



City of Bartlett

A. Keith McDonald, Mayor

BEER BOARD MEETING AGENDA

TUESDAY, DECEMBER 7, 2021 - BARTLETT CITY HALL - 6:00 PM

MINUTES APPROVAL

Minutes of the September 7, 2021 Beer Board Regular Meeting

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. Crossing Lines Bartlett LLC, owned by Wendy McCrory at 2636 Lockesley Cove North, Germantown, Tenn. 38139 and Walter Goodman at 35138 Old Timber Road, Farmington Hills, Mich. 48331, has applied for an ON-Premises permit to sell beer at Gus's World Famous Fried Chicken located at 2943 N Germantown Pkwy, Bartlett, Tenn. 38133.
2. Hometown Ventures LLC, owned by David M. Cook II and Emily N. Cook at 4021 North Tonya Marie Cove, Bartlett, Tenn. 38135; Harry David Reaves III and Stephanie G. Reaves at 4535 Merlins Woods Drive, Bartlett, Tenn. 38135; Jeffrey S. Jones and Jan H. Jones at 6103 Adina Cove, Bartlett, Tenn. 38135, has applied for an ON-Premises permit to sell beer at Side Porch Steakhouse located at 5689 Stage Road, Bartlett, Tenn. 38134.

NEW BUSINESS

- I **Crossing Lines Bartlett LLC, owned by Wendy McCrory at 2636 Lockesley Cove North, Germantown, Tenn. 38139 and Walter Goodman at 35138 Old Timber Road, Farmington Hills, Mich. 48331, has applied for an ON-Premises permit to sell beer at Gus's World Famous Fried Chicken located at 2943 N Germantown Pkwy, Bartlett, Tenn. 38133. (Penny Medlock, City Clerk)**

- 2 Hometown Ventures LLC, owned by David M. Cook II and Emily N. Cook at 4021 North Tonya Marie Cove, Bartlett, Tenn. 38135; Harry David Reaves III and Stephanie G. Reaves at 4535 Merlins Woods Drive, Bartlett, Tenn. 38135; Jeffrey S. Jones and Jan H. Jones at 6103 Adina Cove, Bartlett, Tenn. 38135, has applied for an ON-Premises permit to sell beer at Side Porch Steakhouse located at 5689 Stage Road, Bartlett, Tenn. 38134. (Penny Medlock, City Clerk)**

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.

- 3 Los Pilaes of Bartlett, 6249 Stage Road (Penny Medlock, City Clerk)**

First violation - September 23, 2021

ADJOURNMENT

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.

Responsible vendors (with current certification)

\$1,000 per offense

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



BEER BOARD MEETING MINUTES

TUESDAY, SEPTEMBER 7, 2021 - BARTLETT CITY HALL - 6:00 PM

ATTENDANCE

Cordell Battles: Present, Deborah Williams: Present, Ryan Smith: Present, Anna Brown: Present, C.E. Zobell: Present.

MINUTES APPROVAL

Minutes of the August 3, 2021 Beer Board Regular Meeting

RESULT:	ACCEPTED [UNANIMOUS]
MOVER:	C.E. Zobell
SECONDER:	Ryan Smith
AYES:	Battles, Williams, Smith, Brown, Zobell

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

- I. Fowad Nagi, 4714 Rivera Drive, Nesbit, Miss. 38651 has applied for an off-premises permit to sell beer at Navy Express Inc., located at 6861 Highway 70, Bartlett, Tenn. 38133.

Mr. Fagi stated he owned stores in five states and had no violations of selling beer to minors.
No one spoke against.
Adjourned at 6:02 p.m.

NEW BUSINESS

- I. Fowad Nagi, 4714 Rivera Drive, Nesbit, Miss. 38651 has applied for an off-premises permit to sell beer at Navy Express Inc., located at 6861 Highway 70, Bartlett, Tenn. 38133.

Mr. Ryan Smith inquired as to the off-premises. Mr. Fagi explained that Navy Express is not a restaurant, but a gas station and convenience store.

Minutes Acceptance: Minutes of Sep 7, 2021 6:00 PM (Minutes Approval)

RESULT:	APPROVED [UNANIMOUS]
MOVER:	C.E. Zobell
SECONDER:	Ryan Smith
AYES:	Battles, Williams, Smith, Brown, Zobell

ADJOURNMENT

Meeting adjourned at 6:04 PM

Deborah Williams, Chairman

Penny Medlock, City Clerk

Minutes Acceptance: Minutes of Sep 7, 2021 6:00 PM (Minutes Approval)

**Beer Board****SCHEDULED**

Meeting: 12/07/21 06:00 PM

Department: Beer Board

Category: Agreement

Prepared By: Penny Medlock

Department Head: Penny Medlock

BEER PERMIT APPLICATION

Crossing Lines Bartlett LLC, owned by Wendy McCrory at 2636 Lockesley Cove North, Germantown, Tenn. 38139 and Walter Goodman at 35138 Old Timber Road, Farmington Hills, Mich. 48331, has applied for an ON-Premises permit to sell beer at Gus's World Famous Fried Chicken located at 2943 N Germantown Pkwy, Bartlett, Tenn. 38133.

CITY OF BARTLETT MEMO

DATE: November 29, 2021
TO: The Bartlett Beer Board
FROM: Kristi R. Francavilla
SUBJECT: Beer Permit Application for Gus's World Famous Fried Chicken

Please find attached an **ON-Premises Beer Permit Application** for Gus's World Famous Fried Chicken located at 2943 N Germantown Pkwy, Bartlett, TN 38133. Supporting documentation can be found in this packet.

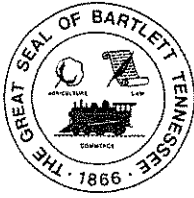
- Reason for new permit: New Owner
- Previous owner: Ayman F. Jibrin
- New owner/applicant: Crossing Lines Bartlett LLC (Wendy McCrory and Walter Goodman)
- Representative: Wendy McCrory
- Location previously sold beer: Yes
- Background check: Passed
- Distance Boundary: Passed
- Legal Notice: Bartlett Express, 11/11/2021 edition
- 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: Gus's World Famous Fried Chicken beer permit (3071 : Gus's World Famous Fried Chicken beer permit)

CONTENT AND ORDER OF ALL BEER PERMIT APPLICATIONS

- 1. AGENDA**
- 2. MEMO TO THE BARTLETT BEER BOARD**
- 3. LEGAL NOTICE**
- 4. APPLICATION**
- 5. OUR NOTICE TO THE NEWSPAPER**
- 6. POLICE BACKGROUND CHECK OF
APPLICANT (SIGNED)**
- 7. CODE ENFORCEMENT'S BOUNDARY REPORT
(SIGNED)**
- 8. MAP OF AREA**



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:

Crossing Lines Bartlett LLC, owned by Wendy McCrory
and Walter Goodman, has applied for an ON-Premises permit
to sell beer at Gus's World Famous Fried Chicken
located at 2943 N Germantown Pkwy, Bartlett, TN 38133.

The Bartlett Beer Board will meet at 6:00 p.m. on December 7, 2021
at the Bartlett City Hall, 6400 Stage Rd., Bartlett, TN, 38134 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.

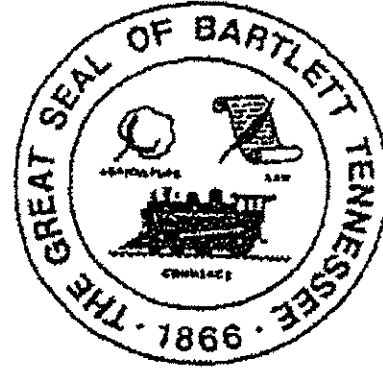
A. Keith McDonald
Mayor

Attachment: Gus's World Famous Fried Chicken beer permit (3071 : Gus's World Famous Fried Chicken beer permit)

APPLICATION OF BEER PERMIT
STATE OF TENNESSEE
CITY OF BARTLETT

Application for (check one):

- ☒ ON-PREMISES PERMIT
☐ 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. Reason for application:

☐ New Business ☒ New Ownership ☐ Other (please explain) _____

2. Print Full Name of applicant (owner):

Wendy Renee McGory

(Effective 7/1/2015, T.C.A. 57-5-103(a) requires all applicants to be a citizen or lawful resident of the United States for at least one year immediately preceding the date of applying for the permit. The City reserves the right to request documentation of such residency or citizenship during the review and approval process.)

