

**MINUTES FOR THE METROPOLITAN BEER PERMIT BOARD MEETING  
THURSDAY NOVEMBER 2, 2017  
DAVIDSON ROOM  
METRO OFFICE BUILDING, 800 SECOND AVENUE SOUTH**

**BOARD MEMBERS:**

Mr. Brian Taylor, Chairperson  
Mr. Anton Jackson, Vice Chairperson  
Ms. Jessica Van Dyke  
Mr. Jack Davis  
Ms. Telisha Cobb  
Ms. Kia Jarmon  
Mr. John Spragens  
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. Cobb made the motion to approve the minutes of the October 25, 2017 meeting. Ms. Jarmon seconded. The motion was approved unanimously.

Mr. Taylor announced that the department has implemented Inspectors' Office Hours, where Beer Permit Inspectors are available by appointment to discuss questions or concerns with applicants, permit holders, or members of the public. Office Hours are held each Monday from 7:30am to 12:00pm.

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

(21) *HP Tennessee Beverage, LLC*, 2200 Elm Hill Pike, **Hilton Nashville Airport Hotel**

ON-SALE (NAME CHANGE) (Dist. #15)

(23) *Travellers Rest Historic House Museum, Inc.*, 636 Farrell Parkway, **History & Whiskey**

ON-SALE (NEW LOCATION) (Dist. #26)  
(SPECIAL EVENT – NOVEMBER 17 & 18, 2017)

**The following applications were presented to the Board:**

(3) *Ahmad Salem*, 3700 Buena Vista Pike, **Buena Vista Market**  
OFF-SALE (NEW LOCATION) (Dist. #2)

Mr. Rob McKinney, attorney, was present to represent the applicant. Mr. Ahmad Salem was also present. Mr. Yusuf Abdulla and Mr. Amir Abdulla, representing Clara Mohammed School of Nashville, were present to speak in opposition to this application. The Board discussed that this location is within one hundred (100) feet of Masjid Al-Islam mosque and Clara Mohammed School of Nashville, located at 3620 Buena Vista Pike. The mosque and school, which operate in suites A-C of 3620 Buena Vista Pike, are 75' from the applicant's premises. Inspector James and Mr. McDonough informed the Board that they had toured the facility and that the entire building at 3620 Buena Vista Pike is owned by the mosque, with a bookstore and market located in suites D & E. Money raised through the bookstore and market goes toward paying the school principal's salary, and the Board discussed if the stores should be considered a part of the mosque. Mr. Poole advised the Board that since there is free access within the building between suites A, B and C, and because suite C is 75' from the applicant's building, the Board does not need to determine if the bookstore and market should be considered as part of the mosque. Mr. McKinney informed the Board that a stop work order was issued for suite C, and that the space should not be considered as part of the school or mosque if it is not usable. Mr. Yusuf Abdulla informed the Board that they do plan to complete the renovations and re-open the school. Mr. Poole advised the Board that they cannot delineate the school from the church because the areas are accessible together and that they should consider suites A, B and C as part of the mosque. The stop work order issued to suite C does not mean that it is no longer a part of the mosque. The Board discussed that they cannot issue a permit to a location that does not meet the distance requirements, and that the options available to them are to deny the application or defer it. Mr. McKinney requested to defer this matter to the end of the meeting so he can speak with his client. Without objection, the Board took no action at this time, but deferred any action until Mr. McKinney and his client could speak.

Once all Complaints were heard, the Board took this matter back up. Mr. McKinney requested that the Board deny the application, and requested that a copy of the record be retained. Following a brief discussion, Mr. Davis made the motion to deny the application due to failure to meet the distance requirements. Ms. Jarmon seconded. Mr. McKinney requested that the Board state exactly what the denial was for. Mr. Poole stated that the application was denied due to failure to meet the distance requirements to a church. The motion was approved unanimously.

- (4) *Nashville Urban Winery, LLC*, 715 Main Street, **Nashville Urban Winery**  
ON-SALE (NEW LOCATION) (Dist. #6)

Following a brief discussion concerning the lack of documents required for a beer permit, Ms. Van Dyke made the motion to defer the application to November 15, 2017. Ms. Jarmon seconded. The motion was approved unanimously.

