

**Vestavia Hills
City Council Agenda
October 29, 2018
Special Meeting
1:00 PM**

1. Call to Order
2. Roll Call
3. Invocation
4. Pledge Of Allegiance

Old Business

New Business

5. Resolution Number 5105 – Alcohol License – Slice 280 LLD D/B/A Slice Stone Pizza And Brew; 3104 Timberlake Drive; For The On-Premise Sale Of 020 – Restaurant Retail Liquor; Jeffrey B. Bajalieh, Jason B. Bajalieh And Christopher S. Bajalieh, Executives (*public hearing*)
6. Resolution Number 5108 – Alcohol License – Red Fish Vestavia, LLC D/B/A Wintzells Oyster House; 3142-3144 Heights Village For The On-Premise Sale Of 020 –Restaurant Retail Liquor; James Keith Hall And Frank Wayne Hall, Executives (*public hearing*)

New Business (Unanimous Consent Requested)

First Reading (No Action Taken At This Meeting)

7. Citizen Comments
8. Motion For Adjournment

RESOLUTION NUMBER 5105

**A RESOLUTION APPROVING ALCOHOL LICENSE
FOR SLICE 280 LLC D/B/A SLICE STONE PIZZA
AND BREW; JEFFREY S. BAJALIEH, JASON B.
BAJALIEH AND CHRISTOPHER S. BAJALEIH,
EXECUTIVES**

WHEREAS, the City Council of the City of Vestavia Hills, Alabama, approves the alcohol license for Slice 280 LLC d/b/a Slice Stone Pizza and Brew, located at 3104 Timberlake Drive, Vestavia Hills, Alabama, for the on-premise sale of 020 - Restaurant Retail Liquor; Jeffrey S. Bajalieh, Jason B. Bajalieh and Christopher S. Bajaleih, executives.

APPROVED and ADOPTED this the 29nd day of October, 2018.

Ashley C. Curry
Mayor

ATTESTED BY:

Rebecca Leavings
City Clerk



STATE OF ALABAMA
ALCOHOLIC BEVERAGE CONTROL BOARD
ALCOHOL LICENSE APPLICATION



Confirmation Number: 20181009141409800

Type License: 020 - RESTAURANT RETAIL LIQUOR **State:** \$300.00 **County:** \$300.00

Type License: **State:** **County:**

Trade Name: SLICE STONE PIZZA AND BREW **Filing Fee:** \$50.00

Applicant: SLICE 280 LLC **Transfer Fee:**

Location Address: 3104 TIMBERLAKE DRIVE VESTAVIA HILLS, AL 35243

Mailing Address: 5428 11TH AVE S BIRMINGHAM, AL 35222

County: JEFFERSON **Tobacco sales:** NO **Tobacco Vending Machines:**

Type Ownership: LLC

Book, Page, or Document info: 2017016765

Date Incorporated: 02/17/2017 **State incorporated:** AL **County Incorporated:** JEFFERSON

Date of Authority: 02/17/2017 **Alabama State Sales Tax ID:** R009366085

Federal Tax ID: 36-4687505

Name:	Title:	Date and Place of Birth:	Residence Address:
JEFFREY SAIED BAJALIEH 5919245 - AL	MEMBER	09/05/1974 BIRMINGHAM, AL	5428 11TH AVE S BIRMINGHAM, AL 35222
JASON BRIAN BAJALIEH 9327356 - AL	MEMBER	06/29/1980 BIRMINGHAM, AL	4342 CLAIRMONT AVE S BIRMINGHAM, AL 35222
CHRISTOPHER SALEH BAJALIEH 6073771 - AL	MEMBER	08/30/1976 BIRMINGHAM, AL	5016 10TH COURT S BIRMINGHAM, AL 35222

Has applicant complied with financial responsibility ABC RR 20-X-5-.14? YES

Does ABC have any actions pending against the current licensee? NO

Has anyone, including manager or applicant, had a Federal/State permit or license suspended or revoked? NO

Has a liquor, wine, malt or brewed license for these premises ever been denied, suspended, or revoked? NO

Are the applicant(s) named above, the only person(s), in any manner interested in the business sought to be licensed? NO

