



The Metropolitan Government of Nashville and Davidson County...

Metro Beer Board Meeting Minutes November 2, 2023

**Meeting Date/Location: Thursday, November 2, 2023 @ 12:00 P.M.
 Metro Office Building
 Davidson Meeting Room
 800 President Ronald Reagan Way, 2nd FL
 Nashville, TN 37210**

BOARD MEMBERS	STAFF PRESENT	BOARD 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	Mr. Brian Taylor, Chairperson Kia Jarmon, Vice Chairperson Ms. Karolyn Perry Mr. Joe Perlen Ms. Bailey Spaulding Mr. Matthew Garth, Attorney	

* 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 October 25, 2023, Minutes:

Chairman Taylor called the meeting to order at 12:04 P.M.

Chairman Taylor made a motion to approve the October 25, 2023, Beer Board Minutes, as presented by staff. Mr. Perlen approved the motion. Ms. Jarmon seconded the motion. The Board then voted unanimously to approve the minutes.

Signature of Chairman _____

Motion:

First:

Second:

Opposed:

PUBLIC COMMENT SECTION

A maximum of five (5) persons who write their names on the sign-up sheet provided at the meeting will be allowed to comment on matters that are relevant to items on the agenda. Comments are limited to a maximum of two (2) minutes per person. To provide comment, you must sign up prior to the beginning of the meeting.

Luke and Drew Watson (The Silo Market, LLC) were present to address the Board concerning a pending Beer Board Citation. Chairman Taylor briefly informed the gentlemen of the Boards Administrative Hearing process. The Board did not hear any testimony or make any

decisions requiring a Board vote.

APPLICATIONS FOR APPROVAL

- (1) *CLN Operations LLC, 814 Woodland St 37206, ESTELLE* T23-28354
CATERER (Dist. #06)
- (2) *My Fast Market LLC, 450 Donelson Pike #A1 37214, MY MARKET* T22-28048
OFF-SALE (NAME CHANGE) (Dist. #15)
- (3) *Olive Garden Holdings, LLC, 10 Opry Mills Dr 37214, THE OLIVE GARDEN* T22-28052
ITALIAN RESTAURANT #6446
ON/OFF-SALE (NEW LOCATION) (Dist. #15)
- (4) *Mas Amigos LLC, 2615 Nolensville Pike 37211, MAS AMIGOS* T23-28519
ON-SALE (CHANGE OF OWNERSHIP) (Dist. #16)
- (5) *Ventures Endurance Events LLC, 600 James Robertson Pkwy 37219, HOT* T23-28501
CHOCOLATE RUN
SPECIAL (SPECIAL EVENT NEW) (Dist. #19)
February 24, 2024
- (6) *J.K.B. Restaurant Group, LLC, 1318 6Th Ave N 37208, SONNY'S PATIO PUB & REFUGE* T23-28542
CATERER (Dist. #19)

(7) *Centennial Park Conservancy, 2500 West End Ave 37203*, **FRIENDS OF CPC'S** T23-28460

BRIGHT NIGHT

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

October 25 & 26, 2023

(8) *Maxwells House, 3206 Hillsboro Pike 37215*, **HAUNTED SOIREE** T23-28609

SPECIAL (SPECIAL EVENT NEW) (Dist. #25)

October 27, 2023

(9) *Louie's Bar & Grill Inc, 7105 Highway 70 S 37221*, **LOUIE'S BAR & GRILL** T23-28344

ON-SALE (OLD LOCATION) (Dist. #34)

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

(10) *Maemax Market, LLC, 2106 Gallatin Pike N 37115*, **MAEMAX MARKET** T23-28601

ON-SALE (NEW LOCATION) (Dist. #10)

(MISSING DOCUMENTS)

(11) *Oscar Munoz, 3013 Nolensville Pike 37211, RINCON CHAPIN INC* T23-28599

ON/OFF-SALE (CHANGE OF OWNERSHIP) (Dist. #16)

(MISSING DOCUMENTS)

(12) *BPH Fund II, LLC, 419 Broadway 37203, HANK WILLIAMS JR BOOGIE BAR* T23-28598

CATERER (Dist. #19)

(MISSING DOCUMENTS)

Following Chairman Taylor's reading of the defer indefinite applications, Ms. Jarmon 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.

