



BEER BOARD MEETING MINUTES

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

CALL TO ORDER

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

MINUTES APPROVAL

Minutes of the May 3, 2016 Beer Board Regular

RESULT:	ACCEPTED [4 TO 0]
MOVER:	Lindsey Massey
SECONDER:	Deborah Williams
AYES:	Davenport, Massey, Battles, Williams
ABSTAIN:	Todd

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.

I. Andy B's Bowling, 6276 Stage Road First violation: May 8, 2015

Assistant City Prosecutor Rhea Clift explained that during a Bartlett Police beer sting on May 8, 2015, an employee at Andy B's Bowling Center sold beer to a minor.

Tracie Paganos, Andy B's General Manager, confirmed that the sale did occur. She said the employee no longer works there because she was in the process of changing jobs at the time of the violation. The procedure for handling an employee that commits such a violation is to reprimand them and pull their beer permit so they could no longer sell beer at the establishment.

Ms. Paganos asked for a lesser penalty since it was Andy B's first violation.

RESULT:	\$1,000 CIVIL PENALTY [UNANIMOUS]
MOVER:	Lindsey Massey
SECONDER:	Don Todd
AYES:	Davenport, Massey, Battles, Todd, Williams

2. Eat Well Sushi, 2965 Germantown Road, Suite 102

First violation - May 8, 2015

Assistant City Prosecutor Rhea Clift explained that during a Bartlett Police beer sting on May 8, 2015, an employee at Eat Well Sushi and Grill sold beer to a minor.

No one representing Eat Well attended this meeting.

Bartlett Police Officer John Kane participated in this sting. He said he sent an underage couple in Eat Well to buy beer. The employee, Kellie Clements, sold a Coors Light Beer to the male underage operative. Officer Kane could not recall whether Ms. Clements checked the operative's ID.

Mr. Battles if there was an officer inside who witnessed the sale. Officer Kane said there was not. There was a beer sitting on the table the operatives were seated at, and the operatives did not enter the restaurant with beer.

RESULT:	15-DAY SUSPENSION IF \$1,000 CIVIL PENALTY NOT PAID WITHIN SEVEN DAYS [UNANIMOUS]
MOVER:	Lindsey Massey
SECONDER:	Richard Davenport
AYES:	Davenport, Massey, Battles, Todd, Williams

3. El Idolo, 2740 Bartlett Road

First violation - May 8, 2015

Assistant City Prosecutor Rhea Clift explained that during a Bartlett Police beer sting on May 8, 2015, an employee at El Idolo sold beer to a minor. This is the business's first such violation.

Bartlett Police Detective Robert Allen was involved in this beer sting. Detective Allen stated he sent two underage operatives into El Idolo restaurant, one male and one female. He said the couple sat at a table and ordered a beer. The server left to get the beer and then served it to them. The operative then came outside where the detective was and stated that he was sold a beer.

The female underage operative was 17 years old at the time of the sting. Detective Allen said if a server asks for identification, the operatives must show it. He said the male operative was just under 21 years old.

Mr. Todd asked if the operatives were carded. Detective Allen said he couldn't confirm whether they were since the sting took place more than a year ago.

El Idolo's attorney Robert Reed asked how old the male operative was. Detective Allen said he couldn't remember when his birthday was, but knew he hadn't yet turned 21 years old. He added that from his understanding, the male operative was served the beer.

Mr. Reed asked if the female operative was carded. Detective Allen said he didn't know if she was. The officers were outside and couldn't see the transaction.

Chairman Davenport asked if there was a bottle of beer on the operatives' table after they were served and came outside to report the sale. Detective Allen confirmed that there was.

Mr. Reed noted that this is El Idolo's first violation. Gustavo Lopez is the employee who sold the beer; he is also the general manager.

Ms. Massey asked if Mr. Lopez is still employed at El Idolo. Mr. Reed confirmed he is.

Chairman Davenport asked if the restaurant took any action against Mr. Lopez. Mr. Reed said not to his knowledge.

Chairman Davenport asked Mr. Lopez what the owner did when he found out about the violation. Mr. Lopez said he was angry, and told his employees to make sure this doesn't happen again.

Chairman Davenport asked if the restaurant has sold to minors since this violation. Mr. Lopez said no.

Ms. Massey asked if there has been new training instituted for servers. Mr. Lopez said that servers must double check the customer's age with the birthdate of someone turning 21 years old that day.

