

**OAK RIDGE BEER PERMIT BOARD
REGULAR MEETING AND SHOW CAUSE HEARING**

Municipal Building Training Room – Room 104
Monday, May 12, 2014
12:00 Noon

AGENDA

1. ATTENDANCE

2. APPROVAL OF MINUTES – April 14, 2014 and April 24, 2014

3. APPLICATIONS FOR NEW BEER PERMITS AND ASSOCIATED MANAGER APPROVAL APPLICATIONS

Application #1497

Kroger #690

Kroger Limited Partnership I, Owner

Martha (Marty) Irwin, Manager

1550 Oak Ridge Turnpike (estimated open date 6/26/14)

Class B Permit

Application #1498 and #1499

Tienda Nony #3

Leonor and Daren Martin, Owners

Leonor Martin, Manager

114 Bus Terminal Road

Class B and C Permit

4. NEW MANAGER APPROVAL APPLICATIONS

John G. Calvert

Replacement Manager

B. P. O. Elks Lodge #1684

684 Emory Valley Road

Martha (Marty) Irwin

Replacement Manager

Kroger

380 S. Illinois Avenue (current location)

Kenneth A. Stroaker

Replacement Manager

Ruby Tuesday

375 S. Illinois Avenue.

Barret Douglas Tanner

Replacement Manager

Centennial Golf Course

101 Centennial Blvd

5. SHOW CAUSE HEARING

Show Cause Hearing # 2014-01

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

Managers: Lisa Green (4/8/13) and Lindsay Bass (4/14/14)

6. NEW / OLD BUSINESS

A. Reports from Oak Ridge Police Department (if any) – Information, Action May Be Taken

B. Possible Ordinance Amendment – Training Requirements – Item Brought Back to Agenda from March 10, 2014 Meeting

This item has been considered by the Board at prior meetings (September 9, 2013; October 14, 2013; November 18, 2013; February 10, 2014; and March 10, 2014). At the March 10, 2014 meeting, the Board unanimously agreed to continue discussion of this item to the May 12, 2014 meeting and asked ASAP to provide cost/benefit data associated with other municipalities that require similar training of beer permit holders. (See attachment for current proposed language)

With the knowledge of the show cause hearing set for this meeting and the two show cause hearings set for the June meeting, Michael Foster with ASAP would like the Board to consider postponement of this item to a date where the Board has sufficient time to discuss the issue. Mr. Foster stated he can give a brief overview of the issue at this meeting if the Board desires.

Reminder – The Board has a motion on the table regarding this issue. The motion was made by Ms. Solmonson, seconded by Chairman Tedford, to invite the beer permitted businesses to a meeting to discuss this issue. This motion was tabled until further information was received from ASAP.

7. ADJOURNMENT

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

Municipal Building Training Room – Room 104
Monday, April 14, 2014
12:00 noon

PRESENT: Secretary Bailey, Colin Colverson, Darren Osborne, Theresa Scott, and Wendy Williams

ABSENT: Debra Solmonson and Chairman Randy Tedford

ALSO PRESENT: Tammy Dunn, Senior Staff Attorney / Staff Liaison to Board
Alan Massengill, Deputy Chief of Police

AUDIENCE MEMBERS: Michael Foster, Allies for Substance Abuse Prevention
Russell Langley, The Oak Ridger

ROLL CALL/ATTENDANCE

Ms. Dunn called the meeting to order at 12:01 p.m. in the absence of Chairman Tedford. Chairman Tedford and Debra Solmonson both contacted the Legal Department prior to the meeting to report they would be absent. Mr. Osborne was not present during the roll call; however, he arrived during discussion of the beer permit application for the Oak Ridge Rotary Community Fund.

ACTING CHAIRPERSON

In the absence of Chairman Tedford, Secretary Bailey moved, seconded by Ms. Scott, to nominate Mr. Colverson as Acting Chairman and the motion carried unanimously (4-0, Mr. Osborne was not present for this vote).

APPROVAL OF MINUTES

Secretary Bailey moved, seconded by Ms. Scott, to approve the minutes of the March 10, 2014 meeting and the motion carried unanimously (4-0, Mr. Osborne was not present for this vote).

APPLICATIONS FOR NEW BEER PERMITS AND THEIR ASSOCIATED MANAGER APPROVALS

Application #1495
St. Mary's Catholic Church
John (Tom) Slankas, Business Administrator/Manager
327 Vermont Avenue
Class C Permit

Mr. Slankas was present to discuss the beer permit application and his manager application. Mr. Slankas explained the reasoning for requesting a permanent beer permit instead of continuing to obtain special event beer permits. Secretary Bailey moved, seconded by Ms. Scott, to approve the beer permit and the manager application and the motion carried unanimously (4-0, Mr. Osborne was not present for this vote).