Is applicant a(n) (check one):

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

3. Print address of applicant (owner):

2636 Lockesley Cove North
 Germantown TN 38139

4. 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
Wendy McCrosy	2636 Lockesley Cove N.		
Walter Goodman	35138 Old Timber Rd. Farmington Hills, MI 48331		

5. List all previous addresses (within last 10 years):

8746 Leighton Creek Cove Germantown TN 38138

6. Contact Telephone #: 901-567-5261 Cell #: 901-230-0636

7. Under what name will the business operate? ^{DBA} Gus's World Famous Fried Chicken

8. Street address location of the business:

Legal Name - Crossing Lines - Bartlett, LL

2943 N Germantown Pkwy
Bartlett TN 38133

9. Business Telephone #: 901-373-9111

Business Email Address: bradt@gusfriedchicken.com

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

Brad Turner, CFO
5828 Shelby Oaks Drive
Memphis TN 38134

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

Ayman Jibrin

3154 Brunswide Forest Circle W.

Bartlett, TN 38133

12. 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 yes, specify number _____. List the names of the restaurants or other businesses and describe their location (use additional sheet if necessary):

13. Give name, date of birth, SSN and address of all managers other than applicant:

14. 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 yes, give particulars of each charge, court, and date convicted:

15. 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 yes, specify where, when, and why:

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

Ayman Jibrin, Franchisee

3154 Brunswide Forest Circle W.

Bartlett, TN 38133

(The City of Bartlett has adopted Ordinance 8-313 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.)

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

One Church

3108 N. Germantown Pkwy

Bartlett, TN 38133

I am knowledgeable of the laws prohibiting the sale of beer to minors. I hereby certify that no person(s) having at least 5% ownership interest, nor any person(s) to be employed in the distribution or sale of beer in my establishment has(ve) 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.

I understand that by submitting this application, a background investigation shall be conducted on the applicant(s) and on all on-site managers who will be selling beer at the permitted establishment.

Wendy McCrosy

Print or type name of Applicant

[Signature]

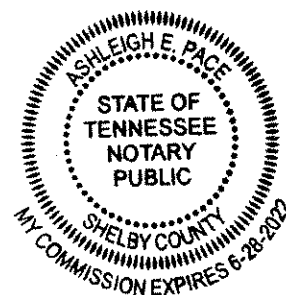
Signature of Applicant/Owner (or) Authorized Corporate Officer

Sworn and subscribed before me this 4th day of November, 20 21.

Ashleigh E Pace

Notary Public

My Commission Expires: 6/28/2022



NOTICE: Non-refundable fees of \$250.00 for the application and \$100 for the required legal notice must accompany this document. A \$100 privilege tax is also required, but will be refunded if the applicant is not approved. 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 \$250.00 250.00 DATE PAID: 11-4-21
 LEGAL NOTICE \$100.00 100.00 DATE PAID: 11-4-21
 PRIVILEGE TAX \$100.00 100.00 DATE PAID: 11-4-21 CK# 1100
 TOTAL PAID: 450.00

DATE APPLICATION SCHEDULED FOR BEER BOARD _____

APPROVED _____ DENIED _____

PLEASE COMPLETE THE ENTIRE APPLICATION, HAVE IT NOTARIZED AND RETURN ALONG WITH YOUR \$450.00 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 DELIVER YOUR APPLICATION TO THE FOLLOWING ADDRESS:

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

IF YOU HAVE ANY QUESTIONS, PLEASE CONTACT:

KRISTI R. FRANCAVILLA
 CITY OF BARTLETT FINANCE DEPT.
 901-385-6428

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

NAME: BRAD TURNER
 ADDRESS: 5828 SHELBY OAKS DR, MEMPHIS, TN 38134
 PHONE # 901-567-5261 CELL #: 901-268-8650

11/5/21
 11/4/21
 10851 #9
 10851 #9

AFFIDAVIT OF BEER PERMIT APPLICANT

STATE OF TENNESSEE:

COUNTY OF SHELBY:

I, Wendy McCrory, make oath and state that I comply with
[Print Your Name]

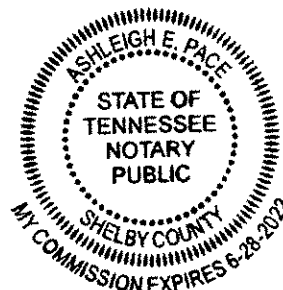
the requirements of Tennessee Code Annotated Section 57-5-108 (k) including but not limited to the following: I am not the original holder of the license, or any family member who could inherit from such individual under the statute of intestate succession, for a premise where a beer license has been revoked.

[Signature]
[Signature]

Sworn to and subscribed before me this 4th day of November, 2021.

Ashleigh E Pace
Notary Public

My Commission Expires: 6/28/2022



AUTHORIZATION TO RELEASE INFORMATION

TO WHOM IT MAY CONCERN:

I hereby authorize any individual acting on behalf of the Bartlett Tennessee Beer Board bearing this release, or copy thereof, to obtain any information in your files pertaining to my criminal history, personal history, or disciplinary records. I hereby direct you to release such information upon request of the bearer. This release is executed with full knowledge and understanding that the information is for the official use of the Bartlett Tennessee Beer Board. Consent is granted for the Bartlett Tennessee Beer Board to furnish such information, as is described above, to third parties in the course of fulfilling its official responsibilities. I hereby release you as the custodian of such records, the City of Bartlett, the Bartlett Beer Board or any individual acting on behalf of the City or the Beer Board, both individually and collectively, from any and all liability for damages of whatever kind, which may at any time result to me, my heirs, family or associates because of compliance with this authorization and request to release information, or any attempt to comply with it. Should there be any question as to the validity of the release, you may contact me as indicated below.

11/3/21
DATE

[Signature]
SIGNATURE

Full name (type or print):

Wendy Renee McCrory

Current home address:

2636 Lockesley Cove N.
Germanatown, TN 38139

Date of birth:

Social security number:

Home telephone number:

N/A

Business telephone number:

901-567-5261

Driver's license number:

_____ State: _____

Witness:

[Signature]
Signature

Brad Turner
Printed Name

Please include a clear photocopy of your driver's license with this form.

Attachment: Gus's World Famous Fried Chicken beer permit (3071 : Gus's World Famous Fried Chicken beer permit)

AFFIDAVIT OF BEER PERMIT APPLICANT

STATE OF TENNESSEE:

COUNTY OF SHELBY:

I, WALTER GOODMAN, make oath and state that I comply with
[Print Your Name]

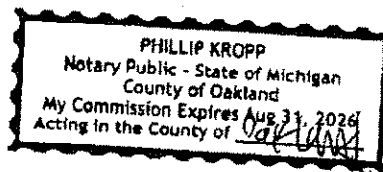
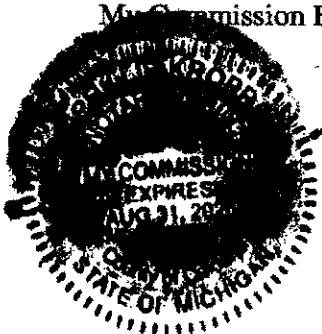
the requirements of Tennessee Code Annotated Section 57-5-108 (k) including but not limited to the following: I am not the original holder of the license, or any family member who could inherit from such individual under the statute of intestate succession, for a premise where a beer license has been revoked.

[Signature]
[Signature]

Sworn to and subscribed before me this 15th day of November, 2024.

[Signature]
Notary Public

My Commission Expires: August 31, 2026



AUTHORIZATION TO RELEASE INFORMATION**TO WHOM IT MAY CONCERN:**

I hereby authorize any individual acting on behalf of the Bartlett Tennessee Beer Board bearing this release, or copy thereof, to obtain any information in your files pertaining to my criminal history, personal history, or disciplinary records. I hereby direct you to release such information upon request of the bearer. This release is executed with full knowledge and understanding that the information is for the official use of the Bartlett Tennessee Beer Board. Consent is granted for the Bartlett Tennessee Beer Board to furnish such information, as is described above, to third parties in the course of fulfilling its official responsibilities. I hereby release you as the custodian of such records, the City of Bartlett, the Bartlett Beer Board or any individual acting on behalf of the City or the Beer Board, both individually and collectively, from any and all liability for damages of whatever kind, which may at any time result to me, my heirs, family or associates because of compliance with this authorization and request to release information, or any attempt to comply with it. Should there be any question as to the validity of the release, you may contact me as indicated below.