RESULT:	\$1,000 CIVIL PENALTY [UNANIMOUS]
MOVER:	Deborah Williams
SECONDER:	Don Todd
AYES:	Davenport, Massey, Battles, Todd, Williams

4. **Wingstop, 2839 Bartlett Blvd**

First violation - May 8, 2015

Assistant City Prosecutor Rhea Clift explained that during a Bartlett Police beer sting on May 8, 2015, an employee at Wingstop, 2839 Bartlett Blvd, sold beer to a minor. This is Wingstop's first such violation.

Bartlett Police Officer Joe Hobbs stated that he sent in two underage operatives, one male and one female, while he waited in the parking lot. The male operative ordered a beer, and was served by the employee. The employee who served was 16 years old, and issued a juvenile summons.

Mrs. Williams asked why a juvenile was serving beer. Tawanda Roberts, owner and beer permit holder of Wingstop, said she cannot explain why a juvenile was serving beer. The general manager working that shift has been fired. He had been employed four or five months at the time of the violation, and knew better than to let a juvenile sell beer. Ms. Roberts said the juvenile employee is still employed, as she was brand new when the violation occurred. Now all employees are trained prior to starting the job by Human Resources. She added that there is always an employee over 21 years of age working each shift. Juvenile employees are trained to get a shift manager when a customer orders a beer.

Ms. Massey asked what percentage of Wingstop's profits is from beer sales. Ms. Roberts said one percent.

RESULT:	15-DAY SUSPENSION [UNANIMOUS]
MOVER:	Lindsey Massey
SECONDER:	Richard Davenport
AYES:	Davenport, Massey, Battles, Todd, Williams

ADJOURNMENT

Meeting adjourned at 6:39 PM



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.

I. **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

SCHEDULED

BEER AGENDA ITEM (ID # 1809)

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

RESULT: \$1,000 CIVIL PENALTY [UNANIMOUS]
MOVER: Lindsey Massey
SECONDER: Don Todd
AYES: Davenport, Massey, Battles, Todd, Williams

2

STATE OF TENNESSEE
COUNTY OF SHELBY
CITY OF BARTLETT

MISDEMEANOR CITATION IN LIEU OF
CONTINUED CUSTODY OF ARRESTED PERSON

1505080016

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

ON THE 8th DAY OF May, 2015 AT 1640 AM

NAME Jennings | April | R | 1507 | [REDACTED] | [REDACTED] | 22
LAST FIRST MI HT WT HR EYES SEX RACE DOB AGE
RESIDENCE [REDACTED] | [REDACTED] | [REDACTED] | [REDACTED] | [REDACTED] | 32135 | [REDACTED] | [REDACTED] | [REDACTED]
DIR STREET SUITE APT CITY STATE PH DL #
BUS. ADDRESS 6276 Stage Rd | Bartlett | [REDACTED] | [REDACTED] | [REDACTED] | [REDACTED] | [REDACTED] | [REDACTED] | [REDACTED]
STREET CITY STATE PH OCCUP. SS #

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

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

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 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, 2015

[Signature]
CLERK/MAGISTRATE OFFICIAL

[Signature]
SIGNATURE OF AFFIANT
J. Hobbs | JH401 | 26 | B | 9/10
OFFICER ID# CAR# AGENCY
[Signature] | [Signature] | [Signature] | [Signature]
OFFICER ID# 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 2015 AT 1000 AM/PM, THERE TO BE PROCESSED.
2. BARTLETT CITY COURT, 3730 APPLING ROAD, BARTLETT, TENNESSEE 38133, ON THE 17th DAY OF June 2015 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]
SIGNATURE OF DEFENDANT

DOCKET NUMBER #

PROPERTY RECEIPT #



Beer Board

SCHEDULED

BEER AGENDA ITEM (ID # 1810)

Meeting: 06/07/16 06:00 PM

Department: Beer Board

Category: Presentation

Prepared By: Stefanie McGee

Initiator: Stefanie McGee

Sponsors:

DOC 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

RESULT: COMBO 1ST OFFENSE [UNANIMOUS]

