

**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

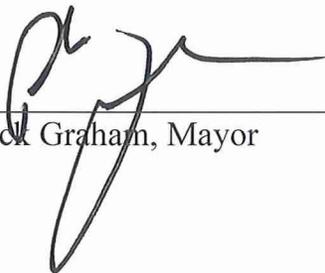
**WHEREAS**, the City of Spring Hill has a request for an approval of a Certificate of Compliance for Food Lion #1354, located at 6341 Main Street, Spring Hill, Tennessee; and

**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

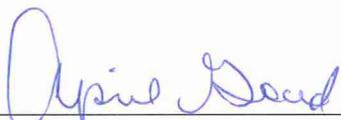
**WHEREAS**, the City of Spring Hill is also required to complete a background investigation to verify that the applicant has no felony convictions within the last 10 years.

**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.

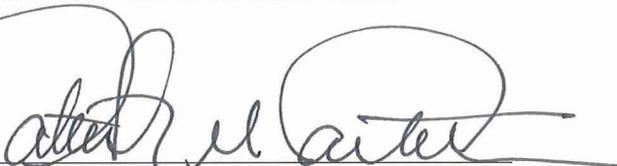
**Passed and adopted by the Board of Mayor and Aldermen of the City of Spring Hill, Tennessee on the 16<sup>th</sup> day of February, 2016.**

  
\_\_\_\_\_  
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.

**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



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](mailto: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 16<sup>th</sup> day of February, 2018.

**If premises located outside Municipality:**

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

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

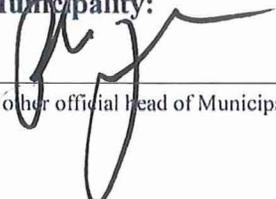
OR

\_\_\_\_\_  
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**

<b>SSN VALIDATION</b> SSN IS VALID. ISSUED IN ME IN THE YEAR 1980-1994	<b>UNIQUE NAMES FOUND</b> 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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5441 Main Street (Food Lion) is zoned B-4, Central Business District.

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Dara Sanders  
City Planner  
City of Spring Hill  
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931-486-2252 x214



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**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

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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