

MINUTES OF COLLIERVILLE BEER BOARD MEETING

December 3, 2019

A special called meeting of the Collierville Beer Board was held Tuesday, December 3, 2019 at 3:30 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: Tom Tulloss, Scott Tucker, April Helmsin, C. M. Sturgis, James Lawrimore, and Mike Lynch.

Also present was Town Administrator-James Lewellen and Assistant to the Town Administrator-Renee Coffman.

CALL TO ORDER

Chairman William Jones called the meeting to order.

PLEDGE OF ALLEGIANCE

Chairman William Jones led the Pledge of Allegiance.

APPROVAL OF MINUTES

There was a spelling correction to the minutes presented by Mr. Tulloss.

Mr. Jones asked for a motion and Mr. Tulloss made a motion to approve with the correction, seconded by Mr. Lawrimore regarding the November 19, 2019 minutes.

ROLL CALL: HELMSIN - YES, LAWRIMORE - YES, TUCKER - ABSTAIN, TULLOSS - YES, STURGIS - YES, LYNCH - YES. Motion approved.

CLASS II – OFF PREMISES PERMIT

Shelby Investment Inc. – 9125 East Shelby Drive

Mr. Jones asked Mr. Lewellen to present Item 4-A on the agenda.

Mr. Lewellen thanked the Board for coming to a special called meeting and presented Item 4-A. Mr. Lewellen explained that staff had reviewed the application and the Police Department performed the required background checks. The application meets all requirements and is acceptable for approval. This is a Class II – Off Premises Permit for Shelby Investment Inc. owned and represented by Mr. Faisal Nagjee. Mr. Nagjee is here to answer any questions for the Board today.

Mr. Jones thanked Mr. Nagjee for attending and asked him to come forward before the Board.

Mr. Nagjee approached the Board and stated sincere appreciation for this meeting held to approve his application.

Mr. Jones asked the Board to begin with questions for the applicant.

Mr. Tucker stated while reviewing the application he did not see any other locations owned by Mr. Nagjee.

Mr. Nagjee answered this was his only store in Collierville, however, he did own another store located in Memphis, TN. It was located at Mendenhall and Raines Road and owned since 2016.

Mr. Tucker asked the applicant if he had any violations at the Memphis, TN location.

Mr. Nagjee replied no.

Mr. Lawrimore asked how long he had the Memphis, TN store under his ownership.

Mr. Nagjee answered he bought the store in 2016.

Mr. Jones asked what steps have been put in place at both store locations for beer sales.

Mr. Nagjee stated that there is a system in place at cash registers to check age and validation when a driver's license is scanned. Also, employees are told to ID every customer when they begin their shift.

Mr. Tucker asked is it your policy to ask everyone for ID or is that the discretion of the clerk?

Mr. Nagjee answered that everyone is supposed to be checked for ID. This is for age and to see if the license is expired.

Mrs. Helmsin questioned how many employees Mr. Nagjee had at a time on the cash registers.

Mr. Nagjee replied two, depending on the location and busy times. It could be one on down time or two during busy hours.

Mr. Jones asked if there were any other questions from the board. Mr. Jones then called for a motion.

Mr. Tulloss motioned to approve the CLASS II OFF PREMISES Beer Permit for Shelby Investments Inc. at 9125 East Shelby Drive. Mrs. Helmsin seconded the motion.

ROLL CALL: HELMSIN - YES, LAWRIMORE - YES, TUCKER - YES, TULLOSS - YES, STURGIS - YES, LYNCH - YES. Motion approved.

Mr. Jones thanked Mr. Nagjee for coming but also wanted to make him aware of a sting happening, it is not if but when it will happen to you. We do not want to see you at a violation hearing.

Mr. Nagjee stated he would not want to appear before the Board on any type of matter. However, on the business side of things, we put all the steps in place, but you are still dealing with employees and the chance that people make mistakes.

Mr. Jones congratulated Mr. Nagjee on his permit.

Mr. Tucker asked one final question about the Point of Sale System. Will it allow a beer sale to happen without the ID being scanned?

Mr. Nagjee replied that the sale would stop if there has not been a scan. At this point, the employee would have two options. Employees can enter the date manually or scan the ID. Information must be entered for a sale to be complete.

OTHER BUSINESS

Mr. Lawrimore questioned Mr. Jones in reference to the Commissary. Mr. Jones stated he thought it was important to discuss the matter in an official meeting. Following the meeting The Permit holder asked the Town Administrator why his violation resulted in a \$1,000.00 fine, while other restaurant violations were assessed a \$500.00 fine. In response to Mr. Taylor's questions, Mr. Jones explained the difference of his penalty was in checking ID's and not checking them. In Mr. Taylor's case the server did not check the ID. That was the basis of our decisions on penalty amounts.

Mrs. Helmsin stated for future reference, the Board should have an official meeting for discussions if a permit holder is questioning decisions.

Mr. Lewellen explained that he had a conversation with Mr. Taylor about the Beer Board's decision on the telephone, helped explain the process, recourse, and other determining factors. After the conversation, Mr. Taylor understood the Board's decision and was satisfied.

Mr. Lewellen stated discussions are always good regarding logic and clarification if needed between Board members.

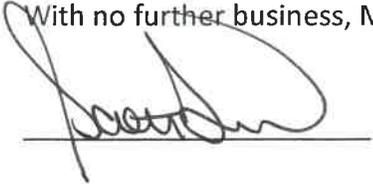
Mr. Tulloss stated the Board had just met thirty minutes before the meeting in a work session talking about consistency and felt as if that had been done.

Mr. Sturgis expressed concern about responding to emails privately or did they need to be discussed in public meetings?

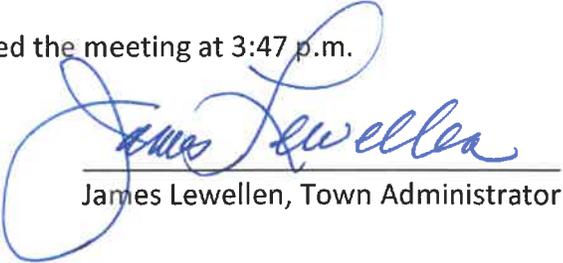
Mr. Lewellen answered that all matters of the Board should be discussed only at a public meeting and would note this discussion occurred and would be placed in the minutes to confirm the logic and justification for penalties on permit holders.

ADJOURNMENT

With no further business, Mr. Jones adjourned the meeting at 3:47 p.m.



A handwritten signature in black ink, appearing to read "Mr. Jones", is written over a horizontal line.



A handwritten signature in blue ink, reading "James Lewellen", is written over a horizontal line.

James Lewellen, Town Administrator