



BEER BOARD MEETING MINUTES

TUESDAY, NOVEMBER 12, 2013 - BARTLETT CITY HALL - 7:00 PM

CALL TO ORDER

Alderman Emily Elliott: Present, Mayor A. Keith McDonald: Present, Alderman W.C. Pleasant: Present, Alderman David Parsons: Present, Alderman Bobby Simmons: Present, Vice Mayor Jack Young: Present, Alderman Paula Sedgwick: Present.

MINUTES APPROVAL

Minutes of the August 27, 2013 Beer Board Regular

RESULT:	ACCEPTED [UNANIMOUS]
MOVER:	David Parsons, Alderman
SECONDER:	Jack Young, Vice Mayor
AYES:	Elliott, Pleasant, Parsons, Simmons, Young, Sedgwick

PUBLIC HEARINGS

- I. Salam Afaneh, 7944 Jills Creek, Bartlett, TN 38133, has applied for an off-premises permit to sell beer at Bartlett Tobacco, 7601 Highway 70, Bartlett, TN 38133.

COMMENTS - Current Meeting:

Gregory Wilson, 3722 Appling Lake Drive, spoke in opposition to the beer permit.

Mr. Wilson stated that there is already a problem with noise from Fat Larry's restaurant that disturbs the neighbors. He believes that Bartlett Tobacco selling beer will further bring down the neighborhood. The strip center in which Bartlett Tobacco is located has a problem with garbage control, and Mr. Wilson believes beer sales will increase this problem.

Alderman Pleasant asked City Attorney Ed McKenney to explain why this beer permit cannot be turned down by the Beer Board. Mr. McKenney explained that if an applicant meets the criteria for beer sales set forth in state law and city ordinance, then a beer permit must be issued or the City would be ordered by a court to issue the permit.

Adjourned at 7:11 p.m.

RESULT:	CLOSED
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UNFINISHED BUSINESS

- I. Beer Permit application (ID # 1126)

Salam Afaneh, 7944 Jills Creek, Bartlett, TN 38133, has applied for an off-premises permit to sell beer at Bartlett Tobacco, 7601 Highway 70, Bartlett, TN 38133.

COMMENTS - Current Meeting:

Mayor McDonald noted that this applicant, Salam Afaneh, passed the background check and the store's location, 7601 Highway 70, passed the distance check.

Attachments:

Permit application (PDF)

RESULT:	APPROVED [UNANIMOUS]
MOVER:	Bobby Simmons, Alderman
SECONDER:	W.C. Pleasant, Alderman
AYES:	Elliott, Pleasant, Parsons, Simmons, Young, Sedgwick

ADJOURNMENT

Meeting adjourned at 7:19 p.m.

Meeting adjourned at 7:19 PM



BEER BOARD MEETING MINUTES

TUESDAY, AUGUST 27, 2013 - COUNCIL CHAMBER - 7:00 PM

CALL TO ORDER

Alderman Emily Elliott: Present, Mayor A. Keith McDonald: Present, Alderman W.C. Pleasant: Present, Alderman David Parsons: Present, Alderman Bobby Simmons: Present, Vice Mayor Jack Young: Present, Alderman Paula Sedgwick: Absent.

MINUTES APPROVAL

Minutes of the July 23, 2013 Beer Board Regular

RESULT:	ACCEPTED [UNANIMOUS]
MOVER:	David Parsons, Alderman
SECONDER:	Jack Young, Vice Mayor
AYES:	Elliott, McDonald, Pleasant, Parsons, Simmons, Young
ABSENT:	Sedgwick

PUBLIC HEARINGS

1. **Bountham and Phetsamone Praseuth, 1305 Boyte Cove, Memphis, TN 38134, have applied for an on-premises permit to sell beer at Thai Basil Restaurant, located at 2845 Bartlett Blvd, Bartlett, TN 38134.**

No one spoke for or against the permit to sell beer at Thai Basil Restaurant.
Adjourned at 7:14 p.m.

2. **Dollar General (Dolgencorp, LLC), 100 Mission Ridge, Goodlettsville, TN 37072, has applied for an off-premises permit to sell beer at Dollar General, located at 7889 Highway 70, Bartlett, TN 38133.**

Gene Burgess, pastor of Bartlett First Assembly Church, spoke against allowing the Dollar General to have a permit to sell beer. He said his church, which is within 100 yards of the location, will be an added temptation to his congregants recovering from alcoholism. The church is located at 7981 Highway 70.

