

	<p><i>The Metropolitan Government of Nashville and Davidson County...</i></p> <p><i>Metro Beer Board Meeting Minutes August 8, 2024</i></p>
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<p>Meeting Date/Location:</p> <p>Start Time:</p> <p>End Time:</p>	<p>Thursday, August 8, 2024 @ 12:00 P.M.</p> <p>Howard Office Building</p> <p>Sonny West Conference Center</p> <p>700 President Ronald Reagan Way</p> <p>Nashville, TN 37210</p>
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BOARD MEMBERS	STAFF MEMBERS	OTHERS PRESENT
<ul style="list-style-type: none"> ✓ Mr. Brian Taylor, Chairperson ✓ Kia Jarmon, Vice Chairperson <input type="checkbox"/> Mr. William Conway ✓ Ms. Delfine Fox ✓ Ms. Shani Glapion ✓ Ms. Karolyn Perry ✓ Ms. Bailey Spaulding ✓ Mr. Matthew Garth, Attorney 	<ul style="list-style-type: none"> ✓ Benton McDonough, Director ✓ Terrence Darby Sr, Asst. Director ✓ Douglas James Jr, ASO III <input type="checkbox"/> Darrell Hardrick Sr, ASO III <input type="checkbox"/> Melvin S Brown Jr, Special Assistant to the Director <input type="checkbox"/> Amanda Webb, Inspector III 	

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.

I. APPROVAL OF MINUTES AND CALL THE MEETING TO ORDER

Approval of the July 24, 2024, Minutes:

Changes: None

Motion: Approve minutes

First: Vice Chairperson Jarmon

Second: Ms. Fox

Opposed: N/A

II. 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.

Notes: No public comments were made

III. APPLICATIONS

(1) <i>Gallatin Market LLC, 3237 Gallatin Pike 37216, GALLATIN MARKET</i>	T24-28904
OFF-SALE (CHANGE OF OWNERSHIP)	(Dist. #05)
(2) <i>Campy Sams, LLC, 927 Woodland St #10 37206, ERNIE'S II</i>	T24-28932
ON-SALE (NEW LOCATION)	(Dist. #06)
(3) <i>Daddys Dogs Catering LLC, 1500 Gallatin Pike S #101 37115, DADDY'S DOGS</i>	T24-28909
- MADISON	
ON-SALE (NEW LOCATION)	(Dist. #07)
(4) <i>Sam Market LLC, 4890 Lebanon Pike 37076, KWIK SAK 615</i>	T24-28890
OFF-SALE (CHANGE OF OWNERSHIP)	(Dist. #11)
(5) <i>411 Management Company, LLC, 411 Broadway 37203, FRIENDS IN LOW PLACES</i>	T23-28604
ON-SALE (NEW LOCATION)	(Dist. #19)
(6) <i>Smoky Mountain Sportservice, Inc., 501 Broadway 37203, BRIDGESTONE</i>	T24-28903
ARENA	
ON-SALE (EXPANSION)	(Dist. #19)
(7) <i>Uncle Choy LLC, 121 B 12Th Ave N 37203, CHOY</i>	T24-28917
ON-SALE (NEW LOCATION)	(Dist. #19)
(8) <i>Rowdy Bus, 1205 B Milson St 37203, ROWDY BUS (ET052)</i>	T24-28923
MOBONSALE (NEW LOCATION)	(Dist. #19)
(9) <i>Honky Tonk Inc., 416 B Broadway 37203, ROBERT'S 25TH ANNIVERSARY</i>	T24-28941
SPECIAL (SPECIAL EVENT NEW)	(Dist. #19)
Monday, August 5, 2024	

(10) <i>J.K.B. Restaurant, LLC, 1318 6Th Ave N 37208</i> , SIDECAR	T24-28940
ON-SALE (NEW LOCATION)	(Dist. #19)

(11) <i>Centennial Park Conservancy, 2500 West End Ave 37203</i> , MUSICIANS	T24-28939
CORNER - CENTENNIAL PARK CONSERVANCY	
SPECIAL (SPECIAL EVENT NEW)	(Dist. #21)
August 29, 2024	

Notes:

Motion: Grant Applications

First: Vice Chairperson Jarmon

Second: Ms. Glapion

Opposed or Abstained: None

IV. DEFER INDEFINITE APPLICATIONS

(12) <i>Mussa LLC, 755 Moormans Arm Rd 37207</i> , IN & OUT MARKET	T24-28930
OFF-SALE (NEW LOCATION)	(Dist. #02)
(MISSING DOCUMENTS)	

(13) <i>Neisok LLC, 1000 B Gallatin Ave 37206</i> , NOMZILLA	T24-28928
ON-SALE (CHANGE OF OWNERSHIP)	(Dist. #05)
(MISSING DOCUMENTS)	

(14) <i>EL MUNDO LLC, 109 Montague Way 37115</i> , EL MUNDO LLC	T24-28934
ON-SALE	(Dist. #07)
(MISSING DOCUMENTS)	

(15) <i>Kana Hotels, Inc., 832 Royal Pkwy 37214</i> , HOME2 SUITES NASHVILLE - AIRPORT		T24-28946
ON/OFF-SALE	(CHANGE OF OWNERSHIP) (MISSING DOCUMENTS)	(Dist. #15)
(16) <i>Mott 400 Inc, 400 Craighead St 37204</i> , MOTT CHA		T24-28933
ON-SALE	(NEW LOCATION) (MISSING DOCUMENTS)	(Dist. #17)
(17) <i>Henry 12 South LLC, 2803 12Th Ave S #105 37204</i> , THE HENRY NASHVILLE		T24-28937
ON-SALE	(NEW LOCATION) (MISSING DOCUMENTS)	(Dist. #18)
(18) <i>Wildhorse Saloon Entertainment Ventures, LLC, 120 2Nd Ave N 37201</i> , CATEGORY 10		23-28202
ON-SALE	(CHANGE OF OWNERSHIP) (MISSING DOCUMENTS)	(Dist. #19)
(19) <i>Wildhorse Saloon Entertainment Ventures, LLC, 120 2Nd Ave N 37201</i> , CATEGORY 10		23-28203
CATERER	(MISSING DOCUMENTS)	(Dist. #19)
(20) <i>TIN CUP COFFEE LLC, 660 Lafayette St 37203</i> , HORTON EVENTS		T24-28919
ON-SALE	(NEW LOCATION) (MISSING DOCUMENTS)	(Dist. #19)
(21) <i>Peabody Corner Marketplace, 319 Peabody St 37210</i> , SUMOYAKI BAR & GRILL		T24-28929
ON-SALE	(NEW LOCATION) (MISSING DOCUMENTS)	(Dist. #19)
(22) <i>AVIATOR NATION INC, 401 12Th Ave S 37203</i> , AVIATOR NATION		T24-28931
ON-SALE	(NEW LOCATION) (MISSING DOCUMENTS)	(Dist. #19)

<p>(23) <i>Viking USA LLC, 100 1st Ave S 37201</i>, VIKING MISSISSIPPI ON-SALE (NEW LOCATION) (MISSING DOCUMENTS)</p>	<p>T24-28938 (Dist. #19)</p>
<p>(24) <i>8th & Demonbreun Hotel LP, 800 Clark Pl 37203</i>, 888 VINYL ON-SALE (NEW LOCATION) (MISSING DOCUMENTS)</p>	<p>T24-28943 (Dist. #19)</p>
<p>(25) <i>Peachtree Hospitality Management, LLC, 2400 West End Ave 37203</i>, HOMEWOOD SUITES BY HILTON NASHVILLE VANDERBILT ON/OFF-SALE (CHANGE OF OWNERSHIP) (MISSING DOCUMENTS)</p>	<p>T24-28942 (Dist. #21)</p>
<p>(26) <i>Caleb Spearing, 4060 Cane Ridge Pkwy #103 37013</i>, RED BICYCLE CENTURY FARMS ON-SALE (NEW LOCATION) (MISSING DOCUMENTS)</p>	<p>T23-28621 (Dist. #32)</p>
<p>(27) <i>Jenny Pan, 5353 Mt View Rd 37013</i>, CHINA PAN BUFFET & GRILL 1 INC ON-SALE (OLD LOCATION) (MISSING DOCUMENTS)</p>	<p>D24-28935 (Dist. #32)</p>