Are any of the applicants, whether individual, member of a partnership or association, or officers and directors of a corporation itself, in any manner monetarily interested, either directly or indirectly, in the profits of any other class of business regulated under authority of this act? NO

Does applicant own or control, directly or indirectly, hold lien against any real or personal property which is rented, leased or used in the conduct of business by the holder of any vinous, malt or brewed beverage, or distilled liquors permit or license issued under authority of this act? NO

Is applicant receiving, either directly or indirectly, any loan, credit, money, or the equivalent thereof from or through a subsidiary or affiliate or other licensee, or from any firm, association or corporation operating under or regulated by the authority of this act? NO

Contact Person: JASON BAJALIEH

Business Phone: 205-966-9847

Fax:

Home Phone: 205-966-9847

Cell Phone: 205-966-9847

E-mail: JASON@SLICEBIRMINGHAM.COM

PREVIOUS LICENSE INFORMATION:

Trade Name:

Applicant:

Previous License Number(s)

License 1:

License 2:



STATE OF ALABAMA
ALCOHOLIC BEVERAGE CONTROL BOARD
ALCOHOL LICENSE APPLICATION



Confirmation Number: 20181009141409800

If applicant is leasing the property, is a copy of the lease agreement attached? **YES**
 Name of Property owner/lessor and phone number: 3104 TIMBERLAKE, LLC 205-966-9847
 What is lessors primary business? **PROPERTY OWNER**
 Is lessor involved in any way with the alcoholic beverage business? **YES**
 Is there any further interest, or connection with, the licensee's business by the lessor? **NO**

Does the premise have a fully equipped kitchen? **YES**
 Is the business used to habitually and principally provide food to the public? **YES**
 Does the establishment have restroom facilities? **YES**
 Is the premise equipped with services and facilities for on premises consumption of alcoholic beverages? **YES**

Will the business be operated primarily as a package store? **NO**
 Building Dimensions Square Footage: 2800 Display Square Footage:
 Building seating capacity: 130 Does Licensed premises include a patio area? **YES**
 License Structure: **SINGLE STRUCTURE** License covers: **ENTIRE STRUCTURE**
 Location is within: **CITY LIMITS** Police protection: **CITY**

Has any person(s) with any interest, including manager, whether as sole applicant, officer, member, or partner been charged (whether convicted or not) of any law violation(s)?

Name:	Violation & Date:	Arresting Agency:	Disposition:
JASON BAJALIEH	POSSESSION OF MARIJUANA 2ND DEGREE 03/01/2008	VESTAVIA HILLS PD	DISMISSED
JASON BAJALIEH	POSSESSION OF MARIJUANA 1ST DEGREE 06/06/2000	TUSCALOOSA CO SO	PARDONED
CHRISTOPHER BAJALIEH	POSSESSION OF CONTROLLED SUBSTANCE 8/04/2005	BIRMINGHAM PD	ATTENDED CLASSES



STATE OF ALABAMA ALCOHOLIC BEVERAGE CONTROL BOARD ALCOHOL LICENSE APPLICATION



Confirmation Number: 20181009141409800

Initial each

Signature page

JB

In reference to law violations, I attest to the truthfulness of the responses given within the application.

JB

In reference to the Lease/property ownership, I attest to the truthfulness of the responses given within the application.

JB

In reference to ACT No. 80-529, I understand that if my application is denied or discontinued, I will not be refunded the filing fee required by this application.

In reference to Special Retail or Special Events retail license, I agree to comply with all applicable laws and regulations concerning this class of license, and to observe the special terms and conditions as indicated within the application.

In reference to the Club Application information, I attest to the truthfulness of the responses given within the application.

In reference to the transfer of license/location, I attest to the truthfulness of the information listed on the attached transfer agreement.

JB

In accordance with Alabama Rules & Regulations 20-X-5-.01(4), any social security number disclosed under this regulation shall be used for the purpose of investigation or verification by the ABC Board and shall not be a matter of public record.

JB

The undersigned agree, if a license is issued as herein applied for, to comply at all times with and to fully observe all the provisions of the Alabama Alcoholic Beverage Control Act, as appears in Code of Alabama, Title 28, and all laws of the State of Alabama relative to the handling of alcoholic beverages.

