



The Metropolitan Government of Nashville and Davidson County...

***Metro Beer Board
Minutes
January 24, 2024***

**Meeting Date/Location: Wednesday, January 24, 2024 @ 5:30 P.M.
Howard Office Building
Sonny West Conference Center
700 President Ronald Reagan Way
Nashville, TN 37210**

BOARD MEMBERS	STAFF PRESENT	BOARD MEMBERS PRESENT	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 Sr, ASO IV Douglas James Jr, ASO III Darrell Hardrick, Inspector III Melvin S Brown Jr., Special Assistant to the Director	Mr. Brian Taylor, Chairperson Kia Jarmon, Vice Chairperson Ms. Karolyn Perry Ms. Shani Glapion Ms. Delfine Fox 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

Chairman Taylor called the meeting to order at 5:31pm.

Approval of the January 11, 2024, Minutes:

Signature of Chairman _____

Motion: **Approve**

First: **Ms. Jarmon**

Second: **Ms. Perry**

Opposed: **None**

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.

No public comments were made.

APPLICATIONS FOR APPROVAL

- | | |
|---|-------------|
| (1) <i>Nashville Dolphins, 1100 County Hospital Rd 37218, NASHVILLE DOLPHINS</i> | T23-28662 |
| SPECIAL (SPECIAL EVENT NEW) | (Dist. #01) |
| April 19, 2024 | |
| (2) <i>3105 Foods, LLC, 3105 Dickerson Pike 37207, DICKERSON PIKE H.G HILL</i> | T23-28663 |
| OFF-SALE (CHANGE OF OWNERSHIP) | (Dist. #05) |
| (3) <i>Bad Idea LLC, 1021 Russell St #101 37206, BAD IDEA</i> | T24-28690 |
| CATERER | (Dist. #06) |
| (4) <i>NASHVILLE BLUEBIRD INC, 819 Gallatin Pike S 37115, NASHVILLE BLUEBIRD</i> | T23-28616 |
| OFF-SALE (CHANGE OF OWNERSHIP) | (Dist. #07) |
| (5) <i>RIVER MART INC, 2301 Riverside Dr 37216, RIVER MART</i> | T23-28642 |
| OFF-SALE (CHANGE OF OWNERSHIP) | (Dist. #07) |
| (6) <i>Go Outdoors Blue Turtle TRS, LLC, 2001 B Lakeshore Dr 37138, BLUE TURTLE</i> | T23-28154 |
| BAY MARINA | |
| OFF-SALE (CHANGE OF OWNERSHIP) | (Dist. #11) |

(7) *WYLDE PARSLEY, LLC, 329 Donelson Pike #103 37214*, **CHEBA HUT** T23-28654

ON-SALE (NEW LOCATION) (Dist. #15)

(8) *NTD LLC, 1602 21St Ave S #202 37212*, **H-CUES UPSTAIRS POOLROOM** T23-28650

ON/OFF-SALE (NEW LOCATION) (Dist. #18)

(9) *AHTRST Concessions, LLC, 118 7Th Ave N 37203*, **HOLSTON HOUSE** T23-28586

NASHVILLE

ON-SALE (CHANGE OF OWNERSHIP) (Dist. #19)

(10) *LEVY PREMIUM FOODSERVICES LIMITED PARTNERSHIP OF TENNESSEE, 1* T23-28595

Symphony Pl 37201, **LEVY (@ SCHERMERHORN SYMPHONY CENTER)**

ON-SALE (NEW LOCATION) (Dist. #19)

(11) *Zap LLC, 610 12Th Ave S 37203*, **NEIGHBORS OF GULCH** T23-28619

ON-SALE (NEW LOCATION) (Dist. #19)

(12) *Levy Premium Foodservices Limited Partnership of Tennessee, 1 Symphony Pl* T23-28623

37201, **LEVY (@ SCHERMERHORN SYMPHONY CENTER)**

CATERER (Dist. #19)

(13) *Smoky Mountain Sportservice, Inc., 501 Broadway 37203, SMOKY* T23-28636

MOUNTAIN SPORTSERVICE

ON-SALE (EXPANSION) (Dist. #19)

(14) *Tacos and Tequilas, LLC, 1526 Demonbreun St 37203, TACOS AND TEQUILAS* T23-28644

ON-SALE (CHANGE OF OWNERSHIP) (Dist. #19)

(15) *Thor's Hammer, LLC, 652 Fogg St 37203, BAD AXE THROWING NASHVILLE,* T24-28673

BLU OX RESTAURANT AND BAR

ON-SALE (NAME CHANGE) (Dist. #19)

(16) *Thor's Hammer, LLC, 652 Fogg St 37203, BAD AXE THROWING NASHVILLE, BLU OX RESTAURANT AND BAR* T24-28697

DLVRYCRBSD (NAME CHANGE) (Dist. #19)

(17) *Nashville Zoo, Inc, 3777 Nolensville Pike 37211, NASHVILLE ZOO - MUSIC* T24-28687

CITY PUPPY BOWL

SPECIAL (SPECIAL EVENT OLD) (Dist. #26)

