City of Bartlett

A. Keith McDonald, Mayor

BEER BOARD MEETING AGENDA

TUESDAY, JUNE 7, 2016 - COUNCIL CHAMBER - 6:00 PM

MINUTES APPROVAL

Minutes of the May 3, 2016 Beer Board Regular

NEW BUSINESS

Assessment of penalties for violations of Section 8-310(5) of the City of Bartlett Codified Ordinances which makes it unlawful for a permit holder to make or allow any sale of beer to a minor under twenty-one (21) years of age.

1 Andy B's Bowling, 6276 Stage Road (Stefanie McGee, City Clerk)

First violation: May 8, 2015

2 Eat Well Sushi, 2965 Germantown Road, Suite 102 (Stefanie McGee, City Clerk)

First violation - May 8, 2015

3 El Idolo, 2740 Bartlett Road (Stefanie McGee, City Clerk)

First violation - May 8, 2015

4 Wingstop, 2839 Bartlett Blvd (Stefanie McGee, City Clerk)

First violation - May 8, 2015

At the April 7, 2015 Beer Board meeting, the Board agreed upon the following guidelines for beer permit violators:

First offense: 15-day suspension or $1,000 civil penalty

Second offense: 30-day suspension or $2,500 civil penalty

Third offense: Revocation of permit for one year

Offenses accumulated over the preceding three-year period.

ADJOURNMENT

City of Bartlett

A. Keith McDonald, Mayor

BEER BOARD MEETING MINUTES

TUESDAY, MAY 3, 2016 - COUNCIL CHAMBER - 6:00 PM

CALL TO ORDER

Richard Davenport: Present, Lindsey Massey: Present, Cordell Battles: Present, Don Todd: Absent, Deborah Williams: Present.

MINUTES APPROVAL

Minutes of the April 5, 2016 Beer Board Regular

RESULT:	**ACCEPTED [UNANIMOUS]**
MOVER:	Cordell Battles
SECONDER:	Lindsey Massey
AYES:	Davenport, Massey, Battles, Williams

NEW BUSINESS

Assessment of penalties for violations of Section 8-310(5) of the City of Bartlett Codified Ordinances which makes it unlawful for a permit holder to make or allow any sale of beer to a minor under twenty-one (21) years of age.

1. **Baby Jack's BBQ, 7610 Highway 70**
   First violation - April 2, 2013
   Beer Board gave 15-day suspension during May 14, 2013 meeting.

   Second violation - May 8, 2015

David Lakin, City Prosecutor, stated that on May 8, 2015 an employee of Baby Jack's BBQ sold a Coors Light to an underage operative, who was working under the supervision of the Bartlett Police Department.
No representative of Baby Jack's was in attendance.

Mr. Davenport said since no one from Baby Jack's attended the hearing, and the business was previously given a 15-day suspension, he would like to impose a $2,500 civil penalty.

RESULT:	**$2,500 CIVIL PENALTY [UNANIMOUS]**
MOVER:	Richard Davenport, Cordell Battles, Deborah Williams
SECONDER:	Lindsey Massey
AYES:	Richard Davenport, Lindsey Massey, Cordell Battles, Deborah Williams

Minutes Acceptance: Minutes of May 3, 2016 6:00 PM (MINUTES APPROVAL)

2. **Tugwell Oil, 8374 Old Brownsville Road**
First violation - May 8, 2015

Mr. Lakin explained that on May 8, 2015, an employee of Tugwell Oil sold a six-pack of Coors Light to a minor. This was the first violation for this location and permit holder.
Wesley Tugwell, owner and beer permit holder, said he built the store in 1996, and it was annexed into Bartlett in 2007. He explained that the employee had been working for one month, and was under the supervision of a veteran employee. After the violation, he discovered that the supervisor had been in the back room on her phone. He fired both employees the next day.

Ms. Massey asked Mr. Tugwell if he plans to change his training process. Mr. Tugwell replied that he will have all his employees read and sign an oath stating they will not sell alcohol to minors, and start the training process over.
Mr. Battles asked for clarification regarding the firing of the employees. Mr. Tugwell confirmed that he fired both the employee that sold beer to a minor and the supervisor.
Mr. Davenport asked how long the supervisor had been employed by Mr. Tugwell. He said one year, but the person had been in the industry for several years.