Dwight Buchanan, 8013 Memphis-Arlington, voiced concern about the potential increase of traffic volume along Memphis-Arlington.

Minutes Acceptance: Minutes of Aug 27, 2013 7:00 PM (Minutes Approval)

NEW BUSINESS

1. Bountham and Phetsamone Praseuth, 1305 Boyte Cove, Memphis, TN 38134, have applied for an on-premises permit to sell beer at Thai Basil Restaurant, located at 2845 Bartlett Blvd, Bartlett, TN 38134.

RESULT:	APPROVED [UNANIMOUS]
MOVER:	Bobby Simmons, Alderman
SECONDER:	Emily Elliott, Alderman
AYES:	Elliott, Pleasant, Parsons, Simmons, Young

2. Dollar General (Dolgenercorp, LLC), 100 Mission Ridge, Goodlettsville, TN 37072, has applied for an off-premises permit to sell beer at Dollar General, located at 7889 Highway 70, Bartlett, TN 38133.

RESULT:	APPROVED [4 TO 1]
MOVER:	Bobby Simmons, Alderman
SECONDER:	W.C. Pleasant, Alderman
AYES:	Emily Elliott, W.C. Pleasant, Bobby Simmons, Jack Young
NAYS:	David Parsons

ADJOURNMENT

Meeting adjourned at 7:19 PM

W.C. (Bubba) Pleasant, Register to the
Board of Mayor and Aldermen

A. Keith McDonald, Mayor

Attest: _____
Stefanie McGee, City Clerk

Minutes Acceptance: Minutes of Aug 27, 2013 7:00 PM (Minutes Approval)



Beer Board

ADOPTED

BEER PERMIT APPLICATION

Meeting: 11/12/13 07:00 PM

Department: Beer Board

Category: Agreement

Prepared By: Stefanie McGee

Department Head: Stefanie McGee

Salam Afaneh, 7944 Jills Creek, Bartlett, TN 38133, has applied for an off-premises permit to sell beer at Bartlett Tobacco, 7601 Highway 70, Bartlett, TN 38133.

Off-premises application for Bartlett Tobacco, 7601 Highway, Suite 106, Bartlett, TN 38133

- Reason for new permit: The store has not previously sold beer.
- Previous owner: N/A
- New owner/applicant: Salam Afaneh
- Representative: Salam Afaneh
- Location previously sold beer: No
- Background check: Passed
- Distance Boundary: Passed
- Legal Notice placed in *The Bartlett Express*
- Violations by this applicant: No
- Suspension/ Revocation at this location: No
- Violations under: N/A
- Date of penalty: N/A
- Penalty: N/A

Included in the application packet are copies of the Beer Ordinances as well as the explanation of the **Suspension Revocation and Civil Penalty of selling Beer to minors.**

RESULT: **APPROVED [UNANIMOUS]**
MOVER: Bobby Simmons, Alderman
SECONDER: W.C. Pleasant, Alderman
AYES: Elliott, Pleasant, Parsons, Simmons, Young, Sedgwick

**CONTENT AND ORDER OF ALL
BEER PERMIT APPLICATIONS**

1. AGENDA
2. LEGAL NOTICE
3. APPLICATION
4. OUR NOTICE TO THE NEWSPAPER
5. POLICE BACKGROUND CHECK OF
APPLICANT AND MANAGER (SIGNED)
6. CODE ENFORCEMENT'S BOUNDARY REPORT
(SIGNED)
7. MAP OF AREA



LEGAL NOTICE

Pursuant to the requirements of Ordinance 8-3 of the City of Bartlett, TN, the following information is made known to all interested persons:

Salam Afaneh, has applied for an OFF-Premises permit to sell beer at Bartlett Tobacco, located at 7601 Highway 70 Ste. 106, Bartlett, TN 38133

The Bartlett Beer Board will meet at 7:00 p.m. on November 12, 2013 at The Bartlett City Hall, 6400 Stage Rd., Bartlett, TN, to consider the above application after a Public Hearing. Any citizen who would like to appear and testify either for or against this application will be heard.