COMPLAINTS

(13) *Chinaberry, LLC, 2151 GALLATIN PIKE N 37115, TWIN PEAKS* 22-27986

ON-SALE (Dist. #10)

(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 25, 2023). (1st Offense)

STAFF RECOMMENDATION: \$1500 Civil Penalty

(14) *Mapco Express, Inc., 611 51ST AVE N 37209, MAPCO #3347*

17-25239

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. **(1st 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 T.C.A 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 October 05, 2023). **(1st Offense)**

STAFF RECOMMENDATION: \$1500 Civil Penalty

(15) *Daddy's Dogs Catering, LLC, 5205 CENTENNIAL BLVD 37209, DADDY'S DOGS*

18-25348

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 October 10, 2023). **(2nd Offense)**

STAFF RECOMMENDATION: \$2500 Civil Penalty

(16) *Daddy's Dogs Catering, LLC, 5205 CENTENNIAL BLVD 37209, DADDY'S DOGS* 18-25348

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 October 24, 2023). **(3rd Offense)**

STAFF RECOMMENDATION: \$2500 Civil Penalty

(17) *The Silo Market, LLC, 5500 CENTENNIAL BLVD 37209, THE SILO MARKET* 21-27245

ON/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 October 10, 2023). **(1st Offense)**

STAFF RECOMMENDATION: \$1500 Civil Penalty

(18) *Tri Star Energy, LLC, 301 WHITE BRIDGE PIKE 37209, SUDDEN SERVICE #8020* 21-27470

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. **(1st 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 T.C.A 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 October 03, 2023). **(1st Offense)**

STAFF RECOMMENDATION: \$1500 Civil Penalty

(19) *Chuy's Opco, Inc., 17 WHITE BRIDGE PIKE 37205, CHUY'S*

22-27951

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 September 28, 2023). (1st Offense)

STAFF RECOMMENDATION: \$1500 Civil Penalty

(20) *JAMS RESTAURANTS LLC, 905 51ST AVE N 37209, FIELD HOUSE TAVERN*

23-28287

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 October 05, 2023). (1st Offense)

STAFF RECOMMENDATION: \$1500 Civil Penalty

(21) *Marley Market, LLC, 1313 51st Ave N, 37209, LAVERTE'S MARKET*

23-28101

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. (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 T.C.A 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 in violation of T.C.A 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 October 5, 2023) **(1st Offense)**

STAFF RECOMMENDATION: \$3000 Civil Penalty

(22) *Marley Market, LLC, 1313 51st Ave N, 37209, LAVERTE'S MARKET*

23-28101

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. **(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 T.C.A 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 October 24, 2023). **(2nd Offense)**

STAFF RECOMMENDATION: \$3500 Civil Penalty

(23) *Dolgencorp, LLC, 5100 Centennial Blvd, 37209, DOLLAR GENERAL STORE #15496* 15-17270

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. (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 T.C.A 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 October 24, 2023). (1st Offense)

STAFF RECOMMENDATION: \$2000 Civil Penalty

(24) *La Batalla Inc., 358 WHITE BRIDGE PIKE 37209, Cinco De Mayo* 06-18474

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 October 03, 2023). (1st Offense)

STAFF RECOMMENDATION: \$1500 Civil Penalty

(25) *M L Rose Pub 002, 4408 Charlotte AVE 37209, M L Rose Pub 002* 12-19631

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 September 14, 2023). (1st Offense)

STAFF RECOMMENDATION: \$1500 Civil Penalty

(26) *Jacks Market LLC, 4421 Murphy RD 37209, Jacks Market*

13-16989

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. (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 T.C.A 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 in violation of T.C.A 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 October 24, 2023) (1st Offense)

STAFF RECOMMENDATION: \$3000 Civil Penalty

(27) *Xun Dong, 94 WHITE BRIDGE PIKE 37205, Sushi Train*

16-20336

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 September 28, 2023). (1st Offense)

STAFF RECOMMENDATION: \$1500 Civil Penalty

(28) *Taco Chela, LLC, 3820 CHARLOTTE AVE, #140 B, 37209, TACO CHELA*

21-27168

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 September 14, 2023). **(1st Offense)**

STAFF RECOMMENDATION: \$1500 Civil Penalty

Chairman Taylor read the complaints and staff recommendations as presented by staff Following a brief Board discussion with staff pertaining to why Laverte's Market and Daddy Dogs was on the agenda for two separate violations, the Board was informed the sconed violation, at each location, was due to a reinspection follow-up in which both businesses failed. Ms. Jarmon made a motion to accept staff recommendations as presented. Mr. Perlen seconded the motion. The Board then voted unanimously to accept the staff recommendations.

(29) ADMINISTRATIVE MATTERS

N/A

(30) EXECUTIVE DIRECTORS REPORT

Executive Director, Benton McDonough, presented the board with the year to date revenue generated by the Department. Director McDonough pointed out to the Board that the amount of privilege tax fees received to date is the highest ever at the same time in any previous years. The jump in revenue was credited to the staff implementing streamlined processes in accepting privilege tax payments.

Director McDonough informed the Board of an Interview conducted by Channel 2 prior to the start of the meeting. Beer Buy Compliance Checks pass and fail percentages and the number of compliance checks conducted were the topic of the interview.

Next Beer Board Meeting: Wednesday, 11/15/23, at 5:30 P.M.

Location: Mapco Office Building

Davidson Meeting Room

800 President Ronald Reagan Way S, 2nd FL

Nashville, TN 37210

There being no further business before the Board, Chairman Taylor adjourned the meeting at 12:28 P.M.