Application #1496

Oak Ridge Rotary Community Fund
Chris Copelan, Supervisor of Beer Sales
Dragon Boat Races at Melton Lake – May 31, 2014
Class E Permit

Mr. Copelan was present to discuss the application for the Oak Ridge Rotary Community Fund. The Board discussed with Mr. Copelan the plans for beer sales, beer consumption, and how to keep beer from being taken outside of the designated beer area. Mr. Copelan provided the Board with a map of the event area to show how beer sales would be controlled. At one point Mr. Copelan requested permission to sell two beers at a time to patrons, however, the Board did not agree to allow this exception to the Required Control Measures for Special Occasion Beer Permits and Mr. Copelan withdrew his request. Having no further questions, Secretary moved, seconded by Ms. Scott, to approve the beer permit application and the motion carried by a vote of 4 -0-1 with Mr. Osborne abstaining from the vote since he arrived mid-discussion.

NEW MANAGER APPROVAL APPLICATIONS

John G. Calvert

Replacement Manager
B.P.O. Elks Lodge #1684
684 Emory Valley Road

Mr. Calvert did not arrive during the meeting. At the end of the meeting, Secretary Bailey moved, seconded by Acting Chairman Colverson, to continue this item to the next meeting and the motion carried unanimously (5-0).

Carl Kelly Smith

Replacement Manager
Oak Ridge Moose Lodge #1316
103 N. Jefferson Circle

Mr. Smith was present to discuss his application. The Board discussed with Mr. Smith his background in beer/alcohol sales and his plans for managing this location. Mr. Smith explained some new practices that were put in place since the establishment was caught selling beer to a minor last year, such as only allowing the bartender or an officer to open the door and requiring all members to show their membership card or ID. Mr. Smith stated he was in the process of obtaining his ABC/TIPS certification.

The Board discussed with Mr. Smith his lack of experience in selling beer and contemplated postponing his application until he obtained training, however, Secretary Bailey moved, seconded by Acting Chairman Colverson, to proceed with his application and require Mr. Smith to provide proof of his certification by the next meeting or attend the next meeting to explain why certification had not been obtained, and the motion carried unanimously (5-0).

Having brief discussion regarding access to the establishment by the Police Department to which Mr. Smith said they are welcome anytime, Secretary Bailey moved seconded by Acting Chairman Colverson, to approve the manager application and the motion carried unanimously (5-0).

Lindsay Carole Bass
Additional Manager
Lincoln's Sports Grille
119 S. Illinois Avenue

Ms. Bass and Lisa Green (current manager) were present to discuss her application as an additional manager at Lincoln's. The Board discussed with Ms. Bass her thoughts on Lincoln's compliance with the Board's expectations. Ms. Bass stated they have revised policies and now require any employee to be ABC certified prior to hiring and they require an ID of all beer purchasers without exception. Ms. Scott inquired about a fight that allegedly took place at Lincoln's within the past few weeks; however, there was no report on a recent fight. Secretary Bailey moved seconded by Ms. Scott, to approve the manager application and the motion carried unanimously (5-0).

NEW / OLD BUSINESS

A. Reports from Oak Ridge Police Department (if any)

This item was taken up at the end of the agenda. Deputy Chief Massengill reported on three recent arrests. The first was a DUI arrest on March 25, 2014 where the intoxicated person indicated he began drinking at home but later went to Back 2 Brewski's and continued to drink. The second was a DUI and drug arrest of an Aubrey's employee on March 2, 2014 where the employee indicated she had just left work. The third was a public intoxication arrest of an Aubrey's employee on March 17, 2014 where the employee indicated he was walking home after leaving work.

Secretary Bailey moved, seconded by Ms. Scott, to hold a show cause hearing for Aubrey's for the two reports of after-hours activities and to request the presence of the manager(s) on duty at the time of the incidents, the employees involved, and the bartender/server that sold/gave these employees beer and/or alcohol. The motion carried unanimously (5-0). Acting Chairman Colverson moved, seconded by Secretary Bailey, to hold the show cause hearing immediately after the June 9, 2014 regular meeting and the motion carried unanimously (5-0).

Ms. Scott moved, seconded by Secretary Bailey, to hold a show cause hearing for Back 2 Brewski's for the DUI report and the motion carried by a vote of 4-1 with Acting Chairman Colverson voting against. Secretary Bailey moved, seconded by Acting Chairman Colverson, to hold the show cause hearing immediately after the June 9, 2014 regular meeting and the motion carried unanimously (5-0).

B. Growlers – Discussion Item

Acting Chairman Colverson stated he wanted to discuss this item when he was told by a local beer permitted business that they cannot fill/refill growlers. Ms. Dunn discussed Legal Department Memorandum 14-14 with the Board. This memorandum indicates a beer permitted business could fill/refill growlers provided the business had the appropriate off premises beer permit and sealed the growler in such a way as to prevent it from being an open container. Ms. Dunn stated if a local business were to inquire about growlers they would be informed of the beer permit needed, would be directed to contact the Police Department regarding open containers of beer, and would also be given a suggestion to contact one of the area businesses that already sell growlers for information on how to properly seal the growler.

As noted on the memorandum and discussed at the meeting, the information on growlers is only applicable to beer as that term is defined by State law. Higher alcoholic content beer is governed by the Tennessee Alcoholic Beverage Commission. At this point, Ms. Dunn

informed the Board of pending legislation to raise the alcoholic content of beer from 5% to 8% by weight (Senate Bill 0289). Ms. Dunn stated this bill passed the Senate last week.