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

**DEFER INDEFINITELY
MISSING DOCUMENTS**

(18) **LADYBIRD TACO IGW LLC, 2300 Riverside Dr #100 37216, LADYBIRD TACO** T24-28677
ON-SALE (NEW LOCATION) (Dist. #07)
(MISSING DOCUMENTS)

(19) **RMG Nashville LLC, 517 Opry Mills Dr 37214, ROMANO'S MACARONI GRILL** T23-28668
ON-SALE (CHANGE OF OWNERSHIP) (Dist. #15)
(MISSING DOCUMENTS)

(20) **BUY N SAVE MARKET INC, 201 Glenrose Ave 37210, BUY N \$AVE MARKET** T24-28681
OFF-SALE (EXPANSION) (Dist. #16)
(MISSING DOCUMENTS)

(21) **Adventure Science Center, 800 Fort Negley Blvd 37203, ADVENTURE SCIENCE CENTER** T24-28676
SPECIAL (SPECIAL EVENT OLD) (Dist. #17)
February 23, 2024
(MISSING DOCUMENTS)

(22) <i>Belcourt Theatre, Inc., 2102 Belcourt Ave 37212</i> , A RED CARPET EVENING	T24-28683
SPECIAL (SPECIAL EVENT OLD)	(Dist. #18)
March 10, 2024	
(MISSING DOCUMENTS)	
(23) <i>Maiz De La Vida LLC, 606 8Th Ave S #100 37203</i> , MAIZ DE LA VIDA	T24-28685
ON-SALE (NEW LOCATION)	(Dist. #19)
(MISSING DOCUMENTS)	
(24) <i>Neighborlily LLC, 606 Monroe St 37208</i> , NEIGHBORLILY	T24-28686
ON/OFF-SALE (NEW LOCATION)	(Dist. #19)
(MISSING DOCUMENTS)	
(25) <i>Rowdy Bus, LLC, 1205 Milson St 37203</i> , ROWDY BUS	T24-28688
MOBBYOB (NEW LOCATION)	(Dist. #19)
(MISSING DOCUMENTS)	
(26) <i>Night We Met, LLC, 114 12Th Ave N 37203</i> , NIGHT WE MET	T24-28689
ON/OFF-SALE (NEW LOCATION)	(Dist. #19)
(MISSING DOCUMENTS)	

(27) *Nashville Bar Bus, LLC, 801 Rep John Lewis Way S #106 37203, NASHVILLE* T24-28691

BAR BUS (ET010)

MOBBYOB (NEW LOCATION) (Dist. #19)

(MISSING DOCUMENTS)

(28) *Nashville Bar Bus, LLC, 801 Rep John Lewis Way S #106 37203, NASHVILLE* T24-28692

BAR BUS (ET010)

MOBONSALE (NEW LOCATION) (Dist. #19)

(MISSING DOCUMENTS)

(29) *PYM HOLDINGS, LLC, 4017 Hillsboro Pike #301 37215, TACO BAMBA* T24-28682

ON-SALE (NEW LOCATION) (Dist. #25)

(MISSING DOCUMENTS)

(30) *Crieve Hall Women's League, 636 Farrell Pkwy 37220, GIVE WHERE YOU LIVE* T23-28669

SPECIAL (SPECIAL EVENT NEW) (Dist. #26)

April 7, 2024

(MISSING DOCUMENTS)

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

ADMINISTRATIVE HEARINGS

(31) *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)

COMPLAINANT: Metropolitan Beer Permit Inspector III Darrell Hardrick Sr

Special Assistant to the Director Melvin S Brown Jr

Metropolitan Beer Permit Inspector I Amanda Webb

SUBPOENA: Andrew William St. Marie, Co-Owner

Sean Wesley Porter, Co-Owner

ID VERIFIED: Visual ID Check

PRIOR VIOLATION: M.C.L 7.08.140C: 8/4/22 - 1st Offense Beer Sale to a Minor. \$1500 Civil Penalty

STAFF RECOMMENDATION: \$2500 Civil Penalty or 14 Day Suspension and 90 Day Probation

Chairman Taylor entertained a motion for the Board to hear both trials for this permit holder, #31 and #32 on the agenda, simultaneously and issue one verdict.

Ms. Jarmon made a motion to take both #31 and #32 together as one hearing. Ms. Fox seconded the motion. The motion was unanimously approved.

(32) *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)

COMPLAINANT: Metropolitan Beer Permit Inspector III Darrell Hardrick Sr

Special Assistant to the Director Melvin S Brown Jr

Metropolitan Beer Permit Inspector I Amanda Webb

SUBPOENA: Andrew William St. Marie, Co-Owner

Sean Wesley Porter, Co-Owner

ID VERIFIED: Visual ID Check

PRIOR VIOLATION: 8/22/22 – 1st Offense Beer Sale to a Minor. \$1500 Civil Penalty Paid

10/10/23 – 2nd Offense Beer Sale to a Minor. BBM Agenda 01/24/24

BEER BOARD TRAINING: 12/7/23 Five (5) Team Members Trained (\$500)

STAFF RECOMMENDATION: \$2500 Civil Penalty or 21 Day Suspension and 120 Day Probation

The following individuals were sworn in to testify in this hearing:

- 1. Andrew William St. Marie, Co-Owner of Daddy's Dogs**
- 2. Darrell Hardrick Sr., Metro Beer Permit Inspector III**

Andrew St. Marie plead guilty with an explanation for both trials, #31 and #32.

