



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

***Metro Beer Board Minutes***

<b>Meeting Date:</b>	<b>Wednesday– September 23, 2020 @ 5:30 P.M.</b>
<b>Teleconference Info:</b>	<b>Call: 415-655-0002</b>
	<b>Access Code: 146 188 8515#</b>
	<b>When prompted, press # to indicate you are an attendee</b>

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**

- Chairman Brian Taylor called the meeting to order at 5:32 p.m.

**\* ROLL CALL**

- Chairman Taylor called roll:

- Present: Mr. William Conway, Mr. Joe Perlen, Mr. Christopher Bellamy, Ms.

Bailey Spaulding, Chairman Brian Taylor.

(After determining that a quorum was present, Chairman Taylor continued)

\* DETERMINATION OF NECESSITY BY TELECONFERENCE

- Board Counsel, Matthew Garth, explained to the board that Governor Lee's Executive Order 16 granted local boards and commissions the authority to conduct meetings and essential business by virtual electronic means. That Order was later extended by Executive Order 60. Mr. Garth further explained that the board could conduct business if it deemed such business essential and waived any board rules to the contrary. The explanation was then adopted in the form of a motion by Mr. Conway. The motion was then seconded by Mr. Bellamy.

Voting Aye:

- Bellamy, Conway, Perlen, Spaulding

Voting No:

- None.

Present Not Voting:

- Chairman Taylor

\* 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

<p>Approval of the September 10, 2020 Minutes:</p> <p>Changes:</p> <p>Approval By: Bellamy, Conway, Perlen, Spaulding</p> <p>No: None.</p> <p>Present Not Voting: Chairman Taylor</p> <p>Signature of Chairman _____</p>	<p>Motion: Motion to accept the Minutes as presented.</p> <p>First: Mr. Joe Perlen</p> <p>Second: Mr. Will Conway</p>
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**APPLICATIONS FOR APPROVAL**

<p>(1) <i>Andrew Jackson Foundation, 4580 Rachels Ln 37076, ANDREW JACKSON'S HERMITAGE</i></p>	<p>T20-26417</p>
<p>ON-SALE (NEW LOCATION) (Dist. #11)</p>	
<p>(2) <i>TNFold LLC, 2408 Lebanon Pike 37214, TENNFOLD WHOLESALERS</i></p>	<p>T20-26896 (Dist. #15)</p>
<p>(3) <i>Paju LLC, 1604 8Th Ave S 37203, THE BASEMENT</i></p>	<p>T20-26827 (Dist. #17)</p>
<p>(4) <i>4210 Charlotte Partners, LLC, 4210 Charlotte Ave 37209, OTTO'S</i></p>	<p>T19-26392 (Dist. #24)</p>
<p>(5) <i>Nashville Zoo, 3777 Nolensville Pike 37211, SEPTEMBER SIPS</i></p>	<p>T20-26498 (Dist. #26)</p>

(9/24 - 9/26/20)

(6) *TNT Concepts, LLC, 1015 Bell Rd 37013, TNT'S BILLIARDS BAR AND GRILL* T20-26856  
ON-SALE (NEW LOCATION) (Dist. #32)

(7) *Hooks Seafood Kitchen Bellevue, LLC, 7073 Highway 70 S 37221, HOOKS* T20-26454  
**SEAFOOD KITCHEN**  
ON-SALE (NEW LOCATION) (Dist. #34)

Chairman Taylor read the names of applicants that beer board staff recommended for final approval. Mr. Joe Perlen made a motion to accept the staff's recommendation to approve the aforementioned applicants for final approval. The motion was then seconded by Mr. Conway.

Voting Aye:

- Bellamy, Conway, Perlen, Spaulding

Voting No:

- None.

Present Not Voting:

- Chairman Taylor

### **DEFER INDEFINITELY**

(8) *Karrington's Daiquiri Factory, 1315 Lischey Ave 37207, KARRINGTON'S* T20-26909  
**DAIQUIRI FACTORY**  
ON-SALE (Dist. #05)  
(MISSING DOCUMENTS)

(9) *921 Woodland Bar LLC, 921 Woodland St 37206*, **LAKESIDE LOUNGE BNA** T20-26916  
ON-SALE (EXPANSION) (Dist. #06)  
(MISSING DOCUMENTS)

(10) *One Stop Mart LLC, 2917 Dickerson Pike 37207*, **ONE STOP MART** T20-26858  
OFF-SALE (NEW LOCATION) (Dist. #08)  
(MISSING DOCUMENTS)

(11) *Danial Market, 2511 Dickerson Pike 37207*, **DANIEL'S MARKET** T20-26895  
ON/OFF-SALE (Dist. #08)  
(MISSING DOCUMENTS)