C. Oliver Springs Beer Board Recent Action – Discussion Item

Ms. Scott stated she wanted to discuss this item to show that Oliver Springs is being stricter on beer permittees than the Board has been and is making a statement to its permittees. According to Oak Ridge Today, Oliver Springs took action against two beer permitted establishments for selling beer to an underage person during a beer sales law compliance check with one business—Pizza Hut—reported to have asked the Oliver Springs Beer Board for a six month revocation rather than pay \$1,250.00 and another business—Lee’s Market—reported to have been fined \$1,250.00 and had their beer permit placed on probation for six months.

D. Wine in Retail Food Stores Legislation – Public Chapter 554 – Ability of Retail Liquor Store to Sell Beer Without a Beer Permit – Information Only

Ms. Dunn reported to the Board on the new “wine in grocery” legislation, with particular focus on the impact this legislation has on retail liquor stores and their ability (provided certain state law provisions are met) to sell beer and growlers (empty or filled) without obtaining a beer permit.

ADJOURNMENT

The meeting adjourned at 1:18 p.m. upon unanimous approval after motion by Acting Chairman Colverson and a second by Secretary Bailey.

Respectfully submitted,

Barton Bailey, Secretary

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

Municipal Building Training Room – Room 104
Friday, April 25, 2014
3:00 p.m.

PRESENT: Darren Osborne, Theresa Scott, Debra Solmonson, Chairman Randy Tedford, and Wendy Williams

ABSENT: Colin Colverson and Secretary Bailey

ALSO PRESENT: Tammy Dunn, Senior Staff Attorney / Staff Liaison to Board
Alan Massengill, Deputy Chief of Police
Chris Wallace, Police Officer

AUDIENCE MEMBERS: Jim Akagi, Chief of Police; John Kelly, Police Lieutenant; Ben Higgins, Police Officer; Bob Fowler, Knoxville News Sentinel; Stacey Pratt, Allies for Substance Abuse Prevention; Len Hart, Co-Owner of Lincoln's; Vander Murray, Co-Owner of Lincoln's; Roy McKinnon, consultant for Lincoln's; and other unidentified individuals

ROLL CALL/ATTENDANCE

Chairman Tedford called the meeting to order at 3:01 p.m. All members were present except Secretary Bailey and Colin Colverson, both of which gave advanced notice of their inability to attend the special meeting.

NEW / OLD BUSINESS

Deputy Chief Massengill reported that the Board inquired at the last meeting (April 14, 2014) about a physical disturbance occurring at Lincoln's Sports Grille, however, Deputy Chief Massengill did not have a report on the incident. Deputy Chief Massengill stated he received a copy of a report shortly after the last meeting, and the report was concerning a physical disturbance occurring at Lincoln's Sports Grille in the early morning hours of April 12, 2014. Deputy Chief Massengill stated Officer Wallace was the reporting officer.

Officer Wallace stated a call was received from Dispatch at approximately 12:58 a.m. on April 12, 2014 regarding a possible fist fight on the patio at Lincoln's Sports Grille involving two intoxicated patrons. Officer Wallace stated he arrived on the scene along with two backup officers. Officer Wallace stated approximately 15-20 subjects were on the patio; however, no one would cooperate with the officers so the patrons were separated. Officer Wallace stated Dispatch received a report that a beer mug had been thrown and Officer Wallace stated he saw broken glass in the parking lot near the patio. Officer Wallace stated more officers arrived on the scene. Officer Wallace stated he went inside Lincoln's Sports Grille and observed more patrons that appeared to be over-served and separated patrons at two tables that were having an issue. Officer Wallace stated they attempted to obtain more information on the altercation but were not successful.

Officer Wallace stated he recommended to management that Lincoln's close for the evening due to the intoxicated state of patrons and the disruptive environment. Officer Wallace stated management agreed. Officer Wallace stated he conducted a sweep of the parking lot and found empty airplane bottles of liquor (8-10 bottles) and the manager stated those were not sold on the premises. Officer Wallace reported that he was told by management that one patron that evening was on a semi-ban in

the past and that he was violent when he drank liquor but okay when he drank beer. Officer Wallace was concerned that this information may not have been known to all servers and bartenders and there were claims that this patron was at the center of the disturbance but Officer Wallace could not find any reliable, independent sober witness to corroborate that claim.

In response to questions received by the Board, Officer Wallace reported there were about thirty (30) patrons in Lincoln's upon his arrival (inside and outside, total) and that the call appears to have originated from Lincoln's. Officer Wallace also reported that the manager said the situation just "got out of hand." Officer Wallace reported no arrests were made due to a lack of cooperation regarding the source of the fight or involvement in the fight. Officer Wallace also reported a total of four officers responded to Lincoln's including supervision and the officers were on the scene about thirty (30) minutes. Officer Wallace also reported there was a band playing that night.

Chairman Tedford moved, seconded by Ms. Solmonson, to hold a show cause for Lincoln's regarding this disturbance with the show cause hearing to occur immediately after the May 12, 2014 regular meeting and to request the following: presence of the owners, manager on duty, bartender on duty, and the server(s) on the patio and the inside tables with the "issues" that evening; video surveillance; bar tabs; and the presence of the person who was on a "semi-ban" that may have been the source of the disturbance. The motion carried unanimously.