- (5) *Levy Premium Foodservices Limited Partnership*, One Titans Way, **Levy at Tennessee Titans**

ON-SALE (NEW LOCATION – EXPANSION) (Dist. #6)

At the request of the applicant, and without objection, the application was deferred indefinitely.

- (6) *Legends Music, LLC*, One Titans Way, **Nissan Stadium**

ON-SALE (NEW LOCATION – EXPANSION) (Dist. #6)

At the request of the applicant, and without objection, the application was deferred indefinitely.

- (7) *JMS Enterprises, LLC*, 2264 Lebanon Pike, **Mirko Pasta**

ON-SALE (CHANGE OF OWNERSHIP) (Dist. #15)

Following a brief discussion concerning the lack of documents required for a beer permit, Ms. Van Dyke made the motion to defer the application to November 15, 2017. Ms. Jarmon seconded. The motion was approved unanimously.

- (8) *Hattie B's of Middle TN, LLC*, 2222 Eighth Avenue South, **Hattie B's**

ON-SALE (NEW LOCATION) (Dist. #17)

Ms. Hannah Cole, attorney, and Mr. Nick Bishop were present to represent the applicant and informed the Board that the transfer of ownership is contingent upon the Board's approval of the permit. She requested that the Board grant this permit, to be issued upon presentation of missing documents. Following a general discussion that a temporary beer permit may be issued upon presentation of all documents, Ms. Van Dyke made the motion to defer the application to November 15, 2017. Ms. Jarmon seconded. The motion was approved unanimously.

- (9) *MKRDY Nashville Bevco, LLC*, 200 Fourth Avenue North, **Noelle Nashville**

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

At the request of the applicant, and without objection, the application was deferred to November 15, 2017.

- (10) *The Listening Room, LLC*, 618 Fourth Avenue South, **The Listening Room Café**

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

Following a brief discussion concerning the lack of documents required for a beer permit, Ms. Van Dyke made the motion to defer the application to January 11, 2018. Ms. Jarmon seconded. The motion was approved unanimously.

(11) *Kuchnia & Keller, LLC*, 1300 Third Avenue North, **Kuchnia and Keller**  
ON-SALE (NEW LOCATION) (Dist. #19)

At the request of the applicant, and without objection, the application was deferred to November 15, 2017.

(12) *Volume Services, Inc., dba Centerplate*, 201 Fifth Avenue South, **Nashville Music City Center**

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

At the request of the applicant, and without objection, the application was deferred to December 7, 2017.

(13) *Chapman's Craft Cider, LLC*, 865 Elm Hill Pike, **Chapman's Craft Cider, LLC**  
WHOLESALE (NEW LOCATION) (Dist. #19)

Following a brief discussion concerning the lack of documents required for a beer permit, Ms. Van Dyke made the motion to defer the application to November 15, 2017. Ms. Jarmon seconded. The motion was approved unanimously.

(14) *Hattie B's of Middle TN, LLC*, 112 19<sup>th</sup> Avenue South, **Hattie B's**  
ON-SALE (CHANGE OF OWNERSHIP) (Dist. #19)

Ms. Hannah Cole, attorney, and Mr. Nick Bishop were present to represent the applicant and informed the Board that the transfer of ownership is contingent upon the Board's approval of the permit. She requested that the Board grant this permit, to be issued upon presentation of missing documents. Following a general discussion that a temporary beer permit may be issued upon presentation of all documents, Ms. Van Dyke made the motion to defer the application to November 15, 2017. Ms. Jarmon seconded. The motion was approved unanimously.

(15) *CTH Nashville, LLC*, 204 Third Avenue South, **City Tap House**  
CATERER (NEW LOCATION) (Dist. #19)

Following a brief discussion concerning the lack of documents required for a beer permit, Ms. Van Dyke made the motion to defer the application to November 15, 2017. Ms. Jarmon seconded. The motion was approved unanimously.