The undersigned, if issued a license as herein requested, further agrees to obey all rules and regulations promulgated by the board relative to all alcoholic beverages received in this State. The undersigned, if issued a license as herein requested, also agrees to allow and hereby invites duly authorized agents of the Alabama Alcoholic Beverage Control Board and any duly commissioned law enforcement officer of the State, County or Municipality in which the license premises are located to enter and search without a warrant the licensed premises or any building owned or occupied by him or her in connection with said licensed premises. The undersigned hereby understands that he or she violate any provisions of the aforementioned laws his or her license shall be subject to revocation and no license can be again issued to said licensee for a period of one year. The undersigned further understands and agrees that no changes in the manner of operation and no deletion or discontinuance of any services or facilities as described in this application will be allowed without written approval of the proper governing body and the Alabama Alcoholic Beverage Control Board.

JB

I hereby swear and affirm that I have read the application and all statements therein and facts set forth are true and correct, and that the applicant is the only person interested in the business for which the license is required.

Applicant Name (print): Jason Bajalich

Signature of Applicant: *Jason Bajalich*

Notary Name (print): Valencio Johnson

Notary Signature: *Valencio Johnson*

Commission expires: 4/22/22

Application Taken:

App. Inv. Completed:

Forwarded to District Office:

Submitted to Local Government:

Received from Local Government:

Received in District Office:

Reviewed by Supervisor:

Forwarded to Central Office:

INTEROFFICE MEMORANDUM

DATE: October 17, 2018

TO: Dan Rary, Police Chief

FROM: Rebecca Leavings, City Clerk

RE: Alcohol License Request – 020 - Restaurant Retail Liquor

Please find attached information submitted by Jeffrey S. Bajalieh, Jason B. Bajalieh and Christopher S. Bajaleih who request an alcohol license to sell 020 - Restaurant Retail Liquor at the Slice Stone Pizza and Brew d/b/a Slice 280 LLC, 3104 Timberlake Drive, Vestavia Hills, Alabama.

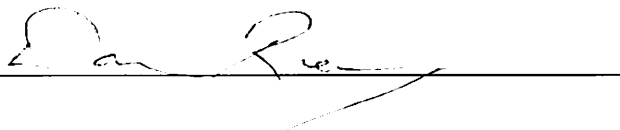
I am scheduling this case to be heard by the City Council on 22nd day of October, 2018 at 6:00 PM (Monday). Please advise me of your recommendation for this license. If you have any questions, please contact me.

Reply

I have reviewed the available background information on the above referenced applicant and submit the following to the City Council:

	<i>Application cleared by P.D. This indicates that there are NO convictions for drug trafficking, convictions regarding arrest involving danger to children, weapon charges, violent felony crimes against persons, felony sexual offenses or habitual alcohol related arrests</i>
✓	<i>Needs further review. This indicates that the Police Chief has found records of some convictions of alcohol related arrests</i>
	<i>Does not recommend. This indicates that the Police Chief has found records of convictions for drug trafficking, convictions regarding arrest involving danger to children, weapon charges, violent felony crimes against persons, felony sexual offenses or habitual alcohol related arrests</i>

Reviewed: _____



RESOLUTION NUMBER 5108

**A RESOLUTION APPROVING ALCOHOL LICENSE
FOR RED FISH VESTAVIA LLC D/B/A WINTZELLS
OYSTER HOUSE; JAMES KEITH HALL AND
FRANK WAYNE HALL, EXECUTIVES**

WHEREAS, the City Council of the City of Vestavia Hills, Alabama, approves the alcohol license for Red Fish Vestavia LLC d/b/a Wintzells Oyster House, located at 3142 through 3144 Heights Village, Vestavia Hills, Alabama, for the on-premise sale of 020 - Restaurant Retail Liquor; James Keith Hall and Frank Wayne Hall, executives.

APPROVED and ADOPTED this the 29th day of October, 2018.

