



The Metropolitan Government of Nashville and Davidson County...

Metro Beer Board Minutes

Meeting Date: Teleconference Info:	Thursday – December 3, 2020 @ 12:00 P.M. Call: 413-655-0002 Meeting Pin: 146 051 3348# When prompted, press # to indicate you are an attendee
---------------------------------------	--

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 Taylor called the meeting to order at 12:00 p.m.

***ROLL CALL**

Chairman Taylor called roll to determine the existence of a quorum.

Present: Mr. Christopher Bellamy, Mr. William Conway, Mr. Joe Perlen, Ms. Delfine Fox, and Chairman Brian Taylor.

Having determined the existence of a quorum, the meeting continued.

***DETERMINATION OF NECESSITY BY TELECONFERENCE**

Board Counsel, Matthew Garth, advised that Governor Lee’s Executive Order 16, extended by Executive Order 65, allows for local boards and commissions to meet by electronic means if the entity determines that meeting in such format is necessary to conduct essential business, the board or commission elects to meet virtually, and the board or commission waives any rules to the contrary.

The explanation was then adopted in a motion by Mr. Conway and seconded by Mr. Bellamy.

Aye: Bellamy, Conway, Perlen, Fox

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

Approval of the November 18, 2020 Minutes:

Mr. Conway made a motion to adopt the Minutes from November 18, 2020. Mr. Bellamy seconded the motion.

Aye: Bellamy, Conway, Perlen, Fox

No: None

Present Not Voting: Chairman Taylor

Motion: To approve.

First: Conway

Second: Bellamy

Opposed: None

APPLICATIONS FOR APPROVAL

- | | |
|--|-------------|
| (3) <i>Vintage Pursuits LLC., 220 Cumberland Bnd 37228, ADVINTAGE DISTRIBUTING</i> | T20-26941 |
| WHOLESALES (NEW LOCATION) | (Dist. #02) |
| (4) <i>Living Waters Brewing Company LLC, 1056 E Trinity Ln #101 37216, LIVING</i> | T20-26420 |
| WATERS BREWING COMPANY LLC | |
| WHOLESALES (NEW LOCATION) | (Dist. #05) |
| (5) <i>The Rock 'N Dough Pizza Company, LLC, 3449 Dickerson Pike 37207, ROCK'N</i> | D20-26978 |
| DOUGH PIZZA & BREWERY | |
| DLVRYCRBSD (NEW LOCATION) | (Dist. #08) |
| (6) <i>The Register, LLC, 200 2Nd Ave S 37201, THE REGISTER</i> | T19-26405 |
| ON-SALE (NEW LOCATION) | (Dist. #19) |
| (7) <i>Marriott Hotel Services, Inc., 120 2Nd Ave N 37201, WILDHORSE SALOON</i> | T20-26737 |
| ON-SALE (EXPANSION) | (Dist. #19) |
| (8) <i>4PANT LLC, 210 4Th Ave N 37219, DLS/SNITCH/VATOS TACOS</i> | T20-26951 |
| ON-SALE (NAME CHANGE) | (Dist. #19) |
| (9) <i>Jane's Entertainment Group LLC, 209 3Rd Ave N #601 37201, JANE'S ON TOP</i> | T20-26958 |
| ON-SALE (NEW LOCATION) | (Dist. #19) |

(10) *ROZE PONY LLC, 5133 Harding Pike #C4 37205*, **ROZE PONY** D20-26886
ON/OFF-SALE (NEW LOCATION) (Dist. #23)

(11) *Arriba, LLC, 7097 Old Harding Pike 37221*, **ARRIBA** T20-26970
ON-SALE (NEW LOCATION) (Dist. #34)

Chairman Taylor read the names of those applicants recommended by the Beer Board staff for final approval. Mr. Conway made a motion to accept the staff's recommendation for final approval. That motion was seconded by Mr. Bellamy.

Aye: Bellamy, Conway, Perlen, Fox

No: None

Present Not Voting: Chairman Taylor

DEFER INDEFINITELY

(12) *Mazatlan Grill LLC, 7246 Whites Creek Pike 37080*, **MAZATLAN GRILL LLC** T20-26977
ON-SALE (CHANGE OF OWNERSHIP) (Dist. #01)
(MISSING DOCUMENTS)

(13) *Publix Tennessee, LLC, 1111 Gallatin Ave 37206*, **PUBLIX TENNESSEE, LLC #1732** T20-26969
OFF-SALE (NEW LOCATION) (Dist. #06)
(MISSING DOCUMENTS)

(14) *Arnold's Country Kitchen, LLC, 605 8Th Ave S 37203*, **ARNOLD'S COUNTRY KITCHEN** T20-26973
ON-SALE (NEW LOCATION) (Dist. #19)
(MISSING DOCUMENTS)

(15) *Giarratana Restaurant Group, LLC, 2105 Elliston Pl 37203, ELLISTON PLACE* T20-26974