(16) *Hattie B's of Middle TN, LLC*, 5209 Charlotte Pike, **Hattie B's**  
ON-SALE (CHANGE OF OWNERSHIP) (Dist. #24)

Ms. Hannah Cole, attorney, and Mr. Nick Bishop were present to represent the applicant and informed the Board that the transfer of ownership is contingent upon the Board's approval of the permit. She requested that the Board grant this permit, to be issued upon presentation of missing documents. Following a general discussion that a temporary beer permit may be issued upon presentation of all documents, Ms. Van Dyke made the motion to defer the application to November 15, 2017. Ms. Jarmon seconded. The motion was approved unanimously.

(17) *HASD, LLC*, 811 Gallatin Avenue, **TailGate Brewery East Nashville**  
ON/OFF-SALE (NEW LOCATION) (Dist. #6)

At the request of the applicant, and without objection, the application was deferred to November 15, 2017.

(18) *HASD, LLC*, 811 Gallatin Avenue, **TailGate Brewery East Nashville**  
WHOLESALE (NEW LOCATION) (Dist. #6)

At the request of the applicant, and without objection, the application was deferred to November 15, 2017.

(19) *Nashville LGBT Chamber Foundation*, One Titans Way, **Taste**  
ON-SALE (OLD LOCATION) (Dist. #6)  
(SPECIAL EVENT – NOVEMBER 17, 18 & 19, 2017)

Ms. Lisa Howe was present to represent the applicant. Following a brief discussion concerning the lack of documents required for a beer permit, Ms. Van Dyke made the motion to defer the application to November 15, 2017. Ms. Jarmon seconded. The motion was approved unanimously.

(20) *Marriott Hotel Services, Inc.*, 2800 Opryland Drive, **Gaylord Opryland Hotel – The Marketplace**

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

Following a brief discussion concerning the lack of documents required for a beer permit, Ms. Van Dyke made the motion to defer the application to November 15, 2017. Ms. Jarmon seconded. The motion was approved unanimously.

(22) *M.L. Rose Pub 003, LLC*, 431 11<sup>th</sup> Avenue North, **M.L. Rose Craft Beer and Burgers**

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

At the request of the applicant, and without objection, the application was deferred to November 15, 2017.

**The following complaints were presented to the Board:**

(24) *Wild Cow, LLC*, 1896 Eastland Avenue, **The Wild Cow Vegetarian Restaurant**  
ON-SALE (Dist. #6)

Alleged violation of M.C.L. Section 7.08.070C the permit holder shall display all permits issued pursuant to this article in a conspicuous place, together with all other permits, licenses and stamps required by law on or about August 9, 2017 and ongoing. Following a general discussion, Ms. Van Dyke 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. Ms. Jarmon seconded. The motion was approved unanimously.

(25) *MACS Retail, LLC*, 819 Gallatin Road South, **Tiger Market 0222**

OFF-SALE (Responsible Vendor) (Dist. #7)

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 October 6, 2017. Following a general discussion, Ms. Van Dyke 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. Ms. Jarmon seconded. The motion was approved unanimously.

(26) *Mapco Express, Inc.*, 1201 Gallatin Pike South, **Mapco Mart #3215**

OFF-SALE (Responsible Vendor) (Dist. #7)

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 October 6, 2017. Following a general discussion, Ms. Van Dyke 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. Ms. Jarmon seconded. The motion was approved unanimously.

(27) *KM #1, LLC*, 99 Webster Street East, **Express Market**

OFF-SALE (Dist. #7)

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 October 6, 2017. Following a general discussion, Ms. Van Dyke 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. Ms. Jarmon seconded. The motion was approved unanimously.

(28) *Maged Mikhaeil*, 341 Gallatin Pike North, **Cheapest Discount Tobacco & Beer**

OFF-SALE (Dist. #8)

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 October 6, 2017. Following a general discussion, Ms. Van Dyke 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. Ms. Jarmon seconded. The motion was approved unanimously.

(29) *Tri-Star Energy, LLC*, 101 Gallatin Road North, **Daily's #6607**

OFF-SALE (Responsible Vendor) (Dist. #8)

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 October 6, 2017. Following a general discussion, Ms. Van Dyke 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. Ms. Jarmon seconded. The motion was approved unanimously.