(12) *Crestline Hotels & Resorts, LLC, 2200 Elm Hill Pike 37214*, **HILTON NASHVILLE** T20-26898  
**AIRPORT**  
ON-SALE (OLD LOCATION) (Dist. #15)  
(MISSING DOCUMENTS)

(13) *PDFK Nashville, LLC, 575 Opry Mills Dr 37214*, **PAULA DEEN'S FAMILY** T20-26906  
**KITCHEN**  
ON-SALE (NEW LOCATION) (Dist. #15)  
(MISSING DOCUMENTS)

(14) *Fatima Beauty Supply & Tobacco Discount Store, LLC, 3716 Nolensville Pike, 37211,* T20-26910

**FATIMA BEAUTY SUPPLY & TOBACCO DISCOUNT STORE LLC**

OFF-SALE (NEW LOCATION) (Dist. #16)  
(MISSING DOCUMENTS)

(15) *Blade and Timber LLC, 2018 B Lindell Ave 37203,* **BLADE AND TIMBER** T20-26901

ON-SALE (CHANGE OF OWNERSHIP) (Dist. #17)  
(MISSING DOCUMENTS)

(16) *Rock Bottom Group LLC, 111 Broadway 37201,* **ROCK BOTTOM RESTAURANT  
& BREWERY** T20-26873

WHOLESALES (CHANGE OF OWNERSHIP) (Dist. #19)  
(MISSING DOCUMENTS)

(17) *SP Grand, LLC, 1000 Broadway #101 37203,* **THE CONTINENTAL** T20-26900

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

(18) *Thor's Hammer, LLC, 648 Fogg St 37203,* **THOR'S HAMMER, LLC** T20-26911

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

(19) <i>Third Man Events LLC, 623 7Th Ave S 37203</i> , <b>THE BLUE ROOM</b>	T20-26915
ON-SALE (NEW LOCATION)	(Dist. #19)
(MISSING DOCUMENTS)	
(21) <i>Juicy Seafood VII Inc, 3949 Nolensville Pike 37211</i> , <b>JUICY SEAFOOD VII INC</b>	T20-26903
ON-SALE (NEW LOCATION)	(Dist. #26)
(MISSING DOCUMENTS)	
(22) <i>Z-Bar, LLC, 3955 Nolensville Pike 37211</i> , <b>Z-BAR, LLC</b>	T20-26902
ON-SALE (EXPANSION)	(Dist. #26)
(MISSING DOCUMENTS)	
(23) <i>Yogis Pizzeria LLC, 4825 Trousdale Dr #236 37220</i> , <b>YOGIS PIZZERIA</b>	T20-26914
ON/OFF-SALE (NEW LOCATION)	(Dist. #26)
(MISSING DOCUMENTS)	
(24) <i>Hookah City Cafe, 4651 Nolensville Pike 37211</i> , <b>HOOKAH CITY CAFE</b>	T20-26913
ON-SALE (CHANGE OF OWNERSHIP)	(Dist. #27)
(MISSING DOCUMENTS)	
(25) <i>Larry's Restaurant and Lounge, LLC, 2572 A Murfreesboro Pike 37217</i> ,	T20-26899
<b>LARRY'S RESTAURANT AND LOUNGE</b>	
ON-SALE (CHANGE OF OWNERSHIP)	(Dist. #29)
(MISSING DOCUMENTS)	

(26) *3Js of Bellevue LLC, 8080 C Highway 100 37221, TITOS MEXICAN*

T20-26905

**RESTAURANT**

ON-SALE

(NEW LOCATION)

(Dist. #35)

**(MISSING DOCUMENTS)**

Chairman Taylor read the names of applicants that beer board staff recommended for indefinite deferral. Mr. Conway made a motion to accept the staff's recommendation for indefinite deferral of the aforementioned applicants. The motion was then seconded by Mr. Bellamy.

Voting Aye:

- Bellamy, Conway, Perlen, Spaulding

Voting No:

- None.

Present Not Voting:

- Chairman Taylor

**REQUEST TO WITHDRAW**

(20) *Hutton Hotel, 1808 West End Ave 37203, BUTTON UP MUSIC ROW HOTEL*

T20-26811

**OWNER LLC**

ON-SALE

(Dist. #21)

Chairman Taylor read the name of applicant that beer board staff recommended for withdraw. Mr. Conway made a motion to accept the staff's recommendation for withdraw of the aforementioned applicant. The motion was then seconded by Mr. Perlen.

Voting Aye:

- Bellamy, Conway, Perlen, Spaulding

Voting No:

- None.



