

AGENDA

La Vergne Beer Board

July 20, 2023 at 6:00 PM

- Call meeting to order.
- Determine quorum.

ORDER OF BUSINESS

1. Approve Minutes: April 20, 2023 Regular Meeting.

NEW BUSINESS

2. Off-Premises Beer Permit Application - La Vergne Tobacco & Vape, located at 5291 Murfreesboro Road, La Vergne, TN. Applicant is La Vergne Tobacco & Vape, LLC / George Fahmy.

ADJOURN

MINUTES OF THE REGULAR CITY OF LA VERGNE, TENNESSEE BEER BOARD MEETING HELD ON APRIL 20, 2023 AT LA VERGNE CITY HALL, LA VERGNE, TENNESSEE.

The City of La Vergne Beer Board met in a Regular Meeting on April 20, 2023, at La Vergne City Hall and was called to order at 6:01 p.m. by Chairman Anthony Honeycutt.

MEMBERS PRESENT

Members present were: Chairman Anthony Honeycutt, Vice-Chairman Jennifer Maxey, Dana Blair, and Kevin Oliver.

A quorum was determined.

STAFF MEMBERS PRESENT

Staff members present were: City Attorney Phillip Dodd, Executive Assistant Juliet Williams, and Media Services Jerry Davenport.

APPROVE MINUTES

A motion, made by Vice-Chairman Jennifer Maxey, seconded by Kevin Oliver, to approve the minutes of the November 17, 2022 Meeting, was adopted with all voting AYE.

NEW BUSINESS

1. **Off-Premises Beer Permit Application - BJ's Wholesale Club #394, located at 543 Industrial Blvd., La Vergne, TN. Applicant is BJ's Wholesale Club, Inc. d/b/a BJ's Wholesale Club #394.**

Mr. Chris Kelly, a representative from BJ's Wholesale Club, approached the podium to field questions from the Board. He offered his condolences regarding Lt. Bob Hayes passing.

Vice-Chairman Maxey asked about their training. Mr. Kelly explained their training process in great detail. A discussion ensued.

Mr. Dana Blair asked when they are planning to open. Mr. Kelly made comments about the club and different locations opening soon too.

A motion, made by Dana Blair, seconded by Vice-Chairman Jennifer Maxey, to approve the off-premise beer permit for BJ's Wholesale Club, was adopted with all voting AYE.

2. Off-Premises Beer Permit Application - La Vergne Deli & Tacos, Inc., located at 5022 Murfreesboro Road, La Vergne, TN. Applicant is Fayez Elhanshali.

Mr. Fayez Elhanshali, approached the podium to field questions from the Board.

Vice-Chairman Maxey asked Mr. Elhanshali about their training. He explained.

Mr. Blair asked if they had any violations. Mr. Elhanshali stated they had no violations at their other locations.

Chairman Honeycutt made comments about the application. Mr. Elhanshali confirmed this was for an off-premise application.

Mr. Kevin Oliver asked if they would only sell beer. Mr. Elhanshali confirmed that. He stated that they would be opening in about two weeks and invited the board to try their New York-style sandwiches.

A motion, made by Vice-Chairman Jennifer Maxey, seconded by Kevin Oliver, to approve the off-premise beer permit for La Vergne Deli & Tacos, Inc, was adopted with all voting AYE.

ADJOURNMENT

A motion, made by Chairman Anthony Honeycutt, seconded by Vice-Chairman Jennifer Maxey, to adjourn the meeting at 6:09 p.m., was adopted with all voting AYE.

Chairman

City Recorder

Approved: _____



Item #: 2.

Item Title: **Off-Premises Beer Permit Application - La Vergne Tobacco & Vape, located at 5291 Murfreesboro Road, La Vergne, TN. Applicant is La Vergne Tobacco & Vape, LLC / George Fahmy.**

Summary: This is an application for a new off-premises beer permit for a new location in La Vergne. This location is in the small strip mall at 5291 Murfreesboro Road. There is a Marco's Pizza and a dentist's office already located in the strip mall. The strip mall is located next to the Dunkin' Donuts that is at the intersection of Murfreesboro Road and Floyd Mayfield Drive.

Background Information: The distance requirements for this location meet the requirements set forth in the Municipal Code and the background check has come back clear.

APPLICATION FOR A BEER PERMIT

STATE OF TENNESSEE
CITY OF LA VERGNE

*P.D. ✓
OK ✓ H. Calvert
Sun*

Application for (Check one):

- ON PREMISES PERMIT (Restaurant)
- OFF PREMISES PERMIT (Store)
- BEER MANUFACTURE
- BEER DISTRIBUTION

I HEREBY MAKE APPLICATION FOR A PERMIT TO SELL, STORE, MANUFACTURE, OR DISTRIBUTE BEER OR OTHER BEVERAGES AUTHORIZED TO BE SOLD, STORED, MANUFACTURED OR DISTRIBUTED UNDER THE PROVISIONS OF TENNESSEE CODE ANNOTATED TITLE 57, CHAPTER 5, SECTION 101 ET SEQ. AND THE PROVISIONS IN TITLE 8, CHAPTER 3 OF THE LA VERGNE MUNICIPAL CODE AND I BASE MY APPLICATION UPON THE ANSWERS TO THE FOLLOWING QUESTIONS:

CONTACT INFORMATION (Any correspondence from the city will be addressed to this individual.)