RESULT:	**$1,000 CIVIL PENALTY [3 TO 1]**
MOVER:	Richard Davenport
SECONDER:	Deborah Williams
AYES:	Richard Davenport, Lindsey Massey, Deborah Williams
NAYS:	Cordell Battles

ADJOURNMENT

Meeting adjourned at 6:11 PM

Minutes Acceptance: Minutes of May 3, 2016 6:00 PM (MINUTES APPROVAL)

Beer Board

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SCHEDULED

Meeting: 06/07/16 06:00 PM
Department: Beer Board
Category: Presentation
Prepared By: Stefanie McGee
Initiator: Stefanie McGee
Sponsors:
DOC ID: 1809

BEER AGENDA ITEM (ID # 1809)

Andy B's Bowling, 6276 Stage Road

Underage operative's birthdate: May 9, 1997

Underage operative's age during sting: 17 years old

Business: Andy B's Bowling (Bartlett Lanes)

Permit holder: Robert Luckett
Bartholomy Bowling Centers
1200 E. Woodhurst Dr Unit L 100
Springfield, MO 65804

Permit held since October 1999

Employee who allegedly sold to a minor: April Jennings

Employee's age at time of sting: 22 years old

Alcohol sold: beer

Defendant's plea: unknown

First violation: May 8, 2015

2

STATE OF TENNESSEE
COUNTY OF SHELBY
CITY OF BARTLETT

MISDEMEANOR CITATION IN LIEU OF CONTINUED CUSTODY OF ARRESTED PERSON

150508000 16

THE UNDERSIGNED, BEING DULY SWORN, UPON HIS OATH DEPOSES AND SAYS:

ON THE 8th DAY OF May 20 15 AT 1640 AM/PM

NAME Jennings (LAST) April (FIRST) R (MI) 507 (HT) [redacted] (WT) [redacted] (HR) [redacted] (EYES) [redacted] (SEX) [redacted] (RACE) [redacted] (DOB) 22 (AGE)

RESIDENCE [redacted] (#) [redacted] (DIR) [redacted] (STREET) [redacted] (SUFF) [redacted] (APT) Memphis (CITY) 38125 (STATE) RES. PH [redacted] DL # [redacted]

BUS. ADDRESS 6276 (#) Stage Rd (STREET) Bartlett (CITY) (STATE) BUS. PH _____ OCCUP. _____ SS # [redacted]

DID COMMIT THE FOLLOWING OFFENSE, NAMELY: Sell to minors prohibited

AT (LOCATION) 6276 Stage Rd. (Andy B's)

IN VIOLATION OF TCA: 57-3-301

AND HIS REASON FOR BELIEVING SAID OFFENSE WAS COMMITTED BY THE DEFENDANT IS AS FOLLOWS:

On 5-8-15 at approximately 1640 hours the above defendant who is employed at Andy B's located at 6276 Stage did sell/serve beer to an underage individual.

SWORN TO AND SUBSCRIBED BEFORE ME

THIS 11 DAY OF May 20 15

CLERK/MAGISTRATE/OFFICIAL

SIGNATURE OF AFFIANT

OFFICER	IBM #	CAR #	AGENCY
J. Hobbs	JH4021	26	B PD

I HEREBY AFFIX MY SIGNATURE WITH THE UNDERSTANDING THAT SUCH IS NOT A PLEA OF GUILTY, BUT TO CERTIFY THAT I RECEIVED A COPY OF THIS CITATION AND AGREE TO APPEAR AT THE INDICATED PLACES ON THE INDICATED DATES AND TIMES WITHOUT ISSUANCE OF A WARRANT AS PROVIDED BY TCA 40-7-118.

1. BARTLETT POLICE DEPARTMENT, R & I SECTION, 3730 APPLING ROAD, BARTLETT, TENNESSEE 38133 ON THE 12th DAY OF May 20 15 AT 1000 AM/PM, THERE TO BE PROCESSED.
2. BARTLETT CITY COURT, 3730 APPLING ROAD, BARTLETT, TENNESSEE 38133, ON THE 17th DAY OF June 20 15 AT 9:00 AM/PM FOR A HEARING ON THE INDICATED CHARGES.

NOTICE: FAILURE TO APPEAR IN COURT ON THE DATE ASSIGNED BY THIS CITATION OR AT THE APPROPRIATE POLICE STATION FOR BOOKING AND PROCESSING WILL RESULT IN YOUR ARREST FOR A SEPARATE CRIMINAL OFFENSE WHICH IS PUNISHABLE BY A JAIL SENTENCE OF UP TO SIX (6) MONTHS AND/OR A $250 FINE.

