



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

***Metro Beer Board
Minutes
August 10, 2023***

**Meeting Date/Location: Thursday, August 10, 2023 @ 12:00 P.M.
Howard Office Building
700 President Ronald Reagan Way South
Sonny West Conference Center
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
- * PUBLIC COMMENT PERIOD

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 July 26, 2023, Minutes:

Chairman Taylor called the meeting to order at 12:00 P.M.

Chairman Taylor made a motion to approve the July 26, 2023, Beer Board Minutes, as presented by staff. Mr. Conway approved the motion. Mr. Perlen seconded the motion. The Board then voted unanimously to approve the Minutes.

Signature of Chairman _____

Motion:

First:

Second:

Opposed:

PUBLIC COMMENT PERIOD

If you signed the "Public Comment Sheet", prior to the start of the meeting, proceed to the podium. You will have two (2) minutes to speak. Please keep your comments tailored towards items on the agenda for the meeting.

No members of the public were present to speak.

APPLICATIONS FOR APPROVAL

(1) *Amay LLC, 7250 Whites Creek Pike 37080, CHIPS QUIK STOP* T23-28221
OFF-SALE (Dist. #01)

SEE COMPLAINT #37

(2) *Otaku Ramen East LLC, 747 Douglas Ave #103 37207, OTAKU RAMEN EAST* T23-28178
ON-SALE (NEW LOCATION) (Dist. #05)

(3) *Canvas Lounge LLC, 1105 Fatherland St 37206, CANVAS EAST* T22-27935
ON-SALE (NEW LOCATION) (Dist. #06)

(4) *Hero Doughnuts Wedgewood, LLC, 1131 4Th Ave S #120 37210, HERO* T23-28212
DOUGHNUTS & BUNS

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

(5) *Tan Assets LLC, 747 Fesslers Ln #102 37210, THE NASHVILLE TRACTOR (S003)* T23-28405
MOBONSALE (NEW LOCATION) (Dist. #17)

(6) <i>Tan Assets LLC, 747 Fesslers Ln #102 37210</i> , THE NASHVILLE TRACTOR (S003)	T23-28406
MOBBYOB (NEW LOCATION)	(Dist. #17)
(7) <i>JK INVESTMENT GROUP INC, 2031 Broadway 37203</i> , ICHIGO ICHIE	T23-28237
ON-SALE (NEW LOCATION)	(Dist. #19)
(8) <i>Four Blue Palms, LLC, 219 Rep John Lewis Way N 37219</i> , STANDARD PROOF WHISKEY CO.	T23-28370
ON-SALE (NEW LOCATION)	(Dist. #19)
(9) <i>Jefferson Street United Merchants Partnership (J.U.M.P.), 3651 Dr Walter S Davis Blvd 37209</i> , JEFFERSON STREET JAZZ & BLUES FESTIVAL	T23-28393
SPECIAL (SPECIAL EVENT NEW)	(Dist. #21)
July 22, 2023	
(10) <i>CROCO BEACH SPORTS LOUNGE INC, 330 Welch Rd 37211</i> , SAFARI RANCH BEACH CLUB	T23-28261
ON-SALE (NAME CHANGE)	(Dist. #26)
(11) <i>AGAVES BELLEVUE INC, 7097 Old Harding Pike 37221</i> , TERRAZUL MEXICAN RESTAURANT	T23-28376
ON-SALE (NEW LOCATION)	(Dist. #34)

(12) *Holy Trinity Greek Orthodox Church, 4905 Franklin Pike 37220, NASHVILLE*

T23-28380

GREEK FESTIVAL

SPECIAL

(SPECIAL EVENT OLD)

(Dist. #34)

September 29, 30 & October 1

Following Chairman Taylor's reading of the approved applications, Mr. Conway made a motion to grant final approval. Mr. Perlen seconded the motion to grant final approval. Before the motion was approved unanimously, Terrence Darby informed the board members that there was a note included under number 1 on the agenda. The location presented as number 1 on the agenda, Chips Quik Stop, application number T23-28221 also has a pending complaint on this agenda as number 37.

Legal counsel, Matthew Garth, informed the board that there is a beer board rule in place that prevents a beer permit from being granted if there's a pending violation against the location. Mr. Conway and Mr. Perlen requested to withdraw their motions.

Mr. Conway made a new motion to grant final approval for the applications listed as numbers 2-12 on the agenda. Mr. Perlen seconded the motion to grant final approval for those applications listed as numbers 2-12 on the agenda. The Board then voted unanimously to grant final approval to those applications listed as 2-12 on the agenda.