11/10/2021
 DATE

Walter Goodman
 SIGNATURE

Full name (type or print): WALTER GOODMAN

Current home address: 35138 Old Timber
Farmington Hills, MI 48331

Date of birth: 0-18-1955

Social security number: 386-60-8174

Home telephone number: 248-661-2084

Business telephone number: 313-686-1708

Driver's license number: G 355 866 044050 State: MI

Witness: Harriet Goodman
 Signature

Harriet Goodman
 Printed Name

Please include a clear photocopy of your driver's license with this form.

- Holiday closures -

CITY of LAKELAND

Lakeland City Hall will be closed on Thursday, November 11th, in observance of Veterans Day. Trash service will run a normal schedule on Thursday, November 11th, Veterans Day.



City of Bartlett
A. Keith McDonald, Mayor

Bartlett City Hall, Bartlett Library, Bartlett Station Municipal Center, City of Bartlett-Singleton Community Center, Bartlett Senior Center, Bartlett Performing Arts and Conference Center and the Bartlett Animal Shelter will be closed on Thursday, November 11 in observance of Veterans Day. Trash pick-up will NOT be affected for this week. The Bartlett Recreation Center will be opened regular hours on Thursday, November 11.

Special Announcements Are

FREE!

Share important milestones of you and your families' life with those in your community!

Engagements	Graduations	Military Service
Weddings	Retirements	Highlights
Anniversaries	Class Reunions	Church Events
Births	Family Reunions	Sports

Submit your special announcements today!

Email to denise@magicvalleypublishing.com
or stop by our office at

2850 Stage Village Cove, Ste 5 • 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:

Crossing Lines Bartlett LLC, owned by Wendy McCrory and Walter Goodman, has applied for an ON-Premises permit to sell beer at Gus's World Famous Fried Chicken located at 2943 N Germantown Pkwy, Bartlett, TN 38133.

The Bartlett Beer Board will meet at 6:00 p.m. on December 7, 2021 at the Bartlett City Hall, 6400 Stage Rd., Bartlett, TN, 38134 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 November 9, 2021
TO: Chief Cox
FROM: Kristi Francavilla
SUBJECT: Background Report

Please find attached a Beer Permit Application and Legal Notice for an ON-Premises Permit being presented to us by Wendy Renee McCrory for Crossing Lines Bartlett LLC dba Gus's World Famous Fried Chicken located at 2943 N. Germantown Parkway, 38133.

I have included information on the owners. Wendy Renee McCrory will represent the business at the Beer Board meeting at 6:00 pm on Tuesday, December 7, 2021.

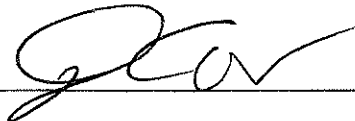
Please do your usual background check based on the attached application and return to me as soon as possible. Also please include your signature and whether approved or not approved.

Thank you very much for your help!

YES X Background check Has been approved.

NO _____ Background check Has Not been approved.

Signature _____



Attachment: Gus's World Famous Fried Chicken beer permit (3071 : Gus's World Famous Fried Chicken beer permit)

CITY OF BARTLETT MEMO

DATE November 9, 2021
TO: Jim Brown
FROM: Kristi Francavilla
SUBJECT: Boundary Report

Please find attached an ON-Premises Beer Permit Application being presented to us by Crossing Lines Bartlett LLC dba Gus's World Famous Fried Chicken located at 2943 N. Germantown Pkwy, Bartlett, TN 38133.

I would appreciate it if you would please check all the distance and boundaries as required by our city ordinances 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: Gus's World Famous Fried Chicken beer permit (3071 : Gus's World Famous Fried Chicken beer permit)

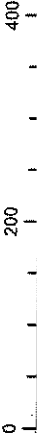
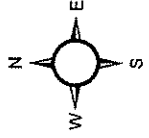
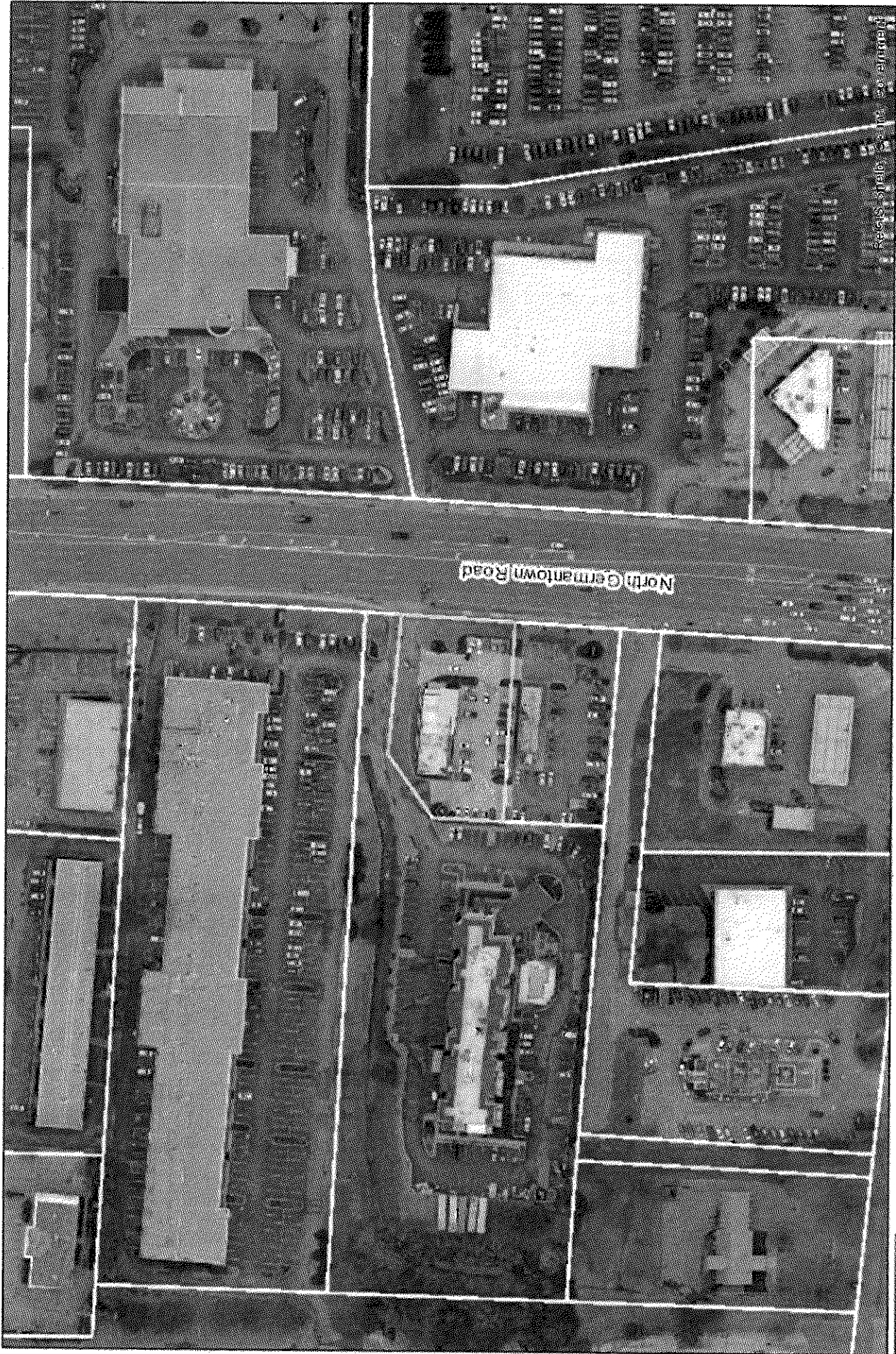
Melvin Burgess
Assessor Of Property
Shelby County Government

Property Location and Owner Information

Parcel ID	B0158 00626
Property Address	2943 GERMANTOWN RD
Municipal Jurisdiction	BARTLETT
Neighborhood Number	00603B55
Tax Map Page	104A
Land Square Footage	23087
Acres	0.53
Lot Dimensions	23263 SF 109 X 221
Subdivision Name	EQUITY INNS RESUBDIVISION LOT 2
Subdivision Lot Number	2-B
Plat Book and Page	171-34
Number of Improvements	1
Owner Name	WOLFLAKE IVNESTMENT GROUP LLC
In Care Of Owner Address	2943 N GERMANTOWN
Owner City/State/Zip	BARTLETT TN 38133

Appraisal and Assessment Information

Class	COMMERCIAL
Land Appraisal	\$407,100
Building Appraisal	\$460,500
Total Appraisal	\$867,600
Total Assessment	\$347,040
Greenbelt Land Appraisal	\$0
Homesite Land Appraisal	\$0
Homesite Building Appraisal	\$0
Greenbelt Appraisal	\$0
Greenbelt Assessment	\$0



**MELVIN BURGESS, ASSESSOR
SHELBY COUNTY, TENNESSEE**

DISCLAIMER: THIS MAP IS FOR PROPERTY ASSESSMENT PURPOSES ONLY. IT IS NOT CONCLUSIVE AS TO LOCATION OF PROPERTY OR LEGAL OWNERSHIP AND THEREFORE, SHOULD NOT BE RELIED UPON AS A REPRESENTATION OF ANY PROPERTY FOR ANY PURPOSE.

