



The Metropolitan Government of Nashville and Davidson County...

***Metro Beer Board Meeting Minutes
March 14, 2024***

**Meeting Date/Location: Thursday, March 14, 2024 @ 12:00 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 Ms. Shani Glapion Ms. Bailey Spaulding Ms. Delfine Fox Mr. Matthew Garth, Attorney	Benton McDonough, Director Terrence Darby, ASO IV Douglas James Jr, ASO III Melvin S Brown Jr., Special Assistant to the Director	Mr. Brian Taylor, Chairperson Ms. Shani Glapion Ms. Bailey Spaulding Ms. Delfine Fox Mr. Matthew Garth, Attorney	Trey Cioccia – Public Comment

* 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

Chairman Taylor called the meeting to order at 12:08 P.M.

Approval of the February 28, 2024, Minutes:

Changes:

Approval By:

Signature of Chairman _____

Motion: **Approve**

First: **Ms. Glapion**

Second: **Ms. Spaulding**

Opposed: **N/A**

PUBLIC COMMENT

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.

Trey Cioccia, the owner of Black Rabbit, which is on this agenda as a Complaint (#30), signed up for the public comment section. Comments: Mr. Cioccia informed the Board that he has been in business in Nashville for 30 years and has never had a citation. He stated that the employee was from out of state and wasn't versed on the beer laws here in Nashville, TN. He also apologized for the disrespectful behavior his employee showed towards the Beer Board Inspectors.

The Board did advise Mr. Cioccia that the standard procedures would be followed for issuing a citation and no actions can be taken on this complaint at this time. Mr. Cioccia was advised that if the citation is approved during this meeting, then the Beer Board Staff would deliver the citation and at that time he would have 14 days to pay the civil penalty (if offered) or request a hearing to discuss with the Board. If a hearing is scheduled, then the Board would determine the appropriate course of action for the citation.

APPLICATIONS FOR APPROVAL

- | | |
|--|-------------|
| (1) <i>B & N Market LLC, 3717 Clarksville Pike 37218</i> , TRINITY MARCADO | T23-28390 |
| OFF-SALE (OLD LOCATION) | (Dist. #01) |
| (2) <i>Fonda Cubilete Mexican Restaurant Inc, 2106 Buena Vista Pike 37218</i> , | T24-28741 |
| FONDA CUBILETE MEXICAN RESTAURANT | |
| ON-SALE (NEW LOCATION) | (Dist. #02) |
| (3) <i>GSVNashville TN, LLC, 747 Douglas Ave #101 37207</i> , GARAGE SALE VINTAGE | T24-28756 |
| DLVRYCRBSD (NEW LOCATION) | (Dist. #05) |
| (4) <i>GULLY BOYZ EAST NASHVILLE LLC, 900 Main St 37206</i> , GULLY BOYZ | T24-28759 |
| ON/OFF-SALE (NEW LOCATION) | (Dist. #06) |
| (5) <i>TN PROMOTIONS CORPORATION, 1146 B Gallatin Pike S 37115</i> , EL TORO | T23-28487 |
| EVENT CENTER | |
| ON-SALE (NEW LOCATION) | (Dist. #07) |

(6) <i>MARISQUERIA VALLARTA 2 MEXICAN GRILL INC., 2315 Gallatin Pike 37115,</i>		T24-28711
MARISQUERIA VALLARTA 2 MEXICAN GRILL		
ON-SALE	(NEW LOCATION)	(Dist. #10)
(7) <i>Rincon Chapin Inc, 3013 Nolensville Pike 37211,</i>	RINCON CHAPIN	T23-28599
ON/OFF-SALE	(CHANGE OF OWNERSHIP)	(Dist. #16)
(8) <i>MOM CORP, 2127 Belcourt Ave 37212,</i>	ONLY CHICKEN	T24-28696
ON-SALE	(CHANGE OF OWNERSHIP)	(Dist. #18)
(9) <i>Third Coast Comedy Club, 1310 Clinton St #121 37203,</i>	THIRD COAST	T21-27283
COMEDY CLUB		
ON-SALE	(EXPANSION)	(Dist. #19)
(10) <i>St. Bernard Ave., 400 4Th Ave S 37201,</i>	ST. BERNARD ACADEMY GIVING GALA	T24-28754
SPECIAL	(SPECIAL EVENT NEW)	(Dist. #19)
	March 1, 2024 (Delivery/Storage)	
	March 2, 2024 (Event Day)	
(11) <i>Nashville State Community College Foundation, 5248 Hickory Hollow Pkwy</i>		T24-28745
37013, TENNESSEE FLAVORS		
SPECIAL	(SPECIAL EVENT NEW)	(Dist. #32)
	Tuesday March 5,2024	

(12) *RevPar Green Hills LLC, 3818 Bedford Ave 37215*, **HYATT PLACE**

T23-28503

NASHVILLE/GREEN HILLS

ON-SALE

(NEW LOCATION)

(Dist. #34)

Following Chairman Taylor's reading of the applications for approval, Ms. Spaulding made a motion to grant the permits. Ms. Glapion seconded the motion. The motion was unanimously approved.

