

Municipal Building Training Room – Room 104
Monday, December 9, 2013
12:00 Noon

AGENDA

1. ATTENDANCE
2. APPROVAL OF MINUTES – Regular Meeting of November 18, 2013
3. APPLICATIONS FOR NEW BEER PERMITS AND ASSOCIATED MANAGER APPROVAL APPLICATIONS

Application No. 1489,
Gallo Loco, Inc.
Patricia Sanchez, Owner/Manager
80 East Tennessee Avenue
Class C Permit
4. NEW MANAGER APPROVAL APPLICATIONS

Pamla Morton
Moose Lodge
103 N. Jefferson Avenue
5. SHOW CAUSE HEARING

Show Cause Hearing # 2013-11
Lincoln's Sports Grille
119 S. Illinois Avenue
Class "C" Permit #1406, Approved 8/9/10
Class "B" Permit #1439, Approved 11/14/11 (for catering only)
Owners: Edward Green, Lendon Aaron Hart, Mike Lincoln, and Vander J. Murray
Manager: Lisa Green (4/8/13)
6. NEW / OLD BUSINESS
 - A. Reports from Oak Ridge Police Department (if any)
 - B. Possible Ordinance Amendment –Training Requirements – Item on Hold from Last Meeting Pending Information from Other Municipalities

At the time of publication of the agenda, there was no information to provide to the Board on the costs/benefits of training provided by other municipalities. If information is available by the meeting, it will be reported to the Board at that time.
7. ADJOURNMENT

**MINUTES OF THE
OAK RIDGE BEER BOARD
Regular Meeting**

Municipal Building Training Room – Room 104
Monday, November 18, 2013
12:00 noon

PRESENT: Secretary Barton Bailey, Colin Colverson, Theresa Scott, Debra Solmonson,
Chairman Randy Tedford, and Wendy Williams

ABSENT: NONE

ALSO PRESENT: Tammy Dunn, Senior Staff Attorney
Alan Massengill, Deputy Chief of Police
Derrick Dalton, Special Agent Tennessee Alcoholic Beverage Commission

AUDIENCE MEMBERS: Michael Foster, Allies for Substance Abuse Prevention
Bob Fowler, Knoxville News Sentinel
John Huotari, Oak Ridge Today

ATTENDANCE

Chairman Tedford called the meeting to order at 12:00 noon. All members were present.

APPROVAL OF MINUTES

Secretary Bailey moved, seconded by Ms. Solmonson, to approve the minutes of the October 14, 2013 meeting and the motion carried 5-0 with Mr. Colverson abstaining due to his absence at the October 14, 2013 meeting.

APPLICATIONS FOR NEW BEER PERMITS AND THEIR ASSOCIATED MANAGER APPROVALS

None

NEW MANAGER APPROVAL APPLICATIONS

None

SHOW CAUSE HEARINGS

Show Cause Hearing # 2013-08

Aubrey's Inc.

481 S. Illinois Avenue

Class "C" Beer Permit # 1463, Approved: 10/8/2012

Owner: Aubrey Burleson

Managers: Aubrey Burleson and Jody Slimp (Approved 10/8/2012)

Chairman Tedford swore in all witnesses. Special Agent Derrick Dalton was present for the City. Aubrey Randy Burleson, owner; Jody Slimp, manager; Mark Liggett, Operations; and Cody Brooks, employee, were present for Aubrey's.

After Chairman Tedford explained the process for the hearing, Special Agent Derrick Dalton with the Tennessee Alcoholic Beverage Commission testified for the City. Special Agent Dalton stated the Tennessee Alcoholic Beverage Commission conducted a minor compliance check on March 18, 2013. During this check, Cody Brooks, an employee of Aubrey's, checked the underage confidential informant's ID (who was 19) and sold him a Bud Light draft beer. Ms. Brooks was cited to General Sessions Court. The establishment was issued a citation and paid a civil penalty of \$1500 to the State. Special Agent Dalton stated this was the first violation for this location. Secretary Bailey asked what the violation history has been with Aubrey's in general. Special Agent Dalton stated the business has always been forthcoming and helpful.

Chairman Tedford asked the business representatives what measures had been taken to prevent this from occurring in the past. Mr. Burleson, owner, stated they have hired a company to conduct mystery shopping twice a month at all locations. Additionally, the business will hold quarterly meetings and education beginning in January with specific focus on underage patrons and consumption.

Ms. Scott inquired of Ms. Brooks' status as an employee. Mr. Burleson stated she is still employed and has been an educator for the business. Mr. Liggett stated Ms. Brooks was suspended for two weeks but has become somewhat of an ambassador to other employees.

Mr. Colverson asked Ms. Brooks about the ID. Ms. Brooks stated there was nothing weird and that she did not do the math correctly on the date of birth. She stated she is now very careful about it. Mr. Burleson stated he has had three occasions in the past ten years at all of his restaurants where calculating age is a factor. He stated employees often subtract twenty years from the date of birth and then add back in one year instead of subtracting an additional year. Michael Foster with Allied for Substance Abuse Prevention offered the overlay cards free of charge.

Having nothing further, Mr. Colverson moved, seconded by Ms. Scott, that Aubrey's had shown sufficient cause as to why the Board should not take any negative action against the beer permit and the motion carried unanimously.

Secretary Bailey then asked Aubrey's if they would mind forwarding their current training records to the City. Mr. Burleson said he would provide copies of their ABC cards.

Show Cause Hearing # 2013-10

Ruby Tuesday Restaurant

375 S. Illinois Avenue

Class "C" Beer Permit # 1151, Approved: 11/8/1993

Owner: Ruby Tuesday, Inc. (RTI)

Managers: Matthew Morrison (Approved 12/10/2012) & Ashley Tyler (Approved 10/14/13)

Chairman Tedford swore in all witnesses. Special Agent Derrick Dalton was present for the City. Thad Hashbarger, Operations, and Ashley Tyler, Manager, were present for Ruby Tuesday's.

After Chairman Tedford explained the process for the hearing, Special Agent Derrick Dalton with the Tennessee Alcoholic Beverage Commission testified for the City. Special Agent Dalton stated the Tennessee Alcoholic Beverage Commission conducted a minor compliance check on March 18, 2013. During this check, an employee of Ruby Tuesday's, checked the underage confidential informant's ID (who was 19) and sold him a Bud Light draft beer. The establishment was issued a citation and paid a civil penalty of \$1500 to the State. Special Agent Dalton stated this was the first violation for this location since 2002.

Chairman Tedford asked the business representatives what measures had been taken to prevent this from occurring in the past. Mr. Hashbarger stated they have partnered with Pouncey Partners to provide training classes and that he is becoming certified as a trainer himself. He also stated the last class they had was September 7, 2013 and provided a list of employees who attended. He also stated they are using the layover cards from Ms. Pouncey to help properly ID a patron and he has already ordered the cards for 2014. He also explained changes to the process for beer sales: All employees must write the date of birth on the ticket along with the expiration date for the license. This information goes to the bartender for verification prior to the drink being prepared. If the license is listed as "under 21" the license must be shown to a manager for verification. If an employee sells beer to a minor, the employee is terminated by company policy. If an employee violates the new process for beer sales, the employee is terminated on the second offense. He also explained new training requirements for employees.

Ms. Scott asked where Mr. Morrison was and Mr. Hashbarger stated he is no longer employed. Additionally, there was a change in management after this event.

Having nothing further, Secretary Bailey moved, seconded by Ms. Solmonson, that Ruby Tuesday's had shown sufficient cause as to why the Board should not take any negative action against the beer permit and the motion carried unanimously.

NEW / OLD BUSINESS

Possible Ordinance Amendment –Training Requirements

This item is a continuation from the prior meeting. The Board reviewed proposed language for a new training requirement similar to Anderson County's requirements for beer permit holders with the following exceptions: (1) require training every three years and (2) delete the requirement for the Board to approve the training courses.

After reviewing the changes from the last meeting, Secretary Bailey moved to change the word "person" back to the word "employee" and to define the term "employee" for the purposes of this section as "any person involved in the sale of alcoholic beverages, including owners and managers." Ms. Scott seconded the motion and the motion carried unanimously.

The Board continued to discuss the purposes of changing the training requirement (promote education, prevent underage consumption, prevent intoxicated persons from harming themselves or others, etc.). There was also some discussion of whether the cost of training would be burdensome on mom and pop stores. There was also discussion on whether the City could provide free or minimal cost training to employees of beer establishments in Oak Ridge. After much discussion, Mr. Colverson moved, seconded by Ms. Solmonson, to postpone discussion on this item until there could be further study on the costs and benefits associated with the administrative process of requiring training by other municipalities. The motion carried by a vote of 4 to 2 with Secretary Bailey and Ms. Scott voting against.

At this time, Mr. Colverson left to attend another meeting.

