



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

***Metro Beer Board
Meeting Minutes
December 7, 2023***

**Meeting Date/Location: Thursday, December 7, 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 Douglas James Jr, ASO III Melvin S Brown Jr., Special Assistant to the Director Amanda Webb, Inspector I	Mr. Brian Taylor, Chairperson Kia Jarmon, Vice Chairperson Mr. William Conway Ms. Delfine Fox 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 12:29 P.M.

Chairman Taylor made a motion to approve the November 15, 2023, Board Meeting Minutes, as presented by staff. Ms. Jarmon approved the motion. Ms. Fox seconded the motion. The Board then voted unanimously to approve the minutes.

Signature of Chairman _____

Motion: Approved

First: Kia Jarmon

Second: Delfine Fox

Opposed: None

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.

No public comments were made.

APPLICATIONS FOR APPROVAL

- (1) *The Amsterdamian LLC, 925 Gallatin Ave #102 37206, THE AMSTERDAMIAN* T23-28423
ON-SALE (Dist. #06)
- (2) *VIP Market LLC, 619 Millwood Dr 37217, VIP MARKET* T23-28625
OFF-SALE (NEW LOCATION) (Dist. #13)
- BBM 4/27/22 – Previous permit holder suspended for a period of two (2) years due to an MNPD Nuisance Abatement Padlock Order. Suspension ends on 4/27/24.**
- (3) *Party City Corporation, 3177 Lebanon Pike 37214, PARTY CITY* T22-27940
OFF-SALE (NEW LOCATION) (Dist. #14)
- (4) *DM Hospitality, LLC, 329 Donelson Pike #201 37214, SWEET MILK* T23-28461
ON-SALE (Dist. #15)
- (5) *KYHAIR INC, 167 Lafayette St 37210, HONEY SUCKLE* T23-28637
OFF-SALE (NAME CHANGE) (Dist. #17)
- (6) *Garfield Market LLC, 1705 Jenkins St 37208, GARFIELD MARKET* T23-28564
OFF-SALE (CHANGE OF OWNERSHIP) (Dist. #19)
- (7) *Levy Premium Foodservices Limited Partnership of Tennessee, 1 Symphony Pl 37201, LEVY (@ SCHERMERHORN SYMPHONY CENTER)* T23-28623
CATERER (Dist. #19)
- (8) *7-Eleven, Inc., 365 White Bridge Pike 37209, 7-ELEVEN STORE #41938H* T23-28114
OFF-SALE (NEW LOCATION) (Dist. #20)
- (9) *Meat and Bread Hospitality, LLC, 4900 Centennial Blvd #102 37209, BURGER & GRAIN* T23-28562
ON-SALE (NEW LOCATION) (Dist. #20)
- (10) *H and S Market, LLC, 1509 Dr D B Todd Jr Blvd 37208, H AND S MARKET* T23-28632
OFF-SALE (CHANGE OF OWNERSHIP) (Dist. #21)

(11) *Bold Patriot Brewing Company LLC, 410 39Th Ave N 37209*, **BASSLINE** T23-28638

BREWING COMPANY

MNUFACTURE (NAME CHANGE) (Dist. #24)

(12) *Bold Patriot Brewing Company LLC, 410 39Th Ave N 37209*, **BASSLINE** T23-28639

BREWING COMPANY

ON/OFF-SALE (NAME CHANGE) (Dist. #24)

(13) *Willie B'S Express, LLC, 787 Bell Rd 37013*, **WILLIE B'S EXPRESS** T22-28010

ON-SALE (NEW LOCATION) (Dist. #32)

(14) *SR Lounge & Bar, LLC, 410 Collins Park Dr 37013*, **SR LOUNGE & BAR** T23-28150

ON-SALE (NEW LOCATION) (Dist. #32)

Following Chairman Taylor's reading of the approved applications, he pointed out the note for the second item on the agenda, VIP Market. He asked the Beer Board Staff for more clarification.

Terrence Darby informed the board members that the previous permit holder for this location was suspended for a period of two (2) years due to an MNPD Nuisance Abatement Padlock Order. The board members were informed that the new owner has no relation to the previous owner and has even gone a step above what is necessary by signing himself and his staff up for our training program, which was completed this morning before the meeting.

Chairman Taylor informed the other board members that since this applicant has no relation to the previous owner, a new beer permit can be issued to this location. 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**

(15) *Good Birds - Nashville, LLC, 851 Dickerson Pike 37207*, **GUS'S FRIED CHICKEN** T23-28620

ON-SALE (NEW LOCATION) (Dist. #05)

(MISSING DOCUMENTS)

