



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

***Metro Beer Board  
Minutes  
January 25, 2023***

**Meeting Date/Location: Wednesday, January 25, 2023 @ 5:30 P.M.  
Howard Office Building  
Sonny West Meeting Room  
700 President Ronald Reagan Way  
Nashville, TN 37210**

BOARD MEMBERS	STAFF PRESENT	MEMBER ATTENDANCE	OTHERS PRESENT
Mr. Brian Taylor, Chairperson Kia Jarmon, Vice Chairperson Ms. Karolyn Perry 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, ASO III  Darrell Hardrick, Inspector III  Melvin S Brown Jr., Special Assistant to the Director  Amanda Webb, Inspector I		

\* CALL TO ORDER

\* 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 January 12, 2023, Minutes:

**Meeting commenced at 5:45 P.M.**

**Mr. Perlen made a motion to approve the January 12, 2023, Minutes as presented by staff. Ms. Jarmon seconded the motion. The Board then voted unanimously to approve the Minutes.**

Signature of Chairman \_\_\_\_\_

Motion:

First:

Second:

Opposed:

## APPLICATIONS FOR APPROVAL

(1) *Tri Star Energy, LLC, 6029 Nolensville Pike 37211, TWICE DAILY #0060*

T22-28005

OFF-SALE

(NAME CHANGE)

(Dist. #04)

(2) *East Side Wellness Group, LLC, 420 Woodland St 37206, GOODLIFE ORGANIC KITCHEN* T22-28033

ON-SALE

(EXPANSION)

(Dist. #06)

(3) *Special Olympics TN, 1 Titans Way 37213*, **SPECIAL OLYMPICS TENNESSEE** - T23-28087

**2023 MUSIC CITY POLAR PLUNGE**

SPECIAL (SPECIAL EVENT NEW) (Dist. #06)

**February 25, 2023**

(4) *Honky Tonk Party Express, LLC, 1343 Lewis St 37210*, **HONKY TONK PARTY EXPRESS** T22-28034

ON-SALE (NEW LOCATION) (Dist. #17)

**1/19/23 Memo for Record – CM Sledge Opposes Application.**

Following Chairman Taylor’s reading of Application #4 and CM Sledge stated opposition, Attorney Will Cheek III, spoke on behalf of the applicant. Mr. Cheek informed the Board of measures implemented to ensure there would be no violations of the Noise Ordinance such as, Music would be lowered, and announcements made from 2<sup>nd</sup> Ave to Lafayette St; A noise meter would be utilized to periodically check the volume; A sound engineer would check the system once a week and the amps would be set at the appropriate volume and secured. The Board also made note that CM Sledge agreed with the stated measures, per his email communication. After hearing all, Mr. Perlen made a motion to grant final approval. Ms. Jarmon seconded the motion to grant final approval. The Board then voted unanimously to grant final approval.

(5) *TMM, INC, 107 2Nd Ave N 37201*, **DOWNTOWN NASHVILLE MARKET** T22-27921

OFF-SALE (NEW LOCATION) (Dist. #19)

(6) *AHTRST Concessions, LLC, 415 4Th Ave S 37201*, **THE BODEGA** T22-28028

OFF-SALE (NEW LOCATION) (Dist. #19)

(7) *Cloud Rides, LLC, 1517 Church St 37203*, **BIG DRAG BUS TOURS (HEADQUARTERS)** T23-28094

MOBONSALE (NEW LOCATION) (Dist. #19)

(8) <i>Cloud Rides, LLC, 1517 Church St 37203,</i>	<b>BIG DRAG BUS TOURS (A001)</b>	T23-28095
MOBBYOB	(NEW LOCATION)	(Dist. #19)
(9) <i>Cloud Rides, LLC, 1517 Church St 37203,</i>	<b>BIG DRAG BUS TOURS (A001)</b>	T23-28096
MOBONSALE	(NEW LOCATION)	(Dist. #19)
(10) <i>Cloud Rides, LLC, 1517 Church St 37203,</i>	<b>BIG DRAG BUS TOURS (A002)</b>	T23-28097
MOBBYOB	(NEW LOCATION)	(Dist. #19)
(11) <i>Cloud Rides, LLC, 1517 Church St 37203,</i>	<b>BIG DRAG BUS TOURS (A002)</b>	T23-28098
MOBONSALE	(NEW LOCATION)	(Dist. #19)
(12) <i>Bag Lady's LLC, 1402 Buchanan St #103 37208,</i>	<b>BAG LADY'S</b>	T22-27717
ON-SALE	(NEW LOCATION)	(Dist. #21)
(13) <i>SRIRACHA RESTAURANT LLC, 5743 Nolensville Pike 37211,</i>	<b>SRIRACHA</b>	T21-27381
<b>RESTAURANT</b>		
ON/OFF-SALE	(CHANGE OF OWNERSHIP)	(Dist. #27)
(14) <i>Taqueria Mexico Tennessee LLC, 4660 Nolensville Pike 37211,</i>	<b>TAQUERIA</b>	T22-28043
<b>MEXICO TENNESSEE</b>		
ON-SALE	(CHANGE OF OWNERSHIP)	(Dist. #30)

Following Chairman Taylor's reading of the approved applications, Ms. Jarmon made a motion to grant final approval. Mr. Perlen seconded the motion to grant final approval. The Board then voted unanimously to grant final approval.