Police Report – Lincoln’s Sports Grille

Deputy Chief Massengill reported to the Board a physical disturbance by an intoxicated patron that occurred at Lincoln’s on November 2, 2013. According to the police report, the officer spoke to an employee of Lincoln’s regarding the disturbance. The employee told the officer the patron had been cut off several times yet still managed to obtain alcoholic beverages and appeared to be over-served. These statements, as well as the officer’s observation of the level of intoxication of the patron, caused the officer to forward the report for review by the Board.

Ms. Scott moved, seconded by Ms. Solmonson, to hold a show cause hearing for Lincoln’s at the next regular meeting for this disturbance involving an intoxicated patron and the motion carried unanimously by a vote of 5 to 0. Mr. Colverson was absent for this vote. As part of the motion, Ms. Scott requested the presence of the owners, the manager, the server, and the employee who talked with the officer, and requested they bring video from that night and a copy of the patron’s beer tab.

Moose Lodge

Ms. Scott asked Deputy Chief Massengill if there were any issues with the suspension of the Moose Lodge. Deputy Chief Massengill stated he did not know, but that the information was passed on to patrol to check the business during the suspension. Ms. Dunn stated Mr. Leitnaker, Jr. informed the City he is no longer the manager of the establishment.

Market House

Ms. Scott inquired about The Market House’s closure and the Halloween party they advertised after announcing closure of the business. Ms. Dunn stated the City determined the beer permit was valid until after the party due to a review of their statements made on Facebook. Deputy Chief Massengill reported there were no issues with the party from law enforcement. Ms. Dunn stated there will be a new application at the next meeting for a business at this location.

ADJOURNMENT

Meeting adjourned at 1:10 p.m. upon agreement of all members present.

Respectfully submitted,

Barton Bailey, Secretary

**CITY OF OAK RIDGE, TENNESSEE
APPLICATION FOR BEER PERMIT**

Application for (check all that apply):

manufacturer (Class A Permit)
 hotel or club (Class D Permit)

on-premises consumption (Class C Permit)
 off-premises consumption (Class B Permit)

I hereby, as an owner or agent/representative of the business, make application to the Oak Ridge Beer Permit Board for a beer permit pursuant to the Oak Ridge City Code and Tennessee law. This application is based upon the following information:

1. Request is made for (check all that apply):

new beer permit
 existing permit—name change
 existing permit—change location
 existing permit—ownership change
 existing permit—additional permit type

2. Name under which business will operate: Gallo Loco Inc.

By Tennessee Code Annotated §57-5-103(a)(3)(C), a beer permit is only valid for the business operating under the name identified on the permit. A change in name will automatically invalidate the beer permit and a new permit must be obtained to continue to sell/serve beer. There is no grace period or holdover period for selling beer during this time.

3. Street address where business will operate: 80 East TN Ave Oak Ridge, TN 37830

By Tennessee Code Annotated §57-5-103(a)(3)(B), a beer permit is only valid for a single location and cannot be transferred to a new location. A permit is valid for all decks, patios, and other outdoor serving areas that are contiguous to the exterior of the building in which the business is located and that are operated by the business. A change in location will invalidate the beer permit and a new permit must be obtained to continue to sell/serve beer. There is no grace period or holdover period for selling beer during this time.

4. Business Telephone Number: N/A

5. Proposed date business will open under this ownership: 12/01/2013

6. Full Name of Applicant (Owner or Owner's Agent/Representative):

Patricia Ann Sanchez

7. Applicant's prior experience selling/serving beer or other alcoholic beverage:

Restaurant / Servers permit

8. Type of business entity:

Individual Corporation L.L.C. Joint-stock Company
Partnership Other

9. Full name of the person to be the on-premise manager responsible for the direct daily operations of the business:

Patricia Ann Sanchez

10. Name and mailing address of person to receive communication from the City and/or Beer Board (ex. annual privilege tax notices) as well as said person's relationship to the business:

Patricia Ann Sanchez (owner) 80 E. TN Ave, Oak Ridge, TN 37830

11. Describe the nature of the business (ex. restaurant, bar, tavern, club, convenience store, etc.)

Restaurant

12. Description of the business's footprint and parking areas available to/for the use of the business (attach drawing if available):

19 parking 1 van accessible disabled drawing included

13. Name, mailing address and telephone number of the property owner, if other than the business owner:

Vintage Development Corp
Anthony Capriello, 110 S. Illinois Ave, Oak Ridge, TN 37830
865-482-1214

NOTE: If the business owner is different from the property owner, you must submit a signed and notarized written statement from the property owner giving the applicant/business permission to sell or serve beer on the premises. Include this statement with the application.

14. Has any owner (having at least a five percent (5%) ownership interest) ever had a liquor license or beer permit suspended, revoked or denied? NO

If yes, where and under what business name? N/A

15. Has any owner (having at least a five percent (5%) ownership interest) or any person to be employed in the distribution or sale of beer been convicted of violating any law against possession, sale, manufacture or transportation of beer or intoxicating liquor, drugs, or narcotics or of a crime involving moral turpitude within the last ten (10) years? NO

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

N/A

16. Does any owner have a business or personal relationship with any person who previously held a beer permit for this location, or with any person or entity who owned any portion of a business which previously held a beer permit at this location? NO

If yes, explain: N/A

17. Name and address of the nearest church and school. By City Code §8-705, the Beer Board shall not approve a beer permit where, in the opinion of the board, such sale would interfere with schools, churches or other places of public gathering.

1450 Oak Ridge Pk 451 E. TN AVE
Oak Ridge High Oak Ridge 37830 Kern Methodist Oak Ridge 37830

18. Describe steps which will be taken to prevent the sale of beer to those under twenty-one (21):

ID check to everyone, no exceptions

NOTE: In accordance with Tennessee Code Annotated §57-5-103(d), all beer permit holders must provide documentation that they are duly registered for sales tax purposes. A copy of the sales tax registration certificate must be submitted with this application or within ten (10) days after being issued a beer permit.

Applicant hereby solemnly swears or affirms the following:

- Every statement in this application is true and correct, and if any statement therein is false, the permit issued thereto may be revoked by the Beer Board, after notice of a hearing, in which event the burden shall be on the applicant to prove the correctness of all statements in the application.
- The owner(s) is(are) of good moral character and has/have sufficient legal interest in a suitable location as would entitle him/her/them to conduct the sale of beer.
- The City has my full authorization and release to obtain all relevant information to investigate and determine my character, qualifications, and suitability for the issuance of a beer permit.
- Neither myself nor any owner or manager has been convicted of driving under the influence within the past ten (10) years.
- Unlawful gambling and gaming devices will not be allowed in the business.
- Beer will not be sold or served to a person who appears to be intoxicated.
- Beer will not be sold or served to a person under the age of twenty-one (21).
- Persons under the age of twenty-one (21) will not be allowed to consume beer or other alcoholic beverage, nor will they be allowed to loiter on the premises.
- The business will comply with the provisions of Tennessee Code Annotated §57-5-301(e)(1) regarding possession and transportation of beer by persons under the age of twenty-one (21).
- All laws, ordinances, rules, and regulations governing the sale or distribution of beer will be observed and complied with, and all employees will be trained accordingly.
- Clean, sanitary facilities will be provided.
- The business will be conducted in an orderly, peaceable and lawful manner and no loud or obnoxious noises will be allowed.
- No beer or other alcoholic beverages will be sold or consumed on the premises except during lawful hours as set by city ordinance.
- The business is authorized to do business within the City of Oak Ridge and the State of Tennessee.
- Should any manager cease to act in such capacity, this fact shall be reported to the City's Legal Department at 425-3530 within five (5) days.
- Should any ownership change, this fact shall be reported to the City's Legal Department at 425-3530 within one (1) business day, and the beer permit shall be returned to the City.
- The City Manager (through the Oak Ridge Police Department) has full power, including right of entry, to enforce the beer ordinances and to inspect and investigate any reported or alleged violations without the necessity of a search warrant.
- The beer permit, once obtained, shall at all times be posted in a conspicuous place within the establishment that is easily seen by patrons.
- The beer permit may be revoked or suspended, after notice and a hearing by the Board, for any violations of the above statements, for any misinformation or omission contained within this application, for any violation of the Code of Ordinances, Title 8, Chapters 6-8, or for any violations of State law relating to beer, alcohol or crimes of moral turpitude.
- The applicant has ensured the business is in compliance with all zoning requirements for this location.

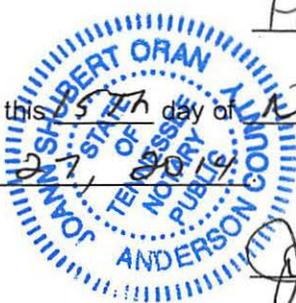
I hereby release, absolve and hold harmless the City of Oak Ridge, the Oak Ridge Beer Permit Board, the Oak Ridge Police Department, its employees, agents and representatives from any and all liability of whatever type for any damages, causes of action, personal property injuries which may result as a consequence of my application for a beer permit, background investigation, release of documents or other matters related to my application. I hereby waive all possible liability of the City of Oak Ridge, the Oak Ridge Beer Permit Board, the Oak Ridge Police Department, its employees, agents and representatives as stated above.

