MINUTES FOR THE METROPOLITAN BEER PERMIT BOARD MEETING WEDNESDAY NOVEMBER 15, 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 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. Cobb made the motion to approve the minutes of the November 2, 2017 meeting. Mr. Jackson 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, Mr. Jackson made the motion to grant the following permits. Ms. Cobb seconded. The motion was approved unanimously.

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

(17) Marriott Hotel Services, Inc., 2800 Opryland Drive, Gaylord Opryland Hotel – Cascade's Restaurant and Wasabi's
ON-SALE (NAME CHANGE) (Dist. #15)

 (18) Marriott Hotel Services, Inc., 2800 Opryland Drive, Gaylord Opryland Hotel – The Falls
ON-SALE (NAME CHANGE) (Dist. #15)

(19) Marriott Hotel Services, Inc., 2800 Opryland Drive, Gaylord Opryland Hotel -The Marketplace ON-SALE (NEW LOCATION) (Dist. #15) (23) Hattie B's of Middle TN, LLC, 2222 Eighth Avenue South, Hattie B's ON-SALE (NEW LOCATION) (Dist. #17) (29) Kuchnia & Keller, LLC, 1300 Third Avenue North, Kuchnia and Keller ON-SALE (NEW LOCATION) (Dist. #19) (31) Hattie B's of Middle TN, LLC, 112 19th Avenue South, Hattie B's (CHANGE OF OWNERSHIP) ON-SALE (Dist. #19) (33) Hattie B's of Middle TN, LLC, 5209 Charlotte Pike, Hattie B's ON-SALE (CHANGE OF OWNERSHIP) (Dist. #24) (43) Mapco Express, Inc., 3053 Dickerson Road, Mapco #3304 OFF-SALE (NAME CHANGE) (Dist. #8) (50) Nations Bar & Grill, LLC, 705 51st Avenue North, Nations Bar & Grill ON-SALE (NEW LOCATION – EXPANSION) (Dist. #20) Tennessee Parks and Greenways Foundation, 2500 West End Avenue, (52) Centennial Park, Music City Winterfest ON-SALE (OLD LOCATION) (Dist. #21) (SPECIAL EVENT – DECEMBER 9, 2017) (53) Mapco Express, Inc., 4805 Trousdale, Mapco #3333 OFF-SALE (NAME CHANGE) (Dist. #26) Mapco Express, Inc., 1101 Bell Road, Mapco #3405 (54) OFF-SALE (NAME CHANGE) (Dist. #32) The following applications were presented to the Board:

(3) 7-Eleven, Inc., 2200 Brick Church Pike, **Tigermarket #41043H** OFF-SALE (CHANGE OF OWNERSHIP) (Dist. #2) At the request of the applicant, and without objection, the application was deferred to January 24, 2018.

(4) 7-Eleven, Inc., 3144 Dickerson Pike, Tigermarket #41042H
OFF-SALE (CHANGE OF OWNERSHIP) (Dist. #2)
At the request of the applicant, and without objection, the application was deferred to January 24, 2018.

(5) 7-Eleven, Inc., 3200 Clarksville Pike, **Tigermarket #41044H** OFF-SALE (CHANGE OF OWNERSHIP) (Dist. #2) At the request of the applicant, and without objection, the application was deferred to January 24, 2018.

(6) 7-Eleven, Inc., 2022 Rosa L. Parks Boulevard, A Plus #41045H
OFF-SALE (CHANGE OF OWNERSHP) (Dist. #2)
At the request of the applicant, and without objection, the application was deferred to January 24, 2018.

(7) Nashville Urban Winery, LLC, 715 Main Street, Nashville Urban Winery
ON-SALE (NEW LOCATION) (Dist. #6)
No one was present to represent the applicant. Following a general discussion concerning the lack of documents required for a beer permit and that this application has been deferred multiple times, Ms. Van Dyke made the motion to defer the application indefinitely. Ms. Jarmon seconded. The motion was approved unanimously.

(8) HASD, LLC, 811 Gallatin Avenue, TailGate Brewery East Nashville
ON/OFF-SALE (NEW LOCATION) (Dist. #6)
Following a general discussion concerning the lack of documents required for a beer permit, Ms. Van Dyke made the motion to defer the application to December 7, 2017.
Ms. Jarmon seconded. The motion was approved unanimously.

(9) HASD, LLC, 811 Gallatin Avenue, TailGate Brewery East Nashville
WHOLESALE (NEW LOCATION) (Dist. #6)
Following a general discussion concerning the lack of documents required for a beer permit, Ms. Van Dyke made the motion to defer the application to December 7, 2017.
Ms. Jarmon seconded. The motion was approved unanimously.

