



City of Bartlett
A. Keith McDonald, Mayor

BEER BOARD MEETING AGENDA

TUESDAY, JUNE 2, 2015 - BARTLETT CITY HALL - 6:00 PM

MINUTES APPROVAL

Minutes of the April 7, 2015 Beer Board Regular

PUBLIC HEARINGS

- I. TN Management Group, LLC, has applied for an off-premises permit to sell beer at Exxon, located at 6861 Highway 70, Bartlett, TN 38133.

NEW BUSINESS

- I. **TN Management Group, LLC, has applied for an off-premises permit to sell beer at Exxon, located at 6861 Highway 70, Bartlett, TN 38133. (Stefanie McGee, City Clerk)**

ADJOURNMENT



BEER BOARD MEETING MINUTES

TUESDAY, APRIL 7, 2015 - BARTLETT CITY HALL - 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 January 27, 2015 Beer Board Regular

RESULT:	ACCEPTED [UNANIMOUS]
MOVER:	Cordell Battles
SECONDER:	Don Todd
AYES:	Davenport, Massey, Battles, Todd, Williams

NEW BUSINESS

I. Elect chair

Mr. Davenport expressed interested in serving as Chair of the newly created citizen-appointed Beer Board.

RESULT:	APPROVED [UNANIMOUS]
MOVER:	Don Todd
SECONDER:	Deborah Williams
AYES:	Davenport, Massey, Battles, Todd, Williams

2. Permit violation guidelines

Staff provided a draft set of guidelines to the Board to debate. These guidelines were gleaned from the previous Beer Board's guidelines and were updated with the State's new civil penalty maximums.

Draft guidelines:

Non-State-certified vendors

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

State-certified Responsible vendors (with current certification)

\$1,000 per offense

If vendor has two offenses within a 12-month period, the Alcoholic Beverage Commission shall revoke the permit for three years.

Minutes Acceptance: Minutes of Apr 7, 2015 6:00 PM (Minutes Approval)

City Attorney Ed McKenney explained the duties of the Beer Board. The majority of the Beer Board's work will consist of reviewing applications to sell beer both on and off premises. When a business owner applies for a beer permit, he or she is given a packet of information including all applicable laws and ordinances and the possible penalties for violating those laws.

Occasionally, the Beer Board will hear cases alleging that alcohol was sold to a minor via a sting operation run by the Bartlett Police Department. In these instances, the Board will be presented the facts of each sting by the City Prosecutor and police department. The permit holder will be allowed to speak to the presented claims. Mr. McKenney explained that if the Board members agree that the violation occurred, they must decide whether to give the permit holder a suspension or civil penalty. Permit holders may appeal the Beer Board's decision to either Shelby County Circuit or Chancery Court.

Mr. McKenney explained the State's Responsible Vendor Program. He also explained that the Beer Board can only regulate beer, which is beers, ales, and other malt liquors having a maximum of five percent alcohol. The Tennessee Alcoholic Beverage Commission regulates all other alcohols.

Mr. McKenney explained that the Board cannot be arbitrary or capricious when deciding penalties for permit holders; similar penalties must be given for each offense.

Board members asked several questions about how they would receive information, how to best weigh the facts, and posed different scenarios. Mr. McKenney explained that the Board would receive all information prior to meetings and could ask questions of staff prior to meetings or during meetings. He emphasized that Board members could not discuss City business with each other unless at a public meeting, and that three votes in favor of a motion are necessary for it to pass.

Mr. Davenport asked that the guidelines' title be amended to read Beer Board guidelines for selling to minor violations.

RESULT:	APPROVED AS AMENDED [UNANIMOUS]
MOVER:	Richard Davenport
SECONDER:	Lindsey Massey
AYES:	Davenport, Massey, Battles, Todd, Williams

ADJOURNMENT

Meeting adjourned at 6:57 PM

Richard Davenport, Chairman

Stefanie McGee, City Clerk

Minutes Acceptance: Minutes of Apr 7, 2015 6:00 PM (Minutes Approval)

**Beer Board****SCHEDULED**

Meeting: 06/02/15 06:00 PM

Department: Beer Board

Category: Agreement

Prepared By: Stefanie McGee

Department Head: Stefanie McGee

BEER PERMIT APPLICATION

TN Management Group, LLC, has applied for an off-premises permit to sell beer at Exxon, located at 6861 Highway 70, Bartlett, TN 38133.

CITY OF BARTLETT MEMO

DATE: May 28, 2015
TO: The Bartlett Beer Board
FROM: Sandra Calvary
SUBJECT: Beer Permit Application for Exxon (TN Management Group LLC)

Please find attached an **OFF**-Premises Beer Permit Application for Exxon located at 6861 Highway 70. Supporting documentation can be found in this packet.