This the 15th day of November, 2013.

Patricia A. Sanchez
Signature of Applicant

Sworn to and subscribed before me this 15th day of November, 2013.

My commission expires: Jan. 27, 2014



Joann Shubert Oran
Notary Public

**CITY OF OAK RIDGE, TENNESSEE
APPLICATION FOR APPROVAL AS MANAGER**

I hereby make application to the Oak Ridge Beer Permit Board for approval as Manager pursuant to the Oak Ridge City Code. This application is based upon the following information:

1. Business Name Hallo Loco Inc
Business Address 80 East TN Ave, Oak Ridge, TN 37830

2. Manager's Full Name Patricia Ann Sanchez

3. Request is made as (check which applies):
Additional Manager Cesar Ortiz PS Replacement of Prior Manager _____

4. Manager's prior experience selling/serving beer or other alcoholic beverage:
Restaurant / Server permit

5. Manager's Work History:
How long have you been employed at the business? N/A
Date you became Manager: _____
Name of Previous Manager: _____ Date left: _____
Previous Employment for the past ten (10) years (name of business, address, length of employment, position held). Attach additional sheets if necessary:

6. Beer Permit History:
Have you ever been employed at an establishment with a beer permit? Yes
If so, where and when: Hidalgo Mexican Rest. 2010 Tias Texmex 2006
Have you ever been a manager of an establishment with a beer permit? NO
Have you ever had a beer permit refused, suspended or revoked? NO
If so, where and when: N/A

7. Manager's Criminal History:
Have you ever been convicted of any violation of federal laws, state statutes, or city ordinances involving the possession, sale, manufacture or transportation of intoxicating liquors, drugs or narcotics, or of a crime of moral turpitude with the past ten years? NO
If so, provide details of the offense and when you were convicted:
N/A

8. Describe steps which will be taken to prevent the sale of beer to persons under twenty-one (21):
Check ID, everyone, no exceptions.

Applicant hereby solemnly swears or affirms the following:

- Every statement in this application is true and correct, and if any statement therein is false, the permit issued thereto may be revoked by the Beer Board, after notice of a hearing, in which event the burden shall be on the applicant to prove the correctness of all statements in the application.
- I am of good moral character and as manager of the business am able to conduct the sale of beer.
- The City has my full authorization and release to obtain all relevant information to investigate and determine my character, qualifications, and suitability for the issuance of a beer permit.
- I have not been convicted of driving under the influence within the past ten (10) years. (Not applicable if manager also possesses a current server permit from the Tennessee Alcoholic Beverage Commission)
- Unlawful gambling and gaming devices will not be allowed in the business.
- Beer will not be sold or served to a person who appears to be intoxicated.
- Beer will not be sold or served to a person under the age of twenty-one (21).
- Persons under the age of twenty-one (21) will not be allowed to consume beer or other alcoholic beverage, nor will they be allowed to loiter on the premises.
- The business will comply with the provisions of Tennessee Code Annotated §57-5-301(e)(1) regarding possession and transportation of beer by persons under the age of twenty-one (21).
- All laws, ordinances, rules, and regulations governing the sale or distribution of beer will be observed and complied with, and all employees will be trained accordingly.
- The business will be conducted in an orderly, peaceable and lawful manner and no loud or obnoxious noises will be allowed.
- No beer or other alcoholic beverages will be sold or consumed on the premises except during lawful hours as set by city ordinance.
- Should I cease to act as manager, this fact shall be reported to the City's Legal Department at 425-3530 within five (5) days.
- The City Manager (through the Oak Ridge Police Department) has full power, including right of entry, to enforce the beer ordinances and to inspect and investigate any reported or alleged violations without the necessity of a search warrant.
- My manager approval may be revoked or suspended, after notice and a hearing by the Board, for any violations of the above statements, for any misinformation or omission contained within this application, for any violation of the Code of Ordinances, Title 8, Chapters 6-8, or for any violations of State law relating to beer, alcohol or crimes of moral turpitude.

I hereby release, absolve and hold harmless the City of Oak Ridge, the Oak Ridge Beer Permit Board, the Oak Ridge Police Department, its employees, agents and representatives from any and all liability of whatever type for any damages, causes of action, personal property injuries which may result as a consequence of my application for a beer permit, background investigation, release of documents or other matters related to my application. I hereby waive all possible liability of the City of Oak Ridge, the Oak Ridge Beer Permit Board, the Oak Ridge Police Department, its employees, agents and representatives as stated above.

This the 15th day of November, 2013.

Patricia A. Sanchez
Signature of Applicant

Sworn to and subscribed before me this 15th day of November, 2013.

My commission expires: Jan. 24, 2014.

Joann Shubert
Notary Public



VINTAGE DEVELOPMENT CORPORATION

November 13, 2013

To Whom It May Concern,

This letter is written consent for Gallo Loco, Inc. to sell or serve beer at 80 E. Tennessee Avenue, Oak Ridge, Tennessee 37830, which is owned by Vintage Development Corporation.

Sincerely,



Anthony P. Cappiello Jr.
President
Vintage Development Corporation

State of Tennessee
County of Anderson

Before me, Kristi Lee Lyons, a Notary Public of said State and County aforesaid, personally appeared Anthony P. Cappiello, Jr. with whom I am personally acquainted and who, upon oath, acknowledged himself to be the President of Vintage Development Corporation, the within named bargainer, a corporation, and that he as such officer, executed the foregoing instrument for the purpose therein contained, by signing the name of the corporation by himself as President.

Witness my hand and seal, on this 13th day of November, 2013.