Note: Application #4 was set aside by the Board and voted on separately.

## DEFER INDEFINITELY MISSING DOCUMENTS

(15) <i>Robynn Candish, 310 25Th Ave S 37212, VANDERBILT ATHLETICS HALL OF FAME EVENT</i>		T23-28092
SPECIAL		(Dist. #18)
(16) <i>Taco Mamacita Nashville, LLC, 1234 6Th Ave N 37208, TACO MAMACITA NASHVILLE</i>		T23-28089
ON/OFF-SALE	(NEW LOCATION)	(Dist. #19)
(17) <i>MCBC Downtown, LLC, 104 Rep John Lewis Way S 37203, TEDDY'S TAVERN</i>		T23-28093
ON/OFF-SALE	(NEW LOCATION)	(Dist. #19)
(18) <i>Nashville Area Chamber of Commerce, 601 4Th Ave S 37210, NASHVILLE AREA CHAMBER OF COMMERCE: REGIONAL BUSINESS AFTER HOURS</i>		T23-28099
SPECIAL	(SPECIAL EVENT NEW)	(Dist. #19)
	January 31, 2023	
(19) <i>A1 FOODMART LLC, 4409 Harding Pike 37205, A1 FOODMART</i>		T23-28088
OFF-SALE	(CHANGE OF OWNERSHIP)	(Dist. #24)

(20) *RDTCLLC, 2201 Bandywood Dr 37215*, **COLES KITCHEN** T23-28091  
ON-SALE (CHANGE OF OWNERSHIP) (Dist. #25)

(21) *Uptown Fresh Market Inc, 3901 Apache TRL 37013*, **UPTOWN FRESH MARKET** T23-28090  
ON/OFF-SALE (CHANGE OF OWNERSHIP) (Dist. #30)

**Following Chairman Taylor’s reading of the applications recommended for indefinite deferral. Ms. Perry made a motion to approve the applicants for indefinite deferral. Mr. Perlen seconded the motion. The Board voted unanimously to approve the indefinite deferrals.**

## **REQUEST TO WITHDRAW**

(22) *APP FAMILY PIZZA LLC, 403 W Trinity Ln #102 37207*, **DADDY'S PIZZA** T22-27570  
OFF-SALE (Dist. #02)

(23) *Meunier LLC, 925 Gallatin Ave #103 37206*, **THE AUTHENTIQUE** T22-27957  
ON/OFF-SALE (Dist. #06)

(24) *Nashville Food Hall, LLC, 5055 Broadway Pl 37203*, **ASSEMBLY FOOD HALL** T22-27732  
ON-SALE (EXPANSION) (Dist. #19)

(25) *Lavertes Market LLC, 1313 51St Ave N 37209*, **LAVERTES MARKET** T22-27998  
OFF-SALE (Dist. #20)

(26) *TennGreen Land Conservancy, 8 City Blvd 37209*, **TENNGREEN LAND COVSERVANCY** T22-27956

SPECIAL

(Dist. #21)

**Following Chairman Taylor's reading of the applications to be withdrawn. Mr. Perlen made a motion to approve the applications for withdrawal. Ms. Perry seconded the motion. The Board voted unanimously to approve the withdrawals.**

## **HEARINGS**

(27) *Van C. Vo, 5827 CHARLOTTE PIKE 37209*, **Cho A Dong**

09-16500

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 June 26, 2022).**

**COMPLAINANT: Metropolitan Beer Board Inspector I Amanda Webb**

**Special Assistant to the Director Melvin S Brown Jr**

**Metropolitan Beer Board Inspector III Darrell Hardrick Sr**

**SUBPOENA: Van C. Vo (Owner)**

**Thoung N. Vo (Clerk)**

**PRIOR VIOLATIONS: N/A**

**STAFF RECOMMENDATION: \$1500 Civil Penalty or 7 Day Suspension and 30 Days Probation**

**12/19/22 – Email received. Applicant is Surrendering the Beer Permit**

**01/20/23 – Inspector Webb visits the location. No beer found being sold or stored on premises. Permittee stated he does not desire to attend the 1/25/23 Beer Board Meeting.**

