

MEETING OF JANUARY 22, 2020

WARD 1 (gp)

ITEM NUMBER _____
\$ IMPACT _____

ISSUE:

Application for privilege licenses for Carrabba's Italian Grill LLC dba Carrabba's Italian Grill for the sale of beer, wine, and liquor (retail pouring). Carrabba's Italian Grill LLC is the owner and Jennifer Martindale is the agent applicant. Formerly William Bernardi was the agent.

SUMMARY:

Jennifer Martindale as registered agent for Carrabba's Italian Grill LLC dba Carrabba's Italian Grill requests privilege licenses for the sale of beer, wine, and liquor (retail pouring) at 2999 Cumberland Blvd SE.

BACKGROUND:

Jennifer Martindale will be the registered agent responsible for the sale of alcohol at the referenced location. Jennifer Martindale has been given a copy of the Alcoholic Beverage Ordinance and attended the mandatory alcohol awareness workshop. (Certificate attached)

STAFF RECOMMENDATION:

A background investigation conducted by the Smyrna Police Department failed to reveal information that would preclude issuance of these licenses. Jennifer Martindale has agreed to abide by the guidelines set forth by the City of Smyrna ordinance governing the sale of alcohol.

REQUESTED ACTION:

Approval of privilege licenses for the sale of beer, wine, and liquor (retail pouring) for Carrabba's Italian Grill LLC dba Carrabba's Italian Grill with Jennifer Martindale as registered agent.



APPLICATION FOR ALCOHOLIC BEVERAGE
AGENT CHANGE ONLY
Phone (678) 631-5321 Fax (770) 431-2808
Web site: www.smyrnacity.com

PLEASE TYPE APPLICATION AND ANSWER ALL QUESTIONS.

TYPE OF LICENSE: [CHECK APPROPRIATE SPACES]

LIQUOR:

TRANSFER ()
PKG. BEER/WINE ()
PKG. DIST. SPIRITS ()
RETAIL POURING (x)
Restaurant (x)
Package Store ()

BEER:

TRANSFER ()
PKG. BEER/WINE ()
PKG. DIST. SPIRITS ()
RETAIL POURING (x)
Restaurant (x)
Package Store ()

WINE:

TRANSFER ()
PKG. BEER/WINE ()
PKG. DIST. SPIRITS ()
RETAIL POURING (x)
Restaurant (x)
Package Store ()

1. Legal Name of Business Carrabba's Italian Grill, LLC
Operating name of the Business Carrabba's Italian Grill
Occupation Tax License Number _____
Is the Business a proprietorship () partnership () corporation () foreign () LLC

2. Location _____ Phone _____

3. Full name of Owner Carrabba's Italian Grill, LLC

Has owner ever had an alcoholic beverage license revoked in Smyrna or other jurisdiction? Yes () No (x)
If yes, attach full details.

5. Full name of Agent Jennifer Martindale

Social Security Number 345-70-7284 Date of Birth 02/11/1981

Are you a Citizen of the United States? Yes (x) No () Birthplace Crystal Lake, IL

Current Address 207 Davis Mill Road City/State Ball Ground, GA Zip 30107

Home Telephone 803-466-8126 Number of years at present address 1 year

Do you reside in Cobb County? Yes () No (x) If yes, how long _____

Previous address 123 Bartram Road, Savannah, GA 30107

Number of years at previous address 7 years Drivers License Number and State 057459017 GA

What has been your occupation for the past five (5) years? Give detailed list _____

Carrabba's Italian Grill - Operations Analyst

Agent's employment date with owner 03/12/2006

6. Has the applicant:

- (a) Been adjudicated as incompetent or insane, or been deemed to have insufficient mental capacity to conduct the business for which the application is made? Yes () No (☒)
- (b) Been discharged from any military service under dishonorable conditions? Yes () No (☒)
- (c) Within a five-year period immediately preceding the date of application, been arrested or convicted of violating any laws, ordinances, or regulations regulating such business? (The term "conviction" shall include an adjudication of guilt, a plea of guilty or nolo contendere or the forfeiture of bond when charged with a crime.) Yes () No (☒) If there was an arrest, are charges still pending? Yes () No ()
- (d) Within a five-year period preceding the date of application, been convicted for any felony charged under any of the laws of the several states or of the United States? Yes () No (☒) (The term "conviction" shall include an adjudication of guilt, a plea of guilty or nolo contendere or the forfeiture of bond when charged with a crime.) If there was an arrest, are charges are still pending? Yes () No ()
- (e) Within a three-year period preceding the application, been convicted of more than one misdemeanor, including traffic violations, involving the use or abuse of any alcoholic beverage, opiate or drug? Yes () No (☒) (The term "conviction" shall include an adjudication of guilt, a plea of guilty or nolo contendere or the forfeiture of bond when charged with a crime.) If there was an arrest, are charges still pending? Yes () No ()
- (f) Been currently placed on parole from any governing authority? Yes () No (☒)


Has any license authorizing the sale of alcoholic beverages at the location for which the present license is sought:

- (g) Been declared to be under suspension, at the date the application is filed? Yes () No (☒)
- (h) Been revoked within six months of the date that the application is filed? Yes () No (☒)

If yes to any of the above questions, please attach full detail.