A. Keith McDonald
Mayor

Attachment: Permit application (1126 : Bartlett Tobacco beer permit)

APPLICATION OF BEER PERMIT
STATE OF TENNESSEE
CITY OF BARTLETT

Application for (check one):

- ☒ ON-PREMISES PERMIT
☐ OFF-PREMISES PERMIT
☐ ON AND OFF PREMISES PERMIT
☐ MANUFACTURER'S PERMIT
☐ DISTRIBUTOR'S PERMIT
☐ SPECIAL EVENTS PERMIT

I HEREBY MAKE APPLICATION FOR A PERMIT TO SELL, STORE, MANUFACTURE, OR DISTRIBUTE BEER OR OTHER BEVERAGES AUTHORIZED TO BE SOLD, STORED, MANUFACTURED, OR DISTRIBUTED UNDER THE PROVISIONS OF TENNESSEE CODE ANNOTATED 57-5-1-1 ET SEQ. AND BASE MY APPLICATION UPON THE ANSWERS TO THE FOLLOWING QUESTIONS:

1. Print Full Name of applicant (owner)

Check one:

☐ Person ☐ Firm ☒ Corporation ☐ Joint-stock Co. ☐ Syndicate
☐ Association

2. List all persons, firms, corporations, joint-stock companies, syndicates, or associations having at least at 5% ownership interest in the business (attach additional sheet, if needed)

NAME	ADDRESS	DATE OF BIRTH	SSN
Salam Afanah			

7944	Fills Creek Dr		
Bartlett	TN 38133		

3. List all previous addresses (within last 10 years)

1485	Dexter Lake Dr	Apt 101	Concordia TN 38016
7944	Fills Creek Dr	Bartlett	TN 38133

4. Contact Telephone #: 901-308-2278 Cell #: 901-336-5060
5. Under what name will the business operate: Bartlett Tobacco
6. Street address location of the business:
7601 Hwy 70 Suite 106
Bartlett, TN 38133
7. Business Telephone #: 901 308-2278
8. Specify name, address and position of the person to receive the annual privilege tax notice and any other communication from the City.
Salam Afaneh
7944 Jills Creek Dr
Bartlett TN 38133
9. Give name and address of property owner, if other than business owner.
Market Land Company phone number 1615-369-1600
10. Will the permit be used to operate two or more restaurants or other businesses under the same permit as permitted by T.C.A. 57-5-103(a)(4) within the same building?
NO (YES or NO)
 If so, specify number _____. List the names of the restaurants or other businesses and describe their location (use additional sheet if necessary).
11. Give name, date of birth, SSN and address of all managers other than applicant.
Salam Afaneh
7944 Jills Creek Dr
Bartlett, TN 38133

12. Has any person having at least 5% ownership interest, any of the managers listed in previous question, or any other employee of the business, been convicted of any violation of the beer or alcoholic beverage laws or any crime (other than minor traffic violations) within the last ten (10) years? NO (YES or NO)

If so, give particulars of each charge, court, and date convicted.

13. Has this owner or the owner's organization had a beer permit revoked, suspended, or denied in the State of Tennessee? NO (YES or NO)
If so, specify where, when, and why.

14. Give the name, relationship to applicant and address of former beer permit holder at this location (if applicable).

N/A

(The City of Bartlett has adopted Ordinance 13-04 forbidding the sale of beer and like beverages within 150 feet of a free-standing school or church; or immediately adjacent in a multi-tenant building.)

15. What is the name and address of the school or church nearest your business?

NONE

PAID
TAX DEPT.

OCT 14 2013

CITY OF BARTLETT
BARTLETT, TN

I am knowledgeable of the laws prohibiting the sale of beer to minors. I hereby certify that no persons having at least 5% ownership interest, nor any person to be employed in the distribution or sale of beer in my establishment has been convicted of any violation of the beer or alcoholic beverage laws or any crime involving moral turpitude within the past 10 years. I am also aware that I shall not be issued a permit or my permit shall be revoked if my business location causes traffic congestion or interferes with schools or churches, or otherwise interferes with public health, safety and morals.

Salam Afaneh[Signature]

Print or type name of Applicant

Signature of Applicant/Owner (or)
Authorized Corporate Officer

Sworn and subscribed before me this

9thday of October, 20 13.[Signature]
Notary Public

My Commission Expires: _____ My Commission Expires October 15, 2013

NOTICE: A non-refundable \$250.00 fee plus the cost of required legal notice must accompany this application. If the applicant is approved you are required to provide documentation of sales tax registration and City of Bartlett business license within ten (10) days of approval. Any applicant making a false statement in this application shall forfeit his permit and shall not be eligible to receive any permit for a period of ten (10) years.