Notary Public Kristi Lee Lyons

My Commission Expires: February 23, 2014



PLD Head
480-6001

ZONING APPROVED

A FOUNDATION SURVEY IS REQUIRED

JUN 13 1997
COUNTY DEPT. OF PLANNING

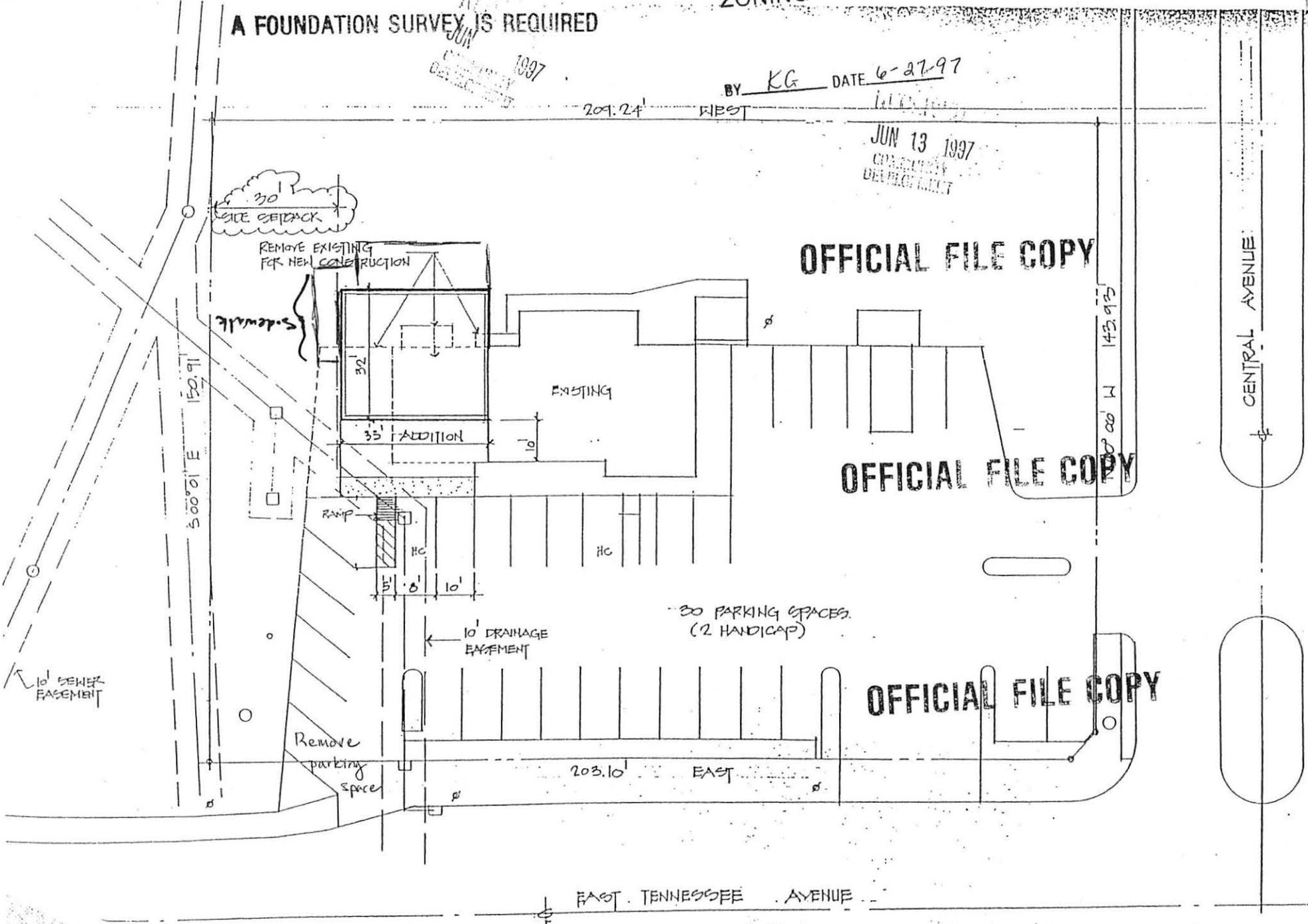
BY KG DATE 6-27-97

JUN 13 1997
COUNTY DEPT. OF PLANNING

OFFICIAL FILE COPY

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EAST TENNESSEE AVENUE

CENTRAL AVENUE

**CITY OF OAK RIDGE, TENNESSEE
APPLICATION FOR APPROVAL AS MANAGER**

I hereby make application to the Oak Ridge Beer Permit Board for approval as Manager pursuant to the Oak Ridge City Code. This application is based upon the following information:

1. Business Name OAK RIDGE MOOSE LODGE #1316
Business Address 103 N JEFFERSON CIRCLE, OAK RIDGE, TN 37830

2. Manager's Full Name PAMLA ANN MORTON

3. Request is made as (check which applies):
Additional Manager _____ Replacement of Prior Manager

4. Manager's prior experience selling/serving beer or other alcoholic beverage:
OAK RIDGE MOOSE LODGE #1316 Bartender / Manager

5. **Manager's Work History:**
How long have you been employed at the business? 2 months
Date you became Manager: 11/13/13
Name of Previous Manager: JIM LEITRAKER Date left: 11/12/13
Previous Employment for the past ten (10) years (name of business, address, length of employment, position held). Attach additional sheets if necessary:
ORAL CARE PARTNERS 7221 OR Hwy, Suite 200, Knoxville, TN 37931 Nov. 2011 - Aug 2013 Registered Dental Hygienist
OAK RIDGE MOOSE LODGE 103 N JEFFERSON CIRCLE, O.R., TN 37830 Social Activities Manager April 2010 - Nov. 2011
SIMMONS FAMILY DENTISTRY 150 E. DIVISION RD, O.R., TN. 37830 Registered Dental Hygienist Dec. 1998 - Aug 2009

6. **Beer Permit History:**
Have you ever been employed at an establishment with a beer permit? YES
If so, where and when: OAK RIDGE MOOSE LODGE #1316 2010-2011
Have you ever been a manager of an establishment with a beer permit? YES
Have you ever had a beer permit refused, suspended or revoked? NO
If so, where and when: _____

7. **Manager's Criminal History:**
Have you ever been convicted of any violation of federal laws, state statutes, or city ordinances involving the possession, sale, manufacture or transportation of intoxicating liquors, drugs or narcotics, or of a crime of moral turpitude with the past ten years? NO
If so, provide details of the offense and when you were convicted:

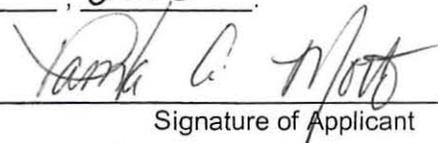
8. Describe steps which will be taken to prevent the sale of beer to persons under twenty-one (21):
MAKE SURE ALL BARTENDERS HAVE HAD TIPS training and
CHECK ID ON EVERYONE!

Applicant hereby solemnly swears or affirms the following:

- Every statement in this application is true and correct, and if any statement therein is false, the permit issued thereto may be revoked by the Beer Board, after notice of a hearing, in which event the burden shall be on the applicant to prove the correctness of all statements in the application.
- I am of good moral character and as manager of the business am able to conduct the sale of beer.
- The City has my full authorization and release to obtain all relevant information to investigate and determine my character, qualifications, and suitability for the issuance of a beer permit.
- I have not been convicted of driving under the influence within the past ten (10) years. (Not applicable if manager also possesses a current server permit from the Tennessee Alcoholic Beverage Commission)
- Unlawful gambling and gaming devices will not be allowed in the business.
- Beer will not be sold or served to a person who appears to be intoxicated.
- Beer will not be sold or served to a person under the age of twenty-one (21).
- Persons under the age of twenty-one (21) will not be allowed to consume beer or other alcoholic beverage, nor will they be allowed to loiter on the premises.
- The business will comply with the provisions of Tennessee Code Annotated §57-5-301(e)(1) regarding possession and transportation of beer by persons under the age of twenty-one (21).
- All laws, ordinances, rules, and regulations governing the sale or distribution of beer will be observed and complied with, and all employees will be trained accordingly.
- The business will be conducted in an orderly, peaceable and lawful manner and no loud or obnoxious noises will be allowed.
- No beer or other alcoholic beverages will be sold or consumed on the premises except during lawful hours as set by city ordinance.
- Should I cease to act as manager, this fact shall be reported to the City's Legal Department at 425-3530 within five (5) days.
- The City Manager (through the Oak Ridge Police Department) has full power, including right of entry, to enforce the beer ordinances and to inspect and investigate any reported or alleged violations without the necessity of a search warrant.
- My manager approval may be revoked or suspended, after notice and a hearing by the Board, for any violations of the above statements, for any misinformation or omission contained within this application, for any violation of the Code of Ordinances, Title 8, Chapters 6-8, or for any violations of State law relating to beer, alcohol or crimes of moral turpitude.

I hereby release, absolve and hold harmless the City of Oak Ridge, the Oak Ridge Beer Permit Board, the Oak Ridge Police Department, its employees, agents and representatives from any and all liability of whatever type for any damages, causes of action, personal property injuries which may result as a consequence of my application for a beer permit, background investigation, release of documents or other matters related to my application. I hereby waive all possible liability of the City of Oak Ridge, the Oak Ridge Beer Permit Board, the Oak Ridge Police Department, its employees, agents and representatives as stated above.

This the 25th day of November, 2013.



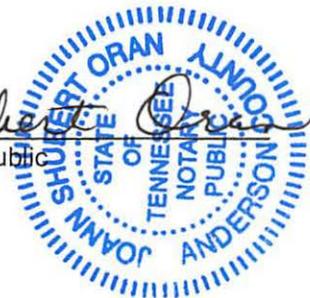
Signature of Applicant

Sworn to and subscribed before me this 25th day of November, _____.

My commission expires: Jan. 27, 2014.



Notary Public



SHOW CAUSE HEARINGS – GENERALLY

Section 4.D. of the Board's Rules and Procedures govern the procedure for show cause hearings, which shall be conducted as nearly as practicable in accordance with judicial tribunal proceedings.

In the past, the Beer Board has used the following procedure for show cause hearings:

1. The Chairman announces the reason for hearing, specifying the establishment's name and the incident(s) that resulted in the Board voting to hold the show cause hearing.
2. The Chairman swears in all witnesses – "Everyone who may give testimony, please come forward. Raise your right hand. Do you swear or affirm that the testimony you give in this hearing will be the truth, the whole truth and nothing but the truth?"
3. Testimony – The Board may hear testimony from the City and the establishment. Board members may ask questions of the witnesses. This is the establishment's opportunity to show cause as to why the Board should not take any negative action against the establishment's beer permit(s).
4. Discussion – After testimony, the Board discusses whether the establishment has shown cause as to why the Board should not take action against the beer permit. If a member feels the establishment has not shown sufficient reasons for the Board to not take action against the beer permit, then the motion would read as follows:

"I move that [name of establishment] HAS NOT SHOWN adequate cause as to why the Board should not take action against the beer permit."

If a member feels the establishment has shown sufficient cause, then the motion would read the same without the "not" inserted above.

"I move that [name of establishment] HAS SHOWN adequate cause as to why the Board should not take action against the beer permit."

If there is a majority vote that the establishment has not shown sufficient cause for the Board to not take negative action, the next decision for the Board is what action to take against the beer permit(s).

The Board may revoke or suspend a beer permit. A revocation is permanent removal of the beer permit. A suspension is temporary and can be effective for any time period up to eleven months and twenty-nine days. If a suspension is the decision, the Board may also choose to accept a civil penalty in lieu of said suspension (maximum: \$1,000 civil penalty per violation except for sales of beer to a minor which is a maximum of \$2,500). An establishment has seven days to pay any civil penalty imposed or the suspension will take effect.