SODA SHOP

CATERER (Dist. #21)

(MISSING DOCUMENTS)

(16) *Agaves Belle Meade, Inc., 4550 Harding Pike 37205, AGAVES MEXICAN RESTAURANT* T20-26972

ON-SALE (NEW LOCATION) (Dist. #24)

(MISSING DOCUMENTS)

(17) *3 Amigos Bar & Hookah Lounge LLC, 2626 C Murfreesboro Pike 37217, 3 AMIGOS BAR* T20-26976

& HOOKAH LOUNGE LLC

ON-SALE (NEW LOCATION) (Dist. #29)

(MISSING DOCUMENTS)

Chairman Taylor read the names of those applicants recommended by the Beer Board staff for indefinite deferral. Mr. Conway made a motion to accept the staff's recommendation for indefinite deferral. That motion was seconded by Mr. Bellamy.

Aye: Bellamy, Conway, Perlen, Fox

No: None

Present Not Voting: Chairman Taylor

COMPLAINTS

(18) *OSF International, Inc., 160 2nd AVE 37201, The Old Spaghetti Factory* 07-18613

ON-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 November 03, 2020).

STAFF RECOMMENDATION: \$2000 Civil Penalty (1st Offense; 2/1)

(19) *Z Mart 2, 803 Dickerson PIKE 37207, Z Mart 2* 11-16845

OFF-SALE

(Dist. #05)

(Alleged violation of M.C.L 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 November 24, 2020; **In violation of TCA 39-17-1504 Cigarette sales to persons under 18.**

STAFF RECOMMENDATION: \$750 Civil Penalty (1st Offense)

(20) *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 November 24, 2020).

STAFF RECOMMENDATION: \$2500 Civil Penalty (2nd Offense)

(21) *Dolgenercorp, LLC, 3006 Gallatin PIKE N 37216, Dollar General #2117* 09-16543
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 November 23, 2020).

STAFF RECOMMENDATION: \$2500 Civil Penalty (2nd Offense)

(22) *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 November 23, 2020).

STAFF RECOMMENDATION: \$2500 Civil Penalty (3rd Offense)

(23) *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 November 24, 2020).

STAFF RECOMMENDATION: \$2500 Civil Penalty (2nd Offense)

(24) *F&S Fast Foods, Inc., 200 Commerce ST 37201, Sbarro the Italian Eatery* 08-18804
ON-SALE (Dist. #19)

(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 03, 2020).

STAFF RECOMMENDATION: \$1500 Civil Penalty (1st Offense)

(25) *MCC Resort Nashville, LLC, 154 2nd AVE 37201, Dick's Last Resort* 16-20395
ON-SALE (Dist. #19)

(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 03, 2020).

STAFF RECOMMENDATION: \$2000 Civil Penalty (1st Offense; 2/1)

(26) *7-Eleven, Inc., 1401 CHARLOTTE AVE 37203, TIGERMARKET #41052H* 17-25252
OFF-SALE (Dist. #19)

(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 05, 2020).

STAFF RECOMMENDATION: \$1500 Civil Penalty (1st Offense)

(27) *Doc Holliday's Nashville, LLC, 112 2ND AVE N 37201, DOC HOLLIDAY'S SALOON* 19-26028
ON/OFF-SAL (Dist. #19)

(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 05, 2020).

STAFF RECOMMENDATION: \$2000 Civil Penalty (1st Offense; 2/1)

(28) *SK Food Corporation, 5861 Charlotte PIKE 37209, K&S World Market* 05-16064

OFF-SALE

(Dist. #20)

(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, 2020).

STAFF RECOMMENDATION: \$1500 Civil Penalty (1st Offense)

(29)Copa Cabana, LLC, 6410 Charlotte PIKE SUITE 112 37209, **Copa Cabana Bar & Grill** 14-19857

ON-SALE

(Dist. #20)

(Alleged violation of M.C.L 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 November 14, 2020 in violation of **Metro Code 2.36.190 - Violation of orders prohibited.**

TCA 68-2-602. Violations of rules and regulations

of county board — Penalty. Any person who violates a county board of health regulation commits a Class C misdemeanor.

Violation of this and any other part of any current Orders from the Chief Medical Director of Metro Nashville are a violation of

Metro Beer Codes and subjects the Beer Permit Holder to citation and possible sanction of fine, suspension, or revocation of

Beer Permit.

STAFF RECOMMENDATION: \$1000 Civil Penalty (1st Offense)

(30)Jimmy Tran, 6410 CHARLOTTE PIKE 37209, **SAIGON CAFE** 18-25358

ON-SALE

(Dist. #20)

(Alleged violation of M.C.L 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 November 14,

2020 in violation of **Metro Code 2.36.190 - Violation of orders prohibited.**

TCA 68-2-602. Violations of rules and regulations

of county board — Penalty. Any person who violates a county board of health regulation commits a Class C misdemeanor.

