Tommy Coleman, stated that this appeal is for the revocation of the business license for Pokey's Event Center. The Attorney briefly went through the different items that brought about the revocation. He also briefly went through the Event Center Ordinance. He stated that Mr. Johnson did have legal representation. The Mayor then asked the Mr. Coleman to explain the public hearing procedures. Mr. Coleman gave that explanation and then stated that after Mr. Johnson's case was presented the Council would enter Executive Session to discuss the matter and return to make their decision.

Mr. Johnson's attorney, Joe Wiley, spoke to the Council regarding this issue. He stated that Mr. Johnson's position was that he was not a participant in the items addressed, (explicit flyer of adult entertainment and alcohol without a license.) He then went over the items mentioned in the letter. He stated that the flyers had not been seen by Mr. Johnson and that this conduct did not take place in the center. He reiterated this fact. He stated that due to illness Mr. Johnson had been unable to supervise the November 6, 2015 function. He then stated that Mr. Johnson does acknowledge that there was misconduct at that time. He stated that on Nov. 6, Mr. Johnson closed down the function before any alcohol had been sold or served after receiving a phone call that alcohol was present. He stated that Mr. Johnson has learned from this violation and that he will supervise more closely. He then stated that Mr. Johnson will follow the Ordinance to the letter if the Council reversed their decision or revocation.

Mr. Wiley called Officer Blackmon to present statements in Mr. Johnson's defense. He questioned Officer Blackmon on Nov 6th specifically. Officer Blackmon stated that he was supposed to do security for the function. He stated that he had heard that alcohol was present. He was asked if Mr. Johnson had shut the function down before it had started, to which he answered "Yes." The Mayor then asked Officer Blackmon who had notified him of the alcohol present, to which Officer Blackmon replied that he wasn't notified but that he was supposed to do security for the function. The Mayor also questioned if Mr. Johnson was at the center or not, to which Officer Blackmon stated "No," and that he called Mr. Johnson, who was right around the corner. Councilman Middleton questioned if Mr. Johnson had cooperated, to which he responded "Yes." The City Attorney then read the incident report that Officer Blackmon had submitted which stated that he, Officer Blackmon, had shut the function down and seized all the alcohol. The City Attorney questioned again if all the alcohol, along with the non-taxed alcohol, was seized to which Officer Blackmon answered that they did.

Councilman Hutchins questioned the non-taxed alcohol. Officer Blackmon was then asked if anyone was cited, to which Officer Blackmon stated "No." He stated that he had asked the City Clerk about any Ordinance regarding untaxed alcohol. The City Attorney stated that untaxed alcohol is in State Law to which Officer Blackmon responded that he was looking for something in the City code. The City Attorney again stated that there is State Law regarding un-taxed alcohol. Mr. Wiley then readdressed Officer Blackmon and asked if Mr. Johnson was clearly aware that no alcohol should be at the function and if he was supportive of having no alcohol at the function and if any alcohol has been sold or served, to which Officer Blackmon responded that Mr. Johnson was supportive and that no alcohol has been sold. Mr. Wiley stated that he had no further witnesses and that if it was felt that no violations had taken place due to the fact that no alcohol was sold.

II) Call To Order, Roll Call, Invocation, Pledge Of Allegiance

Let the record show that the Mayor, Anthony Howard, Councilman Al Hutchins, Councilman Charles Middleton, Councilman Frank Thornton and Councilman James Crozier were present. Let the record show that the City Attorney, Tommy Coleman and the City Clerk, Melinda Crook were also present.

III) Executive Session – Legal Matter

A motion was made by Councilman Middleton and seconded by Councilman Crozier to enter into Executive Session for legal issues.

The Council entered back into regular session. A motion was made by Councilman Middleton and seconded by Councilman Crozier to reinstate Mr. Johnson’s Event Center license but that no alcoholic beverages are to be present for a period of 9 months and that Mr. Johnson will be held responsible for any alcoholic beverages on the premises during that 9 months. The motion carried unanimously by Councilman present.

IV) Adjournment

A motion was made by Councilman Middleton and seconded by Councilman Thornton to adjourn the January 28th Special Called Meeting. The motion carried unanimously by Councilman present.

Anthony Howard, Mayor