ADJOURNMENT

The meeting adjourned at 3:33 p.m. after the conclusion of the discussion for which the special meeting was called.

Respectfully submitted,

Barton Bailey, Secretary

Application/Permit 1497

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

Application for (check all that apply):

manufacturer (Class A Permit) on-premises consumption (Class C Permit)
 hotel or club (Class D 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—ownership change
 existing permit—change location existing permit—additional permit type

2. Name under which business will operate: KROGER #690

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: 1550 OAK RIDGE TURNPIKE OAKRIDGE 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: 615-790-11245. Proposed date business will open under this ownership: Estimated opening date 6/26/2014

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

KROGER LIMITED PARTNERSHIP I

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

RETAIL GROCERY STORE CHAIN

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:

MARTHA (MARTY) IRWIN Store Manager

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:

Kroger #690 1550 Oak Ridge Turnpike, Oak Ridge TN 37830

11. Describe the nature of the business (ex. restaurant, bar, tavern, club, convenience store, etc.)
Retail Grocery Store
12. Description of the business's footprint and parking areas available to/for the use of the business (attach drawing if available):
See attached
13. Name, mailing address and telephone number of the property owner, if other than the business owner:
Kroger owned
- 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? _____
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.

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: _____
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.

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

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 10th day of April, 2014.

Martha A. [Signature]
Signature of Applicant

M.I.

Sworn to and subscribed before me this 10th day of April, 2014.

My commission expires: Nov 25, 2017.

Joann S. [Signature]
Notary Public



2013-11-17

**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 Kroger
Business Address 1550 Oak Ridge Turnpike

2. Manager's Full Name Martha A. Irwin

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:
Store Manager for Kroger

5. Manager's Work History:
How long have you been employed at the business? 31 years w/ Kroger
Date you became Manager: Sept., 2013
Name of Previous Manager: Steve Scarborough Date left: Sept., 2013
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: Kroger
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):
CBT training for all cashiers on alcohol/tobacco sales policy
Note in all cashiers files

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.

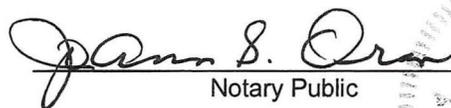
This the 10th day of April, 2014.



Signature of Applicant

Sworn to and subscribed before me this 10th day of April, 2014.

My commission expires: Nov. 25, 2017.



Notary Public



CITY OF OAK RIDGE, TENNESSEE
APPLICATION FOR BEER PERMIT

Application/Permit 1498 (B)
1499 (C)

Application for (check all that apply):

manufacturer (Class A Permit) on-premises consumption (Class C Permit)
 hotel or club (Class D 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-ownership change
 existing permit-change location existing permit-additional permit type

2. Name under which business will operate: Tienda Nony #3

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: 114 Bus Terminal Rd, Oak Ridge 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: 865-220-8330

5. Proposed date business will open under this ownership: April 28, 2014

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

7. Applicant's prior experience selling/serving beer or other alcoholic beverage:
Tienda Nony #3, 8+ years

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: Leonor Martin

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:
Leonor Martin, 8373 Kingston Pk #500, Knoxville, TN 37919

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

Convenience store, deli, pool tables (2)

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

Located in shopping center with plenty of parking places

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

Ridgeway Square Partnership, P.O. Box 4764, Oak Ridge 481-0227

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? _____

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.

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: _____

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.

United Church, 85 Kentucky Avenue; Montessori school of Oak Ridge
728 Emory Valley Rd.

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

Asking for id every time

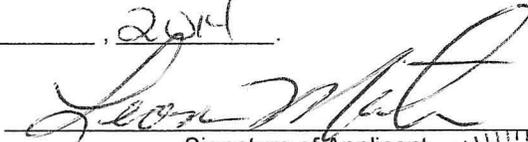
NOTE: In accordance with Tennessee Code Annotated §57-5-103(d), all beer permit holders must provide documentation that they are duly registered for sales tax purposes. A copy of the sales tax registration certificate must be submitted with this application or within ten (10) days after being issued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

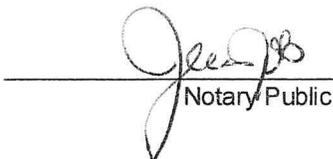
I hereby release, absolve and hold harmless the City of Oak Ridge, the Oak Ridge Beer Permit Board, the Oak Ridge Police Department, its employees, agents and representatives from any and all liability of whatever type for any damages, causes of action, personal property injuries which may result as 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.

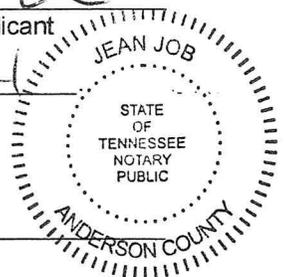
This the 22nd day of April, 2014.


Signature of Applicant

Sworn to and subscribed before me this 22 day of April, 2014.

My commission expires: 3/21/18.


