



The Metropolitan Government of Nashville and Davidson County...

Metro Beer Board Minutes

<p>Meeting Date: Teleconference Info:</p>	<p>Thursday – October 8, 2020 @ 12:00 P.M. Call: 415-655-0002 Meeting Pin: 146-191-0398# When prompted, press # to indicate you are an attendee</p>
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BOARD MEMBERS	STAFF PRESENT	MEMBER ATTENDANCE	OTHERS PRESENT
<p>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. Justin Marsh, Attorney</p>	<p>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</p>		

***CALL TO ORDER**

- At 12:03 p.m., Chairman Brian Taylor called the meeting to order.

***ROLL CALL**

- Chairman Taylor called roll to establish a quorum.

- Present: Ms. Kia Jarmon, Mr. Joe Perlen, Ms. Delfine Fox, Chairman Brian Taylor

(Having determined the presence of a quorum, Chairman Taylor commenced with official business of the Beer Board)

***DETERMINATION OF NECESSITY BY TELECONFERENCE**

- Legal Counsel, Matthew Garth, explained that Governor Lee’s Executive Order 16, later extended by Executive Order 60, allows local boards and commissions to conduct official business by virtual means – electronic means if the board deems essential business will be conducted and elect to utilize the virtual option. Further, the board would have to waive any and all rules that act to the contrary of virtual meetings. Mr. Perlen adopted Mr. Garth’s statement in a formal motion. That motion was then seconded by Ms. Jarmon.

Vote:

- Aye: Ms. Jarmon, Mr. Perlen, Ms. Fox, 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

Approval of the September 23, 2020 Minutes:

Changes: None.

Approval By: Ms. Jarmon, Mr. Perlen, Ms. Fox, Chairman Taylor

Motion: to adopt Minutes from
September 23, 2020.

First: Mr. Perlen

Second: Ms. Fox

Signature of Chairman _____

Opposed:

APPLICATIONS FOR APPROVAL

- | | |
|--|-------------|
| (1) <i>Bordeaux Grab & Go, Inc., 3909 Clarksville Pike 37218, LITTLE BARN MARKET</i> | T20-26863 |
| OFF-SALE (CHANGE OF OWNERSHIP) | (Dist. #01) |
| (2) <i>921 Woodland Bar LLC, 921 Woodland St 37206, LAKESIDE LOUNGE BNA</i> | T20-26916 |
| ON-SALE (EXPANSION) | (Dist. #06) |
| (3) <i>Hawkers E. Nashville, LLC, 626 A Main St 37206, HAWKERS ASIAN STREET FARE</i> | T20-26889 |
| ON-SALE (NEW LOCATION) | (Dist. #06) |
| (4) <i>One Stop Mart LLC, 2917 Dickerson Pike 37207, ONE STOP MART</i> | T20-26858 |
| OFF-SALE (NEW LOCATION) | (Dist. #08) |
| (5) <i>Riverside Golf Links LLC, 640 Old Hickory Blvd 37138, RIVERSIDE GOLF LINKS</i> | T20-26852 |
| ON-SALE (CHANGE OF OWNERSHIP) | (Dist. #11) |
| (6) <i>The Lost Paddy, LLC, 715 Spence Ln 37217, THE LOST PADDY IRISH PUB & RESTAURANT</i> | T20-26825 |
| ON-SALE (EXPANSION) | (Dist. #15) |
| (7) <i>Soltani Enterprises, LLC, 329 Peachtree St 37210, PEACHTREE DRIVE-IN</i> | T20-26831 |

ON-SALE	(NEW LOCATION)	(Dist. #16)
(8) <i>Belcourt Partners, 1911 Belcourt Ave 37212, Moxy Nashville Vanderbilt</i>		T19-25988
ON-SALE	(NEW LOCATION)	(Dist. #18)
(9) <i>2 Black Knights, LLC, 1913 Division St 37203, WINNER'S BAR & GRILL</i>		T20-26874
ON-SALE	(CHANGE OF OWNERSHIP)	(Dist. #19)
(10) <i>J.K.B. Restaurant Group, LLC, 1318 6Th Ave N 37208, SONNY'S PATIO PUB & REFUGE</i>		T20-26887
ON-SALE	(CHANGE OF OWNERSHIP)	(Dist. #19)
(11) <i>TownePlace Management, LLC, 310 Gay St 37201, TOWNEPLACE SUITES</i>		T20-26749
NASHVILLE DOWNTOWN		
ON/OFF-SALE	(NEW LOCATION)	(Dist. #19)
(12) <i>Nashville LicenseCo LLC, 310 Gay St 37201, TOWNEPLACE SUITES NASHVILLE</i>		T20-26752
DOWNTOWN		
ON/OFF-SALE	(NEW LOCATION)	(Dist. #19)
(13) <i>Omar Martinez, 624 Grassmere Park #3 37211, TACO EXPRESS</i>		T20-26930
ON-SALE	(NEW LOCATION)	(Dist. #26)
(14) <i>Larry's Restaurant and Lounge, LLC, 2572 A Murfreesboro Pike 37217,</i>		T20-26899
LARRY'S RESTAURANT AND LOUNGE		

