MINUTES FOR THE METROPOLITAN BEER PERMIT BOARD MEETING THURSDAY AUGUST 10, 2017 DAVIDSON ROOM METRO OFFICE BUILDING, 800 SECOND AVENUE SOUTH

BOARD MEMBERS:

Mr. Brian Taylor, Chairperson Mr. Jack Davis Ms. Telisha Cobb Ms. Kia Jarmon Mr. Quan Poole, Attorney

The meeting was called to order by Mr. Taylor.

(1) Announcements:

Mr. Taylor announced the notice of appeal process, in accordance with M.C.L. Section 2.68.030.

(2) Minutes

Ms. Jarmon made the motion to approve the minutes of the July 26, 2017 meeting. Ms. Cobb seconded. The motion was approved unanimously.

Pursuant to a general discussion, Ms. Jarmon made the motion to grant the following permits. Mr. Davis seconded. The motion was approved unanimously.

(3)	Firecracker's Pizza, LLC, 215 Gifford Place, Firecracker's Pizza			
ON-S	ALE	(NEW LOCATION)	(Dist. #1)	
(4)		C, 2905B Gallatin Pike, The Fox N		
ON-S	ALE	(NEW LOCATION)	(Dist. #5)	
(6)	Fort Louise, LLC, 1304 M	cGavock Pike, Fort Louise		
ÒŃ-S		LOCATION – EXPANSION)	(Dist. #7)	
			-	
(7)	Verapaz Express Internati	<i>ional, Inc.,</i> 110 Harris Street, Vera	ipaz Express	
ON-S	ALE	(NEW LOCATION)	(Dist. #9)	
(10) 105 Nashville, LLC, 832 Royal Parkway, Home 2 Suites – Nashville Airport				
ON-S		NGE OF OWNERSHIP)	(Dist. #15)	
	Ϋ́,	,	(D131. #13)	
OFF-S	SALE	(NEW LOCATION)		
(14) Avo, Inc., 3 City Boulevard, #200, Avo				
ĊAŤE	RER	(NEW LOCATION)	(Dist. #21)	
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(17) Casa Ana, Inc., 180 ON-SALE	05 Dickerson Pike, El Metate (NAME CHANGE)	(Dist. #5)		
	and Country, LLC, 102 East Palestine Avenue, Dee's Country Cocktail			
Lounge ON-SALE	(NEW LOCATION – EXPANSION)	(Dist. #7)		
	a of Nashville, LLC, 583 Donelson Pike, Hampton Inn & Suites Nashville			
Airport ON-SALE	(NEW LOCATION)	(Dist. #15)		
(23) National Commodore Club – Vanderbilt University, 2601 Jess Neely Drive, National Commodore Club Tailgate				
ON-SALE (SPECIAL EV	(OLD LOCATION) /ENT – SEPTEMBER 8, 9, 15, 16, 22 & 7; NOVEMBER 3, 4, 10, 11, 17 & 18,			
(24) <i>HIVOC, Inc.,</i> 2613 West End Avenue, Holiday Inn Nashville – Vanderbilt ON-SALE (NEW LOCATION – EXPANSION) (Dist. #18)				
(25) 409 Broadway Ven ON-SALE	<i>tures, LLC,</i> 409 Broadway, Nudie's H o (NEW LOCATION – EXPANSION)			
(28) Play a Role Fund, Church Street from 15 th to 16 th Avenue, McMillan Street from Church Street to State Street, Church St Block Party ON-SALE (NEW LOCATION) (Dist. #19) (SPECIAL EVENT – SEPTEMBER 1, 2 & 3, 2017)				
(32) Café Coco, LLC, 21 ON-SALE	I0 Louise Avenue, Suite 101, Coco's ((NAME CHANGE)	Italian Café (Dist. #21)		
(33) Celebrate Nashville, Inc., 2500 West End Avenue, Centennial Park, Celebrate				
Nashville Cultural Festiv ON-SALE (SF	al (OLD LOCATION) PECIAL EVENT – OCTOBER 7, 2017)	(Dist. #21)		
	no were presented to the Doord			

The following applications were presented to the Board:

(5) Peninsula Nashville, LLC, 1035 West Eastland Avenue, Peninsula
ON-SALE (NEW LOCATION) (Dist. #5)
At the request of the applicant, and without objection, the application was deferred to August 23, 2017.