Ashley C. Curry
Mayor

ATTESTED BY:

Rebecca Leavings
City Clerk



STATE OF ALABAMA ALCOHOLIC BEVERAGE CONTROL BOARD ALCOHOL LICENSE APPLICATION



Confirmation Number: 20181022153057557

Type License: 020 - RESTAURANT RETAIL LIQUOR

State: \$300.00 **County:** \$300.00

Type License:

State: **County:**

Trade Name: WINTZELLS OYSTER HOUSE

Filing Fee: \$50.00

Applicant: RED FISH VESTAVIA LLC

Transfer Fee:

Location Address: 3142 THROUGH 3144 HEIGHTS VILLAGE VESTAVIA HILLS, AL 35243

Mailing Address: 7318 PARKWAY DRIVE LEEDS, AL 35094

County: JEFFERSON **Tobacco sales:** NO

Tobacco Vending Machines:

Type Ownership: LLC

Book, Page, or Document info: 2018094415

Date Incorporated: 09/07/2018 **State incorporated:** AL **County Incorporated:** JEFFERSON

Date of Authority: 09/07/2018 **Alabama State Sales Tax ID:** R010230160

Federal Tax ID: 831861765

Name:	Title:	Date and Place of Birth:	Residence Address:
JAMES KEITH HALL 5020720 - AL	OWNER	05/28/1967 BIRMINGHAM AL	7318 PARKWAY DRIVE LEEDS, AL 35094
FRANK WAYNE HALL 6539816 - AL	OWNER	06/17/1980 MOBILE AL	713 GROVE STREET HOMEWOOD, AL 35209

Has applicant complied with financial responsibility ABC RR 20-X-5-.14? YES

Does ABC have any actions pending against the current licensee? NO

Has anyone, including manager or applicant, had a Federal/State permit or license suspended or revoked? NO

Has a liquor, wine, malt or brewed license for these premises ever been denied, suspended, or revoked? NO

Are the applicant(s) named above, the only person(s), in any manner interested in the business sought to be licensed? YES

Are any of the applicants, whether individual, member of a partnership or association, or officers and directors of a corporation itself, in any manner monetarily interested, either directly or indirectly, in the profits of any other class of business regulated under authority of this act? NO

Does applicant own or control, directly or indirectly, hold lien against any real or personal property which is rented, leased or used in the conduct of business by the holder of any vinous, malt or brewed beverage, or distilled liquors permit or license issued under authority of this act? NO

Is applicant receiving, either directly or indirectly, any loan, credit, money, or the equivalent thereof from or through a subsidiary or affiliate or other licensee, or from any firm, association or corporation operating under or regulated by the authority of this act? NO

Contact Person: KEITH HALL

Home Phone: 205-369-2250

Business Phone: 251-303-6019

Cell Phone: 205-369-2250

Fax:

E-mail: KEITH@KEITHHALL.COM

PREVIOUS LICENSE INFORMATION:

Previous License Number(s)

Trade Name: FRESCO

License 1: 010384737

Applicant: BAMTEX LEISURE LLC

License 2:



STATE OF ALABAMA ALCOHOLIC BEVERAGE CONTROL BOARD ALCOHOL LICENSE APPLICATION

Confirmation Number: 20181022153057557

If applicant is leasing the property, is a copy of the lease agreement attached? YES

Name of Property owner/lessor and phone number: R AND R INVESTMENTS LLC 205-969-3108

What is lessors primary business? PROPERTY MANAGEMENT

Is lessor involved in any way with the alcoholic beverage business? NO

Is there any further interest, or connection with, the licensee's business by the lessor? NO

Does the premise have a fully equipped kitchen? YES

Is the business used to habitually and principally provide food to the public? YES

Does the establishment have restroom facilities? YES

Is the premise equipped with services and facilities for on premises consumption of alcoholic beverages? YES

Will the business be operated primarily as a package store? NO

Building Dimensions Square Footage: 3000 Display Square Footage:

Building seating capacity: 92 Does Licensed premises include a patio area? YES

License Structure: SHOPPING CENTER License covers: PORTION OF

Location is within: CITY LIMITS Police protection: CITY

Has any person(s) with any interest, including manager, whether as sole applicant, officer, member, or partner been charged (whether convicted or not) of any law violation(s)?