(10) 7-Eleven, Inc., 227 Shelby Avenue, A Plus #41051H
OFF-SALE (CHANGE OF OWNERSHIP) (Dist. #6)
At the request of the applicant, and without objection, the application was deferred to January 24, 2018.

(12) 7-Eleven, Inc., 819 South Gallatin Road, Tigermarket #41063H
OFF-SALE (CHANGE OF OWNERSHIP) (Dist. #7)
At the request of the applicant, and without objection, the application was deferred to January 24, 2018.

(13) 7-Eleven, Inc., 4601 Lebanon Pike, Tigermarket #41071H
OFF-SALE (CHANGE OF OWNERSHIP) (Dist. #11)
At the request of the applicant, and without objection, the application was deferred to January 24, 2018.

(14) 7-Eleven, Inc., 5430 Old Hickory Boulevard, **Tigermarket #41072H** OFF-SALE (CHANGE OF OWNERSHIP) (Dist. #11) At the request of the applicant, and without objection, the application was deferred to January 24, 2018.

(15) 7-Eleven, Inc., 340 Harding Place, Tigermarket #41080H
OFF-SALE (CHANGE OF OWNERSHIP) (Dist. #13)
At the request of the applicant, and without objection, the application was deferred to January 24, 2018.

(16) 7-Eleven, Inc., 1309 Murfreesboro Pike, A Plus #41084H
OFF-SALE (CHANGE OF OWNERSHIP) (Dist. #13)
At the request of the applicant, and without objection, the application was deferred to January 24, 2018.

(20) JMS Enterprises, LLC, 2264 Lebanon Pike, Mirko Pasta
ON-SALE (CHANGE OF OWNERSHIP) (Dist. #15)
No one was present to represent the applicant. Following a general discussion concerning the lack of documents required for a beer permit and that this application has been deferred multiple times, Ms. Van Dyke made the motion to defer the application indefinitely. Ms. Jarmon seconded. The motion was approved unanimously.

(21) 7-Eleven, Inc., 2800 Nolensville Pike, A Plus #41083H
OFF-SALE (CHANGE OF OWNERSHIP) (Dist. #16)
At the request of the applicant, and without objection, the application was deferred to January 24, 2018.

(22) 7-Eleven, Inc., 2001 Eighth Avenue South, **Tigermarket #41055H** OFF-SALE (CHANGE OF OWNERSHIP) (Dist. #17) At the request of the applicant, and without objection, the application was deferred to January 24, 2018.

(24) 7-Eleven, Inc., 1401 Charlotte Avenue, **Tigermarket #41052H** OFF-SALE (CHANGE OF OWNERSHIP) (Dist. #19) At the request of the applicant, and without objection, the application was deferred to January 24, 2018.

(25) 7-Eleven, Inc., 1111 Broadway, **A Plus #41053H** OFF-SALE (CHANGE OF OWNERSHIP) (Dist. #19) At the request of the applicant, and without objection, the application was deferred to January 24, 2018.

(26) *Vui's Kitchen Germantown, LLC,* 1120 Fourth Avenue North, #101, **Vui's Kitchen Germantown**

ON-SALE (CHANGE OF OWNERSHIP) (Dist. #19) Following a general discussion concerning the lack of documents required for a beer permit, Ms. Van Dyke made the motion to defer the application to December 7, 2017. Ms. Jarmon seconded. The motion was approved unanimously.

(27) Onion Division – Nashville Enterprises, LLC, 1903 Division Street, Hopsmith Tavern

ON-SALE (NEW LOCATION) (Dist. #19) Following a general discussion concerning the lack of documents required for a beer permit, Ms. Van Dyke made the motion to defer the application to December 7, 2017. Ms. Jarmon seconded. The motion was approved unanimously.

(28) *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 December 7, 2017.

(30) Chapman's Craft Cider, LLC, 865 Elm Hill Pike, Chapman's Craft Cider, LLC WHOLESALE (NEW LOCATION) (Dist. #19) At the request of the applicant, and without objection, the application was deferred to December 7, 2017.

(32) *CTH Nashville, LLC,* 204 Third Avenue South, **City Tap House** CATERER (NEW LOCATION) (Dist. #19) No one was present to represent the applicant. Following a general discussion concerning the lack of documents required for a beer permit and that this application has been deferred multiple times, Ms. Van Dyke made the motion to defer the application indefinitely. Ms. Jarmon seconded. The motion was approved unanimously.

(34) *M.L. Rose Pub 003, LLC,* 431 11th 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 December 7, 2017.

