

## **Beer Board Meeting Minutes**

The Shelbyville Beer Board met in regular session on Wednesday, September 14, 2016 at the City Hall Annex Courtroom, 109 Lane Parkway. Vice Chairman York called the meeting to order at 6:00pm. Roll was called and the following were present: Member Fisher, Member Finney, Member Hughes and Vice Chairman York. Chairman Reeves was absent. Also present were City Attorney Ginger B. Shofner, Deputy Police Chief Rogers and City Recorder Anna Mai.

The first item was approval of the Agenda. Vice Chairman York made a motion to amend and move the new business to be first on the agenda, Member Fisher seconded and the motion carried unanimously by oral vote.

Next was the approval of the minutes of August 10, 2016. Member Hughes made a motion to accept and Member Fisher seconded with the amendment to fix the time of adjournment to be 7:15pm not 6:15pm. Motion carried unanimously by oral vote.

**New Business** was first.

The first item for discussion was Consideration of an application to sell beer (consume) by Las Palmas, Abundio Garcia, 503 South Cannon Blvd Shelbyville, TN 37160 (Deferred from August). Mr. Garcia came before the Board and was sworn in by City Recorder Anna Mai. Vice Chairman York asked Mr. Garcia if he had heard anything about his Green Card. Mr. Garcia stated that he had not, that he had contacted his attorney and was told it was being worked on and to stay in contact. Mr. Garcia then asked if he could give his attorney a contact person to which City Recorder Mai provided her information. Member Fisher made a motion to defer the application one more month to the October 12<sup>th</sup> meeting, Member Finney seconded and the motion carried unanimously by oral vote.

Next was the Consideration of an application to sell beer (package) by Shaileshkumar Rasikbhai Patel, Matru Devo, Inc. T&M Market 430 E Depot St, Shelbyville, TN 37160. Mr. Shaileshkumar Patel and Mr. Devendra Patel came before the Board, identified themselves for the record and were sworn in by City Recorder Mai. City Attorney confirmed that the applicants were the owners of the corporation of Matru Devo, Inc. Vice Chairman York proceeded to go over the following checklist with the applicants:

1. Have you received and reviewed a copy of the Beer Rules? Yes-both
2. Do you understand the Rules of which you have read? Yes-both
3. Do you have questions of any of the rules listed? Yes, asked what hours beer could be sold on Sundays. Deputy Chief Rogers told them 12:00pm to 3:00am.
4. Have you received a copy of the Ordinance? Yes-both
5. Do you have any questions in regards to the Ordinance? No-both
6. Have you ever held a beer permit before in the City of Shelbyville or any other jurisdiction? No

7. Please describe your experience if any with beer sales. Mr. Shaileshkumar Patel explained that he had worked at the Chally Wally in Shelbyville for 9 years. Vice Chairman York inquired if he was an owner there and he stated no.
8. Do you understand underage sale of alcohol to minors is a violation of the law? Yes
9. Briefly describe your business establishment. Mr. Shaileshkumar Patel explained it was a gas station.
10. Do you have any questions for the Board? No

With no further comments or questions by the Board Member Fisher made a motion to approve the permit, Member Finney seconded and the motion carried unanimously by oral vote.


**Old Business** was next on the agenda.

Under Old Business was Review and Discussion of Beer Board Policies and Procedures including fee structure for offenses and Consideration of a Motion to take action on Beer Board Policies and Procedures. City Attorney Shofner passed out a Progressive Discipline Policy that she had prepared mirroring the policy of the City of Kingsport, TN with a cheat sheet on the last page to summarize the policy. There was extensive discussion on this item in regards to suspension time frames, fines imposed, responsible vendor. It was the consensus of the Board that for those people who are not on the State's Responsible Vendor program that for the first offense of sales to a minor there is a fine of \$2,500 or a 15 day suspension, for second offense automatic 15 day suspension with no option to pay a fine and for the third offense an automatic 30 day suspension with no option to pay a fine. This fine schedule would be based upon a rolling 36 month time frame. Lastly for a 2<sup>nd</sup> offense within a 12 month period of sales to a minor that the permit could be revoked. City Attorney Shofner stated that she would make the requested modifications and would present to the Board to vote at the next meeting. The Board thanked Attorney Shofner for all of the work that she had done on this.


For **Staff Reports** City Recorder Mai reported that Mr. Abulaban has moved out of his location that the landlords of that location had come to see her and at that time let her know he had moved out. It was also reported that all fines collected go into the City's General Fund, and that there had been some inquiry about moving the date of the Beer Board meeting to another day during the month and that the second and third Tuesdays would be a possibility. It was consensus of the Board to have that put on the agenda for the October meeting to vote. Finally Recorder Mai reported that she had started work on a Beer Permit "database", basically a listing of permit holders back into the 1990's for reference. It was also discussed that at the next meeting there should be a vote for Chairman and Vice Chairman.

There being no further business Member Finney made a motion to approve, Member Hughes seconded and the meeting adjourned at approx. 7:04pm.

Approved:

  
Vice Chairman Melissa York

Attest:

  
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City Recorder Anna Mai