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|  | <p><i>The Metropolitan Government of Nashville and Davidson County...</i></p> <p><i>Metro Beer Board Meeting Minutes</i></p> <p><i>November 20, 2024</i></p> |
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| <p>Meeting Date/Location:</p> <p>Start Time:</p> <p>End Time:</p> | <p>Wednesday, November 20, 2024 @ 5:30 P.M.</p> <p>Metro Office Building</p> <p>1st Floor, Development Services Center</p> <p>800 President Ronald Reagan Way,</p> <p>Nashville, TN 37210</p> |
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| BOARD MEMBERS | STAFF MEMBERS | OTHERS PRESENT |
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| <ul style="list-style-type: none"> ✓ Mr. Brian Taylor, Chairperson ✓ Kia Jarmon, Vice Chairperson <input type="checkbox"/> Mr. William Conway ✓ Ms. Delfine Fox <input type="checkbox"/> Ms. Shani Glapion ✓ Ms. Karolyn Perry <input type="checkbox"/> 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 ✓ Darrell Hardrick Sr, ASO III ✓ 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 November 7, 2024, Minutes:

Changes: N/A

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 FOR APPROVAL

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| (1) <i>Mother To Mother Inc, 5022 C Old Hydes Ferry Pike 37218</i> , MOTHER TO MOTHER: TWENTY YEARS UNDER THE STARS | T24-29105 |
| SPECIAL (SPECIAL EVENT NEW) November 9, 2024 | (Dist. #01) |
| (2) <i>Good Birds - Nashville, LLC, 851 Dickerson Pike 37207</i> , GUS'S FRIED CHICKEN | T23-28620 |
| ON-SALE (NEW LOCATION) | (Dist. #05) |
| (3) <i>Campy Sams, LLC, 927 Woodland St #10 37206</i> , ERNIE'S II | T24-29112 |
| ON-SALE (EXPANSION) (MISSING DOCUMENTS) | (Dist. #06) |
| (4) <i>SFM, LLC, 2156 Gallatin Pike N 37115</i> , SPROUTS FARMERS MARKET #586 | T24-29114 |
| OFF-SALE (NEW LOCATION) (MISSING DOCUMENTS) | (Dist. #10) |
| (5) <i>SAI RAM 009 LLC, 50 Music Sq W 37203</i> , MOTIF ON MUSIC ROW | T23-28622 |
| ON-SALE (NEW LOCATION) | (Dist. #17) |
| (6) <i>Losers, LLC, 1911 Division St 37203</i> , LOSER'S MOST WANTED BAR | T24-28996 |
| ON-SALE (EXPANSION) | (Dist. #17) |
| (7) <i>Vanderbilt University, 310 25Th Ave S 37212</i> , QUINQ WELCOME RECEPTION | T24-29066 |
| SPECIAL (SPECIAL EVENT NEW) November 7, 2024 | (Dist. #18) |
| (8) <i>Vanderbilt University, 131 21St Ave S 37212</i> , LAW SCHOOL REUNION | T24-29071 |
| SPECIAL (SPECIAL EVENT NEW) November 8 & 9, 2024 | (Dist. #18) |

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| (9) <i>Vanderbilt University, 310 25Th Ave S 37212</i> , FAREWELL BRUNCH SPECIAL November 10, 2024 | (SPECIAL EVENT NEW) | T24-29074 (Dist. #18) |
| (10) <i>Vanderbilt University, 401 21St Ave S 37212</i> , OWEN SCHOOL SPECIAL November 9, 2024 | (SPECIAL EVENT NEW) | T24-29106 (Dist. #18) |
| (11) <i>Vanderbilt University (The), 2401 Vanderbilt Pl 37212</i> , VANDERBILT CATERING ON-SALE | (NEW LOCATION) | T24-29022 (Dist. #18) |
| (12) <i>Vanderbilt University (The), 2401 Vanderbilt Pl 37212</i> , VANDERBILT CATERING CATERER | | T24-29023 (Dist. #18) |
| (13) <i>Fogg Street Entertainment, LLC, 648 Fogg St 37203</i> , FOGG STREET LAWN CLUB ON-SALE | (CHANGE OF OWNERSHIP) | T24-28704 (Dist. #19) |
| (14) <i>Fogg Street Entertainment, LLC, 648 Fogg St 37203</i> , FOGG STREET LAWN CLUB DLVRYCRBSD | (NEW LOCATION) | T24-28705 (Dist. #19) |
| (15) <i>THIRD COAST COMEDY, LLC, 1300 Clinton St #208 37203</i> , Third Coast Comedy Club - The Annex ON-SALE | (NEW LOCATION) | T24-29053 (Dist. #19) |
| (16) <i>AHTRST Concessions, LLC, 3800 Bedford Ave 37215</i> , COURTYARD BY MARRIOTT NASHVILLE GREEN HILLS CATERER | | T24-29058 (Dist. #34) |

