



The Metropolitan Government of Nashville and Davidson County...

Metro Beer Board Minutes

Meeting Date:	Wednesday– April 28, 2021 @ 5:30 P.M.
Teleconference Info:	Call: 415-655-0002 Access Code: 187 344 1551 When prompted, press # to indicate you are an attendee

BOARD MEMBERS	STAFF PRESENT	MEMBER ATTENDANCE	OTHERS PRESENT
Mr. Brian Taylor, Chairperson Kia Jarmon, Vice Chairperson Mr. Christopher M. Bellamy Mr. William Conway Mr. Joe Perlen Ms. Bailey Spaulding Ms. Delfine Fox Mr. Matthew Garth, Attorney	Benton McDonough, Director Terrence Darby Sr, ASO IV Douglas James Jr, Inspector II Darrell Hardrick, Inspector I Melvin Brown Jr., Special Assistant to the Director Amanda Webb, Office Specialist		

*** CALL TO ORDER**

- At 5:31 p.m., Chairman Taylor called the meeting to order.

*** ROLL CALL**

- Chairman Taylor called roll to determine the existence of a quorum...

Present: Chairman Brian Taylor, Vice Chair Kia Jarmon, Mr. William Conway, Mr. Joe Perlen, Ms. Bailey Spaulding.

Having deemed the existence of a quorum, Chairman Taylor proceeded with official business.

*** DETERMINATION OF NECESSITY BY TELECONFERENCE**

Legal Counsel, Matthew Garth, instructed the board that Governor Lee’s Executive Order 16, later extended by Executive Order 78, enabled local boards and commissions to conduct board meetings virtually only if the board deems the business coming before the board to be essential business, the board chooses to conduct such business in electronic format, and the board waives any rules to the contrary. Mr. Conway then made a motion to formally adopt Counsel’s explanation. The motion was then seconded by Vice Chair Jarmon.

Board Member	AYE	NAY	PNV
Chairman Taylor			X
Vice Chair Jarmon	X		
Mr. Bellamy	NOT PRESENT		
Mr. Conway	X		
Mr. Perlen	X		
Ms. Spaulding	X		
Ms. Fox	NOT PRESENT		

*** APPROVAL OF THE MINUTES**

APPEAL OF DECISIONS

If you are not satisfied with a decision of the Metropolitan Beer Permit Board regarding your application or your hearing, you may appeal the decision to the Davidson County Chancery or Circuit Court pursuant to the requirements set forth in T.C.A. 57-5-108. The decisions of the Metropolitan Beer Permit Board take effect on a date to be determined by the board. However, you may file an appeal within 60 days of the date of entry of the board’s decision. We advise that you seek your own independent legal advice to ensure that your appeal is filed in a timely manner and that all procedural requirements have been met.

APPROVAL OF MINUTES AND CALL THE MEETING TO ORDER

Approval of the April 8, 2021 Minutes:

Mr. Perlen made a motion to approve the minutes from April 8, 2021. That motion was then seconded by Mr. Conway.

Approval By: Aye: Vice Chair Jarmon, Mr. Conway, Mr. Perlen, Ms. Spaulding.

Present Not Voting: Chairman Taylor

Motion: to approve.

First: Mr. Perlen

Second: Mr. Conway

Opposed: None.

APPLICATIONS FOR APPROVAL

- | | |
|---|-------------|
| (1) <i>Barrique Brewing and Blending LLC, 30 Oldham St 37213, BARRIQUE</i> | T21-27130 |
| BREWING AND BLENDING LLC | |
| ON/OFF-SALE (NEW LOCATION) | (Dist. #05) |
| (2) <i>Southern Grist Brewing Company, LLC, 750 Douglas Ave 37207, SOUTHERN</i> | T21-27043 |
| GRIST BREWING COMPANY | |
| DLVRYCRBSD (NEW LOCATION) | (Dist. #05) |
| (3) <i>Rosepepper Cantina, LLC, 1907 Eastland Ave 37206, ROSEPEPPER CANTINA</i> | T20-26841 |
| ON-SALE (EXPANSION) | (Dist. #06) |
| (4) <i>Grams, LLC, 632 Old Hickory Blvd W 37115, GRAMS</i> | T21-27078 |
| ON/OFF-SALE (NEW LOCATION) | (Dist. #08) |
| (5) <i>JKO Enterprises, Inc, 4580 Rachels Ln 37076, NATCHEZ HILLS AT THE HERMITAGE</i> | T21-27075 |
| ON-SALE (NEW LOCATION) | (Dist. #11) |

