



***The Metropolitan Government of Nashville and
Davidson County***

***Metro Beer Board
Minutes
November 1, 2018***

Meeting Date:	Wednesday – November 1, 2018
Place:	Nashville Conference Room 800 2 nd Avenue South
Time:	12:0 PM

BOARD MEMBERS	STAFF PRESENT	MEMBER ATTENDANCE	OTHERS PRESENT
Mr. Brian Taylor, Chairperson Ms. Telisha Cobb, Vice Chairperson Mr. Jack Davis Ms. Kia Jarmon Mr. John Spragens Mr. Terry Clements Mr. Justin Marsh, Attorney	Benton McDonough, Director Terrence Darby, Inspector III Douglas James Jr, Inspector I Jesus Coreno, Inspector I Amanda Webb, Office Specialist		

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 October 24, 2018 minutes

Motion: Approve

First: Mr. Clements

Second: Ms. Cobb

Opposed: Unanimous

II. Grant in Order

- (1) *Electrovibe Productions*, 1515 3rd Avenue North, **Circus Brew Zerkus**
ON-SALE (SPECIAL EVENT) (Dist. 19)
(11/3/2018)
- (2) *Café Intermezzo Nashville, LLC*, 205 Demonbreun Street, **Café Intermezzo Sobro**
ON-SALE (NEW LOCATION) (Dist. 19)
- (3) *Seed 22, LLC*, 215 1st Avenue South, **The Green Pheasant**
ON-SALE (NEW LOCATION) (Dist. 19)
- (4) *Craft Brewed LLC*, 1 Symphony Place, **Free Day of Music**
ON-SALE (SPECIAL EVENT) (Dist. 19)
(10/26, 0/27/18)
- (5) *Billy Goat Tavern, TN, LLC*, 1220 2nd Avenue North, **The Goat at LC Germantown**
ON/OFF-SALE (NEW LOCATION) (Dist. 19)
- (6) *FRC Balance, LLC*, 3996 Hillsboro Pike, **True Food Kitchen**
ON-SALE (NEW LOCATION) (Dist. 25)
- (7) *Draks Oil, Inc. 2*, 731 Harding Pike, **Draks Oil Inc. 2**
OFF-SALE (NEW LOCATION) (Dist. 26)
- (8) *Grace Eunhye Park/Haiwoondai Restaurant, Inc.*, 2051 Antioch Pike, **Haiwoondai**
ON-SALE (CHANGE OF OWNERSHIP) (Dist. 28)
- (9) *Hojo, Inc.*, 6688 Nolensville Rd., **Korea BBQ and Sushi**
ON-SALE (CHANGE OF OWNERSHIP) (Dist. 31)
- (15) *CreatiVets*, 1201 Laurel Street, **Crafty Bastards**
ON-SALE (SPECIAL EVENT) (Dist. 19)
(11/2, 11/ 3, 11/4/2018)

(21) <i>CR7, LLC, 1309 Bell Road Suite 209 & 206, Love Market</i> ON/OFF-SALE (NEW LOCATION)	(Dist. 19)			
(22) <i>Madai Co. LLC, 4932 Thoroughbred Lane, Madai</i> ON-SALE (CHANGE OF OWNERSHIP)	(Dist. 34)			
<table border="1"> <tr> <td></td> <td>Motion: Grant First: Ms. Cobb Second: Mr. Davis</td> <td>Opposed or Abstained: <u>Unanimous</u></td> </tr> </table>			Motion: Grant First: Ms. Cobb Second: Mr. Davis	Opposed or Abstained: <u>Unanimous</u>
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III. Defer	
(11) <i>Nashville Civic Design Center, 37 Wilburn Street, Nashville Design Week</i> ON-SALE (SPECIAL EVENT) (Incomplete File)	(Dist. 05)
(12) <i>Nashville LGBT Chamber Foundation, 1 Titans Way, Taste</i> ON-SALE (SPECIAL EVENT) (Incomplete File)	(Dist. 06)
(13) <i>Rhizome Productions, 3021 Lealand Lane, Winter Warmer</i> ON-SALE (SPECIAL EVENT) (Incomplete File)	(Dist. 17)
(14) <i>Tempo LLC, 2179 Nolensville Pike, Tempo</i> ON-SALE (CHANGE OF OWNERSHIP) (Incomplete File)	(Dist. 17)
(16) <i>Surti Hospitality Group, LLC, 1300 B 3rd Avenue North, Tailor Nashville</i> ON-SALE (NEW LOCATION) (11/15/2018) (Incomplete File)	(Dist. 19)
(17) <i>Niharika LLC, 1524 Demonbreun Street, Ste. B, The Old Line</i> ON-SALE (CHANGE OF OWNERSHIP) (Incomplete File)	(Dist. 19)

(18) *Tin Roof Acquisition Company, LLC, 1520 Demonbreun Street, Two Bits*
ON-SALE (EXPANSION) (Dist. 19)
(Incomplete File)