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| Notes: | |
| Motion: Approve applications First: Vice Chairperson Jarmon Second: Ms. Fox | Opposed or Abstained: None |

IV. APPLICATIONS TO DEFER INDEFINITELY

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| (17) <i>Gramps Garage Bar LLC, 2913 A Gallatin Pike 37216</i> , GRAMPS GARAGE BAR ON-SALE (NEW LOCATION) (MISSING DOCUMENTS) | T24-29117 (Dist. #05) |
| (18) <i>Thorntons LLC, 3465 B Dickerson Pike 37207</i> , THORNTONS #621 OFF-SALE (NEW LOCATION) (MISSING DOCUMENTS) | T24-29108 (Dist. #05) |
| (19) <i>RIVI 24 INC, 3053 Dickerson Pike 37207</i> , RIVI 24 OFF-SALE (CHANGE OF OWNERSHIP) (MISSING DOCUMENTS) | T24-29123 (Dist. #05) |
| (20) <i>Noko Enterprises, LLC, 701 Porter Rd 37206</i> , NOKO/KASE X NOKO ON-SALE (EXPANSION) (MISSING DOCUMENTS) | T24-29110 (Dist. #06) |
| (21) <i>IPPC TWO LLC, 401 Myatt Dr 37115</i> , ONE STOP AT MADISON OFF-SALE (CHANGE OF OWNERSHIP) (MISSING DOCUMENTS) | T24-29125 (Dist. #09) |
| (22) <i>Keke's Inc., 2278 Lebanon Pike 37214</i> , KEKE'S BREAKFAST CAFE ON-SALE (NEW LOCATION) (MISSING DOCUMENTS) | T24-29107 (Dist. #15) |
| (23) <i>Primitive Coffee Company LLC, 2601 Nolensville Pike 37211</i> , PRIMITIVE COFFEE COMPANY ON-SALE (NEW LOCATION) (MISSING DOCUMENTS) | T24-29121 (Dist. #16) |
| (24) <i>Mesero Restaurants - 12South, LLC, 2803 12Th Ave S #202 37204</i> , MESERO RESTAURANT ON-SALE (NEW LOCATION) (MISSING DOCUMENTS) | T24-29113 (Dist. #18) |

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| <p>(25) <i>Shake Shack Tennessee LLC, 2300 Bowline Ave #107 37207</i>, SHAKE SHACK ON-SALE (NEW LOCATION) (MISSING DOCUMENTS)</p> | <p>T24-29104 (Dist. #19)</p> |
| <p>(26) <i>HRI LODGING LLC, 118 12Th Ave S 37203</i>, CAPTION BY HYATT NASHVILLE DOWNTOWN - THE GULCH ON/OFF-SALE (NEW LOCATION) (MISSING DOCUMENTS)</p> | <p>T24-29115 (Dist. #19)</p> |
| <p>(27) <i>ALLNIGHT LLC, 142 Rosa L Parks Blvd 37203</i>, LA DANSE BAR ON-SALE (CHANGE OF OWNERSHIP) (MISSING DOCUMENTS)</p> | <p>T24-29124 (Dist. #19)</p> |
| <p>(28) <i>Pont Neuf Projects, LLC, 3820 Charlotte Ave #147 37209</i>, PONT NEUF ON-SALE (NEW LOCATION) (MISSING DOCUMENTS)</p> | <p>T24-29109 (Dist. #24)</p> |
| <p>(29) <i>Oscars Taco Shop, 326 Harding Pl #101 37211</i>, OSCARS TACO SHOP 27 ON-SALE (NEW LOCATION) (MISSING DOCUMENTS)</p> | <p>T24-29111 (Dist. #28)</p> |
| <p>Notes:</p> | |
| <p>Motion: Defer indefinitely First: Vice Chairperson Jarmon Second: Ms. Fox</p> | <p>Opposed or Abstained: None</p> |

V. COMPLAINTS

(30) *Amal Mena, 3900 CLARKSVILLE PIKE 37218, JERRY'S CITGO* 19-26170
OFF-SALE (Dist. #01)

(Alleged violation of 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.