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 Tienda Nony
Business Address 114 BUS Terminal, Oak Ridge TN 37930

2. Manager's Full Name Leonor M Martin

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

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

5. Manager's Work History:
How long have you been employed at the business? 8+ years
Date you became Manager: 8 year 990
Name of Previous Manager: N/A Date left: _____
Previous Employment for the past ten (10) years (name of business, address, length of employment, position held). Attach additional sheets if necessary):
Nony's Places LLC. DBA Tienda Nony

6. Beer Permit History:
Have you ever been employed at an establishment with a beer permit? Yes
If so, where and when: _____
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:

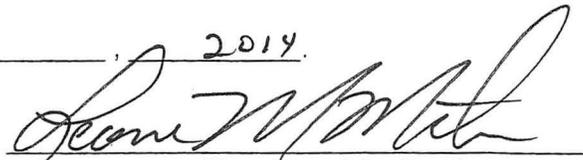
8. Describe steps which will be taken to prevent the sale of beer to persons under twenty-one (21):
ID everyone

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.

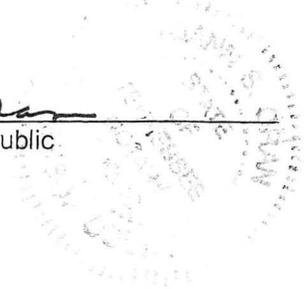
This the 6th day of May, 2014.


Signature of Applicant

Sworn to and subscribed before me this 6th day of MAY, 2014.

My commission expires: Nov. 25, 2017.


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 B.P.O. EKS Lodge #1684
Business Address 684 Emory Valley Road

2. Manager's Full Name John G. Calvert

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:
Past bar manager of EKS Lodge 1684 in 2009-10, Lodge office - 2019-10, 2010, 2013

5. Manager's Work History:
How long have you been employed at the business? Not employed, Volunteer officer
Date you became Manager: April 1, 2014
Name of Previous Manager: Michael Marsh Date left: March 31, 2014
Previous Employment for the past ten (10) years (name of business, address, length of employment, position held). Attach additional sheets if necessary):
 - CITY OF OAK RIDGE, 28 years, Asst. Public Works Director
 - Pavement Technology, Inc. - Technical Consultant, 2003 - ~~2007~~ to present
 - Tennessee Public Works Institute - Director - 2003 to Present

6. Beer Permit History:
Have you ever been employed at an establishment with a beer permit? No
If so, where and when: _____
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: _____

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):
B.P.O.E #1684 is a private club. Members must be 21 to join. All bartenders check membership I.D. cards before serving.

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.

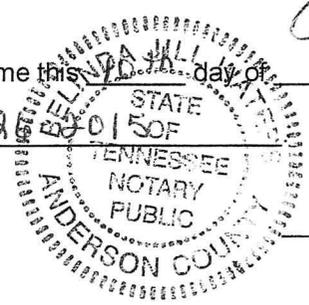
I hereby release, absolve and hold harmless the City of Oak Ridge, the Oak Ridge Beer Permit Board, the Oak Ridge Police Department, its employees, agents and representatives from any and all liability of whatever type for any damages, causes of action, personal property injuries which may result as 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 5th day of March, 2014.

Jonny Calvert
Signature of Applicant

Sworn to and subscribed before me this 5th day of March, 2014.

My commission expires: 9-20-15



Belinda Gill Waters
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 Kroger
Business Address 380 S. Illinois Avenue

2. Manager's Full Name Martha A. Irwin

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:
Store manager for Kroger - 32 years experience with Kroger

5. Manager's Work History:
How long have you been employed at the business? 32 years
Date you became Manager: Sept., 2013
Name of Previous Manager: Sept, 2013 Steve Scarborough Date left: Sept. 2013
Previous Employment for the past ten (10) years (name of business, address, length of employment, position held). Attach additional sheets if necessary):
Kroger Co.

6. Beer Permit History:
Have you ever been employed at an establishment with a beer permit? yes
If so, where and when: Kroger
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):
Training all cashiers ~~at~~ annually
FD all customers

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 20 day of March, 2014.

Martha A. Brown
Signature of Applicant

Sworn to and subscribed before me this 20th day of March, 2014.

My commission expires: Nov. 25, 2017.

Joann S. Dean
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 Ruby Tuesday
Business Address _____

2. Manager's Full Name Kenneth Anthony Stroecker

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:
20 years in the Restaurant Business

5. Manager's Work History:
How long have you been employed at the business? 2 years Rubys - 4 weeks Oak Ridge
Date you became Manager: March 30th
Name of Previous Manager: Ashley Tyler Date left: March 25th
Previous Employment for the past ten (10) years (name of business, address, length of employment, position held). Attach additional sheets if necessary:

<u>Ruby Tuesday</u>	<u>3/12-4/14</u>	<u>Knoxville</u>
<u>Latitude 35</u>	<u>9/11-3/12</u>	<u>Knoxville</u>
<u>Seavayah Grille</u>	<u>8/10-9/11</u>	<u>Knoxville</u>
<u>Puelo's Grille</u>	<u>4/8-8/10</u>	<u>Knoxville</u>

6. Beer Permit History:
Have you ever been employed at an establishment with a beer permit? Yes
If so, where and when: See Above
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:

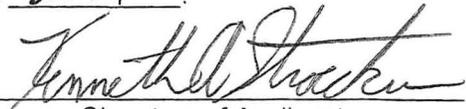
8. Describe steps which will be taken to prevent the sale of beer to persons under twenty-one (21):
Check ID's of all guest that request the purchase of Alcohol

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.