(19) *Tin Roof Acquisition Company, LLC, 1516 Demonbreun Street, Suite C & D, Tin Roof*
ON-SALE (EXPANSION) (Dist. 19)
(Incomplete File)

(20) *C&B Broadway Street, LLC, Caviar & Bananas*
ON/OFF-SALE (CHANGE OF OWNERSHIP) (Dist. 19)
(Incomplete File)

Motion: Defer
First: Ms. Cobb
Second: Mr. Davis

Opposed or Abstained:
Unanimous

IV. Opposition

(10) *Something Better Entertainment, LLC, 1141 Bell Road, 9 Bar/Lounge*
ON/OFF-SALE (NEW LOCATION) (Dist. 32)
(OPPOSITION)

Notes: Councilwoman Dowell spoke about 9 Bar/Lounge stated she felt like 9 bar/Lounge should meet with the community, Metro PD and have a safety plan as the area is considered high crime. She has received several phone calls about people leaving the parking lot intoxicated and is concerned other businesses in the area may leave due to problem caused by 9 Bar/Lounge.

Board member Jack Davis asked if 9 bar had met with MPD and formed a safety plan. Board member Jack Davis also said he felt we had went over this several times and 9 bar needs to comply with what has been asked of them.

Board member Kia Jarmon asked why the safety plan was not in hand when 9 Bar/Lounge came to the meeting. She said she asked to see it. 9 Bar/Lounge owner Cedaneo T. Lee said he has submitted it to the police.

Mr. David Young community representative spoke in opposition said he welcomed new business to the area but did not like that it was a nightclub and being classified as a restaurant.

Ms. Carol Joselin with Freeland Chevrolet has lived and worked in the area for over 20 years. She does not believe the business belongs in the area. She stated anything that happened after midnight was no good.

The 9 bar/Lounge owner Mr. Cedaneo T. Lee stated he had sent in the menu and submitted a security plan

to Officer Kendall Lee. Mr. Lee said he has cooperated in all ways and has tried to talk with everyone. It is impossible to address every safety issue but they try to keep it all safe. They have a security team that not only keeps their place secure but protects the parking lot for the other businesses.

Sonya Shirley, Manager 9 Bar/Lounge stated they have made several changes and have tried to communicate with the neighbors and the public. She stated they have two security teams in the parking lot not only to protect 9 bar/Lounge but the other businesses patrons also. She also stated she thought everything was ok with Councilwoman Dowell as she had been to the establishment several times and also held an event there.

Board member Telisha Cobb asked about their re-entry policy and Ms. Shirley stated they have to pay another 20.00 fee to go back in the building once they have exited. She also stated they are searched again before reentering

Sonya Shirley, Manager 9 Bar/Lounge also stated that in the last 1 1/2 years the police calls were not for their address it was problems in other businesses.

Board member Kia Jarmon stated she wants to see a security plan at the next meeting as we need 9 bar/Lounge to do what they say they will do. We need to actually see the security plan not just talk about it.

Board member Jack stated we have heard this several times now and need to make a final decision. Board Chairman Brian Taylor stated we have to be careful telling business owners how to operate but we also need to make sure the safety concern is addressed. The board members also discussed why the beer permit is an issue when they already have a permit to serve liquor.

Mr. David Young stated he did not know why it changes but when beer is not served the police calls went down. Councilwoman Dowell stated she felt people drink more beer than liquor.

Kia asked if Councilwoman Dowell had been to the ABC board. She was told no they have not. The board deferred until next meeting and asked 9 Bar/Lounge to bring security plan in for the next meeting.

	Motion: Defer First: Mr. Davis Second: Ms. Cobb	Opposed or Abstained: <u>Unanimous</u>
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IV. Complaints

Complaints

() *Dolgencorp LLC*, 3721 Clarksville Highway, **Dollar General #4400**
OFF-SALE (Dist. 2)
(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 8/28/18 and ongoing.)

COMPLAINANT: Metro Beer Permit Inspector I Jesus Coreno
\$500.00 Civil Penalty/7 day suspension/30 day probation

() *Dolgencorp LLC*, 3006 Gallatin Road, **Dollar General #2117**
OFF-SALE (Dist. 7)
(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 4/10/18 and ongoing.)

COMPLAINANT: Metro Beer Permit Inspector I Jesus Coreno

\$500.00 Civil Penalty/7 day suspension/30 day probation

() *Beshor Soliman*, 3210 Gallatin Pike, **Ontrack Market**

OFF-SALE

(Dist. 7)

(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 4/10/18 and ongoing.)

COMPLAINANT: Metro Beer Permit Inspector I Jesus Coreno

\$500.00 Civil Penalty/7 day suspension/30 day probation

() *VNK LLC*, 500 East Old Hickory Boulevard, **Grand Slam Market**

OFF-SALE

(Dist. 9)

(Alleged violation of Section 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. 39-17-437(2) on or about 10/3/18.)

