

RESOLUTION 16-15

A RESOLUTION TO APPROVE ISSUANCE OF CERTIFICATE OF COMPLIANCE FOR WINE SALES AT FOOD LION #1354 IN SPRING HILL, TENNESSEE

WHEREAS, on March 20, 2014, the Governor signed into law Public Chapter 554, commonly known as the “wine in grocery stores” law; and

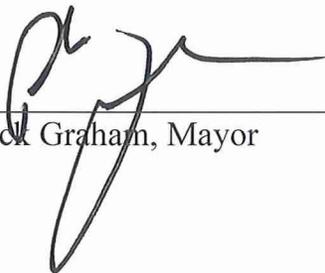
WHEREAS, the City of Spring Hill has a request for an approval of a Certificate of Compliance for Food Lion #1354, located at 6341 Main Street, Spring Hill, Tennessee; and

WHEREAS, the City of Spring Hill is required to verify that the location of the grocery store is in compliance with all zoning laws applicable to the property; and

WHEREAS, the City of Spring Hill is also required to complete a background investigation to verify that the applicant has no felony convictions within the last 10 years.

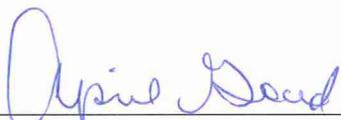
NOW, THEREFORE, BE IT RESOLVED, that the City of Spring Hill, Board of Mayor and Aldermen hereby certify that the applicant, Food Lion #1354 is in compliance with requirements stated above and approves a Certificate of Compliance for wine sales.

Passed and adopted by the Board of Mayor and Aldermen of the City of Spring Hill, Tennessee on the 16th day of February, 2016.



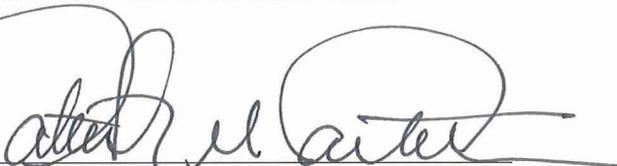
Rick Graham, Mayor

ATTEST:



April Goad, City Recorder

LEGAL FORM APPROVED:



Patrick Carter, City Attorney



REQUEST: Approval of Resolutions 16-14, 16-15, & 16-16

SUBMITTED BY: Victor Lay, City Administrator
April Goad, City Recorder

DATE: January 29, 2016

RE: Certificate of Compliance Requests for Wine Sales in Grocery Stores

ATTACHMENTS: None, Please see MTAS link below

PURPOSE:

Groceries stores are requesting approval of Certificate of Compliance for Wine Sales.

BACKGROUND:

Wine sales in grocery stores were approved by referendum and sales may begin on July 1, 2016. Before receiving a license from Alcoholic Beverage Commission (ABC) to sell wine, grocery stores must obtain a certificate of compliance from the municipality of their location. The only two requirements of the city are to verify appropriate zoning and that the applicant does not have any felony convictions within the 10 year period preceding the application. *Please note that the city does not verify distance from established liquor stores.* This is an issue between liquor store owners, ABC and the requesting grocery store.

FINANCIAL IMPACT:

The application fee for Certificate of Compliance is \$250.00

STAFF RECOMMENDATION:

None- For more information, please see:
<http://mtasresource.mtas.tennessee.edu/reference/wine-grocery-stores>

ACTION REQUIRED (INCLUDE DEADLINE /PRIORITY):

Grocery stores are requesting action due to length of time it takes for ABC approval, ordering and stocking.

From: [Dara Sanders](#)
To: [April Goad](#)
Subject: Zoning Verifications
Date: Thursday, January 28, 2016 9:11:11 AM

5441 Main Street (Food Lion) is zoned B-4, Central Business District.

4900 Port Royal Road (Kroger) is zoned B-4, Central Business District.

4935 Main Street (Publix) is zoned B-4, Central Business District.

All above properties are permitted by the Spring Hill Zoning Ordinance to sell or serve intoxicating beverages.

Dara Sanders
City Planner
City of Spring Hill
199 Towncenter Parkway
P.O. Box 789
Spring Hill, TN 37174
931-486-2252 x214



December 7, 2015

City of Spring Hill
199 Town Center PKWY
Spring Hill, TN 37174

Dear April Goad:

As you are aware, beginning July 1, 2016, Food Lion will have the opportunity to sell wine in our stores. I am in the beginning stages of compiling all documentation that will be needed to apply for the State - Wine License. Pursuant to T.C.A. 57-3-806, we are required to seek a signed Certificate of Compliance from the local municipality.

I am requesting the attached document be signed and returned to me in the enclosed self- addressed envelope. As you may know, under 57-3-806(h), if the certificate is not granted or denied within 60 days of application, the applications is considered granted. Thank you for your review and consideration of our application. If you have any further questions or concerns, please contact me at 704-310-2369 or email me at carla.kimrey@delhaize.com.