FOR OFFICE USE ONLY:

APPLICATION FEE \$250.00 250.00DATE PAID: 10/14/13LEGAL NOTICE \$100.00 100.00DATE PAID: 10/14/13PRIVILEGE TAX \$100.00 100.00DATE PAID: 10/14/13TOTAL PAID: \$450.00 cash

DATE APPLICATION SCHEDULED FOR BEER BOARD _____

APPROVED _____

DENIED _____

PLEASE COMPLETE THE ENTIRE APPLICATION, HAVE IT NOTARIZED AND RETURN ALONG WITH YOUR CHECK FOR PROCESSING. YOU WILL BE NOTIFIED AS TO WHEN YOUR COMPANY WILL BE SCHEDULED TO APPEAR BEFORE THE BEER BOARD.

YOU SHOULD MAIL OR DELIVERY YOUR APPLICATION TO THE FOLLOWING ADDRESS:

CITY OF BARTLETT
TAX OFFICE
6400 STAGE ROAD
BARTLETT, TN 38134

IF YOU HAVE ANY QUESTIONS, PLEASE CONTACT:

SANDRA CALVARY
CITY OF BARTLETT FINANCE DEPT.
901-385-6428

PLEASE INCLUDE NAME, ADDRESS AND TELEPHONE NUMBERS OF THE CONTACT PERSON FOR THIS APPLICATION.

NAME: Salam Afaneh

ADDRESS: 7944 Jills Creek Dr Bartlett, TN 38133

PHONE # _____ CELL #: _____

AFFIDAVIT OF BEER PERMIT APPLICANT

STATE OF TENNESSEE:

COUNTY OF SHELBY:

I, Salam Afaneh, make oath and state that I comply with the requirements of Tennessee Code Annotated Section 57-5 108 (k) including but limited to following: I am not a family member of or in line for intestate succession from the previous beer license holder who had the beer permit for the location named in my beer permit revoked.

Sworn to and subscribed before me this

9th day of October, 2013.



Lester L. Brown
Notary Public

My Commission Expires:

My Commission Expires October 15, 2013

Attachment: Permit application (1126 : Bartlett Tobacco beer permit)



City of Bartlett

LEGAL NOTICE

Pursuant to the requirements of Ordinance 8-3 of the City of Bartlett, TN, the following information is made known to all interested persons:

Salam Afaneh, has applied for an OFF-Premises permit to sell beer at Bartlett Tobacco, located at 7601 Highway 70 Ste. 106, Bartlett, TN 38133

The Bartlett Beer Board will meet at 7:00 p.m. on November 12, 2013 at The Bartlett City Hall, 6400 Stage Rd., Bartlett, TN, to consider the above application after a Public Hearing. Any citizen who would like to appear and testify either for or against this application will be heard.

A. Keith McDonald
Mayor

Attachment: Permit application (1126 : Bartlett Tobacco beer permit)

CITY OF BARTLETT MEMO

DATE October 15, 2013
TO: Dennis Canon
FROM: Sandra Calvary
SUBJECT: Background Report

Please find attached a Beer Permit Application and Legal Notice being presented to us by Salam Afaneh for Bartlett Tobacco located at 7601 Highway 70, Ste. 106 Bartlett, TN 38133.

I have included information on Salam Afaneh. Salam Afaneh will represent the business at the beer board meeting at City Hall at 7:00 pm on Tuesday, November 12, 2013.

Please do your usual background check from the attached list and return to me as soon as possible. Also please include your signature and whether approved or not approved.

Thank you very much for your help!

YES ☒ Background check Has been approved.

NO ☐ Background check Has Not been approved.

Signature



Attachment: Permit application (1126 : Bartlett Tobacco beer permit)

CITY OF BARTLETT MEMO

DATE October 15, 2013

TO: Jim Brown

FROM: Sandra Calvary

SUBJECT: Boundary Report

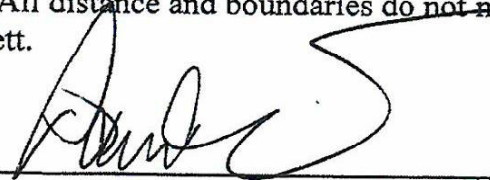
Please find attached an OFF-Premises Beer Permit Application being presented to us by Salam Afaneh for Bartlett Tobacco located at 7601 Highway 70 Ste. 106, Bartlett, TN 38133.

I would appreciate it if you would please check all the distance and boundaries as required by our city ordinances (new ordinance 13-04: 150') and mark the appropriate Yes or No line and return with your signature as soon as possible.