DEFER INDEFINITELY
MISSING DOCUMENTS

(13) *Sova Food Inc., 2936 Hydes Ferry Rd 37218*, **TAKEAWAY CATERING**

T24-28746

CATERER

(Dist. #01)

(MISSING DOCUMENTS)

(14) *Sova Food Inc., 2936 Hydes Ferry Rd 37218*, **TAKEAWAY CATERING**

T24-28747

ON-SALE

(NEW LOCATION)

(Dist. #01)

(MISSING DOCUMENTS)

(15) *BAR RIVIERA LLC, 604 Gallatin Ave #217 37206*, **CORAL CLUB**

T24-28744

ON-SALE

(NEW LOCATION)

(Dist. #05)

(MISSING DOCUMENTS)

(16) *East Nashville Beer Works, 1900 Davidson St 37206*, **FRIDAYS BY THE RIVER** T24-28753

POP -UP BEER GARDEN - EAST NASHVILLE BEER WORKS AND FRIENDS

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

Spring: April 5, 12, 19, 26, May 3, May 10

Fall: September 13, 20, 27, October 4, 11, 18

(MISSING DOCUMENTS)

(17) *BNA Hotel Management, LLC, 2640 Elm Hill Pike 37214*, **HOMEWOOD SUITES** T24-28752

- NASHVILLE AIRPORT

ON/OFF-SALE (CHANGE OF OWNERSHIP) (Dist. #15)

(MISSING DOCUMENTS)

(18) *THiNX Grub LLC, 2119 Belcourt Ave 37212*, **SUSHI & PHO 88** T24-28758

ON-SALE (CHANGE OF OWNERSHIP) (Dist. #18)

(MISSING DOCUMENTS)

(19) *MStreet Entertainment Group, 1904 Broadway 37203*, **TAVERN** T24-28761

ON-SALE (Dist. #19)

(MISSING DOCUMENTS)

(20) *WCB Krystal Meade LLC, 5316 Harding Pike 37205*, **WALDO'S CHICKEN AND BEER** T24-28748

ON-SALE (NEW LOCATION) (Dist. #23)

(MISSING DOCUMENTS)

(21) *The Land Trust for Tennessee, 4000 Franklin Pike 37204*, **THE LAND TRUST** T24-28762

FOR TENNESSEE

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

April 17, 2024

(MISSING DOCUMENTS)

(22) *EL SINALOENSE SEADFOOD & GRILL LLC, 3943 Nolensville Pike 37211*, **EL** T24-28733

SINALOENSE SEADFOOD & GRILL

ON-SALE (NEW LOCATION) (Dist. #26)

(MISSING DOCUMENTS)

(23) *Soul Antioch, LLC, 2419 Edge O Lake Dr 37013*, **SOUL ANTIOCH** T24-28734

ON/OFF-SALE (NEW LOCATION) (Dist. #28)

(MISSING DOCUMENTS)

(24) *DONA MARIA MARKET INC, 330 Welch Rd 37211*, **DONA MARIA MARKET INC** T24-28751

OFF-SALE (NEW LOCATION) (Dist. #30)

(MISSING DOCUMENTS)

(25) *58 MG INC, 13016 Old Hickory Blvd 37013, 62 SHELL*

T24-28726

OFF-SALE

(CHANGE OF OWNERSHIP)

(Dist. #32)

(MISSING DOCUMENTS)

(26) *58 MG, INC, 1110 Bell Rd 37013, 59 Shell*

T24-28725

OFF-SALE

(CHANGE OF OWNERSHIP)

(Dist. #33)

(MISSING DOCUMENTS)

(27) *International Groceries Distributor LLC, 1309 Bell Rd #212, 37013, ASSA MART*

T24-28749

OFF-SALE

(NEW LOCATION)

(Dist. #33)

(MISSING DOCUMENTS)

Following Chairman Taylor's reading of the applications for indefinite deferral, Ms. Glapion made a motion to defer the applications indefinitely due to missing documents. Ms. Spaulding seconded the motion. The motion was unanimously approved.