(35)7-Eleven, Inc., 3400 West End Avenue, Tigermarket #41054HOFF-SALE(CHANGE OF OWNERSHIP)(Dist. #21)At the request of the applicant, and without objection, the application was deferred to
January 24, 2018.January 24, 2018.

(36) 7-Eleven, Inc., 7070 US Highway 70 South, **Tigermarket #41070H** OFF-SALE (CHANGE OF OWNERSHIP) (Dist. #23) At the request of the applicant, and without objection, the application was deferred to January 24, 2018.

(37) 7-Eleven, Inc., 4112 Hillsboro Pike, Tigermarket #41068H
OFF-SALE (CHANGE OF OWNERSHIP) (Dist. #25)
At the request of the applicant, and without objection, the application was deferred to January 24, 2018.

(38)7-Eleven, Inc., 3815 Hillsboro Pike, Tigermarket #41069HOFF-SALE(CHANGE OF OWNERSHIP)(Dist. #25)At the request of the applicant, and without objection, the application was deferred to
January 24, 2018.January 24, 2018.

(39)7-Eleven, Inc., 15007 Old Hickory Boulevard, Tigermarket #41079HOFF-SALE(CHANGE OF OWNERSHIP)(Dist. #27)At the request of the applicant, and without objection, the application was deferred to
January 24, 2018.January 24, 2018.

(40) 7-Eleven, Inc., 2664 Smith Springs Road, Tigermarket #41081H
OFF-SALE (CHANGE OF OWNERSHIP) (Dist. #29)
At the request of the applicant, and without objection, the application was deferred to January 24, 2018.

(41) 7-Eleven, Inc., 4198 Murfreesboro Pike, Tigermarket #41060H
OFF-SALE (CHANGE OF OWNERSHIP) (Dist. #33)
At the request of the applicant, and without objection, the application was deferred to January 24, 2018.

(42) CabaRay, LLC, 5724 River Road, **Ray Stevens CabaRay Showroom** ON-SALE (NEW LOCATION) (Dist. #35) No one was present to represent the applicant. Following a general discussion concerning the lack of documents required for a beer permit and that this application has been deferred multiple times, Ms. Van Dyke made the motion to defer the application indefinitely. Ms. Jarmon seconded. The motion was approved unanimously.

(44) JLees Management, Inc., 1343 Murfreesboro Pike, JLees Market
OFF-SALE (CHANGE OF OWNERSHIP) (Dist. #13)
At the request of the applicant, and without objection, the application was deferred to December 7, 2017.

(45) Lauren Jarreau Humphrey, 106 Rains Avenue, Rains Avenue Market
OFF-SALE (CHANGE OF OWNERSHIP) (Dist. #17)
Following a general discussion concerning the lack of documents required for a beer permit, Ms. Van Dyke made the motion to defer the application to December 7, 2017.
Ms. Jarmon seconded. The motion was approved unanimously.

(46) 404 Kitchen Next Door, LLC, 507 12th Avenue South, 404 Kitchen
ON-SALE (NEW LOCATION) (Dist. #19)
Following a general discussion concerning the lack of documents required for a beer permit, Ms. Van Dyke made the motion to defer the application to December 7, 2017.
Ms. Jarmon seconded. The motion was approved unanimously.

(47) Guillermo Barron, 300 James Robertson Parkway, Luna Llena
ON-SALE (NEW LOCATION) (Dist. #19)
Following a general discussion concerning the lack of documents required for a beer permit, Ms. Van Dyke made the motion to defer the application to December 7, 2017.
Ms. Jarmon seconded. The motion was approved unanimously.

(48) Southern Grist Brewing Company, LLC, 5012 Centennial Boulevard, Southern Grist Brewing Company

ON/OFF-SALE (NEW LOCATION) (Dist. #20) At the request of the applicant, and without objection, the application was deferred indefinitely.

(49) Southern Grist Brewing Company, LLC, 5000 Centennial Boulevard, Southern Grist Brewing Company

WHOLESALE (NEW LOCATION) (Dist. #20) At the request of the applicant, and without objection, the application was deferred indefinitely.

(51) Merritt Hospitality, LLC, 1808 West End Avenue, Hutton Hotel
ON-SALE (NEW LOCATION – EXPANSION) (Dist. #21)
Following a general discussion concerning the lack of documents required for a beer permit, Ms. Van Dyke made the motion to defer the application to December 7, 2017.
Ms. Jarmon seconded. The motion was approved unanimously.