7. Do you, your spouse, any family members, or any of the other owners, partners, or stockholders have an interest in a retail liquor store(s)? Yes () No (☒) If so, state the number of stores and where each stores is located.

8. Have you, your spouse, partner or stockholder any financial interest in the wholesale liquor business? Yes () No (☒) If yes, give details.

9. Please initial here that you have received a copy of the City of Smyrna Alcoholic Beverage Ordinance 

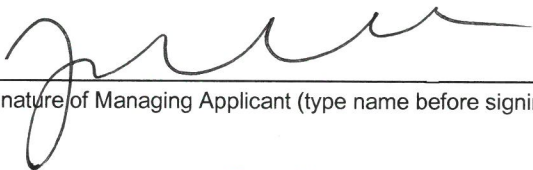
10. Are you familiar with the City of Smyrna ordinances and state and federal laws and regulations governing the operation of this type of business? Yes (☒) No ()

11. Are you aware you are required to apply for a State license? Yes (☒) No ()
Contact the Georgia Department of Revenue Alcohol Division (404-417-4900).

**CITY OF SMYRNA
BUSINESS LICENSE DEPARTMENT
APPLICATION FOR ALCOHOLIC BEVERAGE LICENSE
Phone (678) 631-5321 Fax (770) 431-2808
Web site: www.smyrnacity.com**

GEORGIA, COBB COUNTY

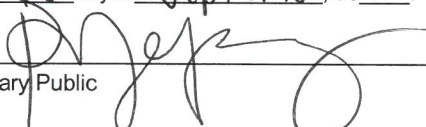
I, JENNIFER MARTINDALE BEING DULY SWORN TO LAW, DO SWEAR THAT THE STATEMENTS MADE BY ME IN THE ABOVE AND FOREGOING APPLICATION ARE TRUE, AND NO FALSE, OR FRAUDULENT STATEMENT IS MADE HEREIN AND SUCH STATEMENTS WERE MADE IN ORDER TO PROCURE THE GRANTING OF A LICENSE.



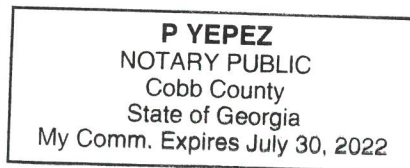
Signature of Managing Applicant (type name before signing)

Signature and title of person other than Applicant completing this application

Phone Number: Work 8034668126 Home 8034668126

Sworn to and subscribed before me
this 10 day of September, 2019.


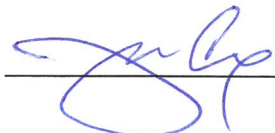
Notary Public



FINGERPRINTED AT SMYRNA POLICE DEPARTMENT:

Date

RECEIVED IN CITY OF SMYRNA BUSINESS LICENSE DEPARTMENT BY:



Date 9/10/19

CERTIFICATE OF ATTENDANCE

This certificate is awarded to

Martindale, Jennifer
Carrabbas



EVINDI

INCORPORATED

For satisfactory completion of Evindi, Inc.'s
Responsible Alcohol Sales & Service Workshop (3 hrs.)


Michele L. Stumpe, President of Evindi, Inc.

Date 8-7-19

This workshop has been approved to satisfy the following alcohol ordinance requirements:
Cobb County; City of Kennesaw; City of Roswell; Cherokee County; City of Powder Springs;
Douglas County; City of Holly Springs; City of Sandy Springs; City of Johns Creek; Forsyth
County, City of Smyrna, Fayette County Rockdale County and Spalding County

Certificate to be posted in conspicuous location at licensed premises.

