



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

***Metro Beer Board
Minutes
March 9, 2023***

**Meeting Date/Location: Thursday, March 9, 2023 @ 12:00 P.M.
Howard Office Building
700 President Ronald Reagan Way
Sonny West Meeting Room
Nashville, TN 37210**

BOARD MEMBERS	STAFF PRESENT	MEMBER ATTENDANCE	OTHERS PRESENT
Mr. Brian Taylor, Chairperson Kia Jarmon, Vice Chairperson Mr. William Conway Ms. Delfine Fox Mr. Joe Perlen Ms. Karolyn Perry Ms. Bailey Spaulding 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 Herschel French, OSS 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 February 22, 2023, Minutes:

Chairman Taylor called the meeting to order at 12:01 P.M.

Chairman Taylor made a motion to approve the February 22, 2023, Minutes, as presented by staff. Ms. Jarmon approved the motion. Mr. Perlen seconded the motion. The Board then voted unanimously to approve the Minutes.

Signature of Chairman _____

Motion:

First:

Second:

Opposed:

APPLICATIONS FOR APPROVAL

- | | |
|--|-------------|
| (1) <i>Luckey Hospitality, LLC, 710 Old Hickory Blvd #302 37027, YARD BIRDS</i> | T23-28145 |
| ON-SALE (NAME CHANGE) | (Dist. #04) |
| (2) <i>A.L.E. Hospitality, LLC, 2503 Gallatin Ave #102 37206, MARTHA MY DEAR</i> | T22-28035 |

ON-SALE	(CHANGE OF OWNERSHIP)	(Dist. #05)
(3) <i>A.L.E. Hospitality, LLC, 2503 Gallatin Ave #102 37206, MARTHA MY DEAR</i>		T22-28036
DLVRYCRBSD	(CHANGE OF OWNERSHIP)	(Dist. #05)
(4) <i>Noko Enterprises, LLC, 701 Porter Rd 37206, NOKO</i>		T22-28050
ON-SALE	(NEW LOCATION)	(Dist. #06)
(5) <i>Upstage Party Bus, LLC, 3411 Percy Priest Dr 37214, UPSTAGE PARTY BUS (X001)</i>		T22-27538
MOBBYOB		(Dist. #13)
(6) <i>Upstage Party Bus, LLC, 3411 Percy Priest Dr 37214, UPSTAGE PARTY BUS (X001)</i>		T23-28137
MOBONSALE	(NEW LOCATION)	(Dist. #13)
(7) <i>Upstage Party Bus, LLC, 3411 Percy Priest Dr 37214, UPSTAGE PARTY BUS (X002)</i>		T23-28139
MOBBYOB	(NEW LOCATION)	(Dist. #13)
(8) <i>Upstage Party Bus, LLC, 3411 Percy Priest Dr 37214, UPSTAGE PARTY BUS (X002)</i>		T23-28140
MOBONSALE	(NEW LOCATION)	(Dist. #13)
(9) <i>PRIMINGS CIGAR LOUNGE AND BAR, LLC, 701 4Th Ave S 37210, PRIMINGS</i>		T21-27232
CIGAR BAR & LOUNGE		

ON-SALE	(CHANGE OF OWNERSHIP)	(Dist. #19)
(10) <i>Frankie J's LLC, 1314 6Th Ave N 37208,</i>	FRANKIE J'S	T22-27919
ON-SALE	(NEW LOCATION)	(Dist. #19)
(11) <i>Pullman Standard LLC, 209 10Th Ave S #260 37203,</i>	PULLMAN STANDARD	D22-27960
ON-SALE	(NEW LOCATION)	(Dist. #19)
(12) <i>Folds of Honor Tennessee, 223 Rep John Lewis Way N 37219,</i>	DRAMS AND JAMS	T23-28103
SPECIAL	(SPECIAL EVENT NEW)	(Dist. #19)
	February 27, 2023	
(13) <i>Von Elrod's LLC, 1004 4Th Ave N 37219,</i>	VON ELROD'S BEER GARDEN AND	T23-28164
SAUSAGE HOUSE		
CATERER		(Dist. #19)
(14) <i>Waldos Chicken Germantown LLC, 1120 4Th Ave N #103 37208,</i>	WALDOS	T23-28170
CHICKEN GERMANTOWN LLC		
CATERER		(Dist. #19)
(15) <i>Sylvan Golf Partners, LLC, 4101 Charlotte Ave #A 40 37209,</i>	THE HIDEOUT	T22-27609
GOLF CLUB		