(6) *7-Eleven Inc., 1309 Murfreesboro Pike 37217*, **7-ELEVEN 41084H** T21-27144
OFF-SALE (NAME CHANGE) (Dist. #13)

(7) *H.H. Heritage Inn of Nashville, LLC, 14 Century Blvd 37214*, **HYATT HOUSE** T20-26875
NASHVILLE AIRPORT

ON-SALE (NEW LOCATION) (Dist. #15)

(8) *Hattie B's of Middle TN LLC, 5069 Broadway Pl 37203*, **HATTIE'S 5TH &** T20-26986
BROAD

ON/OFF-SALE (NEW LOCATION) (Dist. #19)

(9) *ESQ Germantown LLC, 1121 5Th Ave N 37208*, **EMMY SQUARED** T21-27145
ON/OFF-SALE (NEW LOCATION) (Dist. #19)

(10) *Tennessee Tap Room, LLC, 809 Ewing Ave 37203*, **TENNESSEE BREW WORKS** T21-27170
CRAWFISH BOIL

SPECIAL (SPECIAL EVENT NEW) (Dist. #19)
May 1-2, 2021

(11) *Alive Hospice, 7007 River Road Pike*, **ALIVE AND THE BLUEBIRD** T21-27086
SPECIAL (SPECIAL EVENT NEW) (Dist. #21)

April 22, 2021

(12) *7-Eleven Inc., 7070 Highway 70 S 37221, 7-ELEVEN 41070H* T21-27140
OFF-SALE (NAME CHANGE) (Dist. #23)

(13) *Bearded Iris Brewing Company, LLC, 4101 Charlotte Ave #40 37209,* T20-26429
BEARDED IRIS BREWING
ON/OFF-SALE (Dist. #24)

(14) *Bearded Iris Brewing Company, LLC, 4101 Charlotte Ave #40 37209,* T20-26430
BEARDED IRIS BREWING
MNUFACTURE (NEW LOCATION) (Dist. #24)

(15) *Taco Chela, LLC, 3820 Charlotte Ave #140 B 37209, TACO CHELA* T21-27168
ON-SALE (NEW LOCATION) (Dist. #24)

(16) *Nashville Zoo, 3777 Nolensville Pike 37211, NASHVILLE ZOO SPRING* T21-27089
FLAMINGLE
SPECIAL (SPECIAL EVENT NEW) (Dist. #26)

April 7-8, 2021

Chairman Taylor read the applications recommended for final approval by staff. Mr. Perlen made a motion to accept the staff's recommendation for final approval of the aforementioned applicants. Mr. Conway seconded the motion.

Board Member	AYE	NAY	PNV
Chairman Taylor			X
Vice Chair Jarmon	X		
Mr. Bellamy	NOT PRESENT		
Mr. Conway	X		
Mr. Perlen	X		
Ms. Spaulding	X		
Ms. Fox	NOT PRESENT		

DEFER INDEFINITELY

(17) *INSAWANG LLC, 1402 McGavock Pike 37216, BITE A BIT THAI SUSHI* T21-27151

ON/OFF-SALE (Dist. #07)

(MISSING DOCUMENTS)

(18) *Sir Pizza - Rivergate, Inc., 913 Rivergate Pkwy 37072, SIR PIZZA - RIVERGATE* T21-27155

ON-SALE (CHANGE OF OWNERSHIP) (Dist. #10)

(MISSING DOCUMENTS)

(19) *Sir Pizza - Rivergate, Inc., 913 Rivergate Pkwy 37072, SIR PIZZA - RIVERGATE* T21-27156

DLVRYCRBSD (CHANGE OF OWNERSHIP) (Dist. #10)

(MISSING DOCUMENTS)