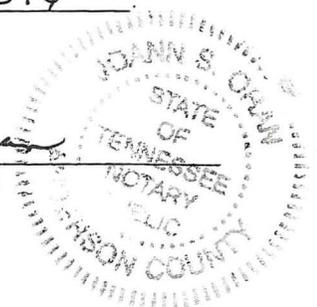
This the 23rd day of April, 2014.


Signature of Applicant

Sworn to and subscribed before me this 23rd day of April, 2014

My commission expires: November 25, 2017


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 Centennial Golf Course
Business Address 101 Centennial Blvd

2. Manager's Full Name Barrret Douglas Tanner

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

4. Manager's prior experience selling/serving beer or other alcoholic beverage:
I have manage 3 other properties of 6 years
who sold alcohol

5. Manager's Work History:
How long have you been employed at the business? 6 months
Date you became Manager: Oct. 10th 2013
Name of Previous Manager: Brian Lavelley Date left: Oct. 10th
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: Knox Mini 3 years
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):
Everyone will be TIPS or ABC Certified.
They will have continuing education
Everyone will be carded

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.

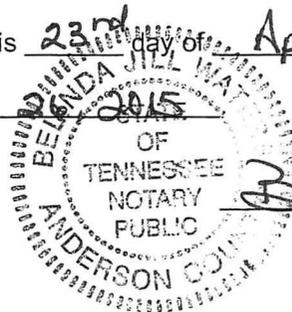
I hereby release, absolve and hold harmless the City of Oak Ridge, the Oak Ridge Beer Permit Board, the Oak Ridge Police Department, its employees, agents and representatives from any and all liability of whatever type for any damages, causes of action, personal property injuries which may result as 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 23rd day of April, 2014.

[Signature]
Signature of Applicant

Sworn to and subscribed before me this 23rd day of April, 2014.

My commission expires: Sept. 2015



[Signature]
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 – LINCOLN'S SPORTS GRILLE

Show Cause Hearing # 2014-01

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) and Lindsay Bass (4/14/14)

At the April 25, 2014 special meeting, the Oak Ridge Beer Permit Board voted to hold a Show Cause Hearing for Lincoln's Sports Grille. Oak Ridge Police Officer Chris Wallace reported on an incident that occurred at Lincoln's on April 12, 2014 (early morning hours) where he was dispatched along with three other officers to Lincoln's regarding a possible fist fight on the patio at Lincoln's Sports Grille involving two intoxicated patrons. Officer Wallace will be present at the show cause hearing to testify to his observations in relation to this incident and will be available to answer any questions.

The following exhibits are attached:

- Exhibit A (One Page) – A copy of the Notice to Appear for the Show Cause Hearing. This Notice was hand-delivered by Officer Wallace to Victoria Ballard on April 29, 2014.
- Exhibit B (Three Pages) – A copy of the police report prepared by Officer Wallace regarding the incident at Lincoln's Sports Grille.
- Exhibit C (Three Pages, Including Attachment) – The Show Cause Hearing history for Lincoln's Sports Grille, along with a copy of the TN ABC License Log for Lincoln's servers and bartenders. Prior disciplinary history may be considered by the Board pursuant to City Code §8-712(9).
- Exhibit D (Two Pages) – A letter from Gregory Harrison and Allen Schwartz, attorneys for Lincoln's Sports Grille. This letter set forth proposed modifications to the operations of Lincoln's. [Note – Handwritten correction was made by Mr. Schwartz when the letter was hand delivered.]

Lincoln's has provided video footage of both the inside and outside of the establishment; however, only one video shows timeframe of the incident that occurred on the patio. Video has been requested from their consultant, Roy McKinnon, of the inside cameras during the same timeframe. Video will be shown during the show cause hearing.

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.

CITY OF OAK RIDGE



OAK RIDGE BEER PERMIT BOARD

Telephone: (865) 425-3530

Fax: (865) 425-3420

POST OFFICE BOX 1 • OAK RIDGE, TENNESSEE 37831-0001

HAND-DELIVERED BY ORPD

April 29, 2014

Scott Green, Lendon Hart, Mike Lincoln, and Vander Murray, Owners
Lisa Green and Lindsay Bass, Managers
Lincoln's Sports Grille
119 S. Illinois Avenue
Oak Ridge, Tennessee 37830

Re: Show Cause Hearing #2014-01 (Beer Permits #1406C and #1439B) – May 12, 2014 – Notice to Appear

On April 25, 2014, 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 that occurred on April 12, 2014 at approximately 12:57 a.m. that required a police response (Incident #2014-01344). Officer Wallace was dispatched to Lincoln's in response to a report of two intoxicated male subjects engaged in a fist fight on the patio. Upon arrival, Officer Wallace observed patrons who appeared to be over-served and found broken glass outside from a beer mug(s). Officers also observed numerous empty "airplane" bottles of liquor on the patio. Officers on the scene did not receive cooperation from patrons regarding the disturbance. Due to the disruptive environment and level of intoxication displayed by patrons, officers requested management shut down business operations for the evening/morning and management agreed to do so. Officers could not find a reliable, independent sober witness to confirm or deny the allegations of who was at the center of the disturbance or who threw the beer glass mug.