MAP DATE: November 9, 2021



Attachment: Gus's World Famous Fried Chicken beer permit (3071 : Gus's World Famous Fried Chicken beer permit)

**Beer Board****SCHEDULED**

Meeting: 12/07/21 06:00 PM

Department: Beer Board

Category: Agreement

Prepared By: Penny Medlock

Department Head: Penny Medlock

BEER PERMIT APPLICATION

Hometown Ventures LLC, owned by David M. Cook II and Emily N. Cook at 4021 North Tonya Marie Cove, Bartlett, Tenn. 38135; Harry David Reaves III and Stephanie G. Reaves at 4535 Merlins Woods Drive, Bartlett, Tenn. 38135; Jeffrey S. Jones and Jan H. Jones at 6103 Adina Cove, Bartlett, Tenn. 38135, has applied for an ON-Premises permit to sell beer at Side Porch Steakhouse located at 5689 Stage Road, Bartlett, Tenn. 38134.

CITY OF BARTLETT MEMO

DATE: November 29, 2021

TO: The Bartlett Beer Board

FROM: Kristi R. Francavilla

SUBJECT: Beer Permit Application for Side Porch Steakhouse

Please find attached an **ON-Premises Beer Permit Application** for Side Porch Steakhouse located at 5689 Stage Road, Bartlett, TN 38134. Supporting documentation can be found in this packet.

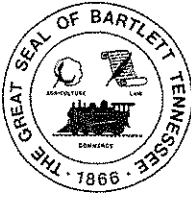
- Reason for new permit: New Owner
- Previous owner: Timothy and Cheryl Teel dba The Side Porch Steak House
- New owner/applicant: Hometown Ventures LLC (David M. Cook II, Emily N. Cook, Harry David Reaves III, Stephanie G. Reaves, Jeffrey S. Jones and Jan H. Jones)
- Representative: David Cook
- Location previously sold beer: Yes
- Background check: Passed
- Distance Boundary: Passed
- Legal Notice: Bartlett Express, 11/11/2021 edition
- 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: Side Porch Steakhouse beer permit (3072 : Side Porch Steakhouse beer permit)

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

- 1. AGENDA**
- 2. MEMO TO THE BARTLETT BEER BOARD**
- 3. LEGAL NOTICE**
- 4. APPLICATION**
- 5. OUR NOTICE TO THE NEWSPAPER**
- 6. POLICE BACKGROUND CHECK OF
APPLICANT (SIGNED)**
- 7. CODE ENFORCEMENT'S BOUNDARY REPORT
(SIGNED)**
- 8. MAP OF AREA**



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:

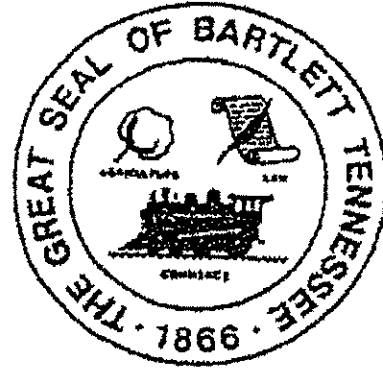
Hometown Ventures LLC, owned by David M. Cook II,
Emily N. Cook, Harry David Reaves III, Stephanie G. Reaves,
Jeffrey S. Jones and Jan H. Jones, has applied
for an ON-Premises permit to sell beer at Side Porch Steakhouse
located at 5689 Stage Road, Bartlett, TN 38134.

The Bartlett Beer Board will meet at 6:00 p.m. on December 7, 2021
at the Bartlett City Hall, 6400 Stage Rd., Bartlett, TN, 38134 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: Side Porch Steakhouse beer permit (3072 : Side Porch Steakhouse beer permit)

APPLICATION OF BEER PERMIT
STATE OF TENNESSEE
CITY OF BARTLETT



Application for (check one):

- ☒ ON-PREMISES PERMIT
☐ 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. Reason for application:

☐ New Business ☒ New Ownership ☐ Other (please explain) _____

2. Print Full Name of applicant (owner):

Hometown Ventures LLC

(Effective 7/1/2015, T.C.A. 57-5-103(a) requires all applicants to be a citizen or lawful resident of the United States for at least one year immediately preceding the date of applying for the permit. The City reserves the right to request documentation of such residency or citizenship during the review and approval process.)

Is applicant a(n) (check one):

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

3. Print address of applicant (owner):

5689 Stage Rd.
Bartlett, TN 38134

4. 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):

<u>NAME</u>	<u>ADDRESS</u>	<u>DATE OF BIRTH</u>	<u>SSN</u>
David M. Cook Jr	4021 N Tonya Marie Cr		
Emily N. Cook	4021 N Tonya Marie Cr		
Harry David Reaves III	4535 Merlins Woods Dr.		
Stephanie G. Reaves	4535 Merlins Woods Dr.		
Jeffrey S. Jones	6103 Adina Cv.		
Jan H. Jones	6103 Adina Cv.		

5. List all previous addresses (within last 10 years):

Cook - 10+ years

Jones - 3943 Oak Forest Dr.

Reaves - 3888 Regency Oaks Dr.

6. Contact Telephone #: 901-937-0070 Cell #: 901-289-5375

7. Under what name will the business operate? Side Porch Steakhouse

8. Street address location of the business:
5689 Stage Rd

9. Business Telephone #: 901-377-2484

Business Email Address:

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

David Cook - member/owner
5689 Stage Rd.
Bartlett, TN 38134

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

12. 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 yes, specify number _____. List the names of the restaurants or other businesses and describe their location (use additional sheet if necessary):

13. Give name, date of birth, SSN and address of all managers other than applicant:

14. 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 yes, give particulars of each charge, court, and date convicted:

15. 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 yes, specify where, when, and why:

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

Tim Teel - Side Porch Steak House LLC - not related - former owner - 5689 Stage Rd

(The City of Bartlett has adopted Ordinance 8-313 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.)

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

Bartlett United Methodist Church

5676 Stage Rd.

Bartlett, TN 38134

I am knowledgeable of the laws prohibiting the sale of beer to minors. I hereby certify that no person(s) having at least 5% ownership interest, nor any person(s) to be employed in the distribution or sale of beer in my establishment has(ve) 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.

I understand that by submitting this application, a background investigation shall be conducted on the applicant(s) and on all on-site managers who will be selling beer at the permitted establishment.

David M. Cook II

Print or type name of Applicant

David M. Cook II

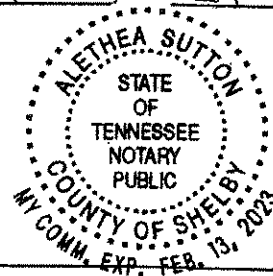
Signature of Applicant/Owner (or) Authorized Corporate Officer

Sworn and subscribed before me this 28th day of Oct, 2021.

Alethea Sutton

Notary Public

My Commission Expires: Feb. 13, 2023



NOTICE: Non-refundable fees of \$250.00 for the application and \$100 for the required legal notice must accompany this document. A \$100 privilege tax is also required, but will be refunded if the applicant is not approved. 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 \$250.00 250.00 DATE PAID: 10/28/21
 LEGAL NOTICE \$100.00 100.00 DATE PAID: 10/28/21
 PRIVILEGE TAX \$100.00 100.00 DATE PAID: 10/28/21

TOTAL PAID: \$450.00 OK #107

DATE APPLICATION SCHEDULED FOR BEER BOARD _____

APPROVED _____ DENIED _____

PLEASE COMPLETE THE ENTIRE APPLICATION, HAVE IT NOTARIZED AND RETURN ALONG WITH YOUR \$450.00 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 DELIVER YOUR APPLICATION TO THE FOLLOWING ADDRESS:

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

IF YOU HAVE ANY QUESTIONS, PLEASE CONTACT:

KRISTI R. FRANCAVILLA
 CITY OF BARTLETT FINANCE DEPT.
 901-385-6428

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

NAME: David M. Cook II

ADDRESS: 5689 Stage Rd.