(20) *Soho Lounge, LLC, 271 Gleaves St 37072, SOHO LOUNGE MADISON* T21-27161

ON-SALE (CHANGE OF OWNERSHIP) (Dist. #10)

(MISSING DOCUMENTS)

(21) *Forage Forward, Inc., 640 Old Hickory Blvd 37138*, **FORAGE FORWARD** T21-27158
SPECIAL (SPECIAL EVENT NEW) (Dist. #11)
April 24, 2021

(MISSING DOCUMENTS)

(22) *Smoke House Market Inc., 1514 Demonbreun St 37203*, **SMOKE HOUSE** T21-27148
MARKET
OFF-SALE (NEW LOCATION) (Dist. #19)

(MISSING DOCUMENTS)

(23) *Sunda Nashville, LLC, 592 12Th Ave S 37203*, **SUNDA NEW ASIAN** T21-27157
ON-SALE (CHANGE OF OWNERSHIP) (Dist. #19)

(MISSING DOCUMENTS)

(24) *Dara, LLC, 2214 Elliston Pl #102 37203*, **KOI SUSHI & THAI** T21-27150
ON-SALE (NEW LOCATION) (Dist. #21)

(MISSING DOCUMENTS)

(25) *Lola Nashville, LLC, 4401 Murphy Rd 37209*, **LOLA NASHVILLE** T21-27149
ON-SALE (NEW LOCATION) (Dist. #24)

(26) Gary Zheng, 5336 Charlotte Ave 37209, CHINA BUFFET	T21-27159
ON-SALE (CHANGE OF OWNERSHIP)	(Dist. #24)
(MISSING DOCUMENTS)	
(27) 404 Management Group LLC, 404 Elysian Fields Rd 37211, 404 BAR & GRILL	T21-27153
ON-SALE (CHANGE OF OWNERSHIP)	(Dist. #26)
(MISSING DOCUMENTS)	
(28) Z-Bar, LLC, 3955 Nolensville Pike 37211, Z-BAR	D21-27160
ON-SALE (EXPANSION)	(Dist. #26)
(MISSING DOCUMENTS)	
(29) Marcellus Banks, 6917 Lenox Village Dr 37211, GANDY SEAFOOD LENOX	T21-27147
ON-SALE (NEW LOCATION)	(Dist. #31)
(MISSING DOCUMENTS)	
(30) Volunteer State Horsemen Foundation, 2500 Old Hickory Blvd 37221,	D21-27146
VOLUNTEER STATE HORSEMEN FOUNDATION FOR THE IROQUOIS	
STEEPLECHASE	
SPECIAL (SPECIAL EVENT OLD)	(Dist. #34)
June 26, 2021	
(MISSING DOCUMENTS)	

Chairman Taylor read the applications recommended for indefinite deferral by staff. Mr. Conway made a motion to accept the staff's recommendation for indefinite deferral of the aforementioned applicants. Mr. Perlen seconded the motion.

Board Member	AYE	NAY	PNV
Chairman Taylor			X
Vice Chair Jarmon	X		
Mr. Bellamy	NOT PRESENT		
Mr. Conway	X		
Mr. Perlen	X		
Ms. Spaulding	X		
Ms. Fox	NOT PRESENT		

TRIALS

(31) *Bellshire Pizza, 2504B Dickerson PIKE 37207, Bellshire Pizza*

15-00986

ON/OFF-SALE

(Dist. #02)

(Alleged violation of M.C.L 7.08.140C It is unlawful for any beer permit holder or his agent or employee to make or permit to be made any sale of beer to a person under twenty-one years of age on or about January 25, 2021). 1st Offense

COMPLAINANTS: Metropolitan Beer Permit Inspector I Darrell Hardrick

Special Assistant to the Director Melvin S. Brown Jr.

Metropolitan Beer Permit Inspector II Douglas James

SUBPOENA: Leonard Norys (Owner) Present

Larry Hamilton (Server) Present

PREVIOUS VIOLATIONS: BBM 2/27/19: 7.08.070C – Documents Not Displayed 3/15/18; \$250 CP Paid 3/16/19.

