



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.

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



BEER BOARD MEETING MINUTES

TUESDAY, JANUARY 27, 2015 - 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 January 13, 2015 Beer Board Regular

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

PUBLIC HEARINGS

Individuals will have a maximum of three minutes to speak either for or against the item, with a total of 20 minutes for each side.

1. Mohammad A. Ullah, 6374 Corban Cove, Bartlett, TN 38135, has applied for an off-premises permit to sell beer at Quail Ridge One Stop, located at 4230 Altruria Road, Bartlett, TN 38135.

No one spoke for or against the off-premises beer permit for Quail Ridge One Stop at 4230 Altruria Road.

2. Juan Fuentes, 800 S. Durkin, Springfield, IL 62704, has applied for an on-premises permit to sell beer at El Idolo, located at 2740 Bartlett Road, Bartlett, TN 38134.

No one spoke for or against the on-premises beer permit at El Idolo at 2740 Bartlett Road.

NEW BUSINESS

1. Mohammad A. Ullah, 6374 Corban Cove, Bartlett, TN 38135, has applied for an off-premises permit to sell beer at Quail Ridge One Stop, located at 4230 Altruria Road, Bartlett, TN 38135.

Mayor McDonald noted that this location previously sold beer, and the permit holder passed the background check.

Minutes Acceptance: Minutes of Jan 27, 2015 7:00 PM (Minutes Approval)

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

2. Juan Fuentes, 800 S. Durkin, Springfield, IL 62704, has applied for an on-premises permit to sell beer at El Idolo, located at 2740 Bartlett Road, Bartlett, TN 38134.

Mayor McDonald noted that this location previously sold beer. The permit holder passed the background check.

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

ADJOURN

Meeting adjourned at 7:54 PM