ON-SALE (CHANGE OF OWNERSHIP) (Dist. #29)

(15) *Tapatio Supermercado Inc, 4736 Nolensville Pike 37211, TAPATIO SUPERMERCADO* T19-25925

OFF-SALE (NEW LOCATION) (Dist. #30)

(16) *M&M 7 LLC, 1467 Bell Rd 37211, M&M MART* T20-26894

OFF-SALE (CHANGE OF OWNERSHIP) (Dist. #31)

(17) *Thorntons, LLC, 3500 Murfreesboro Pike 37013, THORNTONS #614* T20-26535

OFF-SALE (Dist. #33)

(18) *Loveless Café, GP, 8400 Highway 100 37221, LOVELESS CAFE* T20-26864

ON-SALE (EXPANSION) (Dist. #35)

Chairman Taylor read the pending applications recommended for final approval by the Beer Board staff. Ms. Jarmon made a motion to approve the aforementioned applicants, as recommended by the board staff, for final approval. The motion was then seconded by Mr. Perlen.

Vote:

- Aye: Ms. Jarmon, Mr. Perlen, Ms. Fox, Chairman Taylor.

DEFER INDEFINITELY

(19) *Sama LLC, 2202 Dickerson Pike 37207, SAMA LLC* T20-26917

ON-SALE (NAME CHANGE) (Dist. #05)

(MISSING DOCUMENTS)

(20) <i>MARKET PLACE @SKYLINE COMMONS LLC, 400 Davidson St 37213, MARKET PLACE @SKYLINE COMMONS LLC</i>		T20-26923
ON/OFF-SALE	(NEW LOCATION)	(Dist. #06)
	(MISSING DOCUMENTS)	
(21) <i>Jai W. Shin, 2021 Gallatin Pike N #216 37115, ARIGATO</i>		T20-26919
ON-SALE	(EXPANSION)	(Dist. #10)
	(MISSING DOCUMENTS)	
(22) <i>Wren's LLC, 2305 12Th Ave S 37204, LOCUST</i>		T20-26928
ON-SALE	(NEW LOCATION)	(Dist. #18)
	(MISSING DOCUMENTS)	
(23) <i>Fun Eats and Drinks, LLC, 408 Broadway 37203, LUCKY BASTARD SALOON</i>		T20-26922
ON/OFF-SALE	(NAME CHANGE)	(Dist. #19)
	(MISSING DOCUMENTS)	
(24) <i>Casa de Montecristo-TN, LLC, 600 9Th Ave S #130 37203, CASA DE MONTECRISTO-TN, LLC</i>		T20-26927
ON-SALE	(EXPANSION)	(Dist. #19)
	(MISSING DOCUMENTS)	
(25) <i>The Conservancy for the Parthenon and Centennial Park, 2500 West End Ave 37203, CENTENNIAL PARK CONSERVANCY</i>		T20-26921
SPECIAL	(SPECIAL EVENT OLD)	(Dist. #21)

November 7, 2020

(MISSING DOCUMENTS)

(26) *Radish Kitchen LLC, 4101 Charlotte Ave #G10 37209, RADISH KITCHEN* T20-26924
ON-SALE (NEW LOCATION) (Dist. #24)

(MISSING DOCUMENTS)

Chairman Taylor read the pending applications recommended for indefinite deferral by the Beer Board staff. Ms. Jarmon made a motion to approve the aforementioned applicants, as recommended by the board staff, for indefinite deferral. The motion was then seconded by Mr. Perlen.

Vote:

- Aye: Ms. Jarmon, Mr. Perlen, Ms. Fox, Chairman Taylor.

REQUEST TO WITHDRAW

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

REQUEST TO WITHDRAW

(28) *Rock Bottom Group LLC, 111 Broadway 37201, ROCK BOTTOM RESTAURANT &* T20-26873
BREWERY
WHOLESALES (CHANGE OF OWNERSHIP) (Dist. #19)

REQUEST TO WITHDRAW

(29) *Chaatable, LLC, 345 40Th Ave N 37209, CHAATABLE* T20-26920
ON-SALE (EXPANSION) (Dist. #24)

(Need Fire Inspection, Initial Inspection, Business License Verification, U & O Verification, Residency

Verification, Beer Buy Compliance Check, and Mark Old Permit - Out of Business)

(REQUEST TO WITHDRAW)

Chairman Taylor read the pending applications recommended for withdraw by the Beer Board staff. Ms. Jarmon made a motion to approve the aforementioned applicants, as recommended by the board staff, for withdraw. The motion was then seconded by Mr. Perlen.