(30) *TCBWS4, LLC*, 127 Gallatin Pike North, **WingStop Madison**

ON-SALE

(Dist. #8)

Alleged violation of M.C.L. Section 7.08.070C the permit holder shall display all permits issued pursuant to this article in a conspicuous place, together with all other permits, licenses and stamps required by law on or about March 5, 2016 and ongoing.

Following a general discussion, Ms. Van Dyke 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. Ms. Jarmon seconded. The motion was approved unanimously.

(31) *El Paraiso Supermercado Y Carniceria, Inc.*, 301 Gallatin Pike South, **El Paraiso Supermercado Y Carniceria, Inc.**

OFF-SALE

(Dist. #9)

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 on or about October 20, 2017. Following a general discussion, Ms. Van Dyke made the motion to issue a citation for a hearing with no civil penalty option. Ms. Jarmon seconded. The motion was approved unanimously.

(32) *Skully's Saloon, LLC*, 333 Swinging Bridge Road, **Skully's Saloon**

ON-SALE

(Dist. #11)

Alleged violation of M.C.L. Section 7.08.140R it is unlawful for any beer permit holder or his agent or employee to allow any gambling or gambling devices of any kind or description contrary to state law on the premises; 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 on or about October 4, 2017. Following a general discussion, Ms. Van Dyke made the motion to issue a citation for a hearing with no civil penalty option. Ms. Jarmon seconded. The motion was approved unanimously.

(33) *Gold Star International, Inc.*, 974 Murfreesboro Pike, **Gold Star International, Inc.**

OFF-SALE

(Dist. #15)

Alleged violation of M.C.L. Section 7.08.070C the permit holder shall display all permits issued pursuant to this article in a conspicuous place, together with all other permits, licenses and stamps required by law on or about August 22, 2017 and ongoing.

Following a general discussion, Ms. Van Dyke 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. Ms. Jarmon seconded. The motion was approved unanimously.

(34) *Nguyen, Inc.*, 2112 Eighth Avenue South, **Love Peace and Pho**

ON-SALE

(Dist. #17)

Alleged violation of M.C.L. Section 7.08.070C the permit holder shall display all permits issued pursuant to this article in a conspicuous place, together with all other permits, licenses and stamps required by law on or about August 14, 2017 and ongoing.

Following a general discussion, Ms. Van Dyke 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. Ms. Jarmon seconded. The motion was approved unanimously.

(35) *BCB Restaurant Group, LLC*, 500 Church Street, Suite 120, **Blue Coast Burrito**

ON-SALE

(Dist. #19)

Alleged violation of M.C.L. Section 7.08.070C the permit holder shall display all permits issued pursuant to this article in a conspicuous place, together with all other permits, licenses and stamps required by law on or about May 4, 2015 and ongoing. Following a general discussion, Ms. Van Dyke 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. Ms.

Jarmon seconded. The motion was approved unanimously.

(36) *BCB Restaurant Group, LLC*, 500 Church Street, Suite 120, **Blue Coast Burrito**

ON-SALE

(Dist. #19)

Alleged violation of M.C.L. Section 7.08.210 it is unlawful for any retailer holding a permit issued by the metropolitan beer permit board to purchase, accept as a gift or loan, or to receive, swap or exchange, beer, for the purpose of resale, from any person who is not the holder of a valid wholesale permit issued by the board on or about October 11, 2017. Following a general discussion, Ms. Van Dyke made the motion to issue a citation with the option of paying a civil penalty of five hundred (\$500) dollars in lieu of a hearing. Ms. Jarmon seconded. The motion was approved unanimously.

(37) *Bersabel Corporation*, 703 18<sup>th</sup> Avenue South, **Virginia's Market**

OFF-SALE

(Dist. #19)

Alleged violation of T.C.A. 57-5-301(a)(1) Prior to making a sale of beer for off-premise consumption, the adult consumer must present to the permit holder, or any employee of the permit holder, a valid, government-issued document, such as a driver's license, or other form of identification deemed acceptable to the permit holder, that includes the photograph and birth date of the adult consumer attempting to make the purchase on or about October 17, 2017. Following a general discussion, Ms. Van Dyke 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. Ms. Jarmon seconded. The motion was approved unanimously.