Notes:

Motion: Defer Applications Indefinitely
 First: Vice Chairperson Jarmon
 Second: Ms. Glapion

Opposed or Abstained: None

V. APPLICATIONS FOR DISCUSSION AND DECISION

- (28) *Casa Chuy Inc, 203 E Trinity Ln 37207, MAR AND TIERRA MEXICAN GRILL AND MARISCOS* T24-28821
 ON-SALE (EXPANSION) (Dist. #05)
 Citation Issued 7/11/24.
 \$2000 Civil Penalty Paid 7/25/24.
STAFF RECOMMENDATION: Application Approval
- (29) *Alex's Tacos and Wings, LLC, 913 Rivergate Pkwy 37072, ALEX'S TACOS AND WINGS* T24-28817
 ON-SALE (OLD LOCATION) (Dist. #10)
 Requested City of Columbia beer application received 7/31/24.
STAFF RECOMMENDATION: Deny application based on the owner's convictions for crimes of moral turpitude within the last ten (10) years, pursuant to T.C.A. 57-5-301(a)(1), M.C.L. 7.08.040 (B)(3), M.C.L. 7.08.040 (B)(5), 7.08.040 (C)(7) and 7.08.040 (C)(10).
- (30) *MCM 4th Avenue, LLC, 107 4Th Ave N 37219, MORGAN WALLEN'S THIS BAR & TENNESSEE KITCHEN* T24-28783
 ON/OFF-SALE (NEW LOCATION) (Dist. #19)
 Applicant Request to Defer to 8/28/24.
STAFF RECOMMENDATION: Defer to 8/28/24. Staff will issue an additional temp beer permit through 8/28/24.
- (31) *MCM 4th Avenue, LLC, 107 4Th Ave N 37219, MORGAN WALLEN'S THIS BAR & TENNESSEE KITCHEN* T24-28784
 CATERER (Dist. #19)
 Applicant Request to Defer to 8/28/24.
STAFF RECOMMENDATION: Defer to 8/28/24. Staff will issue an additional temp beer permit through 8/28/24.

Notes:**#29 Alex's Tacos and Wings:**

The applicant, Ms. Rojas, appeared before the Board.

The Board called on Beer Board Staff to speak regarding the application that was received from the City of Columbia, which the Board had previously requested.

Terrence Darby spoke for staff and informed the Board that according to the application, Ms. Rojas was not the applicant, nor listed as an owner, in that application. She was listed as the manager. He pointed out to the Board that in the application regarding the question about convictions, the applicant checked the box "No" and made a note stating, "Not that I'm aware of".

Chairperson Taylor informed the Board that state law states that a beer permit cannot be issued 10 years from the date of conviction of any crimes involving moral turpitude. He further stated that, as advised by Metro Legal, the Metro Code doesn't specifically define crimes involving moral turpitude under this subsection of the code, therefore State Law must be adhered to, which would include the crimes found in Ms. Rojas' background check. The Metro Code does specifically define crimes involving moral turpitude under the subsection that outlines requirements for those that have been released from incarceration within the past 10 years. However, that code doesn't pertain to this situation. Since it has been less than 10 years since the conviction of the crime involving moral turpitude, the Board cannot approve a beer permit while Ms. Rojas is listed as an owner with 5% or more interest, or as a General Manager.

After some discussion between the Board Members about possible options, Ms. Rojas informed the Board that she wished to withdraw her application. The Board made sure that Ms. Rojas understood what she was asking and that if she were to reapply after 10 years has passed from the conviction date, and there being no other issues, the application could be approved. They also made sure she understood that a new application that didn't list her as an owner with 5% or more interest or as a General Manager, could potentially be approved assuming no other issues arise.

#30 and #31, Morgan Wallen's This Bar & Tennessee Kitchen

The Board advised that staff has the authority to issue temporary beer permits and so the Board doesn't need to vote to approve an additional temporary beer permit.

Vice Chairperson Jarmon asked how many deferrals this would be for these applications. Terrence Darby responded stating that the previous request for deferral was actually a mistake on staff's part. Because some of staff weren't at the previous meeting when the permit holder requested a deferral, the date the deferral was requested for wasn't passed on to staff in the office and therefore it wasn't put on the agenda.