Name:	Violation & Date:	Arresting Agency:	Disposition:
JAMES KEITH HALL	FAILURE TO APPEAR - 10/24/2016	LEEDS POLICE DEPARTMENT	DISMISSED



STATE OF ALABAMA ALCOHOLIC BEVERAGE CONTROL BOARD ALCOHOL LICENSE APPLICATION



Confirmation Number: 20181022153057557

Initial each

Signature page

- FW* In reference to law violations, I attest to the truthfulness of the responses given within the application.
- FW* In reference to the Lease/property ownership, I attest to the truthfulness of the responses given within the application.
- FW* In reference to ACT No. 80-529, I understand that if my application is denied or discontinued, I will not be refunded the filing fee required by this application.
- X* In reference to Special Retail or Special Events retail license, I agree to comply with all applicable laws and regulations concerning this class of license, and to observe the special terms and conditions as indicated within the application.
- X* In reference to the Club Application information, I attest to the truthfulness of the responses given within the application.
- X* In reference to the transfer of license/location, I attest to the truthfulness of the information listed on the attached transfer agreement.
- FW* In accordance with Alabama Rules & Regulations 20-X-5-.01(4), any social security number disclosed under this regulation shall be used for the purpose of investigation or verification by the ABC Board and shall not be a matter of public record.
- FW* The undersigned agree, if a license is issued as herein applied for, to comply at all times with and to fully observe all the provisions of the Alabama Alcoholic Beverage Control Act, as appears in Code of Alabama, Title 28, and all laws of the State of Alabama relative to the handling of alcoholic beverages. The undersigned, if issued a license as herein requested, further agrees to obey all rules and regulations promulgated by the board relative to all alcoholic beverages received in this State. The undersigned, if issued a license as herein requested, also agrees to allow and hereby invites duly authorized agents of the Alabama Alcoholic Beverage Control Board and any duly commissioned law enforcement officer of the State, County or Municipality in which the license premises are located to enter and search without a warrant the licensed premises or any building owned or occupied by him or her in connection with said licensed premises. The undersigned hereby understands that he or she violate any provisions of the aforementioned laws his or her license shall be subject to revocation and no license can be again issued to said licensee for a period of one year. The undersigned further understands and agrees that no changes in the manner of operation and no deletion or discontinuance of any services or facilities as described in this application will be allowed without written approval of the proper governing body and the Alabama Alcoholic Beverage Control Board.
- FW* I hereby swear and affirm that I have read the application and all statements therein and facts set forth are true and correct, and that the applicant is the only person interested in the business for which the license is required.

Applicant Name (print): *Frank Hall Sr*

Signature of Applicant: *[Handwritten Signature]*

Notary Name (print): *Wendy Abbott*

Notary Signature: *Wendy Abbott*

Commission expires: *10-4-22*

Application Taken:	App. Inv. Completed:	Forwarded to District Office:
Submitted to Local Government:		Received from Local Government:
Received in District Office:	Reviewed by Supervisor:	Forwarded to Central Office:

INTEROFFICE MEMORANDUM

DATE: October 25, 2018

TO: Dan Rary, Police Chief

FROM: Rebecca Leavings, City Clerk

RE: Alcohol License Request – 020 - Restaurant Retail Liquor

Please find attached information submitted by James Keith Hall and Frank Wayne Hall who request an alcohol license to sell 020 - Restaurant Retail Liquor at the Red Fish Vestavia LLC d/b/a Wintzells Oyster House, 3142 through 3144 Heights Village, Vestavia Hills, Alabama.

I am scheduling this case to be heard by the City Council on 29th day of October, 2018 at 6:00 PM (Monday). Please advise me of your recommendation for this license. If you have any questions, please contact me.

Reply

I have reviewed the available background information on the above referenced applicant and submit the following to the City Council:

✓	<i>Application cleared by P.D. This indicates that there are NO convictions for drug trafficking, convictions regarding arrest involving danger to children, weapon charges, violent felony crimes against persons, felony sexual offenses or habitual alcohol related arrests</i>
	<i>Needs further review. This indicates that the Police Chief has found records of some convictions of alcohol related arrests</i>
	<i>Does not recommend. This indicates that the Police Chief has found records of convictions for drug trafficking, convictions regarding arrest involving danger to children, weapon charges, violent felony crimes against persons, felony sexual offenses or habitual alcohol related arrests</i>

Reviewed: _____