The Board is requested to be specific in your actions and specific as to the grounds for your actions.

A court reporter is provided by the City for all show cause hearings which enables a transcript of the hearing to be available should an establishment appeal the decision of the Board. Please speak clearly for the court reporter and do not speak over each other or witnesses. The court reporter can only be expected to transcribe what is said by one person at a time in order to provide, if needed for court purposes, a complete and accurate verbatim accounting of the hearing.

Show Cause Hearing # 2013-11

Lincoln's Sports Grille

119 S. Illinois Avenue

Class "C" Permit #1406, Approved 8/9/10

Class "B" Permit #1439, Approved 11/14/11 (for catering only)

Owners: Edward Scott Green, Lendon Aaron Hart, Mike Lincoln, and Vander J. Murray

Manager: Lisa Green (4/8/13)

At the November 18, 2013 meeting, the Oak Ridge Beer Permit Board voted to hold a Show Cause Hearing for Lincoln's Sports Grille. Deputy Chief Alan Massengill reported on an incident that occurred at Lincoln's on November 2, 2013 where an intoxicated patron was involved in a physical disturbance. After investigation by Officer Wallace, the patron was arrested for public intoxication and theft of services (failure to pay bar tab).

The notice of the Show Cause Hearing was hand-delivered by Sergeant John Kelly, Oak Ridge Police Department, to Lisa Green, Manager, on November 19, 2013. A copy of the notice is attached and labeled as Exhibit A (One Page). A copy of the redacted police report is attached and labeled as Exhibit B (Six Pages).

By City Code §8-712(2), the Board has authority to revoke or suspend the beer permit or impose a civil penalty up to \$1,000.00 for any violation of the provisions of the beer ordinances (except for sales of beer to minors, which has different requirements). Such violations include, but are not limited to, operation of a business in a disorderly manner, serving intoxicated persons, and permitting intoxicated persons to consume beer on the premises. By City Code §8-712(3), if a civil penalty is imposed in lieu of suspension, the permittee has seven days to pay the civil penalty before the suspension shall be imposed and, if paid, the suspension is deemed withdrawn.

By City Code §8-712(9), prior suspensions and other disciplinary actions taken by the Board against a permittee may be considered by the Board for a determination of disciplinary action in any show cause hearing. A review of the beer permit file revealed two prior show cause hearings both in 2013. Information on the show cause hearings is below:

- The first show cause hearing occurred on March 11, 2013 as a result of a large disturbance occurring inside the premises on February 9-10, 2013. The Board did not take any negative action against the beer permit as a result of the hearing.
- The second show cause hearing occurred on September 9, 2013 as a result of an employee serving a minor beer on March 18, 2013 as part of the Tennessee Alcoholic Beverage Commission's minor compliance check operation. The Board took negative action against the beer permit as a result of the hearing by imposing a one week suspension. However, Lincoln's had the option to submit proof of training requirements for all servers and bartenders by September 16, 2013 in order to have the suspension lifted. Lincoln's submitted such documentation and the suspension was lifted. A copy of the decision of the Board and Lincoln's training information is attached and labeled as Exhibit C (Three Pages).

Lisa Green, Manager of Lincoln's, provided a written response from Lincoln's Sports Grille concerning the incident on November 2, 2013. A copy of the response is attached and labeled as Exhibit D (Two Pages).

A decision of the Board to either suspend or revoke must be posted at the main entrance to the establishment and remain posted for the duration of the suspension or revocation.

CITY OF
OAK RIDGE



HAND-DELIVERED BY ORPD OAK RIDGE, TENNESSEE 37831-0001

November 19, 2013

Lisa Green, Manager
Lincoln's Sports Grille
119 S. Illinois Avenue
Oak Ridge, Tennessee 37830

Re: Show Cause Hearing #2013-11 – December 9, 2013 – Notice to Appear

Ms. Green,

On November 18, 2013, the Oak Ridge Beer Permit Board unanimously voted to hold a Show Cause Hearing for Lincoln's in response to communication the Board received from the Oak Ridge Police Department regarding a physical disturbance at Lincoln's on the evening of November 2, 2013. The disturbance involved a patron (Joseph Russell Caudill) who was arrested for public intoxication and theft of services. (Police Report Incident #2013-04221)

The Show Cause Hearing has been set for **Monday, December 9, 2013**, immediately following the regular meeting of the Board which begins at 12:00 noon. The meeting and the show cause hearing will both take place in the Training Room (Room 104) of the City's Municipal Building located at 200 S. Tulane Avenue. As part of the vote to call the show cause hearing, the Board also required the following: presence of the owner, manager, server Corey T., and employee Brad Jullian; video from the night in question; and a copy of the patron's beer tab.

The show cause hearing will be Lincoln's opportunity to explain to the Board why negative action should not be taken against the beer permit. If you wish to do so, you may provide a written response to the hearing for inclusion in the Board's agenda packet. I would need this information by noon on December 2, 2013. This response can be any information you would like for the Board to know regarding the incident resulting the show cause hearing, any steps you have taken to prevent such incidents in the future, etc.

You have the right to be represented by legal counsel at the hearing. If you have any questions regarding the show cause hearing process, please feel free to call my office at (865) 425-3530, however, this office cannot offer you any legal advice or representation regarding the show cause hearing.

Sincerely,

Tammy M. Dunn
Senior Staff Attorney/Staff Liaison to the Board

Delivered to: Lincoln's
Left the original with:

Oak Ridge Police Department
11/19/2013
Date

ADMINISTRATIVE							
1 ORI# TN0010300			LOCATION: 119 S ILLINOIS AVE OAK RIDGE				
2 INCIDENT# 2013-04221			REPORTING OFFICER: CHRISTOPHER WALLACE		ASSIGNMENT: PATROL		
INCIDENT OCCURRENCE RANGE	6 DATE	5 TIME	DAY OF WEEK	TODAY'S DATE	TODAY'S TIME	ZONE	
	FROM: 11/02/2013 TO: 11/03/2013	FROM: 23:47 TO: 00:06	FROM: Saturday TO: Sunday	11/02/2013	23:47		
INCIDENT <input type="checkbox"/> CLEARED BY ARREST <input type="checkbox"/> CLEARED EXCEPTIONALLY		3 EXCEPTIONAL CLEARANCE: A <input type="checkbox"/> DEATH OF OFFENDER D <input type="checkbox"/> REFUSED TO COOPERATE B <input type="checkbox"/> PROSECUTION DECLINED E <input type="checkbox"/> JUVENILE, NO CUSTODY C <input type="checkbox"/> EXTRADITION DECLINED N <input type="checkbox"/> NOT APPLICABLE			4 EXCEPTIONAL CLEARANCE DATE:		
OFFENSE							
7 UCR OFFENSE CODE	OFFENSE				OFFENSE RELATED TO T.C.A.#:		
1. 26A	26A FALSE PRETENSE/SWINDLE/CONFIDENCE GAME				39-14-104		
2. 90E	90E DRUNKENNESS				39-17-310		
8 BIAS MOTIVATION CODE (SUBMIT ONLY ONE)		1) 88 2) 88	9 LOCATION OF OFFENSE (SUBMIT ONLY ONE)		1) 21 2) 21	71 TYPE OF RESIDENCE 1) 2)	
10 OFFENSE STATUS:			11 OFFENDER USED:(CHECK AS MANY AS APPLY)				
1. A <input type="checkbox"/> ATTEMPTED C <input checked="" type="checkbox"/> COMPLETED			1. A <input checked="" type="checkbox"/> ALCOHOL C <input type="checkbox"/> COMPUTER EQUIPMENT D <input type="checkbox"/> DRUGS N <input type="checkbox"/> NOT APPLICABLE				
2. A <input type="checkbox"/> ATTEMPTED C <input checked="" type="checkbox"/> COMPLETED			2. A <input checked="" type="checkbox"/> ALCOHOL C <input type="checkbox"/> COMPUTER EQUIPMENT D <input type="checkbox"/> DRUGS N <input type="checkbox"/> NOT APPLICABLE				
12 TYPE OF CRIMINAL ACTIVITY		1 2	70 WHAT WERE THE ACTS INVOLVED?		1 28 2 28	75 WAS THERE A HOSTAGE INVOLVED? 1 <input type="checkbox"/> YES <input checked="" type="checkbox"/> NO 2 <input type="checkbox"/> YES <input checked="" type="checkbox"/> NO	
72 ALARM WAS		1 2	73 POINT OF ENTRY?		1 2	74 EVIDENCE AT SCENE 1 2	
13 TYPE OF WEAPON / FORCE INVOLVED: (SUBMIT UP TO THREE) (ALSO CHECK BOX IF AUTOMATIC WEAPON)		199	(AUTO) 2 99	(AUTO)	1 2	75 INSTRUMENT USED	
14 (FOR BURGLARY ONLY) METHOD OF ENTRY		1 F <input type="checkbox"/> FORCIBLE 2 F <input type="checkbox"/> FORCIBLE	N <input checked="" type="checkbox"/> NO FORCE N <input checked="" type="checkbox"/> NO FORCE	15 NO. OF PREMISES ENTERED: 1) 2)			
COMPLAINANT/WITNESS							
<input type="checkbox"/> STATEMENT NAME: CRADDUCK, KRYSTAL SUZANNE RESIDENCE PHONE: _____ DOB: _____ <input type="checkbox"/> COMPLAINANT <input checked="" type="checkbox"/> WITNESS ADDRESS: _____ BUSINESS PHONE: _____ SSN: _____ <input type="checkbox"/> OFFICER							
<input type="checkbox"/> STATEMENT NAME: <u>Brandon M Guy</u> RESIDENCE PHONE: _____ DOB: _____ <input type="checkbox"/> COMPLAINANT <input type="checkbox"/> WITNESS ADDRESS: _____ BUSINESS PHONE: _____ SSN: _____ <input type="checkbox"/> OFFICER							
<input type="checkbox"/> STATEMENT NAME: _____ RESIDENCE PHONE: _____ DOB: _____ <input type="checkbox"/> COMPLAINANT <input type="checkbox"/> WITNESS ADDRESS: _____ BUSINESS PHONE: _____ SSN: _____ <input type="checkbox"/> OFFICER							
<input type="checkbox"/> STATEMENT NAME: _____ RESIDENCE PHONE: _____ DOB: _____ <input type="checkbox"/> COMPLAINANT <input type="checkbox"/> WITNESS ADDRESS: _____ BUSINESS PHONE: _____ SSN: _____ <input type="checkbox"/> OFFICER							