The following trials were presented to the Board:

(55) *Hunter Foods, Inc.,* 3910 Clarksville Highway, **Hunters Hometown Foods** OFF-SALE (Dist. #1)

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 16, 2017 and ongoing. Mr. Todd Hunter was present to represent the applicant and pleaded guilty with an explanation. Metropolitan Beer Permit Inspector I Douglas James was also present to testify. All witnesses were sworn. Based upon the guilty plea, the citation was sustained. Mr. Hunter stated that the permit was on site, but had fallen behind a wall. Following a general discussion and testimony presented to the Board, Ms. Cobb made the motion for a fourteen (14) day suspension followed by a ninety (90) day period of probation, with the option of paying a five hundred (\$500) dollar civil penalty in lieu of the suspension. Ms. Van Dyke seconded. The motion was approved unanimously. The suspension will begin November 22, 2017. Mr. Hunter was also informed that he needs to provide updated information on the managers at this location.

(56) *The Clubhouse Sports Bar and Grill, LLC,* 271 Gleaves Street, **The Clubhouse Sports Bar and Grill**

ON-SALE (Dist. #10) 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 August 12, 2017. Mr. Will Cheek, attorney, was present to represent the applicant and requested that this hearing be deferred to allow him to speak with his client and with the officers involved. Goodlettsville Police Detective Les Carlisle, Goodlettsville Police Sergeant Jeff Petty, Goodlettsville Police Officer Sean Farrell, Goodlettsville Police Officer Brandon Wright and Goodlettsville Police Officer Andre Sanders were also present to testify. Following a general discussion, Mr. Jackson made the motion to defer the hearing to February 28, 2018. Ms. Jarmon seconded. Detective Carlisle informed the Board that the officers are scheduled for duty on that date and would not be able to attend the meeting. Following a general discussion concerning hearing these cases at a daytime meeting or holding a special called meeting, both sides were asked to discuss their schedules and let the office know when all parties would be available to hold this case.

(57) *The Clubhouse Sports Bar and Grill, LLC,* 271 Gleaves Street, **The Clubhouse Sports Bar and Grill**

ON-SALE

(Dist. #10)

Alleged violation of M.C.L. Section 7.08.140J it is unlawful for any beer permit holder or his agent or employee to permit boisterous or disorderly conduct on the premises on or about August 12, 2017. Mr. Will Cheek, attorney, was present to represent the applicant and requested that this hearing be deferred to allow him to speak with his client and with the officers involved. Goodlettsville Police Detective Les Carlisle, Goodlettsville Police Sergeant Jeff Petty, Goodlettsville Police Officer Sean Farrell, Goodlettsville Police Officer Brandon Wright and Goodlettsville Police Officer Andre Sanders were also present to testify. Following a general discussion, Mr. Jackson made the motion to defer the hearing to February 28, 2018. Ms. Jarmon seconded. Detective Carlisle informed the Board that the officers are scheduled for duty on that date and would not be able to attend the meeting. Following a general discussion concerning hearing these cases at a daytime meeting or holding a special called meeting, both sides were asked to discuss their schedules and let the office know when all parties would be available to hold this case.

(58) *The Clubhouse Sports Bar and Grill, LLC,* 271 Gleaves Street, **The Clubhouse Sports Bar and Grill**

ON-SALE

(Dist. #10)

Alleged violation of M.C.L. Section 7.08.140L it is unlawful for any beer permit holder or his agent or employee to make or allow any sale to any intoxicated person or to any feebleminded, insane or otherwise mentally incapacitated person on or about August 12, 2017. Mr. Will Cheek, attorney, was present to represent the applicant and requested that this hearing be deferred to allow him to speak with his client and with the officers involved. Goodlettsville Police Detective Les Carlisle, Goodlettsville Police Sergeant Jeff Petty, Goodlettsville Police Officer Sean Farrell, Goodlettsville Police Officer Brandon Wright and Goodlettsville Police Officer Andre Sanders were also present to testify. Following a general discussion, Mr. Jackson made the motion to defer the hearing to February 28, 2018. Ms. Jarmon seconded. Detective Carlisle informed the Board that the officers are scheduled for duty on that date and would not be able to attend the meeting. Following a general discussion concerning hearing these cases at a daytime meeting or holding a special called meeting, both sides were asked to discuss their schedules and let the office know when all parties would be available to hold this case.