(8) *Greek Style Gyro – Botros, LLC,* 1607 Gallatin Pike North, **Greek Style Gyro – Botros, LLC**

ON-SALE (NEW LOCATION) (Dist. #10) No one was present to represent the applicant. Following a general discussion concerning the lack of documents required for a beer permit, Ms. Cobb made the motion to defer the application to August 23, 2017. Ms. Jarmon seconded. The motion was approved unanimously.

(9) *Nectar, LLC,* 206 McGavock Pike, **Nectar Urban Cantina**

ON-SALE (NEW LOCATION) (Dist. #15) Ms. Rachel Schaffer, attorney, was present to represent the applicant and requested that the permit be granted, to be issued upon presentation of missing documents. Following a general discussion, Ms. Cobb made the motion to grant the permit, to be issued upon presentation of the applicant's Certificate of Registration, Business License and Use & Occupancy permit. Mr. Davis seconded. The motion was approved unanimously.

(11) *Chipotle Mexican Grill of Colorado, LLC,* 731 Thompson Lane, **Chipotle Mexican Grill #2787**

ON-SALE (NEW LOCATION) (Dist. #16) At the request of the applicant, and without objection, the application was deferred to August 23, 2017.

(12) Charles A. Leath, 11 Arcade Alley, 417 BBQ

ON-SALE (NEW LOCATION) (Dist. #19) At the request of the applicant, and without objection, the application was deferred to August 23, 2017.

(13) *Nations OCP, LLC,* 1105 51st Avenue North, **The Original Corner Pub – The Nations**

ON-SALE (NEW LOCATION) (Dist. #20) At the request of the applicant, and without objection, the application was deferred to August 23, 2017.

(15) Eastwynn Theatres, Inc., 8125 Sawyer Brown Road, Bellevue 12
ON-SALE (NEW LOCATION) (Dist. #22)
At the request of the applicant, and without objection, the application was deferred to August 23, 2017.

(16) ANA Properties, Inc., 2402 Dickerson Pike, Garibaldi Market
OFF-SALE (NEW LOCATION) (Dist. #5)
Following a general discussion, Mr. Davis made the motion to grant the permit, to be issued upon presentation of the applicant's Health Department approval. Ms. Cobb seconded. The motion was approved unanimously.

(18) Topgolf USA Nashville, LLC, 500 Cowan Street, Topgolf
ON-SALE (NEW LOCATION) (Dist. #5)
At the request of the applicant, and without objection, the application was deferred to August 23, 2017.

(19) Mega Lot, LLC, 974 Main Street, Nobles ON-SALE (NEW LOCATION)

ON-SALE (NEW LOCATION) (Dist. #6) Following a general discussion, Mr. Davis made the motion to grant the permit, to be issued upon presentation of the applicant's final Use & Occupancy permit, with a temporary permit to be issued through September 8, 2017. Ms. Jarmon seconded. The motion was approved unanimously.

(21) Rebar at the Dam, LLC, 3248 Blackwood Drive, Rebar at the Dam
ON-SALE (CHANGE OF OWNERSHIP) (Dist. #13)
Following a general discussion, Mr. Davis made the motion to grant the permit, to be issued upon presentation of the applicant's Health Department approval and Fire
Marshal approval. Ms. Cobb seconded. The motion was approved unanimously.

(26) *Milk & Honey Nashville, LLC,* 214 11th Avenue South, **Milk & Honey Nashville** ON-SALE (NEW LOCATION) (Dist. #19) Following a general discussion, Ms. Cobb made the motion to grant the permit, to be issued upon presentation of the applicant's final Use & Occupancy permit, with a temporary permit to be issued through November 3, 2017. Ms. Jarmon seconded. The motion was approved unanimously.