PHONE # 901-937-0070 CELL #: 901-289-5375

AFFIDAVIT OF BEER PERMIT APPLICANT

STATE OF TENNESSEE:

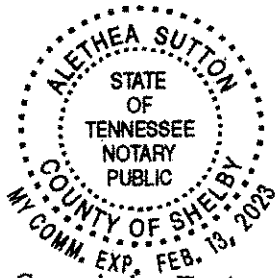
COUNTY OF SHELBY:

I, David M. Cook II, make oath and state that I comply with
[Print Your Name]

the requirements of Tennessee Code Annotated Section 57-5-108 (k) including but not limited to the following: I am not the original holder of the license, or any family member who could inherit from such individual under the statute of intestate succession, for a premise where a beer license has been revoked.

David M Cook II
[Signature]

Sworn to and subscribed before me this 28th day of Oct, 2021.



Alethea Sutton
Notary Public

My Commission Expires: Feb. 13, 2023

Attachment: Side Porch Steakhouse beer permit (3072 : Side Porch Steakhouse beer permit)

AUTHORIZATION TO RELEASE INFORMATION

TO WHOM IT MAY CONCERN:

I hereby authorize any individual acting on behalf of the Bartlett Tennessee Beer Board bearing this release, or copy thereof, to obtain any information in your files pertaining to my criminal history, personal history, or disciplinary records. I hereby direct you to release such information upon request of the bearer. This release is executed with full knowledge and understanding that the information is for the official use of the Bartlett Tennessee Beer Board. Consent is granted for the Bartlett Tennessee Beer Board to furnish such information, as is described above, to third parties in the course of fulfilling its official responsibilities. I hereby release you as the custodian of such records, the City of Bartlett, the Bartlett Beer Board or any individual acting on behalf of the City or the Beer Board, both individually and collectively, from any and all liability for damages of whatever kind, which may at any time result to me, my heirs, family or associates because of compliance with this authorization and request to release information, or any attempt to comply with it. Should there be any question as to the validity of the release, you may contact me as indicated below.

10/26/2021
DATE

David M Cook II
SIGNATURE

Full name (type or print):

David M. Cook II

Current home address:

4021 N Tonya Marie Ct
Bartlett, TN 38135

Date of birth:

Social security number:

Home telephone number:

901-937-0070

Business telephone number:

901-495-6727

Driver's license number:

 State: TN

Witness: Emily A Cook
Signature

Emily N Cook
Printed Name

Please include a clear photocopy of your driver's license with this form.

Attachment: Side Porch Steakhouse beer permit (3072 : Side Porch Steakhouse beer permit)

AFFIDAVIT OF BEER PERMIT APPLICANT

STATE OF TENNESSEE:

COUNTY OF SHELBY:

I, Emily N Cook, make oath and state that I comply with
[Print Your Name]

the requirements of Tennessee Code Annotated Section 57-5-108 (k) including but not limited to the following: I am not the original holder of the license, or any family member who could inherit from such individual under the statute of intestate succession, for a premise where a beer license has been revoked.

Emily N Cook
[Signature]

Sworn to and subscribed before me this 9 day of November, 2021.

Ava MacFerran
Notary Public



Attachment: Side Porch Steakhouse beer permit (3072 : Side Porch Steakhouse beer permit)

AUTHORIZATION TO RELEASE INFORMATION

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10/26/21
DATE

Emily N Cook
SIGNATURE

Full name (type or print):

Emily N Cook

Current home address:

4021 N Tonya Marie Cv
Bartlett, TN 38135

Date of birth:

Social security number:

Home telephone number:

901-937-0070

Business telephone number:

cell 901-292-7372

Driver's license number:

_____ State: TN

Witness: David M Cook II David M. Cook II
Signature Printed Name

Please include a clear photocopy of your driver's license with this form.

Attachment: Side Porch Steakhouse beer permit (3072 : Side Porch Steakhouse beer permit)

AFFIDAVIT OF BEER PERMIT APPLICANT

STATE OF TENNESSEE:

COUNTY OF SHELBY:

I, Harry David Rogers III make oath and state that I comply with
[Print Your Name]

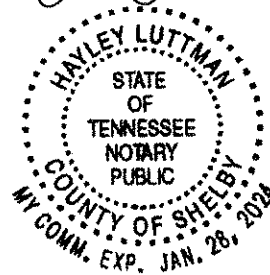
the requirements of Tennessee Code Annotated Section 57-5-108 (k) including but not limited to the following: I am not the original holder of the license, or any family member who could inherit from such individual under the statute of intestate succession, for a premise where a beer license has been revoked.

[Signature]

Sworn to and subscribed before me this 9th day of November, 2021.

Hayley Luttman
Notary Public

My Commission Expires: 1/28/24



Attachment: Side Porch Steakhouse beer permit (3072 : Side Porch Steakhouse beer permit)

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DATE

10/27/21

SIGNATURE

[Signature]

Full name (type or print):

Harry David Reaves III

Current home address:

4534 Mellins Woods Dr.
Bartlett TN 38135

Date of birth: _____

Social security number: _____

Home telephone number:

901-598-1458

Business telephone number:

901-598-1458

Driver's license number: _____

State: TN

Witness:

[Signature]
SignatureMichael Moore

Printed Name

Please include a clear photocopy of your driver's license with this form.

Attachment: Side Porch Steakhouse beer permit (3072 : Side Porch Steakhouse beer permit)

AFFIDAVIT OF BEER PERMIT APPLICANT

STATE OF TENNESSEE:

COUNTY OF SHELBY:

I, Stephanie Reaves, make oath and state that I comply with
[Print Your Name]

the requirements of Tennessee Code Annotated Section 57-5-108 (k) including but not limited to the following: I am not the original holder of the license, or any family member who could inherit from such individual under the statute of intestate succession, for a premise where a beer license has been revoked.

Stephanie Reaves

[Signature]

Sworn to and subscribed before me this 9th day of November, 2021.



My Commission Expires:

Ava MacFerran

Notary Public

Attachment: Side Porch Steakhouse beer permit (3072 : Side Porch Steakhouse beer permit)

AUTHORIZATION TO RELEASE INFORMATION

TO WHOM IT MAY CONCERN:

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10-26-21
DATE

Stephanie Reaves
SIGNATURE

Full name (type or print):

Stephanie Reaves

Current home address:

4535 Merlins Woods Dr.
Bartlett, TN 38135

Date of birth: _____

Social security number: _____

Home telephone number: _____

(901) 266-0943

Business telephone number: _____

Driver's license number: _____

State: TN

Witness:

Signature

Printed Name

Please include a clear photocopy of your driver's license with this form.

Attachment: Side Porch Steakhouse beer permit (3072 : Side Porch Steakhouse beer permit)

AFFIDAVIT OF BEER PERMIT APPLICANT

STATE OF TENNESSEE:

COUNTY OF SHELBY:

I, Jeffrey S Jones, make oath and state that I comply with
[Print Your Name]

the requirements of Tennessee Code Annotated Section 57-5-108 (k) including but not limited to the following: I am not the original holder of the license, or any family member who could inherit from such individual under the statute of intestate succession, for a premise where a beer license has been revoked.

[Signature]

Sworn to and subscribed before me this 9th day of November, 2021.



Ava MacFerran
Notary Public

Attachment: Side Porch Steakhouse beer permit (3072 : Side Porch Steakhouse beer permit)

AUTHORIZATION TO RELEASE INFORMATION

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10-26-21
DATE

Jeffrey S Jones
SIGNATURE

Full name (type or print):

Jeffrey Scott Jones

Current home address:

6103 Adina Cove
Bartlett, TN 38135

Date of birth:

Social security number:

Home telephone number:

901-386-1269

Business telephone number:

901-377-4416

Driver's license number:

_____ State: TN

Witness:

Jan Jones
Signature

Jan Jones
Printed Name

Please include a clear photocopy of your driver's license with this form.