- Reason for new permit: New Owner
- Previous owner: Vacant Bldg. (Land was owned by TN Children Home)
- New owner/applicant: TN Management Group LLC
- Representative: Salman Noordin
- Location previously sold beer: No
- Background check: Passed
- Distance Boundary: Passed
- Legal Notice placed
- 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.**

Attachment: SKMBT_28315052810011.pdf (1516 : Beer permit for Exxon at 6861 hwy 70)

**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**



City of Bartlett LEGAL NOTICE

Pursuant to the requirements of Ordinance 8-307 of the City of Bartlett, TN, the following information is made known to all interested persons:

TN Management Group LLC, has applied for an OFF-Premises permit to sell beer at Exxon, located at 6861 Highway 70, Bartlett, TN 38133

The Bartlett Beer Board will meet at 6:00 p.m. on June 2, 2015 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

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)

TI Management group LLC

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
Please see attached			

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

NA

4. Contact Telephone #: 901 853 0709 Cell #: 901 335 1380

5. Under what name will the business operate: 6861 Hwy 70 Exxon

6. Street address location of the business:
6861 Hwy 70

7. Business Telephone #: 901-853-0709

8. Specify name, address and position of the person to receive the annual privilege tax notice and any other communication from the City.

Fairing Solutions
PO Box 1450
Southaven MS 38671

9. Give name and address of property owner, if other than business owner.

Radent group of properties LLC
384 Distribution Pkwy
Collierville TN 38017

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.

Salman Nordin
4575 Park Ridge Pkwy
Collierville TN 38017

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).

(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?

Family Community Church

6896 US Hwy 70 Bartlett, TN 38133

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.

TN Management group LLC

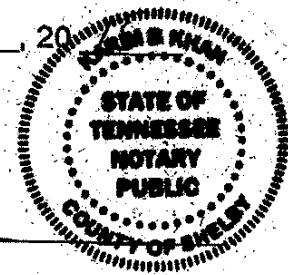
Print or type name of Applicant

[Signature]
Signature of Applicant/Owner (or)
Authorized Corporate Officer

Sworn and subscribed before me this 13th day of May, 2015

[Signature]
Notary Public

My Commission Expires: September 16th 2018



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 _____

DATE PAID: _____

LEGAL NOTICE \$100.00 _____

DATE PAID: _____

PRIVILEGE TAX \$100.00 _____

DATE PAID: _____

TOTAL PAID: _____

DATE APPLICATION SCHEDULED FOR BEER BOARD June 2, 2015 6pm

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: Salman Nordin
ADDRESS: 384 distribution Pkwy Collierville TN 38017
PHONE # 901 853 0709 CELL #: 901 335 1380

Attachment: SKMBT_28315052810011.pdf (1516 : Beer permit for Exxon at 6861 hwy 70)

AFFIDAVIT OF BEER PERMIT APPLICANT

STATE OF TENNESSEE:

COUNTY OF SHELBY:

I, Salman Noordin, 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.

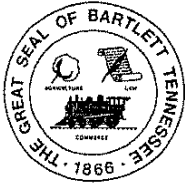
Sworn to and subscribed before me this 13th day of May, 20 15.

Notary Public

My Commission Expires:

September 16th 2018





LEGAL NOTICE

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The Bartlett Beer Board will meet at 6:00 p.m. on June 2, 2015 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

CITY OF BARTLETT MEMO

DATE May 14, 2015

TO: Jim Brown

FROM: Susan Glowen

SUBJECT: Boundary Report

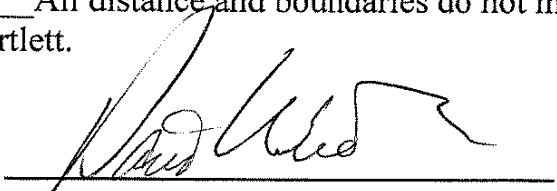
Please find attached an OFF-Premises Beer Permit Application being presented to us by TN Management Group LLC for Exxon located at 6861 Highway 70, Bartlett, TN 38133.

I would appreciate it if you would please check all the distance and boundaries as required by our city ordinances (new ordinance: 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 

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CITY OF BARTLETT MEMO

DATE May 14, 2015
TO: Dennis Canon
FROM: Susan Glowen
SUBJECT: Background Report

Please find attached a Beer Permit Application and Legal Notice being presented to us by TN Management Group LLC for Exxon located at 6861 Highway 70.