(27) *HRI Lodging, LLC,* 118 Seventh Avenue North, **Holston House Nashville** ON-SALE (NEW LOCATION) (Dist. #19) At the request of the applicant, and without objection, the application was deferred to August 23, 2017.

(29) Luke Venture, LLC, 222 Printers Alley, **Skull's Rainbow Room** CATERER (NEW LOCATION) (Dist. #19) Following a general discussion, Mr. Davis made the motion to grant the permit, to be issued upon presentation of the applicant's ABC Caterer permit. Ms. Cobb seconded. The motion was approved unanimously.

(30) Black Rabbit, LLC, 218 Third Avenue North, Black Rabbit
ON-SALE (NEW LOCATION) (Dist. #19)
At the request of the applicant, and without objection, the application was deferred to August 23, 2017.

(31) *Soon, LLC,* 1006 Buchanan Street, **The Rollout by Slim and Husky's Pizza Beeria**

OFF-SALE (NEW LOCATION) (Dist. #21) No one was present to represent the applicant. The Board briefly discussed that this location is within one hundred (100') feet of a residence (90'3" from 1807 10th Avenue North). Mr. Tayo Atanda, attorney, informed the Board that he represents this applicant on another matter and requested that this application be deferred to August 23, 2017, so he can speak with his client. Following a brief discussion, Ms. Cobb made the motion to defer the application to August 23, 2017. Ms. Jarmon seconded. The motion was approved unanimously.

(34) *The Land Trust for Tennessee,* 4000 Franklin Pike, **Hop Harvest Dinner & Once in a Blue Moon**

ON-SALE (NEW LOCATION) (Dist. #25) (SPECIAL EVENT – SEPTEMBER 8 & 9; OCTOBER 6 & 7, 2017) Following a general discussion, Mr. Davis made the motion to grant the permit, to be issued upon presentation of the applicant's Letter of Security. Ms. Cobb seconded. The motion was approved unanimously.

(35) *World Music Nashville, LLC,* 7069 US Highway 70 South, **World Music Nashville Live**

ON-SALE (NEW LOCATION) (Dist. #34) At the request of the applicant, and without objection, the application was deferred to August 23, 2017.

The following complaints were presented to the Board:

(36) Little Barn Market, Inc., 3909 Clarksville Pike, Little Barn Market OFF-SALE (Dist. #1)

Alleged violation of M.C.L. Section 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 July 7, 2017. Following a general discussion, Ms. Jarmon made the motion to issue a citation with the option of paying a civil penalty of two thousand five hundred (\$2500) dollars in lieu of a hearing. Mr. Davis seconded. The motion was approved unanimously.

(37) *William C. Gifford, Jr.,* 7250 Whites Creek Pike, **Chips Quick Stop** OFF-SALE (Dist. #1)

Alleged violation of M.C.L. Section 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 July 7, 2017. Following a general discussion, Ms. Jarmon made the motion to issue a citation for a hearing with no civil penalty option. Mr. Davis seconded. The motion was approved unanimously.

(38) *Myong Seag Cha*, 5470 Buena Vista Pike, **Whites Creek Shell** OFF-SALE (Dist. #3)

Alleged violation of M.C.L. Section 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 July 7, 2017. Following a general discussion, Ms. Jarmon made the motion to issue a citation with the option of paying a civil penalty of two thousand five hundred (\$2500) dollars in lieu of a hearing. Mr. Davis seconded. The motion was approved unanimously.

(39) *El Sombrero 1, Inc.,* 6017 Nolensville Pike, **El Sombrero Mexican Restaurant** ON-SALE (Dist. #4)

Alleged violation of M.C.L. Section 7.08.110 for any violation of any provision of state law regulating the sale, storage and transportation of alcoholic beverages in violation of T.C.A. 57-4-203(b)(1)(A) on or about June 12, 2017. Following a general discussion, Ms. Jarmon made the motion to issue a citation with the option of paying a civil penalty of one thousand (\$1000) dollars in lieu of a hearing. Mr. Davis seconded. The motion was approved unanimously.