COMPLAINTS

(28) *AVR Nashville Hotel, LLC, 706 CHURCH ST 37203, HOMEWOOD SUITES BY* 18-25381

HILTON NASH-DWNTWN

ON-SALE (Dist. #19)

(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 February 21, 2024). (2nd Offense)

STAFF RECOMMENDATION: \$2500 Civil Penalty

(29) *404 Management Group LLC, 404 ELYSIAN FIELDS RD 37211, 404 BAR & GRILL* 21-27153

ON-SALE (Dist. #26)

(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 April 06, 2021 - Present).

STAFF RECOMMENDATION: Staff discussion with Board

(30) Black Rabbit LLC, 218 3rd Ave N, Ste. #100, 37201, **BLACK RABBIT**

18-25474

ON-SALE

(Dist. #19)

(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 February 21, 2024).

STAFF RECOMMENDATION: \$1500 Civil Penalty

Chairman Taylor read the complaints and staff recommendations as presented by staff. Because the Staff Recommendation for #29, 404 Bar & Grill, reads "Staff discussion with Board", the Chairman asked staff for additional information before proceeding with the vote.

Mr. Darby informed to Board Members that staff is requesting to defer the complaint indefinitely to allow more time for the Beer Board Inspectors to investigate the complaint. He explained that this complaint was not typically what we deal with since it came from a council member, so we wanted to process the complaint as quick as possible, but after further review, staff believes that all complaints not submitted by our Inspectors should first be investigated to determine if the complaint is a potential violation of the metro beer laws or rules. After the Inspectors have verified the complaint and believe that a violation may exist, then staff will proceed with putting the complaint on an agenda for the Board to vote on issuing the citation.

Terrence also presented the "Complaint Draft Form" that was provided for each Board Member to review. He informed the Board that additional changes will be made by Staff, to include:

1. Adding section 1A: Contact complainant, which will be completed by the Inspectors to get more information on the complaint.

Once the changes are made, staff will provide an updated version to the Board for review.

Chairman Taylor entertained a motion to accept #28 and #30 as read. Ms. Spaulding made a motion to accept staff recommendations as presented. Ms. Glapion seconded the motion. The Board then voted unanimously to accept the staff recommendations for #28 and #30.

Chairman Taylor entertained a motion to accept the staff recommendation to defer #29, 404 Bar & Grill, indefinitely to give the Beer Board Inspectors time to investigate the complaint. Ms. Glapion made a motion to accept the staff recommendation to defer #29 indefinitely. Ms. Spaulding seconded the motion. The Board then voted unanimously to accept the staff recommendation to defer #29, 404 Bar & Grill, indefinitely.

(31) ADMINISTRATIVE MATTERS

Certified mailed has gone out to permit holders with unpaid privilege taxes. Permit holders have ten (10) days from receipt of certified mail to pay the privilege tax fee. If the fee is not paid, within the allotted time, with Board approval, staff will issue \$500 civil penalties for non-payment.

BBPERMIT	22-27717	BAG LADY'S	BBANNUAL	2023-10-01	\$100.00
BBPERMIT	14-52213	Billar Bola 8	BBANNUAL	2023-10-01	\$100.00
BBPERMIT	21-27309	COPPER BRANCH	BBANNUAL	2023-10-01	\$100.00
BBPERMIT	15-20137	Nomzilla	BBANNUAL	2023-10-01	\$100.00
BBPERMIT	21-27381	SRIRACHA RESTAURANT	BBANNUAL	2023-10-01	\$100.00
BBPERMIT	14-19942	Taziki's Mediterranean Cafe	BBANNUAL	2023-10-01	\$100.00

Mr. Darby informed the Board that if these citations are approved, Beer Board Inspectors will hand-deliver the citations to these locations to ensure delivery is made.

Chairman Taylor entertained a motion to issue the citations as presented by staff. Ms. Fox made a motion to accept staff recommendations as presented. Ms. Glapion seconded the motion. The Board then voted unanimously to accept the staff recommendations.

After the Director provided his report, Terrence informed the Board that we are going to “suggest” training on the front end to all applicants, which would also increase revenue.

Chairman Taylor made the comment that since we go back two (2) years when looking at recent violations for a permit holder, training should also provide an “insurance” for permit holders for a total of two years. After the two year period, a permit holder would need to go through the training again to receive any benefits that would be provided.

Melvin discussed the recent changes made to the training packet that is currently being used for training. The revised version would provide more information on beer laws in general, not just those pertaining to under 21 beer sales to minors. We are also researching putting together training online to accommodate the increase in the number of trainees that would occur if recommending training to all new applicants and the limited number of staff.

(32) EXECUTIVE DIRECTORS REPORT

Director, Benton McDonough, provided the YTD revenue totals. He also informed the Board that he is currently in discussions with Mr. Brown and Mr. Hardrick to increase the number of under 21 Compliance Check operations. There were no questions by the Board.

Next Beer Board Meeting: Wednesday, 03/27/24, 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 12:48 P.M.