Attachment: Side Porch Steakhouse beer permit (3072 : Side Porch Steakhouse beer permit)

AFFIDAVIT OF BEER PERMIT APPLICANT

STATE OF TENNESSEE:

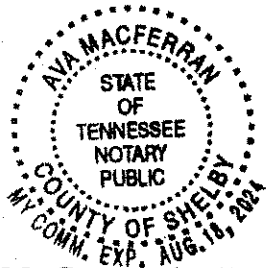
COUNTY OF SHELBY:

I, Jan Jones, make oath and state that I comply with
[Print Your Name]

the requirements of Tennessee Code Annotated Section 57-5-108 (k) including but not limited to the following: I am not the original holder of the license, or any family member who could inherit from such individual under the statute of intestate succession, for a premise where a beer license has been revoked.

Jan H. Jones
[Signature]

Sworn to and subscribed before me this 9th day of November, 2021.



Ava MacFerran
Notary Public

My Commission Expires:

Attachment: Side Porch Steakhouse beer permit (3072 : Side Porch Steakhouse beer permit)

AUTHORIZATION TO RELEASE INFORMATION

TO WHOM IT MAY CONCERN:

I hereby authorize any individual acting on behalf of the Bartlett Tennessee Beer Board bearing this release, or copy thereof, to obtain any information in your files pertaining to my criminal history, personal history, or disciplinary records. I hereby direct you to release such information upon request of the bearer. This release is executed with full knowledge and understanding that the information is for the official use of the Bartlett Tennessee Beer Board. Consent is granted for the Bartlett Tennessee Beer Board to furnish such information, as is described above, to third parties in the course of fulfilling its official responsibilities. I hereby release you as the custodian of such records, the City of Bartlett, the Bartlett Beer Board or any individual acting on behalf of the City or the Beer Board, both individually and collectively, from any and all liability for damages of whatever kind, which may at any time result to me, my heirs, family or associates because of compliance with this authorization and request to release information, or any attempt to comply with it. Should there be any question as to the validity of the release, you may contact me as indicated below.

10-26-21
DATE

Jan H. Jones
SIGNATURE

Full name (type or print):

Rebecca Jan Holden Jones

Current home address:

6103 Adina Cove
Bartlett, TN 38135

Date of birth:

Social security number:

Home telephone number:

901 484-4416

Business telephone number:

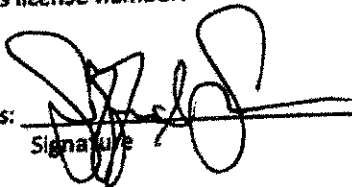
901 377-2484

Driver's license number:

State: TN

Witness:

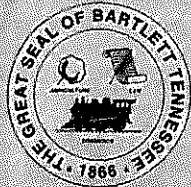
Signature



Jeffrey S. Jones
Printed Name

Please include a clear photocopy of your driver's license with this form.

Attachment: Side Porch Steakhouse beer permit (3072 : Side Porch Steakhouse beer permit)



NOTICE OF PUBLIC HEARING

3.2.a

Pursuant to the requirements of the State of Tennessee and Ordinances of the City of Bartlett, Tennessee, the following is published and made known to all interested persons: The Bartlett Planning Commission will meet on Monday, November 29, 2021 at 7:00 p.m. to consider the following:

Keith Grant, Grant & Company, LLC, is requesting approval of a Special Use Permit to allow for a Mixed Use Development to be located at 6896 Highway 70. This property is in the "O-R-1" Neighborhood Office Zoning District and requires approval of a Special Use Permit for Mixed Development use.

Any citizen who may wish to appear and testify either for or against this resolution will be heard. A copy of this proposal may be seen in the Planning Office at Bartlett City Hall Annex, 6382 Stage Road, weekdays between 8:00 a.m. and 5:00 p.m. Comments may be addressed to the attention of Director Kim Taylor, Bartlett City Hall Annex, 6382 Stage Road, Bartlett, Tennessee, 38134, and are to be received no later than 11:00 a.m. Monday, November 29, 2021.

A. Keith McDonald
Mayor



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:

Hometown Ventures LLC, owned by David M. Cook II, Emily N. Cook, Harry David Reaves III, Stephanie G. Reaves, Jeffrey S. Jones and Jan H. Jones, has applied for an ON-Premises permit to sell beer at Side Porch Steakhouse located at 5689 Stage Road, Bartlett, TN 38134.

The Bartlett Beer Board will meet at 6:00 p.m. on December 7, 2021 at the Bartlett City Hall, 6400 Stage Rd., Bartlett, TN, 38134 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

GET THE PAPER!

433-9138



Attachment: Side Porch Steakhouse beer permit (3072 : Side Porch Steakhouse beer permit)

I believe the moral prerequisite for solving the deepest problems this country and the world now

For all your Heating, Air Conditioning and Indoor Air Quality Needs!
SERVICES EXPERTS
HEATING & AIR CONDITIONING

CITY OF BARTLETT MEMO

DATE November 8, 2021

TO: Jim Brown

FROM: Kristi Francavilla

SUBJECT: Boundary Report

Please find attached an ON-Premises Beer Permit Application being presented to us by Hometown Ventures LLC for Side Porch Steakhouse located at 5689 Stage Road, Bartlett, TN 38134.

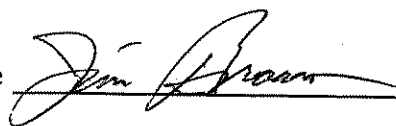
I would appreciate it if you would please check all the distance and boundaries as required by our city ordinances and mark the appropriate Yes or No line and return with your signature as soon as possible.

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

 11-12-21

Attachment: Side Porch Steakhouse beer permit (3072 : Side Porch Steakhouse beer permit)