(40) Mahmoud JBoor, 1520 Porter Road, Porter Road Market

OFF-SALE

(Dist. #7)

Alleged violation of M.C.L. Section 7.08.140T it is unlawful for any beer permit holder or his agent or employee to allow or engage in any criminal activity on the premises, in violation of T.C.A. Section 39-17-437(2) on or about July 14, 2017. Following a general discussion, Ms. Jarmon made the motion to issue a citation for a hearing with no civil penalty option. Mr. Davis seconded. The motion was approved unanimously.

(41) *Devesh, Inc.,* 500 Old Hickory Boulevard East, **Grand Slam Market** OFF-SALE (Dist. #9)

Alleged violation of M.C.L. Section 7.24.030D(1)(a) by allowing acts or conduct that have been declared contrary to public policy of the metropolitan government of Nashville and Davidson County, to wit: the showing of film, still pictures, electronic reproduction, or other visual reproduction depicting: acts or simulated acts of sexual intercourse, masturbation, sodomy, bestiality, oral copulation, flagellation or any sexual acts which are prohibited by law; M.C.L. Section 7.24.030D(1)(b) the showing of film, still pictures, electronic reproduction, or other visual reproduction depicting: any person being touched, caressed or fondled on the breast, buttocks, anus or genitals; M.C.L. Section 7.24.030D(1)(c) the showing of film, still pictures, electronic reproduction, or other visual reproduction depicting: scenes wherein a person displays the vulva or the anus or the genitals; M.C.L. Section 7.24.030D(1)(d) the showing of film, still pictures, electronic reproduction, or other visual reproductions depicting: scenes wherein artificial devices or inanimate objects are employed to depict, or drawings are employed to portray, any of the prohibited activities described above on or about January 10, 2017. Following a general discussion, Ms. Jarmon made the motion to issue a citation with the option of paying a civil penalty of two hundred fifty (\$250) dollars in lieu of a hearing. Mr. Davis seconded. The motion was approved unanimously.

(42) *Devesh, Inc.,* 500 Old Hickory Boulevard East, **Grand Slam Market** OFF-SALE (Dist. #9)

Alleged violation of M.C.L. Section 7.08.150B operating in such a manner as to be detrimental to public health, safety and morals on or about July 10, 2017. Following a general discussion, Ms. Jarmon made the motion to issue a citation for a hearing with no civil penalty option. Mr. Davis seconded. The motion was approved unanimously.

(43) Ram Lakhan, Inc., 5835 Old Hickory Boulevard, Kwik Sak #614 OFF-SALE (Dist. #14)

Alleged violation of M.C.L. Section 7.24.030D(1)(a) by allowing acts or conduct that have been declared contrary to public policy of the metropolitan government of Nashville and Davidson County, to wit: the showing of film, still pictures, electronic reproduction, or other visual reproduction depicting: acts or simulated acts of sexual intercourse, masturbation, sodomy, bestiality, oral copulation, flagellation or any sexual acts which are prohibited by law; M.C.L. Section 7.24.030D(1)(b) the showing of film, still pictures, electronic reproduction, or other visual reproduction depicting: any person being touched, caressed or fondled on the breast, buttocks, anus or genitals; M.C.L. Section 7.24.030D(1)(c) the showing of film, still pictures, electronic reproduction depicting: scenes wherein a person displays the vulva or the anus or the genitals on or about August 1, 2017. Following a general discussion, Ms. Jarmon made the motion to issue a citation with the option of paying a civil penalty of two hundred fifty (\$250) dollars in lieu of a hearing. Mr. Davis seconded. The motion was approved unanimously.