Inspector Hardrick read the reports from both incidents that occurred during the Under 21 compliance checks. He also informed the Board that the permit holders did sign up for the training offered by our office and completed that training. A follow-up inspection was conducted after the training was completed and the location did pass the inspection.

Andrew St. Marie informed the board that additional signage was put in place that says “Must be born on or before this date”, which must be updated daily.

Following a brief discussion, Ms. Jarmon made a motion to issue a \$4,500 civil penalty or the option to serve a 21-day suspension, followed by a 120-day probation period. Ms. Fox seconded the motion. The motion was unanimously approved.

(33) *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)

COMPLAINANT: Metropolitan Beer Permit Inspector III Darrell Hardrick Sr

Special Assistant to the Director Melvin S Brown Jr

Metropolitan Beer Permit Inspector I Amanda Webb

SUBPOENA: Lucas Watson, Co-Owner

Andrew Watson, Co-Owner

ID VERIFIED: Visual ID Check

PRIOR VIOLATIONS: N/A

STAFF RECOMMENDATION: \$1500 Civil Penalty or 7 Day Suspension and 30 Day Probation

The following individuals were sworn-in to testify in this hearing:

1. Lucas Watson, Co-Owner of The Silo Market
2. Andrew Watson, Co-Owner of The Silo Market
3. Darrell Hardrick Sr., Metro Beer Permit Inspector III

Mr. Watson plead guilty with an explanation.

Inspector Hardrick read the report from the incident that occurred during this Under 21 compliance check.

Mr. Watson informed the Board that they have implemented the following:

1. Conducted 1 on 1 training with staff internally
2. Let the employee go after determining that his story was false by watching the recorded video of events that transpired.
3. Did reach out to the Inspector afterwards to personally apologize for the way his employee handled himself.
4. Put up additional signage at the point of sale (POS)

Mr. Watson asked that the Board give some leniency in punishment due to them being a small business.

Inspector Hardrick provided some additional testimony.

He informed the Board of the following:

1. He provided a brief personal background of the co-operating minor.
2. The clerk that made the sale accused the minor of using a fake ID.
3. The clerk then proceeded to lay on the ground kicking and screaming.
4. Inspectors, realizing the subject may be in the midst of a mental illness crisis, quickly deescalated the situation without an incident.
5. The location did pass the follow-up inspection

Ms. Perry asked the permit holder what, if any, remediation was put in place.

Mr. Watson informed Ms. Perry and the Board that the following remediation was put into place:

1. Put up additional signage at the POS
2. Conducted 1 on 1 training in-house

Ms. Jarmon made a comment regarding having another conversation about the safety of the Beer Board Inspectors after hearing this testimony. She then asked the Board if it was possible to issue a \$1,500 civil penalty and if they were to sign-up for our training, could we apply \$500 of that payment to the training.

There was some brief discussion on this question.

Ms. Glapion asked the Board if the civil penalty could be paid in segments. Metro Attorney, Matthew Garth, informed the Board the payment must be paid in full within the seven (7) calendar days allowed.

After this discussion, Mr. Watson informed the Board that he wasn't aware that we offered any training.

Ms. Fox made a motion to issue a \$1,500 civil penalty or the option to serve a 7-day suspension, followed by a 14-day probation period. Ms. Glapion seconded the motion. Brian voted against this motion. The motion failed.

Ms. Glapion made a motion to issue a \$750 civil penalty or the option to serve a 3-day suspension, followed by a 30-day probation period. The motion was not seconded. The motion failed.

Ms. Perry made a motion to issue a \$750 civil penalty or the option to serve a 5-day suspension, followed by a 30-day probation period. Ms. Jarmon seconded the motion. The motion was unanimously approved.

(34) ADMINISTRATIVE

Ms. Jarmon suggested scheduling a special called meeting with Metro Legal to discuss Inspector safety. She also requested that Beer Board Staff/Director reach out to peer city and/or other state agencies that may have some additional insight on improving inspector safety come to one of our board meetings to speak with the Board on these matters.

Director McDonough said he thinks that is a great idea, but would likely take some time to put together. He also pointed out that most other cities in Tennessee use police officers to enforce the beer laws and that we typically lead the state in matters related to Beer Boards.

Inspectors Hardrick and Brown spoke to the Board as well regarding safety of Inspectors.

No official business occurred relating to this subject tonight.

(35) EXECUTIVE DIRECTORS REPORT

Director, Benton McDonough, provided the revenue-to-date report to the Board. The Board didn't have any question/concerns.

Next Beer Board Meeting: Thursday, 02/08/24, at 12:00 P.M.

Location: Metro Office Building

Development Services Center Conference Room

800 President Ronald Reagan Way, 1st FL

Nashville, TN 37210

Finding no further business before the Board, Chairman Taylor adjourned the meeting at 7:08 P.M.