**DEFER INDEFINITELY
MISSING DOCUMENTS**

(13) *B & N Market LLC, 3717 Clarksville Pike 37218, TRINITY MARCADO*

T23-28390

OFF-SALE

(NEW LOCATION)

(Dist. #02)

(MISSING DOCUMENTS)

(14) <i>DOS BROTHERS INC, 5432 Clarksville Pike 37189, DON JULIO MEXICAN GRILL</i>		T23-28392
OFF-SALE	(EXPANSION)	(Dist. #03)
	(MISSING DOCUMENTS)	
(15) <i>Nomadic Genius, LLC, 425 Swiss Ave 37211, TASTY TOUR</i>		T23-28404
MOBBYOB	(OTHER)	(Dist. #04)
	(MISSING DOCUMENTS)	
(16) <i>Cherries Hospitality, LLC, 839 Dickerson Pike 37207, CHERRIES</i>		T23-28401
ON-SALE	(NEW LOCATION)	(Dist. #05)
	(MISSING DOCUMENTS)	
(17) <i>RUDRA RETAIL LLC, 4890 Lebanon Pike 37076, KWIK SAK #615</i>		T23-28383
OFF-SALE	(CHANGE OF OWNERSHIP)	(Dist. #11)
	(MISSING DOCUMENTS)	
(18) <i>Butchertown Market LLC, 625 Hamilton Ave 37203, BUTCHERTOWN MARKET</i>		T23-28397
ON-SALE	(NEW LOCATION)	(Dist. #17)
	(MISSING DOCUMENTS)	
(19) <i>Monroe Harding Inc, 401 Gay St 37219, MONROE HARDING FOSTERING JOY</i>		T23-28384
SPECIAL	(SPECIAL EVENT NEW)	(Dist. #19)
	September 16, 2023	
	(MISSING DOCUMENTS)	

(20) *SnoozeTown LLC, 801 Division St 37203*, **SNOOZE AN AM EATERY** T23-28385
ON-SALE (NEW LOCATION) (Dist. #19)
(MISSING DOCUMENTS)

(21) *SnoozeTown LLC, 801 Division St 37203*, **SNOOZE AN AM EATERY** T23-28386
DLVRYCRBSD (NEW LOCATION) (Dist. #19)
(MISSING DOCUMENTS)

(22) *Ventures Endurance Events LLC, 600 James Robertson Pkwy 37219*, D23-28387
VENTURES ENDURANCE EVENTS LLC
SPECIAL (SPECIAL EVENT NEW) (Dist. #19)
2/24/2024
(MISSING DOCUMENTS)

(23) *A.L.E. Hospitality LLC, 508 Church St 37219*, **THE ARISTON** T23-28388
ON-SALE (NEW LOCATION) (Dist. #19)
(MISSING DOCUMENTS)

(24) *RLJ Art Nashville Lessee, LLC, 221 2Nd Ave N 37201*, **THE BANKERS ALLEY** T23-28394
HOTEL NASHVILLE,
ON/OFF-SALE (NAME CHANGE) (Dist. #19)
(MISSING DOCUMENTS)

(25) *Waldos Chicken Germantown LLC, 1120 4Th Ave N #103 37208, WALDOS* T23-28398

CHICKEN AND BEER

ON/OFF-SALE (OTHER) (Dist. #19)

(MISSING DOCUMENTS)

(26) *Earl Swensson Associates, Inc., 1112 Laurel St 37203, ESa CORNHOLE TOURNAMENT* T23-28400

SPECIAL (SPECIAL EVENT OLD) (Dist. #19)

08/19/2023

(MISSING DOCUMENTS)

(27) *WBC Charlotte Ave LLC, 6400 Charlotte Pike 37209, WALDOS CHICKEN AND BEER* T23-28399

ON/OFF-SALE (OTHER) (Dist. #20)

(MISSING DOCUMENTS)

(28) *Centennial Park Conservancy, 2500 West End Ave 37203, MUSICIANS* T23-28396

CORNER FALL MARKET

SPECIAL (SPECIAL EVENT OLD) (Dist. #21)

September 1, 8, 15, 22, 29 & 30, 2023

(MISSING DOCUMENTS)

(29) *MAX-FRESCO LLC, 3953 Nolensville Pike 37211, MAX-FRESCO LLC* T23-28389

ON-SALE (CHANGE OF OWNERSHIP) (Dist. #26)

(MISSING DOCUMENTS)

(30) *Tri Star Energy, LLC, 5272 Cane Ridge Rd 37013*, **TWICE DAILY #7111** T23-28407
OFF-SALE (CHANGE OF OWNERSHIP) (Dist. #32)
(MISSING DOCUMENTS)

(31) *SKY BAR & LOUNGE, INC, 825 Hamilton Crossings 37013*, **SKY BAR AND LOUNGE** T23-28408
ON-SALE (NEW LOCATION) (Dist. #32)
(MISSING DOCUMENTS)

Following Chairman Taylor’s reading of the defer indefinite applications, Mr. Conway made a motion to defer the applications indefinitely due to missing documents. Mr. Perlen seconded the motion. The Board then voted unanimously to defer the applications indefinitely.

REQUEST TO WITHDRAW

(32) *Climb Nashville LLC, 3600 Charlotte Ave 37209*, **CLIMB NASHVILLE** T23-28395
ON/OFF-SALE (EXPANSION) (Dist. #24)

Following Chairman Taylor’s reading of the request to withdraw applications, Mr. Conway made a motion to withdraw the applications. Mr. Perlen seconded the motion. The Board then voted unanimously to withdraw the applications.