Vote:

- Aye: Ms. Jarmon, Mr. Perlen, Ms. Fox, Chairman Taylor.

COMPLAINTS

(30) *El Paraiso Supermercado Y Carniceria, Inc., 301 Gallatin PIKE 37115, El* 05-15979

Paraiso Supermercado Y Carniceria Inc

OFF-SALE

(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 September 15, 2020).

STAFF RECOMMENDATION: \$1500 Civil Penalty (1st Sale to Minor)

(31) *Motasem Ayesh, 803 Dickerson PIKE 37207, Z Mart 2* 11-16845

OFF-SALE (Dist. #05)

(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 September 29, 2020).

STAFF RECOMMENDATION: \$1500 Civil Penalty (1st Sale to Minor)

(32) *Ash's BP, 2202 Dickerson PIKE 37207, Ash's BP* 12-16860

OFF-SALE

(Dist. #05)

(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. | T.C.A 57-5-301(a)(1) prior to making a sale of beer for off-premise consumption, state law requires identification for the sale of beer on or about October 01, 2020).

STAFF RECOMMENDATION: \$3500 Civil Penalty (2nd Sale to Minor; 2nd No ID Check)

(33) Eyd Toss, 726 McFerrin AVE 37206, Mini Market

12-16981

OFF-SALE

(Dist. #05)

(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 October 01, 2020).

STAFF RECOMMENDATION: \$2000 Civil Penalty (2 Sales to Minor; 1 Incident)

(34) Joice, LLC, 1409 Dickerson PIKE SUITE A 37207, Joice Market

17-17420

OFF-SALE

(Dist. #05)

(Alleged violation of M.C.L 7.08.070A The premises are declared to be a public place for the purpose of inspection by the beer inspectors, by officers of the police department or by any other duly authorized law enforcement officer. | 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 September 29, 2020).

STAFF RECOMMENDATION: \$2000 Civil Penalty (1st Sale to Minor; 1st Public Place for Inspections)

(35) ANA Properties, Inc., 2402 DICKERSON PIKE 37207, GARIBALDI MARKET

17-25130

OFF-SALE

(Dist. #05)

(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 October 01, 2020).

STAFF RECOMMENDATION: \$1500 Civil Penalty (1st Sale to Minor)

(36) Shivan M. Tovi, 313 Rosebank AVE 37206, Village Market

12-16976

OFF-SALE

(Dist. #06)

(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. |T.C.A 57-5-301(a)(1) prior to making a sale of beer for off-premise consumption, state law requires identification for the sale of beer on or about October 01, 2020).

STAFF RECOMMENDATION: \$3000 Civil Penalty (2 Sales/2 No ID Check; 1 Incident)

(37) Arafat Mohammed, 1401 Woodland ST 37206, 4 Stop Market II

13-17014

OFF-SALE

(Dist. #06)

(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. |T.C.A 57-5-301(a)(1) prior to making a sale of beer for off-premise consumption, state law requires identification for the sale of beer on or about October 01, 2020).

STAFF RECOMMENDATION: \$2500 Civil Penalty (2 Sales/1 No ID Check; 1 Incident)

(38) *7-Eleven, Inc., 227 SHELBY AVE 37213, A Plus #41051H* 17-25229

OFF-SALE (Dist. #06)

(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 October 01, 2020).

STAFF RECOMMENDATION: \$1000 Civil Penalty (1st Sale to Minor; Responsible Vendor)

(39) *Los Altos, Inc., 1019 Gallatin PIKE 37115, Don Julio Mexican* 15-20129

Restaurant

ON-SALE (Dist. #07)

(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 September 15, 2020).

STAFF RECOMMENDATION: \$1500 Civil Penalty (1st Sale to Minor)

(40) *Nashwan Mahyowb, 107 Due West AVE 37115, Super Fiesta Latina* 15-17292

OFF-SALE (Dist. #07)

(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 September 15, 2020).

STAFF RECOMMENDATION: \$1500 Civil Penalty (1st Sale to Minor)

(41) *7-Eleven, Inc., 817 GALLATIN PIKE 37115, TIGERMARKET #41063H* 17-25246
OFF-SALE (Dist. #07)

(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 September 15, 2020).

STAFF RECOMMENDATION: \$2500 Civil Penalty (3rd Sale to Minor)

(42) *Grecia Rodriguez, 1021 GALLATIN PIKE S 37115, LOS 3 VOLCANES* 19-25982
ON-SALE (Dist. #07)

(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 September 15, 2020).