Present Not Voting:

- Chairman Taylor

## DEFERRED TRIALS

(27) *Harry O's Steakhouse LLC, 221 BROADWAY 37201, KID ROCKS BIG ASS HONKY TONK*

18-25714

ON-SALE

(Dist. #19)

**(Alleged violation of M.C.L 7.08.110A The metropolitan beer permit board shall have the power to revoke or suspend, and shall be charged with the duty of revoking or suspending, any permits issued by it, upon notice to the permittee and a hearing thereon, for any violation of any provision of state law regulating the sale, storage and transportation of alcoholic beverages or for any violation of any provision of this code or any other ordinance of the metropolitan government or of any private act, county court resolution or City of Nashville ordinance which has the effect of an ordinance of the metropolitan government regulating beer or other intoxicating beverage, or when the permittee | M.C.L 7.08.150B Revocation, suspension or imposition of a civil penalty may be made where it appears satisfactorily that the premises of any person, firm or corporation holding a beer permit under this chapter are being operated in such manner as to be detrimental to public health, safety and morals on or about June 13, 2020, in violation of two points of the Health Director Order 6: Phase Two – Reopening: Section 4 - Bar areas must remain closed to the public; the bar may be used to prepare and service orders from patrons seated elsewhere. No interaction between the public and bartender shall be allowed. AND Alcohol may be served only at tables or booths for on-premises consumption.)**

**COMPLAINANT: Special Assistant to the Director Melvin S. Brown Jr**

**Metropolitan Beer Permit Inspector II Douglas James Jr**

**Metropolitan Beer Permit Inspector I Darrell Hardrick**

**SUBPOENA: Jonathan Dale Scott**

**STAFF RECOMMENDATION: Civil Penalty or 5 Day Suspension**

The Respondent was represented by Counsel, Bryan Lewis. Mr. Lewis offered a plea of “not guilty” on behalf of his client. The hearing began with special Assistant to the Director, Melvin Brown, recounting the events of the evening in question. Mr. Brown explained that he was instructed to inspect a random selection of the bars on Broadway. Mr. Brown instructed that he visited five (5) locations and found four (4) to be in violation of the Health Director’s Order No. 6. Mr. Lewis asked Mr. Brown if he had received any directive from board member, Kia Jarmon. Mr. Brown explained that he’s only spoken with Ms. Jarmon during board meetings, but no contact outside of that. Mr. Lewis then asked that the board rule in favor of his client and asked that the charges be dismissed due to what he deemed a violation of his client’s rights as reflected in social media comments made by Ms. Jarmon after the emergency hearing in June 2020. Mr. Conway then made a motion to sustain the citation. That motion was then seconded by Mr. Perlen.

Voting Aye:

- Bellamy, Conway, Perlen, Spaulding

Voting No:

- None.

Present Not Voting:

- Chairman Taylor

During the penalty phase, Chairman Taylor asked Mr. Lewis the length of closures for his client during the pandemic. Mr. Lewis stated that he was unsure of the total length of closure. Mr. Bellamy asked what, if any, warning was given to the permit holder prior to the citation. Mr. Brown stated that no previous warning was provided. The question was also posed as to whether or not the Respondent continued to violate the order. Mr. Brown stated that no additional violations were noted following that evening. Mr. Perlen then made a motion for a \$2500 civil penalty or the option to serve a five (5) day suspension followed by 90 days probation. The motion was then seconded by Mr. Conway.

Voting Aye:

- Bellamy, Conway, Perlen, Spaulding

Voting No:

- None.

Present Not Voting:

- Chairman Taylor

(28) *Hardy & Kelly, LLC, 317 BROADWAY 37201, BROADWAY BREWHOUSE & THE MOJO*

**GRILL**

18-25784

ON-SALE

(Dist. #19)

**(Alleged violation of M.C.L 7.08.110A The metropolitan beer permit board shall have the power to revoke or suspend, and shall be charged with the duty of revoking or suspending, any permits issued by it, upon notice to the permittee and a hearing thereon, for any violation of any provision of state law regulating the sale, storage and transportation of alcoholic beverages or for any violation of any provision of this code or any other ordinance of the metropolitan government or of any private act, county court resolution or City of Nashville ordinance which has the effect of an ordinance of the metropolitan government regulating beer or other intoxicating beverage, or when the permittee | M.C.L 7.08.150B Revocation, suspension or imposition of a civil penalty may be made where it appears satisfactorily that the premises of any person, firm or corporation holding a beer permit under this chapter are being operated in such manner as to be detrimental to public health, safety and morals on or about June 13, 2020, in violation of two points of the Health Director Order 6: Phase Two – Reopening: Section 4 - Bar areas must remain closed to the public; the bar may be used to prepare and service orders from patrons seated elsewhere. No interaction between the public and bartender shall be allowed. AND Alcohol may be served only at tables or booths for on-premises consumption.)**