Sincerely,

A handwritten signature in black ink that reads "Carla Kimrey".

Carla Kimrey
Regulatory Affairs Specialist
Food Lion, LLC

**CERTIFICATE OF BACKGROUND
INVESTIGATION AND ZONING**

SUBMITTED PURSUANT TO T.C.A. § 57-3-806

Food Lion #1354
6341 Main Street
Spring Hill, TN 37174

This is to certify that Margaret M. Ham, President, 2302 Herrons Nest Place, Concord , NC 28027; Gerald Linn Evans, Senior VP, 636 Club House Drive, Salisbury, NC 28144; Greg Amoroso, Treasurer, 708 Mt. Vernon Drive, Charlotte, NC 28203, who are the executive officers of the above named retail food store, which store will make application for a license to sell wine for off premises consumption and which is located in the Municipality of Spring Hill, and/or or the County of _____, State of Tennessee are in compliance with the provisions of Tenn. Code Ann § 57-3-806(a).

- (a) The undersigned has/have made careful investigation of the said applicant's background and have found that they have not been convicted of a felony within a ten-year period preceding this application.

A N D

- (b) The location of the retail food store complies with all zoning laws adopted by the jurisdiction.

This the 16th day of February, 2018.

If premises located outside Municipality:

County Executive, Print Name

County Executive, Signature

OR

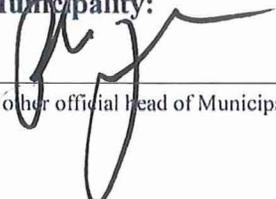
Chairman of County Commission, Print Name

Chairman of County Commission, Signature

If premises located within Municipality:

Rick Graham, Mayor

Mayor of other official head of Municipality, Print Name



Mayor of other official head of Municipality, Signature

OR

Member of Legislative Body of Municipality, Print Name

Member of Legislative Body of Municipality, Signature

Member of Legislative Body of Municipality, Print Name

Member of Legislative Body of Municipality, Signature

Member of Legislative Body of Municipality, Print Name

Member of Legislative Body of Municipality, Signature



Delhaize America
 Subject ID: 1022653
 Subject: Amoroso, Greg
 Social: 004-76-7748
 Ordered By: Leigh Stubbs
 Address:
 Current Address
 708 Mt Vernon Drive
 Charlotte, NC 28203
 Phone:

DOB: 1/22/1965

Client Program: Food Lion

Client Reference: Special HQ

State of Hire: NC

Subject Requested Copy:

Summary of Inquiries Made

Inquiry	Result	Thru Date
7 Year Felony/Misdemeanor - All Counties, NC	No Record	11/15/2015
7 Year Felony/Misdemeanor - Cumberland, ME	No Record	11/29/2015
Discovery Plus w/ Criminal - Multi-Jurisdiction, US	Complete	11/15/2015

Supporting Documents

No Supporting Documents

[Upload New Document](#)

ID	Search	Location	Through Date	Search Status
2399966	7 Year Felony/Misdemeanor	All Counties, NC	11/15/2015	No Record
2400003	7 Year Felony/Misdemeanor	Cumberland, ME	11/29/2015	No Record
11/17 - Mailed w/cc				11/17/2015

ID	Search	Location	Through Date	Search Status
2399965	Discovery Plus w/ Criminal	Multi-Jurisdiction, US	11/15/2015	Complete

RECORDS FOUND

SSN VALIDATION SSN IS VALID. ISSUED IN ME IN THE YEAR 1980-1994	UNIQUE NAMES FOUND AMOROSO GREGORY AMOROSO GREGORY M
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Address Information

GREGORY AMOROSO
 DOB 01/22/1965
 AGE: 50
 215 N PINE ST UNIT 3507
 CHARLOTTE, NC 28202
 MECKLENBURG COUNTY
 06/2013 - 11/2015

AMOROSO GREGORY M
 215 N PINE ST UNIT 3507
 CHARLOTTE, NC 28202
 MECKLENBURG COUNTY
 06/2013 - 11/2015

GREGORY M AMOROSO



Delhaize America
Subject ID: 1022651
Subject: Ham, Margaret
 Social: 085-62-1624
 Ordered By: Leigh Stubbs
Address:
 Current Address
 2302 Herrons Nest Place
 Concord, NC 28027
Phone:

DOB: 10/17/1966

State of Hire: NC

Subject Requested Copy:

Client Program: Food Lion

Client Reference: Special HQ

Summary of Inquiries Made

Inquiry	Result	Thru Date
7 Year Felony/Misdemeanor - All Counties, NC	No Record	11/16/2015
Discovery Plus w/ Criminal - Multi-Jurisdiction, US	Complete	11/18/2015