I have included information on the officers for TN Management Group. Salman Noordin will represent the business at the beer board meeting at City Hall at 6:00 pm on Tuesday, June 2, 2015.

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!

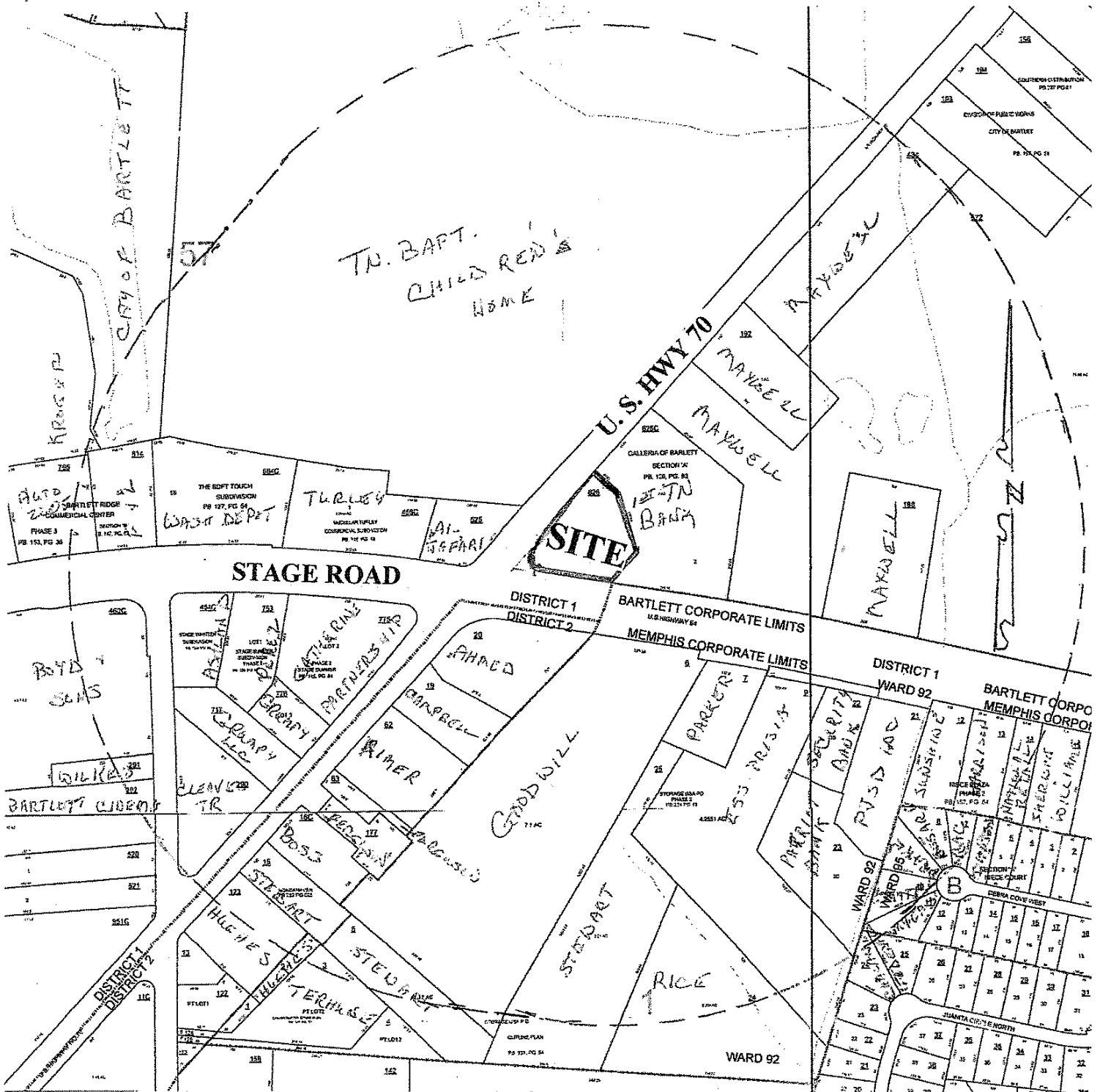
YES X Background check Has been approved.

NO _____ Background check Has Not been approved.

Signature

T. Sp. Still

Attachment: SKMBT_28315052810011.pdf (1516 : Beer permit for Exxon at 6861 hwy 70)



6861 U.S.HWY 70

JMB RESEARCH

2950 Stage Plaza North
 Bartlett, Tennessee 38134
 May 11, 2015

Scale 1"=300'+/-

Telephone 901-383-8668
 Fax 901-383-8720
 E-mail braydavisfirm01@aol.com

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