(44) Barcelona Edgehill, LLC, 1200 Villa Place, Suite 110, Barcelona Wine Bar ON-SALE (Dist. #17)

Alleged violation of M.C.L. Section 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 July 11, 2017. Following a general discussion, Ms. Jarmon made the motion to issue a citation with the option of paying a civil penalty of two thousand five hundred (\$2500) dollars in lieu of a hearing. Mr. Davis seconded. The motion was approved unanimously.

(45) Cha Chah, Inc., 2013 Belmont Boulevard, BLVD Bistro

ON-SALE (Dist. #18) Alleged violation of M.C.L. Section 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 July 11, 2017. Following a general discussion, Ms. Jarmon made the motion to issue a citation with the option of paying a civil penalty of two thousand five hundred (\$2500) dollars in lieu of a hearing. Mr. Davis seconded. The motion was approved unanimously.

(46) Prapasri K. Myint, 2017 Belmont Boulevard, P.M.

ON-SALE

(Dist. #18)

Alleged violation of M.C.L. Section 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 July 11, 2017. Following a general discussion, Ms. Jarmon made the motion to issue a citation with the option of paying a civil penalty of two thousand five hundred (\$2500) dollars in lieu of a hearing. Mr. Davis seconded. The motion was approved unanimously.

(47) Kroger Limited Partnership I, 2131 Abbott Martin Road, Kroger #895 ON/OFF-SALE (Dist. #25)

Alleged violation of M.C.L. Section 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 July 11, 2017. Following a general discussion, Ms. Jarmon made the motion to issue a citation with the option of paying a civil penalty of two thousand five hundred (\$2500) dollars in lieu of a hearing. Mr. Davis seconded. The motion was approved unanimously.

(48) *Nordstrom, Inc.,* 2130 Abbott Martin Road, **Nordstrom Grill** ON-SALE

ON-SALE (Dist. #25) Alleged violation of M.C.L. Section 7.08.110 for any violation of any provision of state law regulating the sale, storage and transportation of alcoholic beverages in violation of T.C.A. 57-4-203(b)(1)(A) on or about July 11, 2017. Following a general discussion, Ms. Jarmon made the motion to issue a citation with the option of paying a civil penalty of one thousand (\$1000) dollars in lieu of a hearing. Mr. Davis seconded. The motion was approved unanimously.

(49) *JC Cole, LLC,* 2201 Bandywood Drive, **Firefly Grille** ON-SALE

ON-SALE (Dist. #25) Alleged violation of M.C.L. Section 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 July 11, 2017. Following a general discussion, Ms. Jarmon made the motion to issue a citation with the option of paying a civil penalty of two thousand five hundred (\$2500) dollars in lieu of a hearing. Mr. Davis seconded. The motion was approved unanimously.

(50) CPR Enterprises, Inc., 4109-4111 Hillsboro Pike, Corner Pub

ON-SALE (Dist. #25) Alleged violation of M.C.L. Section 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 July 11, 2017. Following a general discussion, Ms. Jarmon made the motion to issue a citation with the option of paying a civil penalty of two thousand five hundred (\$2500) dollars in lieu of a hearing. Mr. Davis seconded. The motion was approved unanimously.

(51) *The Noodle Shop, Co. – Colorado, Inc.,* 2116 Green Hills Village Drive, **Noodles & Company**

ON-SALE

(Dist. #25)

Alleged violation of M.C.L. Section 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 July 11, 2017. Following a general discussion, Ms. Jarmon made the motion to issue a citation with the option of paying a civil penalty of two thousand five hundred (\$2500) dollars in lieu of a hearing. Mr. Davis seconded. The motion was approved unanimously.

(52) *Tazikis of Green Hills, LLC,* 2190 Bandywood Drive, **Taziki's Mediterranean** Café

ON-SALE

(Dist. #25)

Alleged violation of M.C.L. Section 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 July 11, 2017. Following a general discussion, Ms. Jarmon made the motion to issue a citation with the option of paying a civil penalty of two thousand five hundred (\$2500) dollars in lieu of a hearing. Mr. Davis seconded. The motion was approved unanimously.