(59) *The Clubhouse Sports Bar and Grill, LLC,* 271 Gleaves Street, **The Clubhouse Sports Bar and Grill**

ON-SALE

(Dist. #10)

Alleged violation of M.C.L. Section 7.08.140M it is unlawful for any beer permit holder or his agent or employee to allow any intoxicated person to loiter on or about his premises on or about August 12, 2017. Mr. Will Cheek, attorney, was present to represent the applicant and requested that this hearing be deferred to allow him to speak with his client and with the officers involved. Goodlettsville Police Detective Les Carlisle, Goodlettsville Police Sergeant Jeff Petty, Goodlettsville Police Officer Sean Farrell, Goodlettsville Police Officer Brandon Wright and Goodlettsville Police Officer Andre Sanders were also present to testify. Following a general discussion, Mr. Jackson made the motion to defer the hearing to February 28, 2018. Ms. Jarmon seconded. Detective Carlisle informed the Board that the officers are scheduled for duty on that date and would not be able to attend the meeting. Following a general discussion concerning hearing these cases at a daytime meeting or holding a special called meeting, both sides were asked to discuss their schedules and let the office know when all parties would be available to hold this case.

(60) *Gandalf, LLC,* 102 19th Avenue South, **Midtown Café** ON-SALE

ON-SALE (Dist. #19) 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 August 23, 2017. Mr. Adam Dread, attorney, was present to represent the applicant and pleaded guilty with an explanation. Mr. Randy Rayburn, ABC Agent Tchez Major and Ms. Allison Johns were also present to testify. All witnesses were sworn. Based upon the guilty plea, the citation was sustained. Following a general discussion concerning that Mr. Rayburn has been in business for 42 years in Nashville with no previous violations, and remedial measures taken, including the server attending ABC training and in-house training for the entire staff, Ms. Van Dyke made the motion for a fourteen (14) day suspension followed by a ninety (90) day period of probation, with the option of paying a one thousand two hundred fifty (\$1250) dollar civil penalty in lieu of the suspension. Ms. Jarmon seconded. The motion was approved unanimously. The suspension will begin November 22, 2017.

(61) Double Dogs Tennessee, LLC, 4017 Charlotte Avenue, Double Dogs ON-SALE (Dist. #24)

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 August 10, 2017. Mr. John Morrison was present to represent the applicant and pleaded guilty with an explanation. ABC Agent Tchez Major, Ms. Bebe Browder and Mr. Douglas Taulbee were also present to testify. All witnesses were sworn. Based upon the guilty plea, the citation was sustained. The Board discussed remedial measures taken, including in-house training for staff, installing ID scanners, adding signs and screensavers to POS machines indicating the alcohol threshold date, and having servers and bartenders hold the purchaser's ID to check it. Following a general discussion concerning that this is the second violation within a year, but that remedial measures have been taken, Ms. Jarmon made the motion for a fourteen (14) day suspension followed by a ninety (90) day period of probation, with the option of paying a two thousand (\$2000) dollar civil penalty in lieu of the suspension. Ms. Cobb seconded. The suspension will begin November 22, 2017.

(62) *Dolgencorp, LLC,* 1805 Antioch Pike, **Dollar General Store #2915** OFF-SALE (Dist. #28)

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 October 14, 2016 and ongoing. Ms. Rebecca Bradford was present to represent the applicant and pleaded guilty with an explanation. Metropolitan Beer Permit Inspector I Jesus Coreño was also present to testify. All witnesses were sworn. Based upon the guilty plea, the citation was sustained. Following a general discussion concerning Ms. Bradford's statement that she had issues obtaining a copy of the business license from the state and testimony presented to the Board, Ms. Jarmon made the motion for a fourteen (14) day suspension followed by a ninety (90) day period of probation, with the option of paying a one thousand (\$1000) dollar civil penalty in lieu of the suspension. Ms. Cobb seconded. The motion was approved unanimously. The suspension will begin November 22, 2017.

The Board briefly discussed how permit holders are notified of permits not posted, and if changes should be made to the current procedure.

- (63) Administrative matters
 - Executive Director's Report

Mr. McDonough briefly discussed several topics with the Board:

- Mr. McDonough discussed the most common violations that the Board saw over the past month, and the number and type of inspections conducted.
- He informed the Board that the department has printed and folded all of the 2018 privilege tax notices, and that they are ready to be mailed.
- Board Rules
 - Mr. Taylor reminded Board members to review the reformatted Rules package, which could be approved by the Board, and inform the office of any questions or changes that should be made.
- Any other issues
 - Mr. Taylor announced that this is Mr. Jackson's final Board meeting, and that Mr. Terry Clements is scheduled to be appointed by the Metro Council on Tuesday, November 21, 2018 to fill Mr. Jackson's term.

There being no further discussion, the meeting was adjourned at 6:45 p.m. until the next scheduled meeting set for December 7, 2017.

Date

Executive Director

Date

Chairperson