

**MINUTES OF SPECIAL CALLED MEETING
GOODLETTSVILLE BEER BOARD**

Date: June 19, 2007
Time: 2:00 PM
Place: City Hall Auditorium

Board members present were Chairman Randall Hall, Walter Slater, Mark Allison and Karl Nixon. Board member Jack Hunnicutt was absent. City staff members present were City Manager Jim Thomas, City Recorder Claudia Davis, Deputy Chief Richard Pope, Police Chief Terry Hutcherson, Sergeant Charlie Morrow and Officer Donald Thornton. Also present was Mark Oeser, Jennifer Boyd, Ming Yun Dong, Zhong Z. Zhuo, Vinson Stanley, Wanda Rochelle, Chris Raybeck,

The meeting was called to order by Chairman Randall Hall.

Consider request of Bailey's Sports Grille, 786 Rivergate Parkway #12 for approval of a special event. Jennifer Boyd, General Manager, stated they plan to hold a special event on June 23, 2007 at 5:00 p.m. She distributed a sketch and description of the event. They plan to secure a 25 x 30 foot area with a fence with one entrance/exit into the area. No alcohol will be allowed outside the area. They will use styro-foam cups only and Bud Draft beer will be served. They plan to have a band for entertainment. Area stores have offered parking and overflow parking will be allowed by the NBT store. They will have a private detective security officer on duty. A motion was made by Karl Nixon to approve this special event. The motion was seconded by Mark Allison and passed unanimously 4-0.

Consider violation by Blue Sky Restaurant on April 24, 2007, when an employee was issued a citation by the Goodlettsville Police Department for selling beer to a minor. Ming Yun Dong, the permit holder, and his son were present. Deputy Chief Pope reported a hearing was held on June 19, 2007 and the person who made the sale was found guilty. Mr. Dong's son stated the employee was a new part time employee and they forgot to ask the age of the buyer. Karl Nixon recommended that they implement a training program for their employees. Nixon made a motion to impose a \$300 fine. The motion was seconded by Walter Slater and passed 4-0.

Consider violation by El Altono Restaurant on April 24, 2007, when an employee was issued a citation by the Goodlettsville Police Department for selling beer to a minor. No one was present from the restaurant. Karl Nixon made a motion to impose a \$500 fine. The motion was seconded by Mark Allison and passed 4-0.

Consider violation by Fuji Restaurant on April 24, 2007, when an employee was issued a citation by the Goodlettsville Police Department for selling beer to a minor. Deputy Chief Pope reported a hearing was held on June 19, 2007 and the person who made the sale was found guilty. Zhong Z. Zhuo, the permit holder was present. Vinson Stanley, Manager for Crencor Motors adjacent to the restaurant, spoke for Mr. Zhuo. He stated there are language issues and they are working on that. This was not a case of disregard for the law. Officer Thornton stated there were two informants, ages 19 and 18. The seller turned down the 19 year old and served the 18 year old. A motion was made by Mark Allison to impose a \$300 fine. The motion was seconded by Karl Nixon and passed unanimously 4-0.



Consider violation by H. G. Hills on May 6, 2007, when an employee was issued a citation by the Goodlettsville Police Department for selling beer to a minor. Deputy Chief Pope reported a hearing was held on June 19, 2007 and the person who made the sale was found guilty. Mark Oeser, the permit holder was present. Randall Hall noted this is the fifth offense at this store. Mr. Oeser stated there is no excuse. After the last violation, he spent over \$60,000 for cash registers which require that the cashiers enter the buyer's birth date. This cashier did not sell to one of the buyers then made up a birth date for the second buyer and sold them the beer. The cashier was fired on the spot. He stated he stays on the employees constantly and doesn't know what else he can do. City Manager reminded the board on previous offenses, Mr. Oeser had gone in great detail of all the extensive training he does on his employees. A motion was made by Karl Nixon to impose a \$500 fine. The motion was seconded by Mark Allison and passed unanimously 4-0.