(16) <i>Kalpesh Patel, 733 Briley Pkwy 37217, HOTEL PRESTON BY MARRIOTT</i> ON-SALE	(CHANGE OF OWNERSHIP) (MISSING DOCUMENTS)	T23-28569 (Dist. #13)
(17) <i>Nashville Airport Beverage License Company, LLC, 2 Terminal Dr 37214, HILTON BNA NASHVILLE AIRPORT TERMINAL</i> ON-SALE	(NEW LOCATION) (MISSING DOCUMENTS)	T23-28627 (Dist. #13)
(18) <i>Airport Premier Hospitality, LLC, 733 Briley Pkwy 37217, DELTA BY MARRIOTT</i> ON-SALE	(CHANGE OF OWNERSHIP) (MISSING DOCUMENTS)	T23-28633 (Dist. #13)
(19) <i>Shri Radha Krishna Inc, 4705 Old Hickory Blvd 37138, CANCUN MARKET</i> OFF-SALE	(CHANGE OF OWNERSHIP) (MISSING DOCUMENTS)	T23-28628 (Dist. #14)
(20) <i>Salento Italia, LLC, 329 Donelson Pike #303 37214, SALENTO ITALIA</i> ON-SALE	(NEW LOCATION) (MISSING DOCUMENTS)	T23-28634 (Dist. #15)
(21) <i>SAI RAM 009 LLC, 50 Music Sq W 37203, MOTIF ON MUSIC ROW</i> ON-SALE	(NEW LOCATION) (MISSING DOCUMENTS)	T23-28622 (Dist. #17)
(22) <i>Nashville Party Truck, LLC, 69 Trimble St 37210, THE NASHVILLE PARTY TRUCK (TNPT1)</i> MOBBYOB	(NEW LOCATION) (MISSING DOCUMENTS)	T23-28629 (Dist. #17)
(23) <i>Mahati LLC, 2100 21St Ave S 37212, JASHAN</i> ON-SALE	(NEW LOCATION) (MISSING DOCUMENTS)	T23-28635 (Dist. #18)

(24) Zap LLC, 610 12th Ave S 37203, **NEIGHBORS GULCH** T23-28619
ON-SALE (NEW LOCATION) (Dist. #19)
(MISSING DOCUMENTS)

(25) Special Olympics Tennessee, 1 Titans Way 37213, **SPECIAL OLYMPICS** T23-28631
TENNESSEE, MUSIC CITY POLAR PLUNGE 2024
SPECIAL (SPECIAL EVENT OLD) (Dist. #19)
February 24, 2024
(MISSING DOCUMENTS)

(26) Smoky Mountain Sportservice, Inc., 501 Broadway 37203, **BETMGM SPORTS** T23-28636
LOUNGE
ON-SALE (CHANGE OF OWNERSHIP) (Dist. #19)
(MISSING DOCUMENTS)

(27) Centennial Park Conservancy, 2500 West End Ave 37203, **ECHO CONCERT** T23-28618
SERIES PARTHENON
SPECIAL (SPECIAL EVENT NEW) (Dist. #21)
December 14, 2023, January 28, February 25, March 10, 2024
(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. Conway seconded the motion. The Board then voted unanimously to defer the applications indefinitely.

COMPLAINTS

(28) Kush Mahi LLC, 1331 Briarville RD 37115, **Shell at Madison** 14-17108
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. (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 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 November 14, 2023). **(1st Offense)**

STAFF RECOMMENDATION: \$3000 Civil Penalty

(29) *Joseph Michael, 208 OLD HICKORY BLVD E 37115, DISCOUNT BEER &* 22-27843

TOBACCO

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

STAFF RECOMMENDATION: \$2000 Civil Penalty

(30) *Dolgenercorp LLC, 2174 Gallatin PIKE 37115, Dollar General* 09-16541

OFF-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 November 09, 2023). **(1st Offense)**

STAFF RECOMMENDATION: \$1500 Civil Penalty

(31) *RaceTrac Petroleum, Inc., 1804 GALLATIN PIKE N 37115, RACETRAC #2546*

21-27271

OFF-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 November 09, 2023). (2nd Offense)

STAFF RECOMMENDATION: \$2500 Civil Penalty

(32) *Omer Said, 1594 GALLATIN PIKE N 37115, SUPER FIESTA LATINA #1*

22-27961

OFF-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. (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 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 November 09, 2023). (1st Offense)

STAFF RECOMMENDATION: \$3000 Civil Penalty

Chairman Taylor read the complaints and staff recommendations as presented by staff Ms. Jarmon made a motion to accept staff recommendations as presented. Mr. Conway seconded the motion. The Board then voted unanimously to accept the staff recommendations.

(29) ADMINISTRATIVE MATTERS

The Beer Board Staff, led by Terrence Darby, requested this time be used for discussions regarding arming the Inspectors. Melvin Brown gave a presentation outlining the dangers Beer Board Inspectors are currently faced with while working in the field, specifically while conducting under 21 operations. During the presentation, Melvin gave some recent statistics related to violent crimes that occurred either at or near locations that have beer permits. He informed the Board that currently Beer Board Inspectors are not armed and therefore, have no means of protecting themselves or the minors if a situation were to arise.

The Board held a brief discussion on the topic. Matthew Garth, from Metro Legal, advised that in order for Inspectors to be armed the job description would likely need to be changed. He stated that he would get with the Legal team to see what their thoughts are on this matter. No decisions on this were made during this meeting.

(30) EXECUTIVE DIRECTORS REPORT

Executive Director, Benton McDonough, presented the board with the year to date revenue generated by the Department. There were no questions from the Board.

Next Beer Board Meeting: Wednesday, 12/20/23, at 12:00 P.M.

Location: Metro 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 1:30 P.M.