<p>Ms. Glapion replied, I feel like the question asked by Ms. Jarmon wasn't clearly answered.</p> <p>Terrence Darby replied, it really depends on the circumstances how many times we're willing to defer an item on the agenda.</p>	
<p>Motion: For #28, grant the application First: Vice Chairperson Jarmon Second: Ms. Fox</p>	<p>Opposed or Abstained: None</p>
<p>Motion: For #29, withdraw the application First: Vice Chairperson Jarmon Second: Ms. Fox</p>	<p>Opposed or Abstained: None</p>
<p>Motion: For #30 and #31, defer to the August 28th meeting First: Vice Chairperson Jarmon Second: Ms. Glapion</p>	<p>Opposed or Abstained: None</p>

<h2>VI. COMPLAINTS</h2>	
<p>(32)7-Eleven Inc., 510 GALLATIN AVE 37206, 7-ELEVEN 42000H OFF-SALE</p> <p>(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 x2)</p> <p>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 July 16, 2024). (1st Offense x2)</p> <p>STAFF RECOMMENDATION: \$3000 Civil Penalty</p>	<p>21-27460 (Dist. #05)</p>

- (33) *GReKo Greek Street Food LLC, 704 MAIN ST 37206, GREKO GREEK STREET* 17-25014
FOOD
ON-SALE (Dist. #06)
(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 16, 2024). **(1st Offense x2)**
STAFF RECOMMENDATION: \$2000 Civil Penalty
- (34) *ESQ Five Points LLC, 1000 MAIN ST #101 37206, EMMY SQUARED* 22-27791
ON-SALE (Dist. #06)
(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 17, 2024). **(1st Offense x2)**
STAFF RECOMMENDATION: \$2000 Civil Penalty
- (35) *SINGTO & SAYASACK INC, 970 WOODLAND ST 37206, THAI ESANE* 24-28827
ON-SALE (Dist. #06)
(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 22, 2024). **(1st Offense x2)**
STAFF RECOMMENDATION: \$2000 Civil Penalty
- (36) *Dollar General, 808 Madison SQ SUITE C 37115, Dollar General* 10-16704
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 x2)**
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 July 23, 2024). **(1st Offense x2)**
STAFF RECOMMENDATION: \$3000 Civil Penalty

- (37) *TNMexEpxyngs Inc, 4539 NOLENSVILLE PIKE 37211, SUPER MERCADO LATINA* 22-27903
OFF-SALE (Dist. #26)
(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)**
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 on or about July 09, 2024). **(1st Offense)**
STAFF RECOMMENDATION: \$3000 Civil Penalty
- (38) *SAI Phillips 66, LLC, 5101 NOLENSVILLE PIKE 37211, ZACKS EXPRESS* 19-26402
MART/PHILLIPS 66
OFF-SALE (Dist. #27)
(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)**
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 on or about July 09, 2024). **(1st Offense)**
STAFF RECOMMENDATION: \$3000 Civil Penalty
- (39) *BUENO SUPER MERCADO INC, 5320 E NOLENSVILLE PIKE 37211, BUENO SUPER* 23-28500
MERCADO
OFF-SALE (Dist. #27)
(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 on or about July 09, 2024). **(1st Offense)**
STAFF RECOMMENDATION: \$2000 Civil Penalty

Notes:	
Motion: Issue citations as read First: Vice Chairperson Jarmon Second: Ms. Glapion	Opposed or Abstained: None

VII. ADMINISTRATIVE MATTERS
Notes: N/A

VIII. EXECUTIVE DIRECTOR’S REPORT
Notes: Executive Director, Benton McDonough, provided the Board with the revenue report. There were no questions/discussions from the Board.

IX. NEXT MEETING INFORMATION

Next Beer Board Meeting:

Wednesday, 08/28/24, at 5:30 P.M.

Location:

Howard Office Building
Sonny West Conference Center
700 President Ronald Reagan Way
Nashville, TN 37210



If any accommodations are needed for individuals with disabilities who wish to be present at this meeting, please request the accommodation through hubNashville at <https://nashville.gov/hub-ADA-boards> or by calling (615) 862-5000. Requests should be made as soon as possible, but 72 hours prior to the scheduled meeting is recommended.