COMPLAINANT: Metro Beer Permit Inspector I Douglas James Jr

\$1000.00 Civil Penalty/14 day suspension/60 day probation

() *VNK LLC*, 500 East Old Hickory Boulevard, **Grand Slam Market**

OFF-SALE

(Dist. 9)

(Alleged violation of M.C.L. Section 7.08.130B To bring, to cause, or allow to be brought onto the premises of any permittee under the provisions of this chapter any intoxicating beverage, the alcoholic content of which is in excess of eight percent by weight, unless such permittee is the holder of a valid license issued under the authority of Tennessee Code Annotated, Title 57, Chapter 4 (T.C.A. § 57-4-101 et seq.) on or about 10/3/18.)

COMPLAINANT: Metro Beer Permit Inspector I Douglas James Jr

\$1000.00 Civil Penalty/14 day suspension/60 day probation

() *Wahed Embaruk Labib*, 4331 Saundersville Road, **Kwik Stop Super Mercado**

OFF-SALE

(Dist. 11)

(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 5/20/16 and ongoing.)

COMPLAINANT: Metro Beer Permit Inspector I Douglas James Jr

\$500.00 Civil Penalty/7 day suspension/30 day probation

() *Wahed Embaruk Labib*, 4331 Saundersville Road, **Kwik Stop Super Mercado**
OFF-SALE (Dist. 11)

(Alleged violation of Section 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. 39-17-437(2) on or about 9/28/18.)

COMPLAINANT: Metro Beer Permit Inspector I Douglas James Jr
\$1000.00 Civil Penalty/14 day suspension/60 day probation

() *Golf Enterprises, Inc.*, 640 Old Hickory Blvd, **Riverside Golf Center**
ON-SALE (Dist. 11)

(Alleged violation of M.C.L. Section 7.08.130B To bring, to cause, or allow to be brought onto the premises of any permittee under the provisions of this chapter any intoxicating beverage, the alcoholic content of which is in excess of eight percent by weight, unless such permittee is the holder of a valid license issued under the authority of Tennessee Code Annotated, Title 57, Chapter 4 (T.C.A. § 57-4-101 et seq.) on or about 10/2/18.)

COMPLAINANT: Metro Beer Permit Inspector I Douglas James Jr
\$500.00 Civil Penalty/7 day suspension/30 day probation

() *Walgreen Co.*, 400 Tulip Grove Road, **Walgreens #05065**
OFF-SALE (Dist. 12)

(Alleged violation of M.C.L. Section 7.08.040G An applicant or permit holder shall amend or supplement the information provided in its application promptly if a change in circumstances affects the responses in its application on or about 7/24/18 and ongoing.)

COMPLAINANT: Metro Beer Permit Inspector I Douglas James Jr
\$500.00 Civil Penalty/7 day suspension/30 day probation

() *Fogatas, LLC*, 5560 Nolensville Pike, **Fogatas**
ON-SALE (Dist. 27)

(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 6/21/18 and ongoing.)

COMPLAINANT: Metro Beer Permit Inspector I Jesus Coreno
\$500.00 Civil Penalty/7 day suspension/30 day probation

() *Tennessee CVS Pharmacy, LLC*, 4201 Clarksville Pike, **CVS/Pharmacy #03192**
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 7/17/18 and ongoing.)

COMPLAINANT: Metro Beer Permit Inspector I Douglas James Jr

\$500.00 Civil Penalty/7 day suspension/30 day probation

() *Phoutsady Norasing*, 321 Harding Place, Ste. A, **Thai Papaya Restaurant, Thai Sushi & Viet ON-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 7/20/18 and ongoing.)

COMPLAINANT: Metro Beer Permit Inspector I Douglas James Jr

\$500.00 Civil Penalty/7 day suspension/30 day probation

() *Sam's East, Inc.*, 1300 Antioch Pike, **Sam's Club #8294 OFF-SALE** (Dist. 28)

(Alleged violation of M.C.L. Section 7.08. 080 The specific address or description of the premises where beer is authorized to be sold shall be stated on the face of each permit issued by the metropolitan beer permit board, and no permit shall be valid unless such address or description of the premises is stated on the face of such permit on or about 11/16/17 and ongoing.)

COMPLAINANT: Metro Beer Permit Inspector I Douglas James Jr

\$500.00 Civil Penalty/7 day suspension/30 day probation

() *MAC's Convenience Stores LLC*, 198 Haywood Lane, **Circle K #3694 OFF-SALE** (Dist. 30)

(Alleged violation of M.C.L. Section 7.08.040G An applicant or permit holder shall amend or supplement the information provided in its application promptly if a change in circumstances affects the responses in its application on or about 7/26/18 and ongoing.)

COMPLAINANT: Metro Beer Permit Inspector I Douglas James Jr

\$500.00 Civil Penalty/7 day suspension/30 day probation

Motion: First: Mr. Davis Second: Ms. Cobb	Opposed or Abstained: <u>Unanimous</u>
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Executive Director's Report

Director McDonough spoke about the new online beer application and how great it is going. We have had no complaints and so far 9 applications

ANY OTHER BUSINESS: There being no further discussion, the meeting was adjourned 1:25 p.m. until the next scheduled meeting set for 11/14/2018.

Date

Executive Director

Date

Chairperson