The Show Cause Hearing has been set for **Monday, May 12, 2014**, 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. Serving or allowing consumption of beer by persons who are intoxicated is grounds for action by the Beer Board (City Code §8-712(2)(f) and City Code §8-713(9)) as is operating the business in a disorderly manner (City Code §8-712(2)(a)). 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 per offense in lieu of suspension.

The show cause hearing will be the business's opportunity to explain to the Board why negative action should not be taken against the beer permit. If the business wishes to do so, a written response to the hearing may be provided to me no later than May 5, 2014 for inclusion in the Board's agenda packet.

The Board has requested the presence of the following persons at the Show Cause Hearing: the owner(s), manager(s) on duty that evening/morning, the bartender(s) on duty that evening/morning, the server(s) for the patio that evening/morning, and the server(s) for the two tables where officers had to separate patrons inside the establishment that evening/morning. The Board also requested any video surveillance and bar tabs related to the incident. Please bring any other persons or documentation you wish. For the video surveillance, please provide a means to play the video or contact my office well in advance of the hearing to make arrangements.

The business has the right to be represented by legal counsel at the hearing. The City's Legal Department can be reached at (865) 425-3530; however, we cannot offer legal advice or representation regarding the show cause hearing.

Tammy M. Dunn

Senior Staff Attorney/Staff Liaison to the Board

Delivered to Lincoln's Sports Grille. Left an original with:

VICTORIA R BAUMARD
Tutorio R Ballarín
Oak Ridge Police Officer Signature & Date

Officer: Wallace #4534 04/29/2014

ADMINISTRATIVE							
1 ORI# TN0010300				LOCATION: 119 S ILLINOIS AVE OAK RIDGE			
2 INCIDENT# 2014-01344				REPORTING OFFICER: CHRISTOPHER WALLACE		ASSIGNMENT: PATROL	
INCIDENT OCCURRENCE RANGE	6 DATE		5 TIME		DAY OF WEEK	TODAY'S DATE	TODAY'S TIME
	FROM: 04/12/2014		FROM: 00:57		FROM: Saturday	04/12/2014	00:57
TO:		TO:		TO:		20	ZONE
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. X04		ALL OTHER INCIDENTS (NON-CRIMES)					
2.							
8 BIAS MOTIVATION CODE (SUBMIT ONLY ONE) 1)88 2)		9 LOCATION OF OFFENSE (SUBMIT ONLY ONE) 1) 03 2)		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 type="checkbox"/> COMPLETED		1. A <input type="checkbox"/> ALCOHOL C <input type="checkbox"/> COMPUTER EQUIPMENT D <input type="checkbox"/> DRUGS N <input checked="" type="checkbox"/> NOT APPLICABLE					
2. A <input type="checkbox"/> ATTEMPTED C <input type="checkbox"/> COMPLETED		2. A <input 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 2		75 INSTRUMENT USED		WAS THERE A HOSTAGE INVOLVED? 1 <input type="checkbox"/> YES <input checked="" type="checkbox"/> NO 2 <input type="checkbox"/> YES <input 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) 1		(AUTO) 2		(AUTO) 1 2			
14 (FOR BURGLARY ONLY) METHOD OF ENTRY 1 F <input type="checkbox"/> FORCIBLE N <input type="checkbox"/> NO FORCE 2 F <input type="checkbox"/> FORCIBLE N <input type="checkbox"/> NO FORCE				15 NO. OF PREMISES ENTERED: 1) 2)			
COMPLAINANT/WITNESS							
<input type="checkbox"/> STATEMENT NAME: _____ RESIDENCE PHONE: _____ DOB _____ <input type="checkbox"/> COMPLAINANT ADDRESS: _____ BUSINESS PHONE: _____ SSN _____ <input type="checkbox"/> WITNESS <input type="checkbox"/> OFFICER							
<input type="checkbox"/> STATEMENT NAME: _____ RESIDENCE PHONE: _____ DOB _____ <input type="checkbox"/> COMPLAINANT ADDRESS: _____ BUSINESS PHONE: _____ SSN _____ <input type="checkbox"/> WITNESS <input type="checkbox"/> OFFICER							
<input type="checkbox"/> STATEMENT NAME: _____ RESIDENCE PHONE: _____ DOB _____ <input type="checkbox"/> COMPLAINANT ADDRESS: _____ BUSINESS PHONE: _____ SSN _____ <input type="checkbox"/> WITNESS <input type="checkbox"/> OFFICER							
<input type="checkbox"/> STATEMENT NAME: _____ RESIDENCE PHONE: _____ DOB _____ <input type="checkbox"/> COMPLAINANT ADDRESS: _____ BUSINESS PHONE: _____ SSN _____ <input type="checkbox"/> WITNESS <input type="checkbox"/> OFFICER							

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:	
							NCIC #	ENTERED BY:	