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 various dates from December 2023 – May 2024)

Staff request an administrative hearing Wednesday, 01/22/25, at 5:30 P.M.

STAFF RECOMMENDATION: Revocation

(31) *Atef Abdelmaseh, 1613 A BUCHANAN ST, 37208, CORNER MARKET* 24-28800
OFF-SALE (Dist. #21)

(Alleged violation of 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.

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 various dates from January 2019 – May 2024)

Staff Request an administrative hearing Wednesday, 01/22/25, at 5:30 P.M.

STAFF RECOMMENDATION: Revocation

(32)404 Management Group, LLC, 404 ELYSIAN FIELDS RD, 37211, 404 BAR & GRILL 21-27153
 ON-SALE (Dist. #26)

(Alleged violation of M.C.L 7.08.140R It is unlawful for any beer permit holder or his agent or employee to allow or engage in any criminal activity on the premises.

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 May 5, 2024).

STAFF RECOMMENDATION: ~~Administrative Hearing Wednesday, 01/22/25, at 5:30 P.M.~~

Staff request to defer indefinitely pending further Beer Board Investigations.

(33)404 Management Group, LLC, 404 ELYSIAN FIELDS RD, 37211, 404 BAR & GRILL 21-27153
 ON-SALE (Dist. #26)

(Alleged violation of M.C.L 7.08.140C 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 9, 2024. (2nd Offense X2)

STAFF RECOMMENDATION: \$3000 Civil Penalty

Staff request to defer indefinitely pending further Beer Board Investigations.

Notes: The Board decided to separate the complaints. The first vote was for 30 and 31 together and the second vote was for 32 and 33 together.

Motion: Issue citations for a hearing on January 22, 2025, as recommended by staff.

First: Vice Chairperson Jarmon

Second: Ms. Fox

Opposed or Abstained: None

Motion: Accept staff recommendation and defer numbers 32 and 33 indefinitely.

First: Vice Chairperson Jarmon

Second: Ms. Perry

Opposed or Abstained: None

VI. HEARINGS

(34) *Saleh Associates, 2610 CLARKSVILLE PIKE 37208, EZ MART*

19-26316

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)

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 June 14, 2024) (1st Offense)

COMPLAINANT: ASO III Darrell Hardrick Sr

ID VERIFIED: Visual ID Check

SUBPOENA: Ahmed Saleh (Co-Owner)

PRIOR VIOLATIONS: N/A

REINSPECTION: 10/30/24

RESULT: No Sale (MSBJ)

STAFF RECOMMENDATION: \$2000 Civil Penalty or 7 Day Suspension and 30 Days Probation.

Notes:

Mr. Ali Saleh plead guilty to the violations.

The following individuals were sworn-in:

ASO III Darrell Hardrick Sr. (Beer Board)

Ali Saleh (Son of Owner)

Mr. Hardrick read the report on the incident.

Mr. Saleh did not contest the charges but provided an explanation. The Board was informed that the location had completed the Beer Board Best Practices Training and has been working in partnership with Mr. Hardrick to enhance the training program.

The Board voted to reduce the fine in recognition of the training and the collaborative efforts with the Beer Board.

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| <p>Motion: Issue a \$1,500 civil penalty or the option to serve a 7-day suspension followed by a 30-day probation period.</p> <p>First: Vice Chairperson Jarmon</p> <p>Second: Ms. Fox</p> | <p>Opposed or Abstained: None</p> |
| <p>(35) <i>7-Eleven Inc., 4601 LEBANON PIKE 37076, 7-ELEVEN 41071H</i> 21-27237 OFF-SALE (Dist. #11)</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)</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 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 the premises on or about July 29, 2024). (1st Offense)</p> <p>COMPLAINANT: Special Assistant to the Director Melvin S Brown Jr</p> <p>ID VERIFIED: Visual ID Check</p> <p>SUBPOENA: Firas Abdulrazaq (Area Manager)</p> <p>PRIOR VIOLATIONS: N/A</p> <p>REINSPECTION: 9/4/24</p> <p>RESULT: No Sale (MSBJ)</p> <p>STAFF RECOMMENDATION: \$2000 Civil Penalty or 7 Day Suspension and 30 Days Probation.</p> | |
| <p>Notes:</p> <p>Mr. Firas Abdulrazaq plead guilty to the violations.</p> <p>The following individuals were sworn-in: Special Assistant to the Director Melvin S Brown Jr (Beer Board) Firas Abdulrazaq (Area Manager)</p> | |

Mr. Brown read the report on the incident.