OFFENSE REPORT

VICTIM																					
43 OFFENSE(S) AGAINST VICTIM 26A		VICTIM #1 NAME (LAST, MIDDLE, FIRST) LINCOLNS SPORTS GRILLE		<input type="checkbox"/> STATEMENT																	
		ADDRESS (STREET, CITY, STATE, ZIP) 119 S. ILLINOIS AVENUE OAK RIDGE, TN 37830-																			
44 TYPE OF VICTIM B		PHONE HOME WORK		DOB	SSN																
43 OFFENSE(S) AGAINST VICTIM		VICTIM #2 NAME (LAST, MIDDLE, FIRST)		<input type="checkbox"/> STATEMENT																	
		ADDRESS (STREET, CITY, STATE, ZIP)																			
44 TYPE OF VICTIM		PHONE HOME WORK		DOB	SSN																
45 SEX <input type="checkbox"/> 1 <input type="checkbox"/> 2	47 HISPANIC <input type="checkbox"/> 1 <input type="checkbox"/> 2	48 RESIDENT <input type="checkbox"/> 1 <input type="checkbox"/> 2	WAS THE VICTIM AN OFFICER? YES <input type="checkbox"/> 1 <input type="checkbox"/> 2	52 IS THE VICTIM A COLLEGE STUDENT? YES <input type="checkbox"/> 1 <input type="checkbox"/> 2																	
46 RACE <input type="checkbox"/> 1 <input type="checkbox"/> 2	NON-HISPANIC <input type="checkbox"/> 1 <input type="checkbox"/> 2	NON-RESIDENT <input type="checkbox"/> 1 <input type="checkbox"/> 2	NO <input checked="" type="checkbox"/> 1 <input type="checkbox"/> 2	NO <input checked="" type="checkbox"/> 1 <input type="checkbox"/> 2																	
50 INJURY TYPE(SUBMIT UP TO FIVE)		51 (A) AGGRAVATED ASSAULT/HOMICIDE (B) NEGLIGENT MANSLAUGHTER (C) JUSTIFIABLE HOMICIDE AND ADDITIONAL JUSTIFIABLE HOMICIDE IF APPLICABLE		53 IF YES, LIST NAME OF COLLEGE/UNIVERSITY/SCHOOL?																	
<table border="1" style="width:100%; height: 20px;"> <tr><td> </td><td> </td><td> </td><td> </td><td> </td><td> </td></tr> <tr><td> </td><td> </td><td> </td><td> </td><td> </td><td> </td></tr> </table>														<table border="1" style="width:100%; height: 20px;"> <tr><td> </td><td> </td></tr> <tr><td> </td><td> </td></tr> </table>						#1 _____ #2 _____	
IS THE VICTIM ALSO THE COMPLAINANT? YES <input type="checkbox"/> 1 <input type="checkbox"/> 2 NO <input checked="" type="checkbox"/> 1 <input type="checkbox"/> 2		A. AGGRAVATED ASSAULT/HOMICIDE CIRCUMSTANCES: #1 _____ #2 _____		ADDITIONAL JUSTIFIABLE HOMICIDE (CHECK ONE IF ITEM C IS CHECKED):																	
54 DID THE OFFENSE OCCUR ON CAMPUS? YES <input type="checkbox"/> 1 <input type="checkbox"/> 2 NO <input type="checkbox"/> 1 <input type="checkbox"/> 2		B. NEGLIGENT MANSLAUGHTER (SUBMIT ONE) #1 _____ #2 _____		<input type="checkbox"/> 1 <input type="checkbox"/> 2 A. ATTACKED POLICE OFFICER AND THAT OFFICER KILLED CRIMINAL																	
55 DOMESTIC VIOLENCE? YES <input type="checkbox"/> 1 <input type="checkbox"/> 2 NO <input type="checkbox"/> 1 <input type="checkbox"/> 2		C. JUSTIFIABLE HOMICIDE (SUBMIT ONE) 20. CRIMINAL KILLED BY PRIVATE CITIZEN #1 _____ 21. CRIMINAL KILLED BY POLICE OFFICER #2 _____		<input type="checkbox"/> 1 <input type="checkbox"/> 2 B. ATTACKED OFFICER AND FELLOW OFFICER KILLED CRIMINAL																	
56 IF YES, WAS VICTIM TRANSPORTED TO SAFE PLACE? YES <input type="checkbox"/> 1 <input type="checkbox"/> 2 NO <input type="checkbox"/> 1 <input type="checkbox"/> 2				<input type="checkbox"/> 1 <input type="checkbox"/> 2 C. ATTACKED A CIVILIAN																	
				<input type="checkbox"/> 1 <input type="checkbox"/> 2 D. ATTEMPTED FLIGHT FROM A CRIME																	
				<input type="checkbox"/> 1 <input type="checkbox"/> 2 E. KILLED IN THE COMMISSION OF A CRIME																	
				<input type="checkbox"/> 1 <input type="checkbox"/> 2 F. RESISTED ARREST																	
				<input type="checkbox"/> 1 <input type="checkbox"/> 2 G. UNABLE TO DETERMINE/NOT ENOUGH																	
				57 RELATION OF VICTIM TO OFFENDER #1 <input type="checkbox"/> OK #2 <input type="checkbox"/>																	
LEOKA																					
58 TYPE OF LEOKA:		59 TYPE OF VEHICLE:		60 OFFICER ASSIGNMENT:																	
<input type="checkbox"/> OFFENDER # _____ / <input checked="" type="checkbox"/> ARRESTEE # 1 OF # _____ OF # 1																					
31 DOCUMENT CONTROL # _____																					
32 NAME FIRST: JOSEPH		MIDDLE INITIAL: R		LAST: CAUDILL																	
ADDRESS: HM: _____		TEL#: _____		WK: _____																	
(CITY, STATE, ZIP) _____		(CITY, STATE, ZIP) _____		AKA: _____																	
28 SEX: _____	29 RACE: _____	30 AGE: _____	29 ETHNICITY: N	29 RESIDENT STATUS: N																	
HAIR: _____	EYES: _____	DOB: _____	WEIGHT: _____	HEIGHT: _____																	
SCARS AND OTHER IDENTIFIERS:																					
SSN: _____		OLN# (_____)		ST: _____ OTHER: _____																	
CLOTHING: _____		35 TYPE OF ARREST <input type="checkbox"/> O <input type="checkbox"/> S <input checked="" type="checkbox"/> T		36 DISPOSITION OF ARRESTEE UNDER 18: <input type="checkbox"/> HANDLED <input type="checkbox"/> REFERRED																	
35 MULTIPLE CLEARANCE INDICATOR: <input type="checkbox"/> C <input type="checkbox"/> M <input type="checkbox"/> N		38 UCR OFFENSE CODE: 26A		PRESENT OFFENSE: <input type="checkbox"/> FELONY <input checked="" type="checkbox"/> MISDEMEANOR																	
39 SUBJECT WAS ARMED WITH ALSO, CHECK IF AUTOMATIC		FIREARM: <input type="checkbox"/> CONFISCATED <input type="checkbox"/> OBSERVED		PRIOR OFFENSES:																	
01 (<input type="checkbox"/> AUTO) 01 (<input type="checkbox"/> AUTO)		IF SO, ENTER PROPERTY SECTION: _____		<input type="checkbox"/> FELONY <input type="checkbox"/> PAROLE																	
				<input type="checkbox"/> MISDEMEANOR <input type="checkbox"/> PROBATION																	
40 ARREST DATE 11/03/2013 00:06		41 DOCKET # 11		WARRANT SIGNED: (DOM. VIOL. ONLY) <input checked="" type="checkbox"/> OFFICER <input type="checkbox"/> VICTIM <input type="checkbox"/> BOTH																	
Court Date 11/05/2013 09:00 <input type="checkbox"/> Municipal <input checked="" type="checkbox"/> Session <input type="checkbox"/> Criminal <input type="checkbox"/> Juvenile		LOCATION: OAK RIDGE																			
Gang Related <input type="checkbox"/> YES <input checked="" type="checkbox"/> NO		Group: _____		NOTE(S): <u>A13-11-012</u>																	