CITY OF SMYRNA

PRIVILEGE LICENSE APPLICATION SUMMARY

DATE: 01/02/2020 AGENDA: L & V MEETING: DATE: 01/22/2020
TYPE OF LICENSE REQUESTED: BEER, WINE & LIQUOR (RETAIL POURING)

NEW APPLICATION: NO OWNERSHIP NO AGENT YES

NAME OF BUSINESS: CARRABBA'S ITALIAN GRILL LLC

DbA CARRABBA'S ITALIAN GRILL

PLACE OF BUSINESS: 2999 CUMBERLAND BLVD.
SMYRNA, GEORGIA 30080

AGENT: JENNIFER MARTINDALE
HOME ADDRESS: 207 DAVIS MILL ROAD
BALL GROUND, GA 30107

CITIZENSHIP YES

POLICE REPORT: DATE REQUESTED 09/10/19 DATE RECEIVED 09/11/19

RESULTS: INVESTIGATION FAILED TO REVEAL INFORMATION THAT WOULD
PRECLUDE ISSUANCE OF THIS LICENSE

TYPE OF BUILDING MASONRY

DISTANCE MET: SCHOOL YES CHURCH YES LIBRARY YES PARK YES

MAP FURNISHED: N/A

ADVERTISED: 01/17/20 & 01/17/20

COMMENTS: ALL TAXES PAID

"Policing with a Purpose"



Chief of Police
David Lee

2646 Atlanta RD SE
Smyrna, GA 30080-2118
Phone: 770-434-9481
Fax: 678-631-5005

Deputy Chief
Robert L. Harvey



Date: 09-11-19
To: Tammi Jones, City Administrator
From: David Lee, Chief of Police
Lt. Mark Binicewicz, Office of Professional Standards
Subject: Application for Alcohol License
Applicant: **Jennifer Martindale**

This applicant, **Jennifer Martindale**, is the manager of the business listed below and has submitted an application with the business license office to obtain an alcohol beverage license / agent name change only, issued to **2999 Cumberland Blvd. Smyrna, GA. 30080.**

The business name is **Carrabba's Italian Grill LLC.**

The business is incorporated under the name **Carrabba's Italian Grill LLC.**

A background check was conducted on this applicant. There was nothing in her background within the criminal history requirements of City of Smyrna Ordinance 6-51 that would prohibit her from holding the license as long as she meets all the other requirements of the ordinances that regulate this type of business.

CC: Terri Graham, City Clerk
Jim Cox, Business License
File



Affidavit of Compliance with O.C.G.A. 50-36-1 "Verification of Lawful Presence within the United States."

O.C.G.A.50-36-1 requires that applicants applying for such things as licenses for public benefits complete a signed and sworn affidavit verifying the applicant's lawful presence in the United States. Therefore, the applicant must answer the following questions.

The applicant is a United States citizen or legal permanent resident at least eighteen (18) years old. YES X NO _____

The applicant is a qualified alien or nonimmigrant under the federal Immigration and Nationality Act, Title 8 U.S.C., as amended, at least eighteen (18) years old, and is lawfully present in the United States. The applicant's alien number issued by the Department of Homeland Security or other federal immigration agency must be provided.

YES _____ NO _____ Alien ID number _____

O.C.G.A. 50-36-1 states that "Any person who knowingly and willfully makes a false, fictitious, or fraudulent statement of representation in an affidavit executed pursuant to this Code section shall be guilty of a violation of the Code Section 16-10-20."

I declare, under penalty of law, that this affidavit has been completed by me and is true and correct.

[Signature]
Signature

9/10/19
date

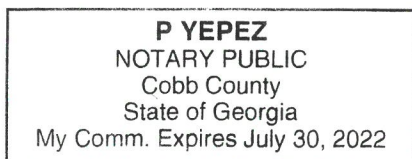
(Must be signed by applicant. If the applicant is a corporation, must be signed by an officer of the corporation.) **A STAMPED SIGNATURE IS NOT ACCEPTABLE.**

I hereby certify that Jennifer martindale is personally known, or verified by me, that the applicant signed this application after stating to me his or her personal knowledge and understanding of all statements and, under oath actually administered by me, has sworn that the statements and answers contained in this affidavit are true.

This 10 day of Sept, 2019

[Signature]
Notary Public

AFFIX SEAL



You must attach a copy of a secure and verifiable document as defined in O.C.G.A. 50-36-2. Such documents include a valid Georgia issued driver's license or ID Card, a valid driver's license issued by another state or an identification document issued by the United States Government.

APPLICATION FOR PRIVILEGE LICENSE

I have made application at the Business License Office of the City of Smyrna, Georgia for Carrabba's Italian Grill LLC dba Carrabba located at 2999 Cumberland Blvd., Smyrna, Georgia, requesting a privilege license for the sale of beer, wine, and liquor (retail pouring). This application will be heard before the License and Variance Board for the City of Smyrna, 2800 King Street, Smyrna, Georgia on January 22, 2020 at 10:00 a.m. All concerned persons are hereby notified.

Jennifer Martindale
Licensee

Carrabba's Italian Grill LLC
dba Carrabba's Italian Grill
2999 Cumberland Blvd. SE
Smyrna, Georgia 30080

Ads to Run Jan 10, 2020 and January 17, 2020