SIGNATURE OF DEFENDANT

DOCKET NUMBER #

PROPERTY RECEIPT #

Attachment: Andy B's citation redacted (1809 : Andy B's Bowling violation)

Beer Board

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SCHEDULED

Meeting: 06/07/16 06:00 PM
Department: Beer Board
Category: Presentation
Prepared By: Stefanie McGee
Initiator: Stefanie McGee
Sponsors:
DOC ID: 1810

BEER AGENDA ITEM (ID # 1810)

Eat Well Sushi, 2965 Germantown Road, Suite 102

Underage operative's birthdate: December 11, 1996

Underage operative's age during sting: 19 years old

Business: Eat Well Sushi

Permit holder: Jasmine Lin
976 Mirror Lake Ln
Cordova, TN 38018

Permit held since February 2009

Employee who allegedly sold to a minor: Kellie Clements

Employee's age at time of sting: 33 years old

Alcohol sold: Coors light beer

Defendant's plea: unknown

First violation - May 8, 2015

STATE OF TENNESSEE
COUNTY OF SHELBY
CITY OF BARTLETT

MISDEMEANOR CITATION IN LIEU OF CONTINUED CUSTODY OF ARRESTED PERSON

9

150508000[redacted]

THE UNDERSIGNED, BEING DULY SWORN, UPON HIS OATH DEPOSES AND SAYS:

ON THE 8th DAY OF May 20 15 AT 1705 AM/PM

NAME	LAST	FIRST	MI	HT	WT	HR	EYES	SEX	RACE	DOB	AGE
[redacted]	Clements	Kellie	C	5'05	[redacted]					[redacted]	33

RESIDENCE	#	DIR	STREET	SUFF	APT	CITY	STATE	RES. PH	DL #
	[redacted]		[redacted]			Memphis	TN	[redacted]	[redacted]

BUS. ADDRESS	#	STREET	CITY	STATE	BUS. PH	OCCUP.	SS #
	2965	Germantown Rd	Bartlett	TN		Server	[redacted]

DID COMMIT THE FOLLOWING OFFENSE, NAMELY: Sales to a Minor - Prohibited - alcohol

AT (LOCATION) 2965 Germantown Rd # 102 Eat Well

IN VIOLATION OF TCA: 57-5-301

AND HIS REASON FOR BELIEVING SAID OFFENSE WAS COMMITTED BY THE DEFENDANT IS AS FOLLOWS:

On 5/8/15 at 1705 hours the above named defendant, Kellie Clements who works at Eat Well, 2965 Germantown Rd # 102, did sell and serve a Coors Light beer to an underage individual.

SWORN TO AND SUBSCRIBED BEFORE ME

THIS 11th DAY OF May, 2015

Clerk/Magistrate/Official

W Burn
SIGNATURE OF AFFIANT

	OFFICER	IBM #	CAR #	AGENCY
B. Stevens		459	61	072
W Bierbrodt		436	615	072

I HEREBY AFFIX MY SIGNATURE WITH THE UNDERSTANDING THAT SUCH IS NOT A PLEA OF GUILTY, BUT TO CERTIFY THAT I RECEIVED A COPY OF THIS CITATION AND AGREE TO APPEAR AT THE INDICATED PLACES ON THE INDICATED DATES AND TIMES WITHOUT ISSUANCE OF A WARRANT AS PROVIDED BY TCA 40-7-118.

KC BARTLETT POLICE DEPARMENT, R & I SECTION, 3730 APPLING ROAD, BARTLETT, TENNESSEE 38133 ON THE 12th DAY OF May 20 15 AT 1000 AM/PM, THERE TO BE PROCESSED.

KC BARTLETT CITY COURT, 3730 APPLING ROAD, BARTLETT, TENNESSEE 38133, ON THE 17th DAY OF June 20 15 AT 7000 AM/PM FOR A HEARING ON THE INCICATED CHARGES.

NOTICE: FAILURE TO APPEAR IN COURT ON THE DATE ASSIGNED BY THIS CITATION OR AT THE APPROPRIATE POLICE STATION FOR BOOKING AND PROCESSING WILL RESULT IN YOUR ARREST FOR A SEPARATE CRIMINAL OFFENSE WHICH IS PUNISHABLE BY A JAIL SENTENCE OF UP TO SIX (6) MONTHS AND/OR A $250 FINE.

