

**RESOLUTION 16-16**

**A RESOLUTION TO APPROVE ISSUANCE OF CERTIFICATE OF COMPLIANCE FOR WINE SALES AT PUBLIX GROCERY STORE 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 Publix Grocery Store, #1047, located at 4935 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

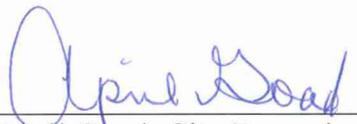
**WHEREAS**, the City of Spring Hill is also required to complete a background investigation to verify that the applicant has no felony convictions within the last 10 years.

**NOW, THEREFORE, BE IT RESOLVED**, that the City of Spring Hill, Board of Mayor and Aldermen hereby certify that the applicant, Publix #1047 is in compliance with requirements stated above and approves a Certificate of Compliance for wine sales.

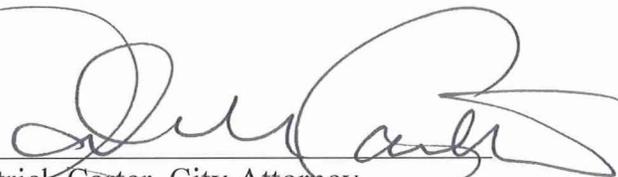
**Passed and adopted by the Board of Mayor and Aldermen of the City of Spring Hill, Tennessee on the 16<sup>th</sup> day of February, 2016.**

  
\_\_\_\_\_  
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

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**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.

**CERTIFICATE OF BACKGROUND  
INVESTIGATION AND ZONING**

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

Mail To: Publix Super Markets, Inc.  
Attn: Licenses  
PO Box 32027  
Lakeland, FL 33813

Publix Store # 1047  
4935 MAIN STREET  
SPRING HILL, TN 37174-9242

This is to certify that John A. Attaway, Jr., who is an executive officer 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 WILLIAMSON, 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 16<sup>th</sup> day of February, 2016.

**If premises located outside Municipality:**

\_\_\_\_\_  
County Executive, Print Name

\_\_\_\_\_  
County Executive, Signature

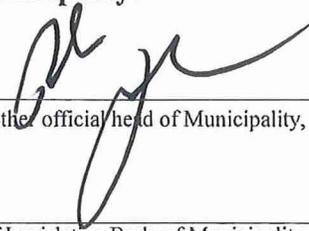
OR

\_\_\_\_\_  
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



**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 John Attaway Jr. and Publix Super Market Inc; I was able to locate Mr. Attaway Jr. via google and he is not a resident of Tennessee and would not be present during any business at the Publix in Spring Hill. I am unable to run a National Criminal History for the purpose of this application. Mr. Attaway Jr. is General Counsel and Secretary for the Publix Corporation Headquarters.

Publix 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 Publix Super Markets; I was able to locate both positive and negative reviews for Publix.

I searched the Better Business Bureau for Publix Super Markets Corporate Office; the business is not BBB accredited and they have a rating of A+.

Sincerely,

*Justin Whitwell*

Lt. Justin Whitwell  
Criminal Investigation Division

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**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

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

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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