OFFENSE REPORT

PROPERTY										
16 CAT	PROPERTY DESCRIPTION (MAKE, MODEL, DESCRIPTION)	QTY	17 VALUE	18 TYPE PROPERTY LOSS	SERIAL #	19 DATE RECOVERED	RECOVERED QTY	RECOVER VALUE	DATE CLEAR	
							NCIC #	ENTERED BY:		
							NCIC #	ENTERED BY:		
							NCIC #	ENTERED BY:		
							NCIC #	ENTERED BY:		
							NCIC #	ENTERED BY:		
							NCIC #	ENTERED BY:		
							NCIC #	ENTERED BY:		
							NCIC #	ENTERED BY:		
							NCIC #	ENTERED BY:		
INSURANCE CARRIER		NAME				ADDRESS			TELEPHONE	
IF THE OFFENSE IS ARSON AND THE PROPERTY WAS A STRUCTURE, WAS THE STRUCTURE OCCUPIED? <input type="checkbox"/> YES <input type="checkbox"/> NO										
TYPE OF PROPERTY LOSS/ETC. (ENTER NUMBER IN TYPE PROPERTY LOSS FIELD ABOVE)										
1. NONE 2. BURNED 3. COUNTERFEITED/FORGED 4. DAMAGED/DESTROYED 5. RECOVERED 6. SEIZED 7. STOLEN 8. UNKNOWN (DENOTE BY E - EVIDENCE OR F - FOUND BY PROPERTY LOSS CODE E.G. RECOVERED EVIDENCE (5E))										
VEHICLE * INCLUDE IN PROPERTY SECTION										
1. LICENSE NO:		STATE	STYLE	MAKE	YEAR	VEHICLE ID:				
				MODEL	COLOR					
DESCRIPTION:						VEHICLE WAS: <input type="checkbox"/> SEIZED <input type="checkbox"/> SUSPECT <input type="checkbox"/> STOLEN				
						PARTS <input type="checkbox"/> YES <input type="checkbox"/> NO				
RECOVERED DATE	NCIC - CLEARANCE	LOCATION	BY EMP#	NAME			STORED			
RELEASE DATE	RELEASED TO	LOCATION	RELEASED BY EMP#	NAME						
DRUGS										
	21 SUSPECTED DRUG TYPE:	22 ESTIMATED QUANTITY:	21 TYPE/ MEASUREMENT:	IF NUMBER OF MARIJUANA PLANTS, COMPLETE THE FOLLOWING:						
DRUG # 1				24 <input type="checkbox"/> INDOOR	25 NUMBER OF PLOTS	26 LATITUDE:	27 LONGITUDE:			
DRUG # 2				<input type="checkbox"/> OUTDOOR	_____	_____	_____			
DRUG # 3				<input type="checkbox"/> BOTH	_____	_____	_____			
NARRATIVE										
Title: OFF										
Date Entered: 11/03/2013 01:23										
On November 02, 2013, officers were sent to Lincoln's Sports Grille, 119 S Illinois Ave, on a report of a physical disturbance among two male subjects and one female subject. Through investigation on scene, it was determined										

User-Defined Information Continuation: Page 1 of 1
Agency: OAK RIDGE POLICE DEPT
Jurisdiction: TN0010300
Report Date/Time: 11/02/2013 23:47
Incident/Case Number: 2013-04221
Case Description: PHYSICAL DISTURBANCE // PUBLIC INTOXICATION
Primary Officer Name/ID: /
Approved By:
Date/Time Printed: 11/04/2013 06:49

the above listed suspect was the cause of the disturbance. The suspect was arrested for public intoxication and theft of services.

ADDITIONAL NARRATIVE

Agency Name: OAK RIDGE POLICE DEPT	ORI #: TN0010300	Report Date/Time: 11/02/2013 23:47	OCA #: 2013-04221
---------------------------------------	---------------------	---------------------------------------	----------------------

Title: INV

Date Entered: 11/03/2013 05:00

Source: Radio Call

Circumstances: On November 02, 2013, at approximately 23:47, I, Officer Christopher Wallace, was dispatched to Lincoln's Sports Grille, 119 S Illinois Ave, on a report of a physical disturbance among two male subjects and a female subject.

Observations: Prior to my arrival, officers arrived on scene and advised that an involved party, later identified as Joseph Russell Caudill had exited the premise, and was at the rear of the business on ORAU Way. As I made my approach into the area, I observed the male subject walking away, and he was detained for investigative purposes.

Interview 1 - Joseph Russell Caudill: Officers attempted to question Caudill regarding the disturbance that occurred; however, due to his high level of intoxication from consumption of alcoholic beverages, Caudill was unable to provide any information. When officers informed Caudill he still owed the business \$37.63 from his bard tab, he stated he would not pay it.

Interview 2 - Krystal Suzanne Craddock: I made contact with another involved party in the disturbance, identified as Ms. Craddock. Craddock advised that she had recently arrived in Oak Ridge to visit Caudill. Craddock further stated that Caudill is an alcoholic, and frequently visits the Lincoln's restaurant. Craddock stated that on this evening, Caudill was not going to pay his bar tab, which led to the argument with the other male subject, later identified as Brandon M. Guy. Craddock advised that Caudill and Guy had both gone to the restroom inside of the restaurant, and when they exited, they were involved in a physical disturbance. Craddock further stated that she tried to intervene between to the two male subjects, and that Caudill had started the altercation.

Interview 3 - Brandon M. Guy: I identified Guy as the third subject involved in the altercation. Guy stated he had been in the company of both Caudill and Craddock over the course of the evening. Guy stated that Caudill went to the restroom and stated he was not going to pay his bar tab, at which point Guy told Caudill that "he would pay the bar tab so the server girl would not be out the money." Guy advised both he and Caudill were in the restroom, when Caudill came at him and stated "who the [REDACTED] are you?", at which time the altercation started. I asked Guy if he wished to press charges against Caudill for assault, and he advised that he did not.

Additional Information: A Lincoln's employee, identified as Brad Jullian, advised he observed Caudill inside of the restaurant over the course of the evening. Jullian advised that Caudill "had been cut off several times," yet still managed to obtain alcoholic beverages and appeared to be "over-served."

Due to these statements made by Jullian, and the extreme level of intoxication displayed by Caudill, I recommend a copy of this report be forwarded to the Oak Ridge Beer Board for review.

Caudill was arrested for public intoxication and theft of services (under \$500). Officer Chris Luethge transported Caudill, without incident, and released him into the custody of the staff at Anderson County Detention Facility.

It should also be noted that the management of Lincoln's issued Caudill a trespass notice, stating he is no longer welcome on the property.

Status: Closed by Arrest

ADDITIONAL NARRATIVE

Agency Name: OAK RIDGE POLICE DEPT	ORI #: TN0010300	Report Date/Time: 11/02/2013 23:47	OCA #: 2013-04221
---------------------------------------	---------------------	---------------------------------------	----------------------

Title: ARR

Date Entered: 11/03/2013 01:41

On November 03, 2013, at 00:06, Joseph Russell Caudill, 9106 Hwy 601, Midland, NC 28107, was arrested for public intoxication and theft of services (under \$500). Caudill is scheduled to appear in Anderson County General Sessions Court, Division II, on November 05, 2013 at 09:00.