Kellie Clements
SIGNATURE OF DEFENDANT

DOCKET NUMBER #

PROPERTY RECEIPT #

Attachment: Eat Well citation redacted (1810 : Eat Well violation)

Beer Board

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SCHEDULED

Meeting: 06/07/16 06:00 PM
Department: Beer Board
Category: Presentation
Prepared By: Stefanie McGee
Initiator: Stefanie McGee
Sponsors:
DOC ID: 1811

BEER AGENDA ITEM (ID # 1811)

El Idolo, 2740 Bartlett Road

Underage operative's birthdate: May 9, 1997

Underage operative's age during sting: 17 years old

Business: El Idolo

Permit holder: Juan and Raul Fuentes, 800 S. Durkin, Springfield, IL 62704

Permit held since January 2015

Employee who allegedly sold to a minor: Gustavo Lopez

Employee's age at time of sting: 25 years old

Alcohol sold: One 12 oz bottle of beer

Defendant's plea: unknown

First violation - May 8, 2015

STATE OF TENNESSEE
COUNTY OF SHELBY
CITY OF BARTLETT

MISDEMEANOR CITATION IN LIEU OF CONTINUED CUSTODY OF ARRESTED PERSON

3

1365080006

THE UNDERSIGNED, BEING DULY SWORN, UPON HIS OATH DEPOSES AND SAYS:

ON THE 8th DAY OF May 20 15 AT 1730 AM/PM

NAME Lopez (LAST) | Gustavo (FIRST) | V (MI) | 16 (HT) | [redacted] (WT) | [redacted] (HR) | [redacted] (EYES) | [redacted] (SEX) | [redacted] (RACE) | [redacted] (DOB) | 25 (AGE)

RESIDENCE [redacted] (#) | [redacted] (DIR) | [redacted] (STREET) | [redacted] (SUFF) | [redacted] (APT) | [redacted] (CITY) | TN (STATE) | RES. PH. [redacted] | DL # [redacted]

BUS. ADDRESS 2740 (#) | Bartlett Blvd (STREET) | Bartlett (CITY) | TN (STATE) | BUS PH 901 421 8411 | OCCUP. Server | SS # [redacted]

DID COMMIT THE FOLLOWING OFFENSE, NAMELY: 57-5-301 – Sales To Minors Prohibited

AT (LOCATION) 2740 Bartlett Blvd

IN VIOLATION OF TCA: 57-5-301

AND HIS REASON FOR BELIEVING SAID OFFENSE WAS COMMITTED BY THE DEFENDANT IS AS FOLLOWS:

On 5-8-15 at approx. 1730 hours the above Defendant, Gustavo Lopez, who is employed at El Idolo located at 2740 Bartlett Blvd did sell/serve 1 bottle of beer to an underage individual.

SWORN TO AND SUBSCRIBED BEFORE ME

THIS 11th DAY OF May, 2015

Pamela Kirby
CLERK/MAGISTRATE/OFFICIAL

[redacted]
SIGNATURE OF AFFIANT

Det Allen | [redacted] | 609 | 01
OFFICER | IBM # | CAR # | AGENCY

Det Bonstra | KA351 | 614 | 01
OFFICER | IBM # | CAR # | AGENCY

I HEREBY AFFIX MY SIGNATURE WITH THE UNDERSTANDING THAT SUCH IS NOT A PLEA OF GUILTY, BUT TO CERTIFY THAT I RECEIVED A COPY OF THIS CITATION AND AGREE TO APPEAR AT THE INDICATED PLACES ON THE INDICATED DATES AND TIMES WITHOUT ISSUANCE OF A WARRANT AS PROVIDED BY TCA 40-7-118.

1. BARTLETT POLICE DEPARTMENT, R & I SECTION, 3730 APPLING ROAD, BARTLETT, TENNESSEE 38133 ON THE 12th DAY OF May 20 15 AT 10 AM/PM, THERE TO BE PROCESSED.

2. BARTLETT CITY COURT, 3730 APPLING ROAD, BARTLETT, TENNESSEE 38133, ON THE 17th DAY OF June 20 15 AT 7 AM/PM FOR A HEARING ON THE INDICATED CHARGES.

NOTICE: FAILURE TO APPEAR IN COURT ON THE DATE ASSIGNED BY THIS CITATION OR AT THE APPROPRIATE POLICE STATION FOR BOOKING AND PROCESSING WILL RESULT IN YOUR ARREST FOR A SEPARATE CRIMINAL OFFENSE WHICH IS PUNISHABLE BY A JAIL SENTENCE OF UP TO SIX (6) MONTHS AND/OR A $250 FINE.