Melvin Burgess
Assessor Of Property
Shelby County Government

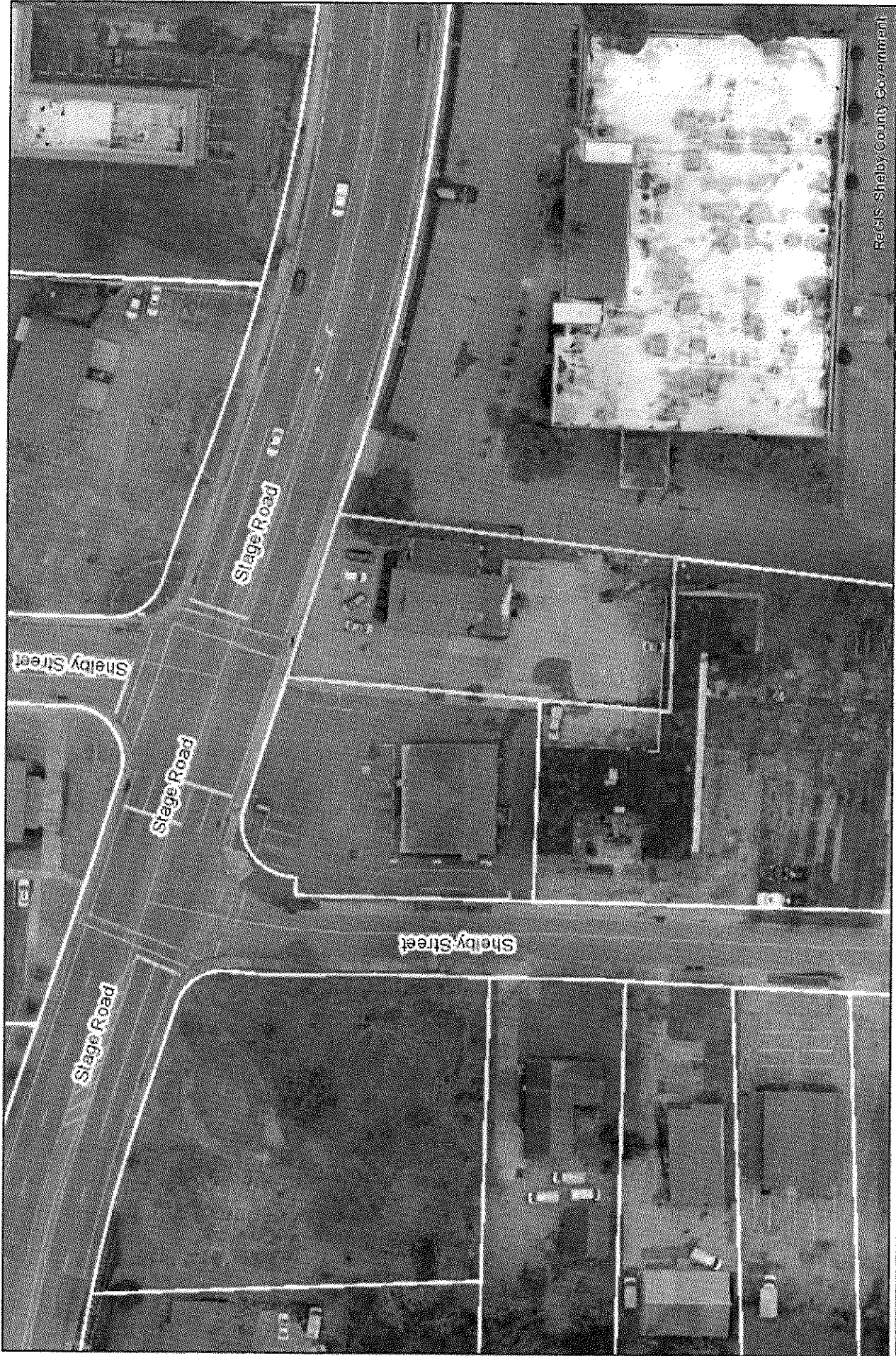
Property Location and Owner Information

Parcel ID	B0156 00331
Property Address	5689 STAGE RD
Municipal Jurisdiction	BARTLETT
Neighborhood Number	00602E52
Tax Map Page	106B
Land Square Footage	18208
Acres	0.418
Lot Dimensions	95/87X212.45/189.5
Subdivision Name	POLK
Subdivision Lot Number	
Plat Book and Page	
Number of Improvements	1
Owner Name	HOMETOWN VENTURES LLC
In Care Of Owner Address	5689 STAGE
Owner City/State/Zip	BARTLETT TN 38134

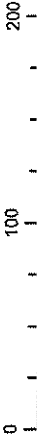
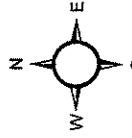
Attachment: Side Porch Steakhouse beer permit (3072 : Side Porch Steakhouse beer permit)

Appraisal and Assessment Information

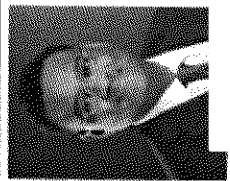
Class	COMMERCIAL
Land Appraisal	\$73,000
Building Appraisal	\$190,200
Total Appraisal	\$263,200
Total Assessment	\$105,280
Greenbelt Land Appraisal	\$0
Homesite Land Appraisal	\$0
Homesite Building Appraisal	\$0
Greenbelt Appraisal	\$0
Greenbelt Assessment	\$0



Rec'd Shelby County Government



**MELVIN BURGESS, ASSESSOR
SHELBY COUNTY, TENNESSEE**



DISCLAIMER: THIS MAP IS FOR PROPERTY ASSESSMENT PURPOSES ONLY. IT IS NOT CONCLUSIVE AS TO LOCATION OF PROPERTY OR LEGAL OWNERSHIP AND THEREFORE, SHOULD NOT BE RELIED UPON AS A REPRESENTATION OF ANY PROPERTY FOR ANY PURPOSE.

MAP DATE: November 8, 2021

Attachment: Side Porch Steakhouse beer permit (3072 : Side Porch Steakhouse beer permit)

**Beer Board****SCHEDULED****BEER AGENDA ITEM (ID # 3069)**

Meeting: 12/07/21 06:00 PM

Department: Beer Board

Category: Presentation

Prepared By: Penny Medlock

Initiator: Penny Medlock

Sponsors:

DOC ID: 3069

Los Pilares of Bartlett, 6249 Stage Road

Underage operative's birthdate: December 17, 2001

Underage operative's age during sting: 19 years old

Business: Los Pilares of Bartlett

Permit holder: Pedro Ruiz

Permit held since February 2005

Employee who allegedly sold to a minor: Citlalxochitl Gonzalez Vicuna

Vicuna's age at time of sting: 46 years old

Alcohol sold: Bud Light, 12 oz.

Defendant's plea: Waiver of hearing submitted. Case not disposed.

First violation - September 23, 2021



TENNESSEE ALCOHOLIC BEVERAGE COMMISSION
500 James Robertson Pkwy, Davy Crockett Twr. 3rd Floor, Nashville, TN 37243-0755 PHONE: (615) 741-1602

35750

REGULATORY CITATION



THE NUMBER OF VIOLATIONS ON THIS REGULATORY CITATIONS IS (TOTAL) = 1 (MAX. 5)

THE UNDERSIGNED BEING DULY SWORN UPON HIS/HER OATH DEPOSES THAT:

ON THE 23 DAY OF Sept., 20 21

PERMITEE: Los Pilares

ADDRESS: 6249 Stage rd

CITY: Bartlett

TN COUNTY: Shelby

ZIP: 38124

PHONE: 901-377-8338

PERMIT NUMBER: LBDP 1514

EXPIRATION DATE: 5-22-22

1800171

AFORESAID DID THEN AND THERE COMMIT THE FOLLOWING OFFENSE(S):

No. of Counts

☒

Sale of Alcoholic Beverage/Beer to Minor
TCA§ 57-4-203(b)(1)(A) or (B); 57-3-406(d)

☐

Failure to Properly Display Permit in a Conspicuous Place
TABC Rule #0100-1-03(17)

☐

Other _____

☐

Other _____

No. of Counts

☒

Employing Persons to Dispense Alcoholic Beverages W/O
a Permit TCA§ 57-4-203(h); 57-3-204(4)(c)

☐

Failure to Timely Renew TCA§57-3-605 (Non-Resident);
57-3-213(a)(b) (Retail); (Winery or Direct Shipper);
57-4-201(a) (LBD) - (Circle One)

☐

Other _____

☐

Other _____

NARRATIVE:

Civilian victim of a violent crime, 1202 Bartlett light
to a 19 year old cooperating individual with the police during
a visit to the checked in address by the police.
Went to the bar Los Pilares 10-11 PM + 10-20-21

The undersigned further states that he/she has just and reasonable grounds to believe and does believe that the person establishment named above committed the offense(s) herein set forth, contrary to law and/or Rule. This 23 day of Sept, 20 21

SPECIAL AGENT REGULATORY OFFICER/ISSUING PERSONNEL

NOTICE: This Regulatory Citation imposes a total civil penalty in the amount of \$ 1000.00. If you choose to settle this Regulatory Citation without contesting the alleged violation(s), you are **REQUIRED** to pay the total civil penalty amount no later than twenty (20) calendar days from the citation date listed above. If you wish to contest this Regulatory Citation and the violation(s) contained therein you may do so by contacting ABC by phone at 615-741-1602 or by mail at the following address: 500 James Robertson Pkwy, Davy Crockett Tower, 3rd Floor, Nashville, TN 37243-0755, within 20 calendar days of receipt. This citation can only be satisfied by admitting to the violation and making payment, or by requesting a hearing by phone or mail. Failing to satisfy this citation may result in administrative penalties and/or costs being assessed against you, including the suspension and/or revocation of your TABC permit.

I understand the above notice, and my signature below is an acknowledgment of my understanding, and not an admission of guilt.

Signature of Recipient/Authorized Agent of Permittee

Date

Recipient's Name and Title (PRINT)

IF MAILED: Date Mailed:

Mailed by: Initials

Printed Name

PAYMENT INSTRUCTIONS:

PAY ONLINE AT: <https://paydirect.link2gov.com/TNABC>. Use Citation Number at top for Payment Reference Number. Please DO NOT mail checks, or ANY other type of payment to the TABC. By submitting your payment on-line at the above website, you are agreeing to settle this TABC Regulatory Citation with the admission of guilt as to the violation(s) noted above and the payment of the total civil penalty imposed, and hereby waive any and all rights to a TABC administrative hearing and/or appeals.



October 1, 2021

City of Bartlett Beer Board
6400 Stage Road
Bartlett, TN 38134

RE: Los Pilares of Bartlett, Inc. dba Los Pilares

Dear City of Bartlett Beer Board:

Pursuant to Tennessee Code Annotated sections 57-1-214, this letter is to inform you that the Tennessee Alcoholic Beverage Commission has suspended the liquor-by-the-drink license held by Los Pilares of Bartlett, Inc. dba Los Pilares, 6249 Stage Road, Bartlett, TN 38134, license number LBDRST-SHE-1800121. Enclosed you will find a copy of the citations issued by the TABC and the agreed order between the parties. If I can be of further assistance, do not hesitate to contact me directly at (615) 253-7288.