Wednesday, 4/28/21; Permit Holder Pleads Guilty

Permit Holder represented by Manager, Veronica Bartley;

Mr. Conway made a motion for a - \$1000 CP or 7/30; Civil Penalty Due 5/5/21. The motion was then seconded by Mr. Perlen. The board then voted unanimously in favor of the motion.

Board Member	AYE	NAY	PNV
Chairman Taylor			X
Vice Chair Jarmon	X		
Mr. Bellamy	NOT PRESENT		
Mr. Conway	X		
Mr. Perlen	X		
Ms. Spaulding	X		
Ms. Fox	NOT PRESENT		

(32) *Dolgencorp, LLC, 415 Trinity LN 37207, Dollar General Store #11816*

10-16719

OFF-SALE

(Dist. #05)

(Alleged violation of M.C.L 7.08.140C It is unlawful for any beer permit holder or his agent or employee to make or permit to be made any sale of beer to a person under twenty-one years of age (x2) on or about February 27, 2021). 4th Offense

COMPLAINANTS: Metropolitan Beer Permit Inspector I Darrell Hardrick

Special Assistant to the Director Melvin S. Brown Jr.

Metropolitan Beer Permit Inspector II Douglas James

SUBPOENA: Sean O’Connell (District Manager) Present

Tianshay Walker (Clerk) No Show

PREVIOUS VIOLATIONS: BBM 4/11/19: 7.08.140C – Sale to Minor 3/22/19; \$2000 CP Paid 4/22/19;

BBM 4/11/19: 57-5-301(a)(1) – ID Required 3/22/19; \$500 CP Paid 4/22/19;

BBM 2/11/21: 7.08.140C – Sale to Minor 1/25/21; \$2500 CP Paid 2/17/21;

BBM 2/11/21: 7.08.140C – Sale to Minor 1/30/21; \$2500 CP Paid 2/17/21;

BBM 2/11/21: 7.08.140T – Criminal Activity 1/30/21 – by selling cigarettes

to a minor; \$1000 CP Paid 2/17/21.

STAFF RECOMMENDATION: \$5000 CP or 30 Day Suspension and 180 Day Probation

Corrective Action Plan Required from Permit Holder.

Beer Board Best Practices Training Suggested.

Random Beer Board Beer Buy Compliance Inspections, More Frequently Than Usual.

Wednesday, 4/28/21; Permit Holder, by way of Sean O’Connell, District Manager, pleads guilty.

Mr. Conway made a motion to accept the staff’s recommendation. The motion was then seconded by Mr. Perlen. The Board voted unanimously in favor of the recommendation – Staff Recs Stand with Corrective Action Packet Required and Beer Board Best Practices Training. Civil penalty is due by 5/5/21.

Board Member	AYE	NAY	PNV
Chairman Taylor			X
Vice Chair Jarmon	X		
Mr. Bellamy	NOT PRESENT		
Mr. Conway	X		
Mr. Perlen	X		
Ms. Spaulding	X		
Ms. Fox	NOT PRESENT		

****** MS. SPAULDING LEFT THE MEETING******

(33) VBar LLC, 105 S 11TH ST 37206, VANDYKE BED & BEVERAGE

19-25902

ON-SALE

(Dist. #06)

(Alleged violation of M.C.L 7.08.140C It is unlawful for any beer permit holder or his agent or employee to make or permit to be made any sale of beer to a person under twenty-one years of age on or about January 29, 2021). 1st Offense

COMPLAINANTS: Metropolitan Beer Permit Inspector II Douglas James

Special Assistant to the Director Melvin S. Brown Jr.

Metropolitan Beer Permit Inspector I Darrell Hardrick

ATTORNEY: Curtis Harrington Present

SUBPOENA: Justin Prince (Owner) Present

Tinsley Dempsey (Server) Present

PREVIOUS VIOLATIONS: N/A

STAFF RECOMMENDATION: \$1500 CP or 7 Day Suspension and 30 Day Probation

Attorney pleads Guilty w/explanation;

Board Votes - \$1500 CP or 7 Day Suspension and 30 Day Probation;

Civil Penalty Due 5/5/21

Mr. Perlen made a motion to accept the staff's recommendation. The motion was then seconded by Vice Chair Jarmon.