**COMPLAINANT: Special Assistant to the Director Melvin S. Brown Jr**

**Metropolitan Beer Permit Inspector II Douglas James Jr**

**Metropolitan Beer Permit Inspector I Darrell Hardrick**

**SUBPOENA: Amy Leann Cotton**

**STAFF RECOMMENDATION: Civil Penalty or 5 Day Suspension**

The Respondent was represented by Counsel, Bryan Lewis. Mr. Lewis offered a plea of “not guilty” on behalf of his client. The hearing began with special Assistant to the Director, Melvin Brown, recounting the events of the evening in question. Mr. Brown explained that he was instructed to inspect a random selection of the bars on Broadway. Mr. Brown instructed that he visited five (5) locations and found four (4) to be in violation of the Health Director’s Order No. 6. Mr. Lewis asked Mr. Brown if he had received any directive from board member, Kia Jarmon. Mr. Brown explained that he’s only spoken with Ms. Jarmon during board meetings, but no contact outside of that. Mr. Lewis then asked that the board rule in favor of his client and asked that the charges be dismissed due to what he deemed a violation of his client’s rights as reflected in social media comments made by Ms. Jarmon after the emergency hearing in June 2020. Mr. Perlen then made a motion to sustain the citation. That motion was then seconded by Mr. Conway.

Voting Aye:

- Bellamy, Conway, Perlen, Spaulding

Voting No:

- None.

Present Not Voting:

- Chairman Taylor

During the penalty phase, Chairman Taylor asked Mr. Lewis the length of closures for his client during the pandemic. Mr. Lewis stated that he was unsure of the total length of closure. Mr. Bellamy asked what, if any, warning was given to the permit holder prior to the citation. Mr. Brown stated that no previous warning was provided. The question was also posed as to whether or not the Respondent continued to violate the order. Mr. Brown stated that no additional violations were noted following that evening. Mr. Perlen then made a motion for a \$2500 civil penalty or the option to serve a five (5) day suspension followed by 90 days probation. The motion was then seconded by Mr. Conway.

Voting Aye:

- Bellamy, Conway, Perlen, Spaulding

Voting No:

- None.

Present Not Voting:

- Chairman Taylor

## TRIALS

(29) *Quick Stop N Four Corners, Inc, 3769 Murfreesboro PIKE 37013, Quick Stop N Four Corners*

12-16928

OFF-SALE

(Dist. #32)

**(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 June 30, 2020).**

**COMPLAINANT: Metropolitan Beer Permit Inspector I Darrell Hardrick  
Metropolitan Beer Permit Inspector II Douglas James Jr  
Special Assistant to the Director Melvin S. Brown Jr**

**SUBPOENA: Moody Rais  
Amir Dharani**

**STAFF RECOMMENDATION: \$2000 Civil Penalty or 14 Day Suspension and 90 Day Probation**

Respondent entered a guilty plea. The inspector stated that the Respondent sold beer to an underage beer board informant during an operation on June 30, 2020. The Respondent admitted that this occurred and stated that he was in a hurry at the time. Mr. Bellamy then made a motion for a \$1,500.00 suspension or a fourteen (14) day suspension with ninety (90) days probation. The motion was then seconded by Mr. Conway.

Voting Aye:

- Bellamy, Conway, Perlen, Spaulding

Voting No:

- None.

Present Not Voting:

- Chairman Taylor

(30) *Southside Pub LLC, 2190 A NOLENSVILLE PIKE 37211, SOUTH SIDE PUB & KITCHEN* 19-26202

ON-SALE (Dist. #17)

**(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 November 12, 2019).**

**COMPLAINANT: Metropolitan Beer Permit Inspector II Douglas James Jr  
Metropolitan Beer Permit Inspector I Darrell Hardrick  
Special Assistant to the Director Melvin S. Brown Jr**

**SUBPOENA: Daniel Bockman  
Kameron Simpson  
Krystal Lockert**

**STAFF RECOMMENDATION: \$2000 Civil Penalty or 14 Day Suspension and 90 Day Probation**

The Respondent entered a plea of “guilty”. The inspector testified that the Respondent sold beer to an underage beer board informant during an operation on November 12, 2019. The Respondent admitted to this violation and asked that the board show mercy in this matter, due to the loss of business. Mr. Bellamy then made a motion to assess a \$1,000 civil penalty or a seven (7) day suspension with a ninety (90) day probation. That motion was then seconded by Mr. Conway.

Voting Aye:

- Bellamy, Conway, Perlen, Spaulding

Voting No:

- None.

Present Not Voting:

- Chairman Taylor

(31) ADMINISTRATIVE MATTERS

EXECUTIVE DIRECTORS REPORT

Executive Director, Benton McDonough, provided an update to the board regarding the current revenue totals for the year. Mr. McDonough then explained that approximately twenty or more privilege tax payments remained outstanding for the previous year.

(32) ADJOURNMENT

- Chairman Taylor then formally adjourned the meeting at 7:07 p.m.