Sincerely,

A handwritten signature in black ink, appearing to be "RM" or similar initials, enclosed within a circular scribble.

Ryan Mercurio
Commission Counsel

STATE OF TENNESSEE
ALCOHOLIC BEVERAGE COMMISSION
DAVY CROCKETT TOWER
500 JAMES ROBERTSON PARKWAY
3RD FLOOR
NASHVILLE, TENNESSEE 37243-0755

IN THE MATTER OF:

TENNESSEE ALCOHOLIC BEVERAGE
COMMISSION,
Petitioner

v.

LOS PILARES OF BARTLETT, INC.
D/B/A LOS PILARES
6249 STAGE ROAD
BARTLETT, TENNESSEE 38134
LICENSE NO. LBDRST-SHE-1800121,
Respondent

RI 21-35750

AGREED ORDER

As evidenced by the signatures of counsel for the Tennessee Alcoholic Beverage Commission (TABC), Ryan Mercurio, and an agent for Respondent, it was determined that:

1. Respondent admits the TABC has jurisdiction over the matters herein contained.
2. Upon TABC investigation and report, TABC charged Respondent on September 23, 2021 in citation RI 21-35750 with selling, furnishing, disposing of, or giving an alcoholic beverage, beer, or malt beverage to a person under twenty-one years of age, in violation of Tennessee Code Annotated section 57-4-203(b)(1).
3. Respondent was previously cited on October 20, 2020, in citation RI 20-10771 with selling, furnishing, disposing of, or giving an alcoholic beverage, beer or malt beverage to a person under twenty-one years of age, in violation of Tennessee Code Annotated section 57-4-203(b)(1). Respondent paid a fine in resolution of that citation.

4. Respondent was also previously cited on December 11, 2019 in citation RI 19-10957 with selling, furnishing, disposing of, or giving an alcoholic beverage, beer or malt beverage to a person under twenty-one years of age, in violation of Tennessee Code Annotated section 57-4-203(b)(1). Respondent paid a fine in resolution of that citation.
5. Respondent hereby admits guilt to the violation alleged in citation RI 21-35750.
6. In resolution of citation RI 21-35750, Respondent agrees to a suspension of its TABC license for twenty (20) days, scheduled as follows:
 - a. The first suspension shall begin on Monday, October 4, 2021, at 12:01 a.m. and shall conclude on Wednesday, October 6, 2021, at 11:59 p.m.
 - b. The second suspension shall begin on Monday, October 11, 2021, at 12:01 a.m. and shall conclude on Wednesday, October 13, 2021, at 11:59 p.m.
 - c. The third suspension shall begin on Monday, October 18, 2021, at 12:01 a.m. and shall conclude on Wednesday, October 20, 2021, at 11:59 p.m.
 - d. The fourth suspension shall begin on Monday, October 25, 2021, at 12:01 a.m. and shall conclude on Wednesday, October 27, 2021, at 11:59 p.m.
 - e. The fifth suspension shall begin on Monday, November 1, 2021, at 12:01 a.m. and shall conclude on Wednesday, November 3, 2021, at 11:59 p.m.
 - f. The sixth suspension shall begin on Monday, November 8, 2021, at 12:01 a.m. and shall conclude on Wednesday, November 10, 2021, at 11:59 p.m.
 - g. The final suspension shall begin on Monday, November 15, 2021, at 12:01 a.m. and shall conclude on Tuesday, November 16, 2021, at 11:59 p.m.

7. Also, in resolution of citation RI 21-35750, Respondent agrees to pay a regulatory fine of ten thousand dollars (\$10,000), no later than the date of expiration of its current license, March 22, 2022.
8. On days of suspension, no sales of alcoholic beverages shall occur, no orders for alcoholic beverages shall be placed with wholesalers, and no deliveries of alcoholic beverages shall be accepted. The term “alcoholic beverages” is used in this paragraph as it is defined at Tennessee Code Annotated section 57-4-102(1).
9. Respondent agrees that the finding of a violation of the terms of this Agreed Order, after any appropriate hearing or proceeding, shall result in the revocation of the license.
10. This Agreed Order serves as notice that the violation will be used to enhance the penalty in any future proceedings on other violations.
11. As to citation RI 21-35750, Respondent waives all rights to a hearing and appeal under the provisions of the Uniform Administrative Procedures Act at Tennessee Code Annotated sections 4-5-101 *et seq.* and Title 57 of the Tennessee Code Annotated.

It is therefore ordered that the settlement of this matter is by consent without having afforded either party the opportunity for a contested case hearing held pursuant to the Tennessee Uniform Administrative Procedures Act.

(SIGNATURE PAGE FOLLOWS)

Entered into this 29 day of SEPTEMBER, 2021.

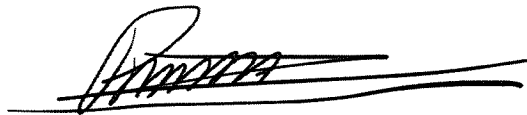
Approved for entry by:



Ryan Mercurio, BPR #36874
Assistant Counsel
Tennessee Alcoholic Beverage Commission
Davy Crockett Tower, 3rd Floor
500 James Robertson Parkway
Nashville, Tennessee 37243

Pedro Ruiz OWNER

Agent for Respondent (please print name, position, and sign)



Attachment: TABC, Los Pilares (3069 : Los Pilares of Bartlett Violation)

**WAIVER OF HEARING ON THE ISSUE OF LIABILITY
FOR THE SALE OF BEER TO A MINOR**

I, Pedro Ruiz, as the permit holder or the duly authorized
(Print your name)

representative of Los Pilares of Bartlett located at 6249 Stage Rd
Name of business/permittee Address of business/permittee

with Beer Permit Number 3676, accept the facts as set forth in the attached Police Report

and admit that an employee of Los Pilares of Bartlett sold beer to a minor as set
Name of business/permittee

set forth in the attached Police Report.

I understand that, by signing this document:

- 1) I am admitting that the cited Bartlett Beer Ordinance violation(s) occurred as set forth in the attached Police Report;
- 2) The Bartlett Beer Board will decide what sanctions, if any, it will impose as to said Ordinance violation(s) solely upon this admission and the written record, without the need for any live testimony;
- 3) I am waiving on behalf of Los Pilares of Bartlett the right to appeal the facts of the
Name of business/permittee
the cited Ordinance violation and the finding of the Bartlett Beer Board as to the issue of liability as to the admitted violation(s);
- 4) A representative of _____ is required to appear before the Bartlett
Name of business/permittee
Beer Board for a determination as to the appropriate sanctions, if any, for the admitted Bartlett Beer Ordinance violation(s); and
- 5) I am not waiving on behalf of Los Pilares of Bartlett the right to appeal the
Name of business/permittee
sanctions imposed by the Bartlett Beer Board as to the admitted Ordinance violation(s).

Signed under the pains and penalties of perjury this 18 day of November, 20 21.

Signed: _____

Attachment: Waiver of Hearing, Los Pilares (3069 : Los Pilares of Bartlett Violation)

Print Name: Pedro Ruiz

Title: President

STATE OF TENNESSEE

COUNTY OF SHELBY

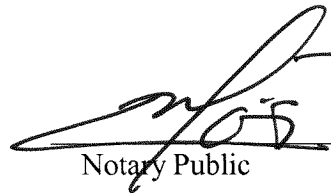
On this 18 day of November 2021, before me, the undersigned person appeared

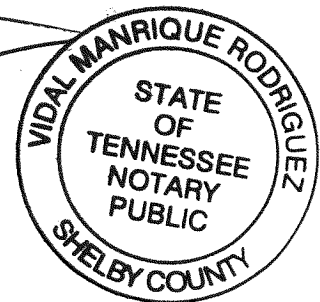
Pedro Ruiz, with whom I am personally acquainted and who, upon oath, acknowledged
(Name)

himself/herself to be the President of Los Pilares of Bartlett
Title Name of business/permittee

and that as such President, being authorized to do so, he/she executed the foregoing Waiver
Title

for the purpose contained therein by signing the name of the business by himself/herself as President
Title


Notary Public



My commission expires: 02/23/2025