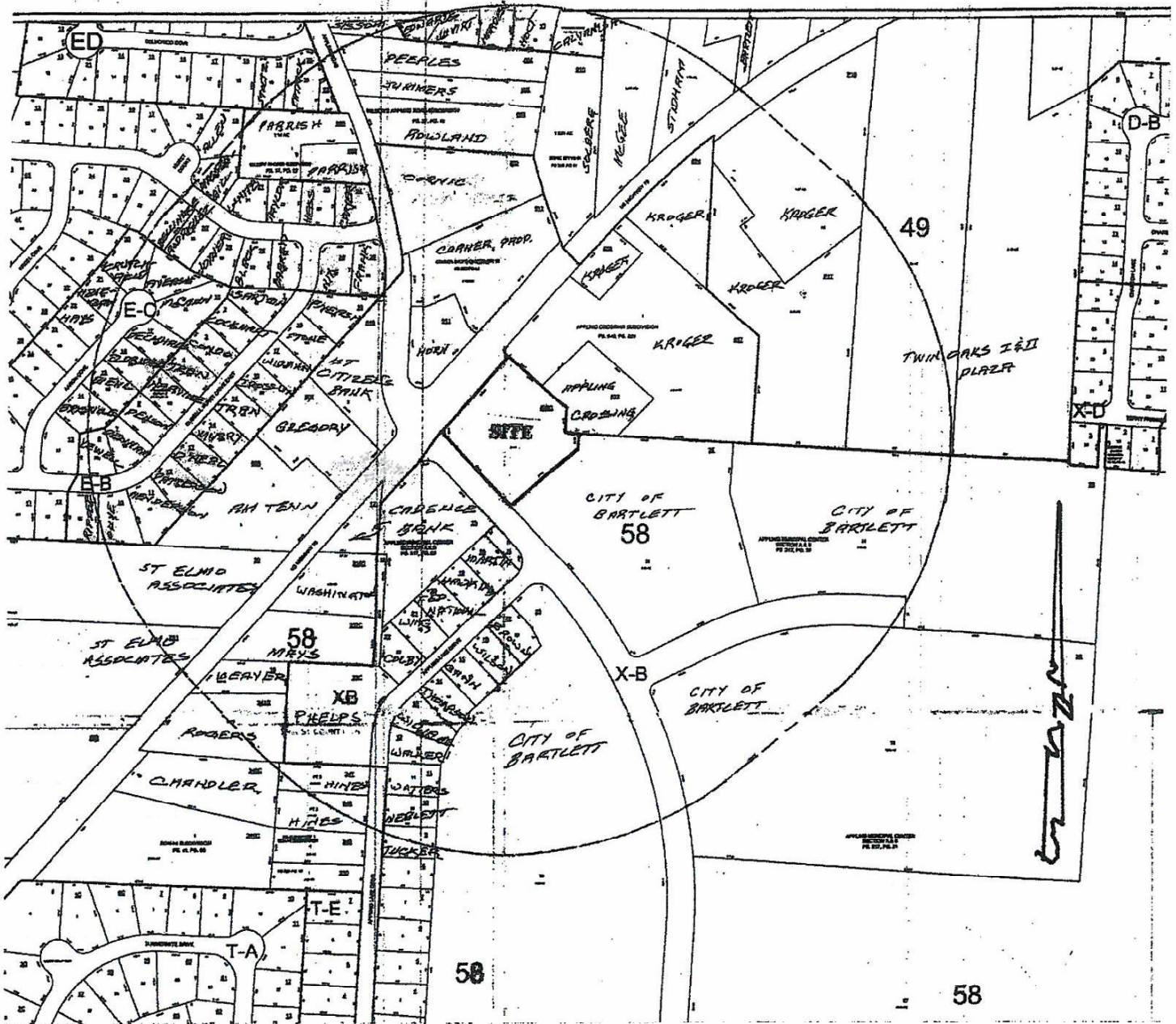
Thank you very much.

Yes ☒ All distance and boundaries meet the requirements of the City of Bartlett.

NO ☐ All distance and boundaries do not meet the requirements of the City of Bartlett.

Signature 

Attachment: Permit application (1126 : Bartlett Tobacco beer permit)



Attachment: Permit application (1126 : Bartlett Tobacco beer permit)

JMB RESEARCH

2950 Stage Plaza North
 Bartlett, Tennessee 38134
 October 14, 2013

Scale 1"=400'+/-

Telephone 901-383-8660
 Fax 901-383-8720
 E-mail braydavisfirm01@aol.com