Violation of this and any other part of any current Orders from the Chief Medical Director of Metro Nashville are a violation of

Metro Beer Codes and subjects the Beer Permit Holder to citation and possible sanction of fine, suspension, or revocation of

Beer Permit.

STAFF RECOMMENDATION: \$1000 Civil Penalty (1st Offense)

(31) *Oscar's Taco Shop #13 LLC, 5104 A CENTENNIAL BLVD 37209, OSCAR'S TACO SHOP* 18-25440

ON-SALE (Dist. #20)

(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 19, 2020).

STAFF RECOMMENDATION: \$1500 Civil Penalty (1st Offense)

(32) *Red Bicycle West, LLC, 712 51ST AVE N 37209, RED BICYCLE* 18-25563

ON-SALE (Dist. #20)

(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 19, 2020).

STAFF RECOMMENDATION: \$1500 Civil Penalty (1st Offense)

(33) *Burnette Boys LLC, 6302 CHARLOTTE PIKE 37209, CHARLOTTE PIKE MARKET* T20-26891

OFF-SALE (Dist. #20)

(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 November 10, 2020).

STAFF RECOMMENDATION: \$2000 Civil Penalty (1st Offense Sale; 1st Offense No ID)

(34) *Nehad Harb, 626 40th AVE 37209, One Stop Market* 16-17350

OFF-SALE (Dist. #21)

(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 November 17, 2020).

STAFF RECOMMENDATION: \$2000 Civil Penalty (1st Offense Sale; 1st Offense No ID)

(35) *Dolgencorp, LLC, 709 Old Hickory BLVD 37209, Dollar General Store #14879* 15-17269

OFF-SALE (Dist. #22)

(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 November 19, 2020).

STAFF RECOMMENDATION: \$2000 Civil Penalty (1st Offense Sale; 1st Offense No ID)

(36) *Mapco Mart 3328, 626 Old Hickory BLVD 37209, Mapco Mart 3328* 16-17397
OFF-SALE (Dist. #22)

(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 19, 2020).

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

(37) *Tri Star Energy, LLC, 6931 CHARLOTTE PIKE 37209, HIGHTAIL #6653* 19-26349
OFF-SALE (Dist. #22)

(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, 2020).

STAFF RECOMMENDATION: \$1500 Civil Penalty (1st Offense)

(38) *Tennessee CVS Pharmacy LLC, 5521 Charlotte PIKE 37209, CVS/Pharmacy* 10-16603
OFF-SALE (Dist. #24)

(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, 2020).

STAFF RECOMMENDATION: \$2000 Civil Penalty (1st Offense; 2/1)

(39) *China Buffet, 5336 Charlotte AVE 37209, China Buffet* 12-19510
ON-SALE (Dist. #24)

(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 17, 2020).

STAFF RECOMMENDATION: \$1500 Civil Penalty (1st Offense)

(40) *Pujim, Inc., 3900 CHARLOTTE AVE 37209, ROSIE'S MARKET* 18-25355

OFF-SALE

(Dist. #24)

(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 November 10, 2020).

STAFF RECOMMENDATION: \$3000 Civil Penalty (2nd Offense Sale; 1st Offense No ID)

(41) *Sylvan Egg, LLC, 4111 CHARLOTTE AVE 37209, Another Broken Egg Cafe* 19-26000

ON-SALE

(Dist. #24)

(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, 2020).

STAFF RECOMMENDATION: \$2000 Civil Penalty (1st Offense; 2/1)

(42) *Turnip Truck Charlotte, LLC, 5001 CHARLOTTE AVE 37209, THE TURNIP TRUCK* 19-26263

ON/OFF-SAL

(Dist. #24)

(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, 2020).

STAFF RECOMMENDATION: \$1500 Civil Penalty (1st Offense)

(43) *Tri Star Energy, LLC, 204 WHITE BRIDGE PIKE 37209, TWICE DAILY #7114*

19-26285

OFF-SALE

(Dist. #24)

(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 17, 2020).

STAFF RECOMMENDATION: \$1000 Civil Penalty (1st Offense; Responsible Vendor)

Chairman Taylor read the names of those permit holders found to be in violation of Beer Board rules and regulations and the civil penalty recommended by staff. Mr. Conway made a motion to accept the staff's civil penalty recommendations. That motion was seconded by Mr. Bellamy.

Aye: Bellamy, Conway, Perlen, Fox

No: None

Present Not Voting: Chairman Taylor

(44) ADMINISTRATIVE MATTERS

EXECUTIVE DIRECTORS REPORT

Executive Director, Benton McDonough, updated the board members on the current level of revenue, the number of privilege tax payments received, and how delivery / curbside applications are progressing.

ADJOURNMENT:

Chairman Taylor adjourned the meeting at 12:21 p.m.