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

(16) *DTAG INC, 2221 Bandywood Dr 37215, CROW'S NEST* T22-28019

ON-SALE (CHANGE OF OWNERSHIP) (Dist. #25)

(17) *JDA Pub Inc., 2227 Bandywood Dr 37215, JOE'S PLACE* T22-28020

ON-SALE (CHANGE OF OWNERSHIP) (Dist. #25)

(18) *Crieve Hall Women's League, 636 Farrell Pkwy 37220, GIVE WHERE YOU LIVE* T23-28135

SPRING FESTIVAL

SPECIAL (SPECIAL EVENT NEW) (Dist. #26)

April 2, 2023

(19) *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 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.

**DEFER INDEFINITELY
MISSING DOCUMENTS**

(20) *Team Magic, Inc, 0 S 20Th St 00000, TEAM MAGIC, INC* D23-28146

SPECIAL

(21) *6H Management LLC, 811 Main St 37206, WAYMORE'S GUEST HOUSE &* T23-28143

CASUAL CLUB

ON/OFF-SALE (EXPANSION) (Dist. #06)

(22) *Skyhaus Entertainment LLC, 69 Trimble St 37210, SKYHAUS ENTERTAINMENT* T23-28138

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

(23) *AHTRST Concessions, LLC, 1919 West End Ave 37203, HAMPTON INN* T23-28131

VANDERBILT WEST END

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

(24) *Hand Cut Nashville LLC, 135 7Th Ave S 37203, HAND CUT BURGERS &* T23-28133

CHOPHOUSE

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

(25) *BT Commerce LLC, 140 3Rd Ave N 37201*, **BLACK TAP CRAFT BURGERS & BEER** T23-28136
ON-SALE (NEW LOCATION) (Dist. #19)

(26) *Apiary RMG LLC, 1907 West End Ave 37203*, **CRAB FEVER - NASHVILLE** T23-28141
ON/OFF-SALE (CHANGE OF OWNERSHIP) (Dist. #19)
May 27, 2023-July 3,2023

(27) *Nelson's Green Brier Distillery, LLC, 1414 Clinton St 37203*, **NELSON'S GREEN** T23-28149
BRIER DISTILLERY
ON-SALE (NEW LOCATION) (Dist. #19)

(28) *AHTRST Concessions, LLC, 2330 Elliston Pl 37203*, **HAMPTON INN & SUITES** T23-28132
NASHVILLE ELLISTON PLACE
ON/OFF-SALE (NEW LOCATION) (Dist. #21)

(29) *2208 Elliston Concession, LLC, 2208 Elliston Pl 37203*, **EXIT/IN** T23-28144
ON-SALE (CHANGE OF OWNERSHIP) (Dist. #21)

(30) *SR Lounge & Bar, LLC, 410 Collins Park Dr 37013*, **SR LOUNGE & BAR** T23-28150
ON-SALE (NEW LOCATION) (Dist. #32)

(31) *Volunteer State Horsemen's Foundation, 2500 Old Hickory Blvd 37221,*

T23-28148

VOLUNTEER STATE HORSEMEN'S FOUNDATION - IROQUOIS STEEPLECHASE

SPECIAL

(SPECIAL EVENT OLD)

(Dist. #34)

Friday, May 12 and Saturday, May 13th, 2023

Following Chairman Taylor's reading of the defer indefinite applications, Ms. Jarmon made a motion to defer the applications indefinitely. Mr. Joe Perlen seconded the motion. The Board then voted unanimously to defer the applications indefinitely.

REQUEST TO WITHDRAW

(32) *Stinson Road LLC dba Kisser BBQ, 747 Douglas Ave #105 B 37207, KISSER*

T22-28077

ON-SALE

(NEW LOCATION)

(Dist. #05)

Following Chairman Taylor's reading of the application requesting withdrawal, Ms. Jarmon made a motion to withdraw the application. Mr. Joe Perlen seconded the motion. The Board then voted unanimously to defer the applications indefinitely.