Board Member	AYE	NAY	PNV
Chairman Taylor			X
Vice Chair Jarmon	X		
Mr. Bellamy	NOT PRESENT		
Mr. Conway	X		
Mr. Perlen	X		
Ms. Spaulding	NOT PRESENT		
Ms. Fox	NOT PRESENT		

(34) VBar LLC, 105 S 11TH ST 37206, VANDYKE BED & BEVERAGE

19-25902

ON-SALE

(Dist. #06)

(Alleged violation of M.C.L 7.08.140C It is unlawful for any beer permit holder or his agent or employee to make or permit to be made any sale of beer to a person under twenty-one years of age on or about January 30, 2021). 2nd Offense

COMPLAINANTS: Metropolitan Beer Permit Inspector I Darrell Hardrick

Special Assistant to the Director Melvin S. Brown Jr.

Metropolitan Beer Permit Inspector II Douglas James

ATTORNEY: Curtis Harrington Present

SUBPOENA: Justin Prince (Owner) Present

Sam Watterrau (Server) Present

PREVIOUS VIOLATIONS: N/A

STAFF RECOMMENDATION: \$2500 CP or 14 Day Suspension and 60 Day Probation

Attorney pleads Guilty w/explanation;

Board Votes - \$1500 CP or 7 Day Suspension and 30 Day Probation;

Civil Penalties Due 5/5/31.

Mr. Conway made a motion for a \$1500 civil penalty or a 7-day suspension followed by 30 days of probation. That motion was then seconded by Mr. Perlen.

Board Member	AYE	NAY	PNV
Chairman Taylor			X
Vice Chair Jarmon	X		
Mr. Bellamy	NOT PRESENT		
Mr. Conway	X		
Mr. Perlen	X		
Ms. Spaulding	NOT PRESENT		
Ms. Fox	NOT PRESENT		

(35) R & R Drive In Market, Inc., 1041 Jefferson ST 37208, R & R Drive In Market, Inc

94-14171

OFF-SALE

(Dist. #19)

(Alleged violation of M.C.L 7.08.140C It is unlawful for any beer permit holder or his agent or employee to make or permit to be made any sale of beer to a person under twenty-one years of age on or about February 09, 2021). 2nd Offense

COMPLAINANTS: Metropolitan Beer Permit Inspector II Douglas James

Special Assistant to the Director Melvin S. Brown Jr.

Metropolitan Beer Permit Inspector I Darrell Hardrick

SUBPOENA: Kenneth Christman (Owner)

Cedric Bailey (Clerk)

PREVIOUS VIOLATIONS: BBM 10/28/20; M.C.L. 7.08.140C – Sale to Minor 2/18/20; \$1500 CP Paid 10/27/20.

BBM 10/28/20: M.C.L. 7.08.140T – Criminal Activity 2/18/20 - by selling a vaping product to a minor; \$750 CP Paid 10/27/20.

STAFF RECOMMENDATION: \$2500 CP or 14 Day Suspension and 60 Day Probation

Civil Penalty Paid 4/27/21

Wednesday, 4/28/21

Board Votes – Accept Civil Penalty Payment

Mr. Conway made a motion to accept payment of \$2500 from the Respondent and close the matter. The motion was then seconded by Mr. Perlen.

Board Member	AYE	NAY	PNV
Chairman Taylor			X
Vice Chair Jarmon	X		
Mr. Bellamy	NOT PRESENT		
Mr. Conway	X		
Mr. Perlen	X		
Ms. Spaulding	NOT PRESENT		
Ms. Fox	NOT PRESENT		

(36) ADMINISTRATIVE MATTERS

(37) EXECUTIVE DIRECTOR’S REPORT

Mr. McDonough updated the board on the latest revenue totals. Further, he provided an update on HB0241 / SB0681, which allows for curbside of beer. Mr. McDonough informed the board that the language of the bill allows the Metro Beer Board to continue its delivery / curbside program. Mr. McDonough updated the board that the board has received approximately 43 delivery / curbside applications for \$10,750 in additional revenue.

(38) ADJOURNMENT:

Determining no further business was before the board, Chairman Taylor adjourned the meeting at 7:13 p.m.