STAFF RECOMMENDATION: \$1500 Civil Penalty (1st Sale to Minor)

(43) *Dolgencorp, LLC, 808 Madison SQ SUITE C 37115, Dollar General* 10-16704
OFF-SALE (Dist. #08)

(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 September 08, 2020).

STAFF RECOMMENDATION: \$2000 Civil Penalty (2 Sales/1 Incident)

(44) *Baheg Habib, 3123 Dickerson PIKE 37207, Saint George Shell* 15-17257
OFF-SALE (Dist. #08)

(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. |T.C.A 57-5-301(a)(1) prior to making a sale of beer for off-premise consumption, state law requires identification for the sale of beer on or about September 29, 2020).

STAFF RECOMMENDATION: \$3000 Civil Penalty (2 Sales/2 No ID Checks; 1 Incident)

(45) *Maria G Al-Nemri, 3843A Dickerson PIKE 37207, Royal Discount Tobacco & Beer* 16-17329
OFF-SALE (Dist. #08)

(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 September 29, 2020).

STAFF RECOMMENDATION: \$1500 Civil Penalty (1st Sale to Minor)

(46) *Oeser Food Stores, Inc., 3105 Dickerson PIKE 37207, H.G. Hill #9* 99-15034
OFF-SALE (Dist. #08)

(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 September 29, 2020).

STAFF RECOMMENDATION: \$1500 Civil Penalty (1st Sale to Minor)

(47) *Jai Laxmi, LLC, 1200 Old Hickory BLVD 37115, Rollins Market* 11-16797
OFF-SALE (Dist. #09)

(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 September 08, 2020).

STAFF RECOMMENDATION: \$2500 Civil Penalty (2nd Sale to Minor)

(48) *Mapco Express, Inc., 1302 NEELYS BEND RD #MAY BE USI 37115, Mapco Mart 3200* 16-17392
OFF-SALE (Dist. #09)

(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 September 15, 2020).

STAFF RECOMMENDATION: \$1000 Civil Penalty (1st Sale to Minor; Responsible Vendor)

(49) *VNK LLC, 500 OLD HICKORY BLVD E, GRAND SLAM MARKET* 18-25529
OFF-SALE (Dist. #09)

(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. |T.C.A 57-5-301(a)(1) prior to making a sale of beer for off-premise consumption, state law requires identification for the sale of beer on or about September 08, 2020).

STAFF RECOMMENDATION: \$2500 Civil Penalty (2 Sales/1 No ID Check; 1 Incident)

(50) *Mission BBQ Nashville TN, LLC, 161C Opry Mills DR SUITE 530A 37214, Mission BBQ* 16-20253

ON-SALE

(Dist. #15)

(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 September 22, 2020).

STAFF RECOMMENDATION: \$2500 Civil Penalty (2nd Sale to Minor)

(51) *Mapco Express, Inc., 3403, 550 Donelson PIKE 37214, Mapco 3403*

16-17366

OFF-SALE

(Dist. #15)

(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 September 22, 2020).

STAFF RECOMMENDATION: \$1000 Civil Penalty (1st Sale to Minor; Responsible Vendor)

Chairman Taylor read the aforementioned complaints and the staff recommendations regarding disciplinary action at one time. Ms. Jarmon made a motion to adopt the Beer Board staff's recommendation for each violation. The motion was then seconded by Mr. Perlen.

- Vote:
- Aye: Ms. Jarmon, Mr. Perlen, Ms. Fox, Chairman Taylor.

(52) ADMINISTRATIVE MATTERS

EXECUTIVE DIRECTORS REPORT

- Benton McDonough, Executive Director of the Beer Board, gave the board an update on the current status of revenue. Mr. McDonough explained that last month was the best September in total revenue in the time he has been Director. Additionally, he informed the board that the board is doing relatively well, considering the current status of the pandemic. Next, Mr. McDonough updated the board that only 6 permit holders have yet to pay their privilege tax from last year, down from 26 at the previous meeting, and most of those permit holders that remain are likely out of business. So far, 5 permit holders have paid their privilege tax for this year. Mr. McDonough informed the board that Broadway Brewhouse decided to pay their \$2500 civil penalty, but Kid Rock's decided to appeal the board's disciplinary action handed down on September 23rd. Chairman Taylor asked one question

regarding the revenue for measurements and the fact that the board had received \$400 this year so far. Mr. McDonough explained that many departments provide supplemental services to their constituents and that \$100 was approximately the average cost. Mr. McDonough explained that this measurement enables potential applicants to obtain a measurement on a piece of property before they invest large sums of money, only to find out that they are prohibited from selling beer at that location.

ADJOURNMENT:

- Seeing no other business was before the board, Chairman Taylor adjourned the meeting at 12:26 p.m.