MOVER: Lindsey Massey

SECONDER: Richard Davenport

AYES: Davenport, Massey, Battles, Todd, Williams

STATE OF TENNESSEE
COUNTY OF SHELBY
CITY OF BARTLETT

MISDEMEANOR CITATION IN LIEU OF
CONTINUED CUSTODY OF ARRESTED PERSON

9

1505080006

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

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

NAME Clements | Kellie | C | 15 | 05 | 33

RESIDENCE 2965 | German Rd | Bartlett | TN | Memphis | TN | 729 | 729

BUS. ADDRESS 2965 | German Rd | Bartlett | TN | 729 | 729 | 729 | 729

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

Quashen Jones
CLERK/MAGISTRATE/OFFICIAL

W. B. Stevens

SIGNATURE OF AFFIANT

J. Stevens | 459 | 51 | 07
OFFICER | IBM # | CAR # | AGENCY
W. B. Stevens | 436 | 615 | 02
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.

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

W.C. BARTLETT CITY COURT, 3730 APPLING ROAD, BARTLETT, TENNESSEE 38133, ON THE 17th DAY OF June 20 15 AT 700 AM 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.

Kellie Clements
SIGNATURE OF DEFENDANT

DOCKET NUMBER #

PROPERTY RECEIPT #



Beer Board

SCHEDULED

BEER AGENDA ITEM (ID # 1811)

Meeting: 06/07/16 06:00 PM

Department: Beer Board

Category: Presentation

Prepared By: Stefanie McGee

Initiator: Stefanie McGee

Sponsors:

DOC 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

RESULT: \$1,000 CIVIL PENALTY [UNANIMOUS]

MOVER: Deborah Williams

SECONDER: Don Todd

AYES: Davenport, Massey, Battles, Todd, Williams

1565-8000 L.

ON THE 2nd DAY OF May 20 15 AT 1230 PM

NAME Lopez Gustavo V 67
LAST FIRST MI HT WT HR EYES SEX RACE DOB AGE 25

RESIDENCE # DIR STREET SUITE APT CITY STATE ZIP DL #
TN RES. PH # DL

BUS. ADDRESS # DIR STREET SUITE APT CITY STATE ZIP BUS. PH # OCCUP. Servant SS #
2741 Bartlett Rd Bartlett TN 38134 901-421-2111

DID COMMIT THE FOLLOWING OFFENSE, NAMELY: 57-5-301 - Sales To Minors Prohibit
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 1/2 bottle of beer to an underage individual.

SWORN TO AND SUBSCRIBED BEFORE ME

THIS 14th DAY OF May, 2015

Pamela Kirby
CLERK/MAGISTRATE OFFICIAL

RAA
SIGNATURE OF AFFIANT

Det Allen	RAA	609	0/2
OFFICER	ISM #	CAR #	AGENCY
Det Amstrong	KA351	614	0/2
OFFICER	ISM #	CAR #	AGENCY

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 2015 AT 10 AM, THERE TO BE PROCESSED.

2. BARTLETT CITY COURT, 3730 APPLING ROAD, BARTLETT, TENNESSEE 38133, ON THE 17th DAY OF June 2015 AT 700 AM.

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.

Koustanto Lopez
SIGNATURE OF DEFENDANT

DOCKET NUMBER #

PROPERTY RECEIPT

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



Beer Board

COMPLETED

BEER AGENDA ITEM (ID # 1813)

Meeting: 06/07/16 06:00 PM

Department: Beer Board

Category: Presentation

Prepared By: Stefanie McGee

Initiator: Stefanie McGee

Sponsors:

DOC 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

RESULT: 15-DAY SUSPENSION [UNANIMOUS]

MOVER: Lindsey Massey

SECONDER: Richard Davenport

AYES: Davenport, Massey, Battles, Todd, Williams

CAD#158508006

Arrestee armed with at time of arrest: (Check up to TWO and enter 'A' if fully automatic)		IBMF		Shift		Officer		IBMF		Shift		Cally		Supervising Officer		IBMF	
☐ Handgun _____	☐ Rifle _____	☐ Lethal casting instrument	☐ Knife, switchblade, etc.)	☐ Shotgun _____	☐ Club, bludgeon, brass knuckles	☐ Fire / incendiary Device	☐ Other Firearm _____										
Weapon Serial No.								Gang Affiliation									

On 5-8-15 at approximately 1722 hours the above defendant who is employed at Wiking Stop located at 2839 Benlott Blvd did sell seven 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.

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

Parent or Guardian may sign in child's absence

Signature _____

Juvenile's Signature X Richard Yarn