BEFORE THE OAK RIDGE BEER PERMIT BOARD

IN THE MATTER OF:

Scott Green, Lendon Aaron Hart, Mike Lincoln, and Vander J. Murray; Owners
Lisa Green, Manager
Lincoln's Sports Grille (Beer Permit # 1406, Class C, and Beer Permit #1439, Class B)
119 S. Illinois Avenue
Oak Ridge, Tennessee 37830

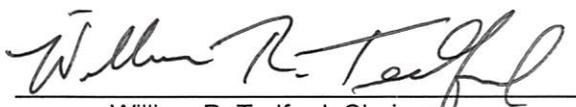
DECISION OF THE BOARD FOLLOWING A HEARING
ON AN ORDER TO SHOW CAUSE (CASE NUMBER 2013-05)

Pursuant to a Notice to Appear, which was issued by the Oak Ridge Beer Permit Board on August 21, 2013, by a decision of the Board at its meeting on August 12, 2013, a hearing was held before said Board on September 9, 2013, on charges against Lincoln's for selling beer to a minor on or about March 18, 2013. By City Code §8-712(1), the Board has authority to suspend or revoke a beer permit for sale of beer to a minor and authority to offer a civil penalty up to \$2,500.00 per offense in lieu of a suspension. The Board hereby finds that charges have been sustained, and that Lincoln's failed to show cause as to why negative action should not be taken against the beer permit.

It is therefore the judgment of the Board and so **ORDERED** that as a penalty for the violation that has been established through this hearing, that Permit 1406 (Class C) and Permit 1439 (Class B) of Lincoln's shall be **SUSPENDED for one week effective September 22, 2013 at 12:01 a.m. through September 28, 2013 at 11:59 p.m.** In accordance with City Code §8-712(10), all beer shall be either confined in a locked area shielded from public view or removed entirely from the premises during the suspension. In the event Lincoln's provides proof to the City's Legal Department by 5:00 p.m. on Monday, September 16, 2013, that all servers and bartenders have received Tennessee Alcohol Beverage Commission certification, the suspension will be lifted.

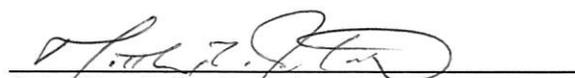
It is directed that a true copy of this **ORDER** will be delivered to Lincoln's at its place of business in the City of Oak Ridge by the Oak Ridge Police Department, who will make due return as a matter of serving the same. City Code §8-712(2) provides authority for suspension of the beer permit.

This the 10th day of September 2013.


William R. Tedford, Chairman
Oak Ridge Beer Permit Board

RETURN

Came to hand this 12 day of September 2013 and served upon Lincoln's, 119 S. Illinois Avenue, by leaving a true copy of the Decision of the Board following an Order of Show Cause with LISA GREEN at its place of business.


Oak Ridge Police Department

Pursuant to City Code §8-712(11), this Decision shall be posted at the main entrance of the establishment. The Decision must remain posted during the entire length of the suspension.

TN ABC LICENSE LOG
LINCOLN'S SPORTS GRILLE, LLC

Position	Employee Name	Permit #	Date Issued	Exp Date
Ser/bar	Alex Cooper	340346	9/13/2011	9/13/2016
bar	Amanda Soard	398542	7/11/2012	7/11/2017
server	Autumn Rhodey-Rose	478578	5/13/2011	5/13/2016
server	Brittainy Cooper/Barger	277872	8/24/2009	8/24/2014
Ser/bar	Corey Taack	447961	2/27/2013	2/27/2018
server	Courtney Waller-Laws	318744	5/12/2011	5/12/2016
server	Dairian Hughett- Lynch	447560	2/27/2013	2/27/2018
bar	Doug Purcell	286295	3/13/2009	3/13/2014
server	Gabby Ward	340347	9/13/2011	9/13/2016
server	Jenny Tomlinson	362260	1/25/2012	1/25/2017
bar	Joe Bratcher	388037	5/30/2012	5/30/2017
server	Johnny Scott	311536	2/17/2011	2/17/2016
mgr	Karen Lisa Green	318842	5/13/2011	05/13/2016
server	Kelly Harvey	In transit	09/01/2013	09/01/2018
Ser/bar	Laura/Ashley Shaw	398547	7/11/2012	7/11/2017
server	Leslie Huffman	470759	4/19/2013	4/19/2016
mgr	Lindsay Bass	264847	2/23/2009	2/23/2014
server	Logan Crisp	429138	1/8/2013	1/8/2018
server	Marcus Noble	408256	8/21/2012	8/21/2017
server	Miranda Hughett	424893	12/18/2012	12/18/2017
mgr	Sara Keenan	291498	4/12/2010	4/12/2015
bar	Shadon Wright	295413	6/2/2010	6/2/2015
mgr	Taylor Ladd	287860	2/17/2010	2/17/2015
server	Tori Bryan	443113	2/14/2013	2/14/2018
server	Travis Hembree	443631	2/15/2013	2/15/2018
server	Travis Anders	504898	8/15/2013	8/15/2018



2

AIM to Serve Certificate of Completion

Kelly Harvey

Student's Name

has successfully completed the AIM to Serve Alcohol Server Knowledge five hour course.

Instructor

2-1-13

Date

THIS IS NOT YOUR ALCOHOL SERVER PERMIT.

Security Control No.

36054

RECEIVED

2013 DEC -2 AM 11:36

CITY MANAGER'S OFFICE



Tammy M. Dunn, Liaison to the Board
City of Oak Ridge Beer Board
PO Box 1
Oak Ridge, TN 37831-0001

Re: Incident at Lincoln's Sports Grille on November 2, 2013.

Ms. Dunn,

On the evening of November 2, 2013, Russell Caudill was a guest at Lincoln's Sports Grille. Mr. Caudill arrived at the restaurant and sat himself at the main bar. Corey Taack was the bartender on duty. Initially Mr. Caudill was alone but socialized with other guests at the bar. According to Corey, he appeared sober and upbeat and ordered a mixed drink. Shortly thereafter he was joined by a female companion. Mr. Caudill's companion ordered a mixed drink as well. Later the pair each ordered a second cocktail. When the pair finished their second cocktail, Mr. Caudill left the bar area, the female companion ordered a pitcher of domestic draft(to share with Mr. Caudill) and asked to see a menu. Corey poured two mugs out of the pitcher and served them to the guests when Mr. Caudill returned a few minutes later.

Almost immediately, Corey noticed Mr. Caudill's body language had changed and he appeared to be under the influence. Corey approached the guests and explained that Mr. Russell appeared to be intoxicated and she could not serve him any more alcohol. Corey then pulled the pitcher and mugs and placed them behind the bar. Because the guests were sharing, she pulled the beer from both as to avoid the female companion giving Mr. Caudill her beer. Mr. Caudill protested and became verbally abusive to Corey. Corey apologized and explained that he would need to order food. She suggested and ordered him chips and salsa, and offered to call him a cab for transportation. Mr. Caudill was still verbally abusive, claimed he would not be paying his tab, and continued to protest about being cut off. Mr. Russell left the bar area and headed towards the men's restroom. Corey advised the manager on duty, Sara Keenan of the situation. Sara had Corey reached out to the female companion to pay the tab, and she declined.

119 South Illinois Avenue Oak Ridge, TN 37830 865-220-8870 info@lincolnsgrille.com www.lincolnsgrille.com

Another male guest at the bar, Brandon Guy, was an acquaintance of Mr. Caudill. Brandon overheard Mr. Caudill say he wasn't paying his tab and offered to cover the tab for Mr. Caudill. Corey told Brandon that she would feel better if Mr. Caudill agreed to repay Brandon before she accepted payment. According to Brandon, he went the men's restroom to speak with and calm Mr. Caudill. When the two men didn't return immediately, Sara Keenan (the manager on duty) asked a male Lincoln's employee, Brad Julian, to go and check on Brandon and Mr. Caudill in the restroom. Brad Julian found Brandon and Mr. Caudill in the hall by the men's restroom involved in an altercation. Brad broke up the scuffle and the police were called. ORPD arrived and arrested Mr. Caudill for public intoxication and attempting to walk out on his tab. Even after the police arrived, Mr. Caudill refused to pay his tab and said he had no money.

Mr. Caudill has been a guest several times at Lincoln's recently and has not ever been disruptive or displayed behavior similar to the night in question. It is unfortunate that events escalated and the altercation occurred. It is in our opinion that our employee, Corey Taack acted appropriately and followed proper procedure. She recognized the guest was intoxicated by his body language, although it did not correlate with the amount of alcohol he was served, and subsequently cut him off. She ordered him food, and extended an offer to call for a taxi service. She informed her manager on duty of the situation. She continued to be courteous and professional even after being verbally abused by Mr. Caudill.

We would hope after receiving this detailed account of events, the Beer Board would recognize that the situation was handled as well as could be expected. However in hindsight, once Mr. Caudill verbalized he would not be paying his tab, Sara Keenan should have called the ORPD non-emergency line to have Mr. Caudill removed from the premises. We have informed our staff to feel free to call the ORPD in the event a guest becomes disgruntled or irate in order to avoid a situation like this in the future. Thank you in advance for reevaluating this incident. We look forward to hearing your decision.



Lisa Green
865-804-0827
lgreen@lincolnsgrille.com