

## Beer Board Meeting Minutes

**Regular Session Meeting:** February 9, 2022

**Place:** Shelbyville Recreation Center, 220 Tulip Tree Road

**Call to Order:** Vice Chairman Brett Fisher called the meeting to order at 6:01 PM.

**Roll Call:** City Recorder Lisa Smith called the roll, and the following were present: Member Lizzie Peoples, Member Joseph LaMattina, and Vice Chairman Brett Fisher. Chairwoman Melissa York and Member Adam Johnson were absent. City Recorder Smith declared a quorum.

**Adopt the Agenda:** Member Peoples made a motion to approve the Agenda as submitted, Member LaMattina seconded, and the motion carried unanimously by oral vote.

**Consideration of a motion to approve minutes:** Hearing no changes to the minutes of August 11, 2021, Vice Chairman Fisher requested a motion to approve, Member LaMattina made the motion to approve the minutes as presented, Member Peoples seconded, and the motion carried by unanimous roll call vote.

**Old Business:** There was no Old Business.

**New Business:** Item A, the application to sell beer (on and off premises) by Becky Bradford, Still Topsy, 1612 Simms Road, Shelbyville, Tennessee 37160. City Recorder Smith requested the applicant, Ms. Bradford come forward and be sworn in. Vice Chairman Fisher ask the applicant the following questions:

1. Have you received and reviewed a copy of the Beer Rules? Yes
2. Do you understand the Rules of which you have read? Yes
3. Do you have questions of any of the Rules listed? No
4. Have you received a copy of the Ordinance? Yes
5. Do you have any questions regarding the Ordinance? No
6. Have you ever held a Beer Permit before in Shelbyville or any other jurisdiction? No
7. Please describe your experience if any with beer sales. My parents own a bar and I have worked in bars off and on for over 30 plus years. I have an ABC license and have managed a bar.
8. Do you understand that underage sale of alcohol to minors is a violation of the law? Yes
9. Briefly describe your business establishment. It has 13 bar stools, no band, no kitchen, beer sales only.
10. Do you have any questions for the Beer Board? No
11. Are you aware of the responsible vendor training for off premises beer sales? Yes
12. Does the cash register software/system require birthdate for all beer sales? Not at this time but will get one.
13. Are you the property owner for the location in which beer sales will take place? No
14. Do you as the applicant/agent realize that you are responsible as the beer permit holder for all employees' beer sales? Yes

Member Peoples asked the Applicant where the establishment was located, she replied 1612 Simms Road. There was some discussion of the hours which the Applicant advised would general be noon till midnight, however if business was slow, they would close early. Also, they plan to have a pool tournament on Saturday nights. Member LaMattina advised to get the age signage from the beer vendors. With no further discussion, Member LaMattina made a motion to approve, Member Peoples seconded, and the motion carried by unanimous oral vote.

**Other Business:** Incident Reports – City Recorder Smith advised the Board that she had received a few reports on three different establishments in town that currently have Beer Permits. There have been two Incident Report one for Bar 69 and the other for Candy Lane. She further noted that Officer Sam Campbell with the Shelbyville Police Department is

present to answer any questions. The third report was on the owner and permit holder of Penalties, not on the establishment itself. Recorder Smith read a message from Deputy Chief Brian Crews who was unable to attend the meeting. Deputy Chief Crews recommended that all involved bar owners be put on notice that if we have other issues, they could face civil consequence and loss of their Beer Permit. The Board discussed the report on Bar 69 from April 25, 2021, it was a DUI which was a result of several incidents across town which began at Bar 69. Witnesses say they attempted to stop the driver however they did not notify Police where they may have responded sooner. Member LaMattina stated he would like to bring the Permit holder in because it would appear they may have over served the individual. Officer Campbell advised he was unaware of any other establishment reports however he did know there were suspicions of other things happening with no proof. Vice Chairman Fisher stated he felt it does not appear as a whole this establishment has been a large problem. After further discussion and rereading Deputy Chief Crews' recommendation, City Attorney Shofner recommended that communication be sent from the City acknowledging this Incident Report and that the Board is concerned, and another incident could potentially result in the Permit holder being called before the Board on a Show Cause Order to show cause as to why they should not be Fined or have other action taken against their Permit. **Member Peoples made a motion to send correspondence to the permit holder acknowledging the Incident Report, Member LaMattina seconded, and the motion carried by unanimous oral vote.**

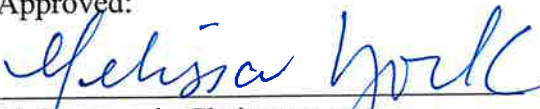
The next Incident Report occurred on December 19, 2021, and concerned Candy Land. Officer Campbell advised the Board they he was present for this incident and had also filed another report after that on Candy Land himself. Campbell stated the first incident was called in as a large bar fight with a reported gun pulled. The fight started in the bar and the owners threw everyone out into the parking lot and the fight escalated there. When officers arrived, everyone refused to cooperate and disbursed. When Officers entered the establishment to look for a lost phone of one of the parties outside, owners resisted them being inside and stated they were closing. One Officer was finally allowed inside, and the employee claimed they were being racist for even being in the bar. Officer Campbell advised they have been to this establishment several other times before and after this incident, however reports are not always completed. He noted that when a fight breaks out the owners tell everyone to leave then lock the doors and will not cooperate with Police. Additionally, they have been several incidents where they have refused to allow Officers in the building for a walk through and telling them it is a private party. City Recorder advised this Permit was issued in April of 2021. Officer Campbell stated there was concern if they continue to have problems there with guns involved it could result in a shooting. After further discussion the Board requested that Staff provide them with all records of times the Police has been to Candy Land including all Dispatch Records. The Board will then meet to review these records and proceed as needed.

The final incident concerned the Beer Permit holder at Penalties Sports Bar Shondelle Lynn Lewis who received a DUI 2<sup>nd</sup> on January 1, 2022. City Recorder advised she had been notified Ms. Lewis had received another DUI. She noted she has received a DUI prior to applying for the Permit originally and was thoroughly questioned concerning that at the initial meeting. Recorder Smith advised there had been a Show Cause Order issued to them prior concerning a fight at the bar on January 19, 2020. Officer Campbell advised the arrest occurred in the early morning of January 1<sup>st</sup> and there had been a walk-through of the establishment earlier on New Year's Eve and she was present in the Bar. He further noted he was present when the State Trooper brought her in to the jail for booking and the Trooper noted her husband had stopped at the traffic stop and had requested him to let her go since this was her second DUI this month. After further discussion the Board requested City Recorder Smith provide them with the original documents provided with the application, Show Cause Order, the minutes from both meetings and attempt to find if there were in fact any prior DUI's since she had been issued the permit

**Staff Reports:** City Recorder advised Staff had no further reports this month.

With no further business to discuss Member LaMattina made a motion to adjourn, Member Peoples seconded, and the motion carried unanimously by oral vote. Meeting adjourned at approximately 7:18 PM.

Approved:

  
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Melissa York, Chairwoman

Attest:

  
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Lisa Smith, City Recorder