(38) *Aldi (Indiana), LP*, 405 American Road, **Aldi #46**

OFF-SALE

(Dist. #20)

Alleged violation of M.C.L. Section 7.08.070C the permit holder shall display all permits issued pursuant to this article in a conspicuous place, together with all other permits, licenses and stamps required by law on or about August 7, 2017 and ongoing.

Following a general discussion, Ms. Van Dyke 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. Ms. Jarmon seconded. The motion was approved unanimously.

(39) *Kwang Chul Kim*, 3900 Charlotte Avenue, **Rosie's Market**

OFF-SALE

(Dist. #24)

Alleged violation of T.C.A. 57-5-301(a)(1) Prior to making a sale of beer for off-premise consumption, the adult consumer must present to the permit holder, or any employee of the permit holder, a valid, government-issued document, such as a driver's license, or other form of identification deemed acceptable to the permit holder, that includes the photograph and birth date of the adult consumer attempting to make the purchase on or about October 11, 2017. Following a general discussion, Ms. Van Dyke made the motion to issue a citation with the option of paying a civil penalty of five hundred (\$500) dollars in lieu of a hearing. Ms. Jarmon seconded. The motion was approved unanimously.

(40) *Blanca Ramirez*, 2045 Antioch Pike, **Bar y Billar Los Paisanos**

ON-SALE

(Dist. #28)

Alleged violation of M.C.L. Section 7.08.140D it is unlawful for any beer permit holder or his agent or employee to sell, give away, or allow beer to be consumed on any premises granted a permit under this chapter from three o'clock (3:00) a.m. to six o'clock (6:00) a.m. on weekdays and from three o'clock (3:00) a.m. to ten o'clock (10:00) a.m. on Sundays on or about October 22, 2017. Following a general discussion, Ms. Van Dyke 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. Ms. Jarmon seconded. The motion was approved unanimously.

(41) *Royal City, LLC*, 8456 Highway 100, **Highway 100 Shell**

OFF-SALE

(Dist. #35)

Alleged violation of M.C.L. Section 7.08.070C the permit holder shall display all permits issued pursuant to this article in a conspicuous place, together with all other permits, licenses and stamps required by law on or about September 4, 2015 and ongoing.

Following a general discussion, Ms. Van Dyke 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. Ms. Jarmon seconded. The motion was approved unanimously.

(42) Administrative matters

- Executive Director's Report

Mr. McDonough briefly discussed several topics with the Board:

- Statistics for the month of October show revenue is on track compared to this time last year. He also discussed year-to-date revenue collections.
- He informed the Board that the department's website has been updated to point permit holders to the E-permits website to pay annual privilege tax. Once applications are able to be completed online, they will go through this same site.
- Board Rules
  - Following a brief discussion concerning Rule No. 16, passed on October 25, 2017, Ms. Cobb made the motion to adopt the Board Rules package in its entirety. Ms. Jarmon seconded. The motion was approved unanimously.
- Any other issues
  - Mr. Taylor announced to the Board that Mr. Jackson will be resigning from the Beer Board, and that his last meeting will be November 15, 2017.
  - Mr. Taylor discussed with the Board some of the positive changes that have occurred since Mr. McDonough was named as interim director. He informed the Board that he has spoken with Metro Human Resources about the process needed to transition Mr. McDonough from Interim Executive Director of the Beer Board office to Executive Director, and stated that he has already spoken with staff about this. He was told by HR that the Board would need to vote to appoint Mr. McDonough as director. Following a brief discussion, Mr. Jackson made the motion to formally appoint Mr. Benton McDonough as Executive Director of the Beer Board. Ms. Cobb seconded. Ms. Jarmon asked Mr. McDonough if he was interested in the position. He answered in the affirmative. She also questioned if he feels he will be adequately compensated. Mr. Taylor informed her that there is a pay scale for this position that can be obtained from HR, and that the Board can make sure that Mr. McDonough is compensated. The motion was approved unanimously.

There being no further discussion, the meeting was adjourned at 12:45 p.m. until the next scheduled meeting set for November 15, 2017.

\_\_\_\_\_

Date

\_\_\_\_\_

Executive Director

\_\_\_\_\_

Date

\_\_\_\_\_

Chairperson