Consider violation by Hooter's on April 24, 2007, when an employee was issued a citation by the Goodlettsville Police Department for selling beer to a minor. Wanda Rochelle, Area Manager, and Chris Raybeck, Attorney, were present. Ms. Rochelle stated the server was terminated immediately. Every new hire must go through an online training program in addition to training offered by the state. They post the date visible to all their servers which displays the latest birth date required to purchase beer. They have daily discussions about their corporate policy. Officer Thornton noted he was at the table with the 18 and 19 year old and the server served all three of them. A motion was made by Karl Nixon to impose a \$300 fine. The motion was seconded by Mark Allison and approved 4-0.

Consider violation by Jr.'s on April 24, 2007, when an employee was issued a citation by the Goodlettsville Police Department for selling beer to a minor. Charles R. Hamilton IV, the permit holder, was present. He stated the server was in training and as soon as he heard of the offense, he fired the server, the trainer and the manager. He described the changes they are making to the business and he has chained off the parking lot for their Wednesday and Saturday bike nights. He stated he is trying very hard to make the business work out. Randall Hall described what he needs to do to get approval for his special events and that he has received complaints about the bike nights. Mr. Hamilton stated he has every document he needs from the ABC. City Manager Jim Thomas stated that he has received numerous complaints also. He has been told of customers being allowed to purchase beer and step over the rail and be outside the fenced area. The Police Department has been asked to step up their watch on these matters. A motion was made by Mark Allison to impose a \$300 fine. The motion was seconded by Karl Nixon and passed unanimously 4-0.

Consider violation by Big KMart on May 6, 2007, when an employee was issued a citation by the Goodlettsville Police Department for selling beer to a minor. Deputy Chief Pope reported a hearing was held on June 19, 2007 and the person who made the sale was found guilty. The clerk who was ringing up the sale was only seventeen years old, which is permissible up to a point. They must have someone who is eighteen years or older at the register to complete the sale. The seventeen year old did not check adequately on the identification and the eighteen year old made the assumption that the seventeen year old had checked the purchaser's identification. A seventeen year old cannot be cited into our city court. He felt it would not be fair to cite the eighteen year old as he was only completing the sale based on the information he had been given.

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Therefore a report was filed but there was no citation issued. However, the beer was sold to a minor. Pat Senate, Assistant Manager, and Fran Crawford, Sales Coach, represented the store. They reported the seventeen year old was terminated and the eighteen year old was disciplined and put on probation. They put all employees through a very extensive computer training course when they are hired. They also spend three to four working days standing behind another trained operator. A motion was made by Mark Allison to impose a \$300 fine. The motion was seconded by Karl Nixon and passed unanimously 4-0.

Consider violation by Mapco Express, Inc. on April 24, 2007, when an employee was issued a citation by the Goodlettsville Police Department for selling beer to a minor. City Manager Thomas reported that matter was heard in city court on June 19, 2007 and that employee was found guilty. Melanie Houston, Store Manager, and Steve Adcox, District Manager, representing the company, stated they do have a training program and employees are required to check identification on every person purchasing beer and then key the birth-date into the cash register. The clerk made up a date and keyed it in. She was terminated immediately. A motion was made by Karl Nixon to impose a \$500 fine. The motion was seconded by Mark Allison and passed unanimously 4-0.

Consider violation by Pancho Villa Grill on April 24, 2007, when an employee was issued a citation by the Goodlettsville Police Department for selling beer to a minor. There was no one present to represent Pancho Villa. Officer Thornton reported that the buyer talked the server into the purchase, even though the server knew he was underage. A motion was made by Mark Allison to impose a \$500 fine. The motion was seconded by Karl Nixon and passed unanimously 4-0.

Consider violation by Rivergate Citgo on April 19, 2007, when an employee was issued a citation by the Goodlettsville Police Department for selling beer to a minor. That matter was heard in city court on June 19, 2007 and that employee was found guilty at that time. Ied Mahmoud, co-owner of this station, stated they take the matter of selling alcohol very seriously. The only people who work at the station are the owners. They have a lot of customers who are rough people and they have to be very alert. The day of the violation, a person opened his hood and he was given a jug to get water from the restroom for his radiator. Then he started asking customers for money. He was asked to leave and he would not. Mahmoud dialed the Goodlettsville Police Department on his cell phone, fearing that his customers might be in danger of this person. He rang up the sale of beer without checking the identification because he was preoccupied with watching the man outside, afraid that he might do something to a lady customer. Then Sergeant Morrow arrived and he thought he was responding to his call to the Police Department. He was extremely upset with himself. They have been there for sixteen years and have a perfect record. They have collected many false ID's over the years and have received complimentary letters from Chief Hutcherson for being so strict. A motion was made by Karl Nixon to impose a \$300 fine. The motion was seconded by Mark Allison and passed unanimously 4-0.