(53) Osborne's, Inc., 5127 Nolensville Road, Piggly Wiggly OFF-SALE

(Dist. #27)

Alleged violation of M.C.L. Section 7.08.110 for any violation of any provision of state law regulating the sale, storage and transportation of alcoholic beverages in violation of T.C.A. 57-4-203(b)(1)(A) on or about June 5, 2017. Following a general discussion, Ms. Jarmon made the motion to issue a citation with the option of paying a civil penalty of one thousand (\$1000) dollars in lieu of a hearing. Mr. Davis seconded. The motion was approved unanimously.

(54) *La Terraza Mexican Restaurant of Nashboro Village, Inc.,* 2256 Murfreesboro Pike, **La Terraza Mexican Restaurant**

ON-SALE

(Dist. #29)

Alleged violation of M.C.L. Section 7.08.110 for any violation of any provision of state law regulating the sale, storage and transportation of alcoholic beverages in violation of T.C.A. 57-4-203(b)(1)(A) on or about June 12, 2017. Following a general discussion, Ms. Jarmon made the motion to issue a citation with the option of paying a civil penalty of one thousand (\$1000) dollars in lieu of a hearing. Mr. Davis seconded. The motion was approved unanimously.

(55) *La Terraza Mexican Restaurant of Nashboro Village, Inc.,* 2256 Murfreesboro Pike, **La Terraza Mexican Restaurant**

ON-SALE

(Dist. #29)

Alleged violation of M.C.L. Section 7.08.110 for any violation of any provision of state law regulating the sale, storage and transportation of alcoholic beverages in violation of T.C.A. 57-3-412(a)(3)(A) on or about June 12, 2017. Following a general discussion, Ms. Jarmon made the motion to issue a citation with the option of paying a civil penalty of one thousand (\$1000) dollars in lieu of a hearing. Mr. Davis seconded. The motion was approved unanimously.

(56) Nguyet Thi Nguyen, 1309 Bell Road, Suite 219-220, **Soopro Lounge** ON-SALE (Dist. #31)

Alleged violation of M.C.L. Section 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 June 29, 2017. Following a general discussion, Ms. Jarmon made the motion to issue a citation with the option of paying a civil penalty of two thousand five hundred (\$2500) dollars in lieu of a hearing. Mr. Davis seconded. The motion was approved unanimously.

(57) Kroger Limited Partnership I, 5319 Mt. View Road, Kroger Food & Drug #520 OFF-SALE (Dist. #32)

Alleged violation of M.C.L. Section 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 June 12, 2017. Following a general discussion, Ms. Jarmon made the motion to issue a citation with the option of paying a civil penalty of two thousand five hundred (\$2500) dollars in lieu of a hearing. Mr. Davis seconded. The motion was approved unanimously.

(58) Administrative matters

• Executive Director's Report

Mr. McDonough briefly discussed with the Board the number of applications and inspections that were completed in July and informed them that applications and civil penalties appear to be on track with last year.

Mr. McDonough informed the Board that Mr. Clay Byrd, director of TABC plans to attend the September 14, 2017 Beer Board meeting in order to meet the Board and staff.

Mr. McDonough informed the Board that electronic tablets for use by the inspectors in the field have been ordered and should be available in the next few weeks. He also discussed the safety issues faced by inspectors when conducting measurements for beer permit applicants as well as for retail liquor stores. Due to concerns with inspectors crossing streets on foot to obtain measurements, he is looking into equipping inspectors with laser distance measuring devices.

• Rule 1

The Board discussed proposed changes to Rule No. 1, which would give the office the authority to issue temporary permits to an applicant who meets requirements for a beer permit. Three versions of the rule were presented to the Board for discussion. Following a general discussion, Ms. Cobb made the motion to adopt option 2 (attached) as Rule No. 1. Ms. Jarmon seconded. The motion was approved unanimously.

• Any other issues

There were no other issues to discuss.

There being no further discussion, the meeting was adjourned at 12:35 p.m. until the next scheduled meeting set for August 23, 2017.

Date

Executive Director

Date

Chairperson