COMPLAINTS

(33)R & R LLC, 5500 Clarksville PIKE 37080, Friendly Corner

15-17244

OFF-SALE

(Dist. #01)

(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 July 25, 2023). (1st Offense)

STAFF RECOMMENDATION: \$3000 Civil Penalty

(34) *Food Mart LLC, 1497 COUNTY HOSPITAL RD 37218, FOOD MART LLC*

19-26071

OFF-SALE

(Dist. #01)

(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 July 20, 2023). (1st Offense)

STAFF RECOMMENDATION: \$3000 Civil Penalty

(35) *F & B Mart LLC, 3900 CLARKSVILLE PIKE 37218, JERRY'S CITGO*

19-26170

OFF-SALE

(Dist. #01)

(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)

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 on or about July 20, 2023).

STAFF RECOMMENDATION: \$2000 Civil Penalty

(36) *Mazatlan Grill LLC, 7246 WHITES CREEK PIKE 37080, MAZATLAN GRILL*

20-26977

ON-SALE

(Dist. #01)

(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 July 25, 2023). (1st Offense 2x)

STAFF RECOMMENDATION: \$2000 Civil Penalty

(37) *Amay LLC, 7250 WHITES CREEK PIKE 37080, CHIPS QUIK STOP*

T23-28221

OFF-SALE

(Dist. #01)

(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 2x)**)

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 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 on or about July 25, 2023). **(1st Offense 2x)**

STAFF RECOMMENDATION: \$3000 Civil Penalty

(38) *Kelini LLC, 2700 WHITES CREEK PIKE 37207, K & K MARKET*

19-26315

OFF-SALE

(Dist. #02)

(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 based on appearance that the prospective purchaser or recipient may be under thirty (30) years of age on or about July 27, 2023). (1st Offense)

STAFF RECOMMENDATION: \$3000 Civil Penalty

(39)7-Eleven Inc, 3200 CLARKSVILLE, 37218, 7-ELEVEN 41044H

21-27133

OFF-SALE

(Dist. #02)

(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. (2nd 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 on or about July 27, 2023). (2nd Offense)

STAFF RECOMMENDATION: \$3500 Civil Penalty

(40)Tri Star Energy, LLC, 3341 WHITES CREEK PIKE 37189, TWICE DAILY/WHITE

BISON #6184

OFF-SALE

(Dist. #03)

(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. (2nd Offense Responsible Vendor)

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 on or about July 27, 2023). (2nd Offense Responsible Vendor)

STAFF RECOMMENDATION: \$2000 Civil Penalty

(41) *Tri Star Energy, LLC, 501 HICKORY HILLS BLVD 37189, TWICE DAILY #8081* 13-17064

OFF-SALE (Dist. #03)

(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. (3rd 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 on or about July 27, 2023). (2nd Offense Responsible Vendor)

STAFF RECOMMENDATION: \$4000 Civil Penalty

(42) *Chili's, Inc., 7624 HIGHWAY 70 S 37221, CHILI'S GRILL & BAR #1583*

17-25080

ON-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 July 11, 2023). (2nd Offense)

STAFF RECOMMENDATION: \$2500 Civil Penalty

(43) *Smoky Mountain Sportservice, Inc., 7638 B HIGHWAY 70 S 37221, FORD ICE*

19-26252

CENTER BELLEVUE

ON-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 July 11, 2023). (1st Offense)

STAFF RECOMMENDATION: \$1500 Civil Penalty

Chairman Taylor read the complaints and staff recommendations. Mr. Conway made a motion to accept the staff recommendations as read. Mr. Perlen seconded the motion. The Board voted unanimously to accept the staff recommendations.

There was also some discussion among the Board regarding number 1 and number 37 on the agenda, Chips Quick Stop. Legal advised that no additional beer permits, final or temporary, should be issued until the complaint has been satisfied.

Chairman Taylor requested a motion be made on number 1 on the agenda. Ms. Kia Jarmon made a motion to defer number 1 on the agenda, Chips Quick Stop, indefinitely. Mr. Joe Perlen seconded the motion. The Board voted unanimously to defer the application indefinitely.

(44) ADMINISTRATIVE MATTERS

Board Discussion and Rule Adoption for BL2023-2007

(Beer Board Special Event Distance Exceptions)

Executive Director Benton McDonough informed the Board that the new rule has not yet been reviewed by Metro Legal.

Legal representative, Matthew Garth, requested that legal staff be given additional time to review the proposed rule. Mr. McDonough proposed to present the new rule, along with the rules packet updated to include the new rule amendment, at the next board meeting scheduled for August 23rd, 2023, at 5:30pm. The Board agreed to the proposal. No vote was taken on the new rule at this meeting.

(45) EXECUTIVE DIRECTORS REPORT

Next Beer Board Meeting: Wednesday, 8/23/23, at 5:30 P.M.

Location: Howard Office Building

700 President Ronald Reagan Way South

Sonny West Conference Center

Nashville, TN 37210

Finding no further business before the Board, Chairman Taylor adjourned the meeting at 12:25 P.M.