

A special called meeting of the Collierville Beer Board was held Tuesday, July 31, 2018, at 6:00 p.m. in the Board Chambers at Town Hall, 500 Poplar View Parkway.

Chairman William Jones was present and presiding.

The following members were present: James Lawrimore, Scott Tucker, Thomas Tulloss, Terri O’Conner, and William Finney. Michael Lynch was absent.

Also present were Town Administrator James Lewellen, Town Prosecutor Mark McDaniel, Assistant Town Attorney Nick Pierotti, Town Clerk Lynn Carmack, Lieutenant Scott Young, Officer Hunter Brooks and Assistant to The Town Administrator Adam Hamric.

**CALL TO ORDER**

Chairman Jones called the meeting to order.

**PLEDGE OF ALLEGIANCE**

Mr. Tucker led the Pledge of Allegiance.

**APPROVAL OF MINUTES**

Ms. O’Connor made a motion, seconded by Mr. Tucker to approve the amended minutes of the July 24, 2018 meeting.

ROLL CALL: Jones – Yes, Tucker – Yes, Tulloss – Yes, Lawrimore – Yes, O’Connor – Yes, and Finney – Yes. Motion approved.

**CLASS I – ON-PREMISES PERMIT**

**Raven & Lily Restaurant located at 120 Mulberry St.**

Owners Justin and Amy Young were present to represent Raven & Lily Restaurant.

Mr. Hamric noted that while Mr. Young was found to have a suspended driver license, this did not preclude the applicant from obtaining a beer permit.

Mr. and Mrs. Young supplied a \$2,500 surety bond to the Town of Collierville.

Mr. Tucker made a motion, seconded by Ms. O’Connor, to approve the Class I On-Premises Permit located at Raven & Lily Restaurant located a 120 Mulberry St.

ROLL CALL: Jones – Yes, Tulloss – Yes, O’Conner – Yes, Lawrimore – Yes, Tucker – Yes, Finney – Yes, Lynch – Absent. Motion approved.

**HEARINGS ON A VIOLATION OF THE COLLIERVILLE BEER ORDINANCES  
(TITLE XI, CHAPTER 116) REGARDING THE SALE OF BEER TO A MINOR  
[SECTION 116.37(M)]**

Ms. Carmack swore in all those present who intended to give testimony.

**Ballard Food Mart located at 1990 W. Poplar Ave.**

Operations Manager Bahroz Cotardia was present to represent Ballard Food Mart.

Mr. McDaniel represented the Town of Collierville.

Mr. Cotardia stated an admission to a violation of Town Ordinance regarding sale of beer to a minor.

Employee Dylan Jones was terminated.

Mr. Cotardia noted that in-house stings are conducted in over thirty of the stores he manages.

Mr. Tucker made a motion, seconded by Ms. O'Connor, to find Ballard Food Mart located at 1990 W. Poplar Ave. guilty of a violation of the Collierville Beer Ordinance regarding 116.37(M) of selling beer illegally to any person less than twenty-one (21) years of age.

ROLL CALL: Jones – Yes, Tucker – Yes, Tulloss – Yes, Lawrimore – Yes, O'Connor – Yes, and Finney – Yes. Motion approved

Recommendation from counsel was a 7 days suspension or a civil penalty of \$250 in lieu of suspension.

Ms. O'Connor made a motion, seconded by Mr. Lawrimore, to assess a penalty to Ballard Food Mart located at 1990 W. Poplar Ave. of 7 days suspension or a civil penalty of \$250, in lieu of suspension.

ROLL CALL: Jones – Yes, Tucker – Yes, Tulloss – Yes, Lawrimore – Yes, O'Connor – Yes, and Finney – Yes. Motion approved

**Red Robin located at 10211 Collierville Rd.**

General Manager Brandon Wilkinson was present to represent Red Robin.

Mr. McDaniel represented the Town of Collierville.

Mr. Wilkinson stated an admission to a violation of Town Ordinance regarding sale of beer to a minor.

Employee Vanessa Suarez has been employed at this location for a year and half. She was not terminated and is awaiting trial.

Ms. O'Connor made a motion, seconded by Mr. Lawrimore, to find Red Robin located at 10211 Collierville Rd. guilty of a violation of the Collierville Beer Ordinance regarding 116.37(M) of selling beer illegally to any person less than twenty-one (21) years of age.

ROLL CALL: Jones – Yes, Tucker – Yes, Tulloss – Yes, Lawrimore – Yes, O'Connor – Yes, and Finney – Yes. Motion approved.

Recommendation from counsel was a 30 days suspension or a civil penalty of \$1,000 in lieu of suspension. Mr. McDaniel noted that the violation in 2007 is, at this point in time, considered to be remote in nature.

Brief discussion ensued regarding whether or not a third offense warranted a lesser penalty than the first or the second.

Mr. Lawrimore made a motion, seconded by Ms. O'Conner, to assess a penalty to Red Robin located at 10211 Collierville Rd. of 30 days suspension or a civil penalty of \$1,500 in lieu of suspension.