Consider violation by San George Market on April 24, 2007, when an employee was issued a citation by the Goodlettsville Police Department for selling beer to a minor. City Manager Jim Thomas reported that matter was heard in city court on June 19, 2007 and that employee was found guilty. There was a representative present from San George. Officer Thornton reviewed the incident. The clerk looked at the identification

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and then sold the beer. A motion was made by Walter Slater to impose a \$300 fine. The motion was seconded by Karl Nixon and passed unanimously 4-0.

Consider violation by Super Stop Market on May 6, 2007, when an employee was issued a citation by the Goodlettsville Police Department for selling beer to a minor. City Manager Jim Thomas reported that matter was heard in city court on June 19, 2007 and that employee was found guilty. Chirag Patel, owner, was present and stated the clerk checked the identification and still sold the beer. He had been trained for three months and apparently was distracted at the time. A motion was made by Walter Slater to impose a \$300 fine. The motion was seconded by Karl Nixon and passed unanimously 4-0.

Consider violation by Zippy Market on April 19, 2007, when an employee was issued a citation by the Goodlettsville Police Department for selling beer to a minor. City Manager Jim Thomas reported that matter was heard in city court on June 19, 2007 and the defendant did not appear. The Judge declared the employee guilty and imposed a fine. Paul Miller, owner, stated the employee is a senior citizen who has been there for eighteen years. She just failed to check the identification which is completely not the norm for that employee. He stated they are very strict on checking identification on cigarettes and beer. A motion was made by Mark Allison to impose a \$500 fine as a second offense. The motion was seconded by Walter Slater and passed unanimously 4-0.

City Manager Thomas stated this meeting is very unusual with thirteen sales to minor offenses. He expressed his appreciation to Officer Thornton and Officer Pack for their work. He asked that the Police Department follow up as soon as possible with additional buys. Due to the frequency and intensity of some of the complaints from citizens, which are proven to be legitimate by all these violations, it is the responsibility and duty of the board and staff to do everything possible to insure that the beer permit holders comply with the laws. Chairman Randall Hall thanked the officers for being present for the meeting.

City Manager Thomas reported that the Responsible Vendors Act becomes affective July 1, 2007. The board agreed to meet on July 10, 2007 at 4:00 p.m. for a review of the Responsible Vendors Act and also rules for special events. Previously, he and several other city managers went to Senator Joe Haynes, one of the bill's sponsors, and pointed out difficulties in the legislation that impede the board's capabilities. He thinks most of those points were addressed in the final legislation. The authority of the Beer Board will not be diminished.

Mark Allison recommended that the City Manager send a letter to all beer permit holders as a proactive approach to inform them to do a better job of training and implementing everything possible to avoid violations. City Manager Thomas agreed with his suggestion and noted this would further strengthen the board's enforcement capabilities.

Chief Hutcherson reported on activity at Jr's Bar and Grill. He has communicated with the ABC and shared his concerns. The owner has indicated that he is going to install sixteen security cameras to cover the parking lot. He has had a lot of manager and waitress problems. Hutcherson has recommended that they hire an off duty officer to work on their parking lot events. The crowd seems to be a younger crowd, traveling back and forth from another club on Myatt Drive who also has bike night. There was discussion about the fact that Coach's and subsequently Jr's have never gotten approval



from the Beer Board for any special events. It was suggested that the events began during a time that the Beer Board was somewhat inactive in holding meetings and enforcement. Deputy Chief Pope indicated Coach's built their outside patio area and the bike night and similar events evolved onto the parking lot, outside the fenced patio. The problems have been created because the size of the events has grown bigger and bigger. City Manager Thomas asked Chief Hutcherson to refer to the list of the board's requirements and have the on duty officers observe for any variances. The biggest complaint he has received is that you can park your motorcycle or car and reach across the fence and buy beer.

The meeting was adjourned at 3:45 p.m.



Claudia Davis, Recording Secretary



Randall Hall, Chairman