Full Name: George Fahmy Cell Phone: 615 482 4131
Address: 9749 Concord pass Alternate Phone: 615 512 7488
Brentwood TN 37027 Email Address: _____

What is the best way to contact you? Mail Phone Email

*1977
GEORGE.T1977@
Comcast*

APPLICANT INFORMATION

Lahersn Tobacco & more

1. Full name of Applicant (owner): George Mottel Fahmy
- Person Partnership Corporation Limited Liability Co. Association
- Other: _____

2. List **all** persons, partnerships, corporations, or associations having at least a 5% ownership interest in the business: (Attach additional sheet, if necessary)

N.A

3. Present home address: 9749 Concord pass Brentwood
TN 37027

4. Previous address(es) within the last 10 years: 5013 Smith Springs
Pkwy Antioch TN 37013

5. Home Telephone: 6154824131 Business Telephone: _____

6. If you are an individual:

American Citizen: or Legal Resident Alien:

7. If you are a Corporation:

Date of Incorporation: 05-18-2023 State of Incorporation: T.N.

BUSINESS INFORMATION

8. Under what name will this business operate? La Vergne Tobacco & Vape LLC

9. Location of business by street address or other geographical description:

5291 Murfreesboro Rd
La Vergne, TN 37086

10. Specify the identity and address of the person to receive the annual privilege tax notices and any other communication from the City of La Vergne:

owner

11. Give the name and address of the property owner, if different than business owner:

12. Will the permit be used to operate two or more restaurants or other businesses under the same permit as permitted by Section 57-5-103 (a) (4) within the same building? Yes No.
If Yes, specify number: _____. List the names of the restaurants or other businesses and describe their location: (Attach additional sheet, if necessary)

13. Give name, date of birth, and address of all manager(s) other than the applicant:
(Attach additional sheet, if necessary)

N.A.

14. Has any person having at least a 5% ownership interest, any of the managers listed in question 13, or any other employee of the business, been convicted of any violation of the beer or alcoholic beverage laws or any crime (other than minor traffic violations) within the last ten (10) years? Yes No.

If so, give particulars of each charge, court, and date convicted:

15. Has this owner or the owner's organization had a beer permit revoked, suspended, or denied in the State of Tennessee? Yes No. If so, specify where, when, and why:

16. Give the name, relationship to applicant (if applicable) and address of the former beer permittee at this location:

N.A.

THE CITY OF LA VERGNE HAS ADOPTED AN ORDINANCE FORBIDDING THE SALE, STORAGE AND MANUFACTURE OF BEER AND LIKE BEVERAGES WITHIN 200 FEET OF ANY SCHOOL, CHURCH, LICENSED DAYCARE CENTER, OR PUBLIC PLAYGROUND OR PARK.

17. What is the name and address of the church (or other place of worship) nearest to your business?

RCC Jesus house

18. What is the name and address of the school nearest to your business?

Ray Walderson school

19. What is the name and address of the day care center nearest to your business?

the Gengerbread house child care

20. What is the name and address of the public playground or park nearest to your business?

Lake Crest park

VERIFICATION

STATE OF _____)
COUNTY OF _____)

I, _____, the applicant herein, hereby state under oath the following:

I hereby certify that no person having at least a 5% ownership interest, nor any person to be employed in the distribution, sale, or manufacture of beer in my establishment, has been convicted of any violation of the laws of the State of Tennessee against the sale, manufacture, possession, or transportation of beer of intoxicating liquors or any misdemeanor or felony within the past ten years.

I certify that I am also aware that I shall not be issued a permit or my permit shall be revoked if my business location causes traffic congestion or interferes with schools, churches, or other places of public gathering, or otherwise interferes with public health, safety and morals.

I also certify that I have received a copy of the City of La Vergne Beer Ordinance. I state that I have read and understand the Beer Ordinance. I further state that I am familiar with and understand the laws of the State of Tennessee related to the sale of beer. I further agree to abide by the City of La Vergne Beer Ordinance and the laws of the State of Tennessee related to the sale of beer.

I further state that the information provided herein is true and correct. I understand that the information I have provided is subject to verification. By my signature below, I authorize and give consent for the City of La Vergne to perform or obtain from a third party or outside agency a background check. This includes the following:

- Criminal background records/information
- Addresses
- Social Security Verification

I, the undersigned, authorize this information to be obtained either in writing or via telephone in connection with this beer permit application. Any person, firm or organization providing information or records in accordance with this authorization is released from any and all claims of liability for compliance. Such information will be held in confidence in accordance with the organization's guidelines and to the extent permitted under state law; however I acknowledge that any and all information obtained and maintained in connection with my application is subject to the Public

Record Act embodied in Tennessee Code Annotated §10-7-101 et seq. I further release the City of La Vergne, and its agents, assigns, and employees, from any and all claims of liability related to the acquisition and/or dissemination of information as to this background report.

I understand that providing false information or failing to update the information contained within this application as required by the City of La Vergne Beer Ordinance may cause my beer permit to be suspended or revoked. I understand that the beer permits are not transferable to a different location, and if there is any change in ownership, I may have to apply for a new beer permit.

[Signature] Signature of Applicant/Owner (or authorized corporate officer) 06-12-23 Date

Sworn to and subscribed before me this 12 day of June, 2023.

James W. Anderson
Notary Public



My Commission Expires: 06/30/2026

NOTICE: A non-refundable \$250 fee must accompany this application. Any applicant making false statements in this application shall forfeit their permit and shall not be eligible to receive any permit for a period of ten (10) years. If an application for a beer permit has been considered and denied by the beer board, the beer board shall not consider another application from the same individual to sell beer at the same location until the expiration of a ninety (90) day period.

A privilege tax of \$100 is imposed on the business of selling, distributing, storing or manufacturing beer in this state effective January 1, 1994 and each successive January 1. Any holder of a beer permit issued after January 1, 1994 shall pay a pro rate portion of this annual tax when the permit is issued.