COMPLAINTS

(33) *Discount Tobacco Shoppe, 2501 Lebanon PIKE 37214, Discount Tobacco Shoppe* 94-14191

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. **(1st 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. **(1st 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. **(1st 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 (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 February 28, 2023. **(1st Offense)**

STAFF RECOMMENDATION: \$3000 Civil Penalty

(34) *Whiskey Row Nashville, LLC, 400 BROADWAY 37203, DIERKS BENTLEY'S*

17-25153

WHISKEY ROW

ON-SALE

(Dist. #19)

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 in violation of T.C.A 62-35-115. Registration cards — Guards, officers and agents - (a) Except as otherwise provided in this chapter, it is unlawful for any individual to act as an armed or unarmed security guard/officer without having first obtained the appropriate registration card from the commissioner on or about August 16,2021. (Charge 1)

T.C.A. Amended. Citation Resubmitted for Board Approval.

STAFF RECOMMENDATION: \$1000 Civil Penalty

Chairman Taylor asked for an explanation of the separate violations. Staff informed the Board the four (4) separate violations were for the four unlicensed individuals working as licensed security officers.

Staff informed the Board the citation violation has been amended to reflect the appropriate T.C.A They were also informed the previously approved citations were not forwarded to the applicant.

(35) *Whiskey Row Nashville, LLC, 400 BROADWAY 37203, DIERKS BENTLEY'S*

17-25153

WHISKEY ROW

ON-SALE

(Dist. #19)

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 in violation of T.C.A 62-35-115. Registration cards — Guards, officers and agents - (a) Except as otherwise provided in this chapter, it is unlawful for any individual to act as an armed or unarmed security guard/officer without having first obtained the appropriate registration card from the commissioner on or about August 16,2021. (Charge 2)

T.C.A. Amended. Citation Resubmitted for Board Approval.

STAFF RECOMMENDATION: \$1000 Civil Penalty

(36) *Whiskey Row Nashville, LLC, 400 BROADWAY 37203, DIERKS BENTLEY'S*

17-25153

WHISKEY ROW

ON-SALE

(Dist. #19)

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 in violation of T.C.A 62-35-115. Registration cards — Guards, officers and agents - (a) Except as otherwise provided in this chapter, it is unlawful for any individual to act as an armed or unarmed security guard/officer without having first obtained the appropriate registration card from the commissioner on or about August 16,2021. (Charge 3)

T.C.A. Amended. Citation Resubmitted for Board Approval.

STAFF RECOMMENDATION: \$1000 Civil Penalty

(37) *Whiskey Row Nashville, LLC, 400 BROADWAY 37203, DIERKS BENTLEY'S*

17-25153

WHISKEY ROW

ON-SALE

(Dist. #19)

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 in violation of T.C.A 62-35-115. Registration cards — Guards, officers and agents - (a) Except as otherwise provided in this chapter, it is unlawful for any individual to act as an armed or unarmed security guard/officer without having first obtained the appropriate registration card from the commissioner on or about August 16,2021. (Charge 4)

T.C.A. Amended. Citation Resubmitted for Board Approval.

STAFF RECOMMENDATION: \$1000 Civil Penalty

Following Chairman Taylor's reading of the complaints and staff recommendations, Ms. Jarmon made a motion to accept the staff recommendations as read. Mr. Perlen seconded the motion. The Board then voted unanimously to accept the staff recommendations as read.

(38) ADMINISTRATIVE MATTERS

Douglas James Jr presented a graph showing:

Beer Permit Applications July 2018 – February 2023, Application Fees by Permit Type

Beer Permit Inspections February 2020 – February 2023, Under 21 Compliance Check Results by Date.

(39) EXECUTIVE DIRECTORS REPORT

Director McDonough gave the revenue report. The Board had no questions.

Chairman Taylor requested facts and hard data of inspections conducted in the TDZ, Cost of Conducting Inspections, Pass/Fail Percentage on Compliance Checks.

Board would like to see the inspection numbers dating back from 2017 to present to see where changes in revenue occurred.

Board requested staff to produce quarterly graphs and fiscal year graphs to monitor progress moving forward.

Next Beer Board Meeting: Wednesday, 3/22/23, at 5:30 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 12:27 P.M.

Respectfully,

TP Darby Sr