Mr. Abdulrazaq did not contest the report, but did want to inform the Board that the employee was terminated immediately. He has also since implemented daily training and made it mandatory that the ID be scanned before selling alcohol/tobacco products.

Vice Chairperson Jarmon stated that the Board does not recommend termination of employees because it can be a learning experience for the employee and helps prevent future violations.

The Board held a brief discussion about why this case differs from the first case heard, #34. A majority of the Board decided that the efforts taken by the first location outweighed those in this case because they partnered with the Beer Board to improve the training program.

Motion: Issue staff recommended penalty of a \$2,000 civil penalty or the option to serve a 7-day suspension followed by a 30-day probation period.

First: Vice Chairperson Jarmon

Second: Ms. Fox

Opposed or Abstained: Chairperson Brian Taylor voted nay, expressing that the countermeasures put in place were essentially similar to the efforts made by the location in case #34, which resulted in a reduced fine.

(36)FBWAK, INC, 230 THOMPSON LN 37211, KWIK MART

21-27052

OFF-SALE

(Dist. #16)

(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 September 10, 2024). (1st Offense)

COMPLAINANT: Special Assistant to the Director Melvin S Brown Jr

ID VERIFIED: Visual ID Check

SUBPOENA: Fadhle Hauter

PRIOR VIOLATIONS: N/A

REINSPECTION: 30 – 90 Days

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| <p>STAFF RECOMMENDATION: \$2000 Civil Penalty or 7 Day Suspension and 30 Days Probation \$2000 Civil Penalty Paid Online 11/19/24.</p> | |
| <p>Notes: Assistant Director Terrence Darby Sr informed the Board that the permit holder did pay the \$2,000 civil penalty on 11/19/24 and therefore recommended that the Board accept the payment as an admission of guilt.</p> | |
| <p>Motion: Accept the \$2,000 civil penalty payment First: Vice Chairperson Jarmon Second: Ms. Fox</p> | <p>Opposed or Abstained: None</p> |
| <p>(37)7-Eleven, Inc., 925 LEBANON PIKE 37210, 7-ELEVEN STORE #42174 23-28337 OFF-SALE (Dist. #15) (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 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 the premises on or about July 29, 2024.) (1st Offense) COMPLAINANT: Special Assistant to the Director Melvin S Brown Jr ID VERIFIED: Visual ID Check SUBPOENA: Matthew Gilpin (Area Director) PRIOR VIOLATIONS: N/A REINSPECTION: 9/4/24 RESULT: No Sale (MSBJ) STAFF RECOMMENDATION: \$2000 Civil Penalty or 7 Day Suspension and 30 Days Probation</p> | |
| <p>Notes:</p> | |

Mr. Matthew Gilpin plead guilty to the violations.

The following individuals were sworn-in:

Special Assistant to the Director Melvin S Brown Jr (Beer Board)

Matthew Gilpin (Area Director)

Inspector Brown read the report on the incident.

Mr. Gilpin did not contest the report but provided an explanation. This location, similar to the previous 7-Eleven case, terminated the employee who made the sale immediately and implemented countermeasures to prevent further sales to minors by requiring IDs to be scanned.

Vice Chairperson Jarmon stated that the Board does not recommend termination of employees because it can be a learning experience for the employee and helps prevent future violations.

The Board decided that the efforts by this location did not meet the efforts outlined in the first case heard, #34, which is why the civil penalty was not reduced.

Motion: Issue staff recommended penalty of a \$2,000 civil penalty or the option to serve a 7-day suspension followed by a 30-day probation period.

First: Ms. Fox

Second: Vice Chairperson Jarmon

Opposed or Abstained: None

VII. ADMINISTRATIVE MATTERS

Notes: N/A

VIII. EXECUTIVE DIRECTOR'S REPORT

Notes: Director, Benton McDonough, provided a summary of the revenue report to the Board. The Board had no questions/concerns.

IX. ADJOURNMENT

There being no further business, the meeting was adjourned at 7:14 PM.

X. NEXT MEETING INFORMATION

Next Beer Board Meeting:

Thursday, 12/5/24, at 12:00 P.M.

Location:

Metro Office Building
1st Floor, Development Services Center
800 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.