**Following Chairman Taylor's reading of the complaint. The Board was informed the beer permit had been surrendered on 12/19/22. Inspector Webb visited the location on 1/20/23 to ensure there was no beer sales or storage on the premises. There was neither found at the time of her visit. Inspector Webb stated she informed the permit holder of the upcoming requested Beer Board Hearing and the subject stated he did not desire to attend. The Board then had a brief discussion**

with Beer Board Attorney Matthew Garth to ensure the permit holder fully understood that surrender of the beer permit does not excuse the violation nor the Board's authority to act on the violation. The Board decided to defer the hearing to Beer Board Meeting 2/22/23, to allow the permit holder to be present. It was also discussed, that in future instances, such as this, where a permit holder surrenders the beer permit, Inspectors/Staff should require the permit holder to sign a statement stating they understand that surrendering the beer permit does not excuse the complaint or the Beer Board's authority to act upon it. Ms. Perry made a motion to defer the hearing to February 22, 2023. The motion was seconded by Mr. Perlen. The Board voted unanimously to approve the motion.

(28) 5 Star Market, 338 Old Hickory BLVD 37115, 5 Star Market

15-17237

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. **(1<sup>st</sup> Offense)**)

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. **(1<sup>st</sup> Offense)**

M.C.L 7.08.140R 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 Section 39-17-1504 - Sale or distribution to underage persons unlawful - Proof of age requirement - (a) It is unlawful for any person to sell or distribute any tobacco, smoking hemp, or vapor product to another person who has not attained twenty-one (21) years of age or to purchase a tobacco, smoking hemp, or vapor product on behalf of such person under twenty-one (21) years of age **(1<sup>st</sup> Offense)**

M.C.L 7.08.140R It is unlawful for any beer permit holder or his agent or employee to allow or engage in any criminal activity on the premises Section 39-17-1504 - Sale or distribution to underage persons unlawful - Proof of age requirement - (d) A person engaged in the sale or distribution of tobacco, smoking hemp, or vapor products shall demand proof of age from a prospective purchaser or recipient if an ordinary person would conclude on the basis of appearance that the prospective purchaser or recipient may be under thirty (30) years of age on or about September 20, 2022). **(1<sup>st</sup> Offense)**

COMPLAINANT: Metropolitan Beer Board III Darrell Hardrick Sr

Special Assistant to the Director Melvin S Brown Jr

Metropolitan Beer Board Inspector I Amanda Webb



**SUBPOENA: Lofty Issa (Owner)**

**PRIOR VIOLATIONS: N/A**

**STAFF RECOMMENDATION: \$3000 Civil Penalty or 7 Day Suspension and 30 Days Probation**

**11/16/22 - Staff request to defer to BBM January 25, 2023**

**12/21/22 - \$3000 Civil Penalty Paid**

Following Chairman Taylor's reading of the complaint and recommended staff recommendation. The Board was informed staff had received a \$3000 civil penalty payment on 12/21/22. Ms. Spaulding made a motion to accept the received payment. Mr. Perlen seconded the motion. The Board voted unanimously to accept the civil penalty payment of \$3000.

(29) *Harry O's Steakhouse LLC, 221 BROADWAY 37201, KID ROCKS BIG ASS HONKY* 18-25714

ON-SALE

(Dist. #19)

(Alleged violation of 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 December 31, 2021)

**COMPLAINANT: Nashville Fire Department Inspector John Torzilli**

**ATTORNEY: Bryan Lewis**

**SUBPOENA: Timothy Steven Smith (Owner)**

**Dustin Hooper (Manager)**

**1/18/23 - Attorney Request to Defer to 2/22/23 due to Business Travel**

Following Chairman Taylor's reading of the complaint. The Board was informed staff had received an email, from Attorney Bryan Lewis, requesting to defer the hearing to February 22, 2023, due to current out of state business travels. Ms. Perry made a motion to defer the hearing to February 22, 2023. Mr. Perlen seconded the motion. The Board voted unanimously to defer the hearing to February 22, 2023.

(30) ADMINISTRATIVE MATTERS

Inspector Webb (Amanda) – 5yr Metro Service Award Recognition

**Director McDonough informed the Board Inspector Webb has received her 5yr Service Certificate. Inspector Webb was presented with the certificate and applauded for her dedicated service to the Beer Board and Metro Nashville Davidson County Community.**

(31) EXECUTIVE DIRECTORS REPORT

**Director McDonough discussed the Beer Board Revenue Report and the Night Life Listening Tour January 24<sup>th</sup> & 25<sup>th</sup>, 2023 Presentations and Interviews.**

**Next Beer Board Meeting:** Wednesday, 2/9/23, at 12:00 P.M.

**Location:** Howard Office Building

Sonny West Meeting Room

700 President Ronald Reagan Way

Nashville, TN 37210

**Finding no further business before the Board, Chairman Taylor adjourned the meeting at 6:10 P.M.**

**Respectfully,**

**TP Darby Sr**