Gustavo Lopez
SIGNATURE OF DEFENDANT

DOCKET NUMBER #

PROPERTY RECEIPT #

Attachment: El Idolo citation redacted (1811 : El Idolo violation)

Beer Board

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SCHEDULED

Meeting: 06/07/16 06:00 PM
Department: Beer Board
Category: Presentation
Prepared By: Stefanie McGee
Initiator: Stefanie McGee
Sponsors:
DOC ID: 1813

BEER AGENDA ITEM (ID # 1813)

Wingstop, 2839 Bartlett Blvd

Underage operative's birthdate: November 12, 1994

Underage operative's age during sting: 20 years old

Business: Wingstop

Permit holder: Tawanda Roberts, 4724 Spring Meadow Cove, Olive Branch, MS 38654

Permit held since July 2014

Employee who allegedly sold to a minor: Rashell Johnson

Employee's age at time of sting: 16 years old

Alcohol sold: beer

Defendant's plea: unknown

First violation - May 8, 2015

BARTLETT POLICE DEPARTMENT — JUVENILE SUMMONS

CAD# 150508006 B

Last Name	First	Middle	Aliases – Nickname	Charges & TCA Code	TIBRS Code
Johnson	Rashell	Lynn		Selling to minor -57-5-301	

Residence Street	Apt / Bldg	City	State	ZIP	Phone	Residence of jurisdiction where offense occurred?	School	Grade
[redacted]		Memphis	TN	38135	[redacted]	☐ Yes ☑ No	[redacted]	11

Date of Birth	Age	Sex	Race	Ethnic	Height	Weight	Hair	Eyes	Comp.	Scars and Marks	Build
[redacted]	16	F	[redacted]		[redacted]	[redacted]	[redacted]	[redacted]			

Date & Time Summons Issued	Date & Time Crime Occurred	Location Summons Issued	Location Where Crime Occurred	District	Date & Time Officer Arrived at Scene
5/8/15 1750	5/8/15 1722	2839 Bartlett Blvd	2839 Bartlett Blvd	3	

☑ Parent or ☐ Guardian Name:	Resident Address	Home Phone	Business Phone	Were multiple Juvenile Summons issued in this incident? ☐ Yes ☑ No
[redacted]	[redacted]	[redacted]		

Parent or Guardian Business Address	Parent or Guardian Occupation	Juvenile's Occupation & Business Address	Offense Report No.	Property Receipt No.
[redacted]		Wing Stop	150508006	

☑ Complainant's Name ☐ Victim's Name	DOB	Age	Sex	Race	Residence Address	Home Phone	Business Phone
Bartlett Police Dept.					3738 Appling Rd	385-5335	
Witness	**DOB**	**Age**	**Sex**	**Race**	**Residence Address**	**Home Phone**	**Business Phone**

Arrestee armed with at time of arrest: (Check up to TWO and enter 'A' if fully automatic)
☐ Handgun ☐ Rifle ☐ Lethal cutting instrument (knife, switchblade, etc.)
☐ Explosive ☐ Shotgun ☐ Club, blackjack, brass knuckles
☐ Fire / Incendiary Device ☐ Other Firearm

Weapon Make / Model	Weapon Caliber
Weapon Serial No.	**Gang Affiliation**

Officer	IBM#	Shift	Officer	IBM#	Shift	Call#	Supervising Officer	IBM#
Hobbs, J.	410	☐A ☐B ☐C ☑D			☐A ☐B ☐C ☐D			

On 5-8-15 at approximately 1722 hours the above defendant who is Employed at Wing Stop located at 2839 Bartlett Blvd did sell/serve beer to an underage individual.

INSTRUCTIONS TO PARENT OR GUARDIAN: You are hereby notified that the above named child is alleged to have committed the stated offense. You are hereby directed to bring said child to the Juvenile Court of Memphis and Shelby County when notified by a Juvenile court Officer. Failure to appear when notified will result in the child being taken into custody.

Signature _____
Parent or Guardian may sign in child's absence

I hereby affix my signature with the understanding that I will give my Parent or Guardian a copy of this Summons.

Juvenile's Signature X Rashell Johnson

Attachment: Wingstop citation redacted (1813 : Wingstop violation)