ROLL CALL: Jones – Yes, Tucker – Yes, Tulloss – Yes, Lawrimore – Yes, O'Connor – Yes, and Finney – Yes. Motion approved

**Memphis Pizza Café located at 797 W. Poplar Ave.**

Owner Gary Garlington and employee Jesse Franklin were present to represent Memphis Pizza Café.

Mr. McDaniel represented the Town of Collierville.

Mr. Garlington stated an admission to a violation of Town Ordinance regarding sale of beer to a minor.

Mr. Franklin was not terminated.

Ms. O'Connor made a motion, seconded by Mr. Finney, to find Memphis Pizza Café located at 797 W. Poplar Ave. guilty of a violation of the Collierville Beer Ordinance regarding 116.37(M) of selling beer illegally to any person less than twenty-one (21) years of age.

ROLL CALL: Jones – Yes, Tucker – Yes, Tulloss – Yes, Lawrimore – Yes, O'Connor – Yes, and Finney – Yes. Motion approved.

Recommendation from counsel was a 30 days suspension or a civil penalty of \$1,500 in lieu of suspension.

Brief discussion ensued regarding whether a lesser penalty should be assessed due to the amount that was assessed at this location's last violation in 2014.

Ms. O'Connor made a motion, seconded by Mr. Finney, to assess a penalty to Memphis Pizza Café located at 797 W. Poplar Ave. of 30 days suspension or a civil penalty of \$1,000 in lieu of suspension.

ROLL CALL: Jones – No, Tucker – Yes, Tulloss – Yes, Lawrimore – Yes, O'Connor – Yes, Finney – Yes. Motion approved.

**Gus' World Famous Fried Chicken located at 215 S. Center St.**

Manager Jennifer Cothorn was present to represent Gus' World Famous Fried Chicken.

Mr. McDaniel represented the Town of Collierville.

Ms. Cothorn stated and admission to a violation of Town Ordinance regarding sale of beer to a minor.

Employee Marnita Vaughn was terminated.

Ms. Cothorn noted that there would be changes made to their electronic point of sale system.

Ms. O'Connor made a motion, seconded by Mr. Tucker, to find Gus' World Famous Fried Chicken located at 215 S. Center St. guilty of a violation of the Collierville Beer Ordinance regarding 116.37(M) of selling beer illegally to any person less than twenty-one (21) years of age.

ROLL CALL: Jones – Yes, Tucker – Yes, Tulloss – Yes, Lawrimore – Yes, O'Connor – Yes, Finney – Yes. Motion approved.

Recommendation from counsel was a 7 days suspension or a civil penalty of \$500 in lieu of suspension.

Mr. Lawrimore made a motion, seconded by Ms. O'Connor, to assess a penalty to Gus' World Famous Chicken located at 215 S. Center St. of 7 days suspension or a civil penalty of \$500 in lieu of suspension.

ROLL CALL: Jones – Yes, Tucker – Yes, Tulloss – Yes, O'Connor – Yes, Lawrimore – Yes, Finney – Yes. Motion approved.

**Carrabba's Italian Grill #9307 located at 4600 Merchants Park Cir., Ste. 141**

General Manager. John Carrico and Attorney James Curry were present to represent Carrabba's Italian Grill #9307.

Mr. McDaniel represented the Town of Collierville.

Mr. Carrico stated an admission to a violation of Town Ordinance regarding sale of beer to a minor.

He noted that Carraba's Italian Grill has a zero tolerance corporate policy regarding sale of beer to a minor.

Employee Nicholas Soldan had been employed at this location for five years. He was terminated.

Mr. Tucker made a motion, seconded by Mr. Finney, to find Carrabba's Italian Grill #9307 located at 4600 Merchants Park guilty of a violation of the Collierville Beer Ordinance regarding 116.37(M) of selling beer illegally to any person less than twenty-one (21) years of age.

ROLL CALL: Jones – Yes, Tucker- Yes, Tulloss – Yes, O'Connor – Yes, Lawrimore – Yes, Finney – Yes. Motion approved.

Recommendation from counsel was a 30 days suspension or a civil penalty of \$1,000 in lieu of suspension.

Mr. Tulloss made motion, seconded by Mr. Finney, to assess a penalty to Carrabba's Italian Grill #9307 located at 4600 Merchants Park Cir., Ste. 141 of 30 days suspension or a civil penalty of \$1,000 in lieu of suspension.

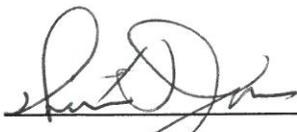
ROLL CALL: Jones- Yes, Tucker – Yes, Tulloss – Yes, O'Connor – Yes, Lawrimore – Yes, Finney – Yes. Motion approved.

## **OTHER BUSINESS**

Brief discussion ensued regarding the inclusion of prior minutes in violation packets. The consensus was that since the active beer permit holder master file is included, the inclusion of previous minutes would not be necessary – as long as all pertinent information is detailed in board reports.

## **ADJOURNMENT**

There being no further business, the meeting was declared adjourned at 7:00 p.m.



William Jones, Chairman



Assistant to the Town Administrator, Adam Hamric