Supporting Documents

No Supporting Documents

[Upload New Document](#)

ID	Search	Location	Through Date	Search Status
2399962	7 Year Felony/Misdemeanor	All Counties, NC	11/16/2015	No Record
2399961	Discovery Plus w/ Criminal	Multi-Jurisdiction, US	11/18/2015	Complete

Special Instructions: TB-wtg

RECORDS FOUND

SSN VALIDATION
 SSN IS VALID. ISSUED IN NY
 IN THE YEAR 1979-1980

UNIQUE NAMES FOUND
 HAM MARGARET
 HAM MARGARET M
 HAM MEG
 MILLER MARGARET L

Address Information

MARGARET HAM

DOB: 10/17/1966
 AGE: 49

2302 HERRONS NEST PL NW
 CONCORD, NC 28027
 MECKLENBURG COUNTY
 08/2007 - 11/2015

(704) 548-0617
 LISTED: YES
 NAME ON PHONE: HAM MARGARET

HAM MARGARET M

2302 HERRONS NEST PL NW
 CONCORD, NC 28027
 MECKLENBURG COUNTY
 08/2007 - 11/2015

(704) 548-0617
 LISTED: YES
 NAME ON PHONE: MICHAEL HAM
 (704) 548-0617
 LISTED: YES
 NAME ON PHONE: HAM MARGARET

MEG HAM

2302 HERRONS NEST PL NW
 CONCORD, NC 28027

Delhaize America
 Subject ID: 1022654
 Subject: Evans, Gerald L
 Social: 237-17-1998
 Ordered By: Leigh Stubbs

DOB: 11/24/1964

Client Program: Food Lion

Client Reference: Special HQ

Address:
 Current Address
 636 Club House Dr
 Salisbury, NC 28144
 Phone:

State of Hire: NC

Subject Requested Copy:

Summary of Inquiries Made

Inquiry	Result	Thru Date
7 Year Felony/Misdemeanor - All Counties, NC	No Record	11/16/2015
Discovery Plus w/ Criminal - Multi-Jurisdiction, US	Complete	11/15/2015

Supporting Documents

No Supporting Documents

[Upload New Document](#)

ID	Search	Location	Through Date	Search Status
2399968	7 Year Felony/Misdemeanor	All Counties, NC	11/16/2015	No Record
ID	Search	Location	Through Date	Search Status
2399967	Discovery Plus w/ Criminal	Multi-Jurisdiction, US	11/15/2015	Complete

RECORDS FOUND

SSN VALIDATION
 SSN IS VALID. ISSUED IN NC
 IN THE YEAR 1975

UNIQUE NAMES FOUND
 EVANS G LINN
 EVANS GERALD LINN
 EVANS GERALD T
 EVANS LINN G
 EVANS TGERALD GERALD

Address Information

G LINN EVANS

DOB: 11/24/1964
 AGE: 50

626 CLUB HOUSE DR
 SALISBURY, NC 28144
 ROWAN COUNTY
 02/2005 - 11/2015

(704) 638-0321
 LISTED: YES
 NAME ON PHONE: EVANS G

EVANS GERALD LINN

626 CLUB HOUSE DR
 SALISBURY, NC 28144
 ROWAN COUNTY
 02/2005 - 11/2015

(704) 638-0321
 LISTED: YES
 NAME ON PHONE: EVANS G

GERALD LINN EVANS

PO BOX 414
 SPENCER, NC 28159
 ROWAN COUNTY
 02/2004 - 03/2009

From: [Dara Sanders](#)
To: [April Goad](#)
Subject: Zoning Verifications
Date: Thursday, January 28, 2016 9:11:11 AM

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Dara Sanders
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931-486-2252 x214



DON BRITE
Chief of Police

JASON FOGLE
Deputy Chief of Police

2/12/2016

To: April Goad

CC: Chief Don Brite

Deputy Chief Jason Fogle

Ref: Certificate of Compliance for Liquor Sales

Upon conducting a background investigation of Carla Kimrey and Food Lion; I was able to locate Ms. Kimrey via google and she is not a resident of Tennessee and would not be present during any business at the Food Lion in Spring Hill. I am unable to run a National Criminal History for the purpose of this application.

Food Lion has been a part of the Underage Alcohol buys here in Spring Hill and they have never violated the law.

I conducted a Google search of Food Lion; I was able to locate both positive and negative reviews for Kroger's.

I searched the Better Business Bureau for Food Lion, LLC; the business is not BBB accredited and they have a rating of F.

Sincerely,

Justin Whitwell

Lt. Justin Whitwell
Criminal Investigation Division

SPRING HILL POLICE HEADQUARTERS

3636A ROYAL PARK BLVD., P. O. BOX 789, SPRING HILL, TN 37174

PHONE: 931.486.2252 - FAX: 931.499.7237 - DISPATCH: 931.486.3270