INSURANCE CARRIER NAME ADDRESS TELEPHONE

IF THE OFFENSE IS ARSON AND THE PROPERTY WAS A STRUCTURE, WAS THE STRUCTURE OCCUPIED? YES 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: SEIZED SUSPECT STOLEN
 PARTS YES 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:			
				24 <input type="checkbox"/> INDOOR <input type="checkbox"/> OUTDOOR <input type="checkbox"/> BOTH	25 NUMBER OF PLOTS	26 LATITUDE:	27 LONGITUDE:
DRUG # 1							
DRUG # 2							
DRUG # 3							

NARRATIVE

Title: INCIDENT NARRATIVE
 Date Entered: 04/12/2014 21:55
 Source: Radio Dispatch

User-Defined Information Continuation: Page 1 of 1
Agency: OAK RIDGE POLICE DEPT
Jurisdiction: TN0010300
Report Date/Time: 04/12/2014 00:57
Incident/Case Number: 2014-01344
Case Description: DISTURBANCE
Primary Officer Name/ID: /
Approved By:
Date/Time Printed: 04/14/2014 06:55

Circumstances: On April 12, 2014, at approximately 00:57, I, Officer Christopher Wallace, responded to Lincoln's Sports Grille, 119 S Illinois Ave, on a report of two male subjects who were intoxicated and engaged in a fist fight on the patio.

Observations: Upon arrival to the location, myself and other backup officers made contact with several subjects on the patio of the business. Numerous individuals outside refused to give any information or denied seeing any individuals involved in an altercation.

Officers did observe glass remains on the ground from a broken beer mug(s). It was reported that a beer mug was tossed by an unknown individual during the altercation.

Officers made entry into the business to further find patrons who were intoxicated and appeared to be "on edge" from the disturbance. There were two tables of patrons, as well a standing group of patrons, who seemed to have trouble with the parties of the other groups.

Management of the business stated to officers that things "got out of hand." From observation of the patrons inside the business, it appeared that several had been over-served alcoholic beverages.

Unruly patrons were removed from the business and left in the company of a sober driver. Due to the disruptive environment and level of intoxication displayed by the patrons, officers requested that the business shut down operations for the evening, in which management agreed.

As a walk through was conducted of the parking lot grounds, numerous small liquor bottles, commonly referred to as "air plane shooter bottles," were found empty. Additionally, small bottles were found on the patio of the business. Management confirmed these bottles are not sold on the premise, and were brought in from an outside source/location.

Additional Information: One patron inside the business was identified as Anthony Tyrell Swicegood. Management reported having prior problems with Swicegood. It should be noted that management told officers the following information: "Mr. Swicegood had been on a semi-ban in the past with us. We do not serve him liquor because he becomes violent when he drinks liquor. However, when he drinks beer, he is fine. Our bartenders do know not to serve him liquor. "

It was reported to officers that Swicegood may have been at the center of the disturbance, and also the individual who threw the glass beer mug. Officers could not find a reliable, independent sober witness to confirm or deny the allegations.

I request a copy of this report be forwarded to the Oak Ridge Beer Board for further review and possible show cause hearing. Lincoln's Sports Grille has been the source for numerous calls for service, including disturbances and assaults, due to intoxicated patrons.

Status: Inactive

*** Forward copy to Deputy Chief A. R. Massengill per Lt. M. A. Tedford

SHOW CAUSE HEARING HISTORY FOR LINCOLN'S SPORTS GRILLE

March 11, 2013 (Show Cause Hearing #2013-02)

Reason for hearing: Report of overcrowding, fights/disturbances, and disorderly conduct on February 9, 2013 including one arrest for public intoxication.

Action by Board: None, sufficient cause shown

September 9, 2013 (Show Cause Hearing #2013-05)

Reason for hearing: Report of sale of beer to an underage person on March 18, 2013 as part of an underage compliance check conducted by the Tennessee Alcoholic Beverage Commission.

Action by Board: One week suspension, however, the suspension was lifted upon Lincoln's showing proof that all servers and bartenders have received Tennessee Alcoholic Beverage Commission certification. (See Exhibit C – Attachment 1 for proof of certification).

December 9, 2013 (Show Cause Hearing #2013-11)

Reason for hearing: Report of a physical disturbance on November 2, 2013 resulting in an arrest of a patron for public intoxication and theft of services.

Action by Board: None, sufficient cause shown

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.

[Signature]

Instructor

2-1-13

Date

THIS IS NOT YOUR ALCOHOL SERVER PERMIT.

Security Control No.

36054

VALLIANT, HARRISON, SCHWARTZ, & GREEN P.A.
ATTORNEYS AT LAW

Telephone: (865) 637-0134 • Fax: (865) 522-3525

First Tennessee Plaza • 800 S. Gay Street, Suite 1650 • Knoxville, Tennessee 37929

JOHN P. VALLIANT, JR.
GREGORY H. HARRISON
ALLEN E. SCHWARTZ
G. SCOTT GREEN

jvalliantjr@gmail.com
ghhlaw.vhsg@gmail.com
aeslaw.vhsg@gmail.com
gsglaw.vhsg@gmail.com

May 5, 2014

Ms. Tammy M. Dunn, Esq.
Senior Staff Attorney
City of Oak Ridge
P.O. Box 1
Oak Ridge, TN 37831-0001
Via Fax (865) 425-3420

Re: *Show Cause Hearing No. 2014-01*
(Beer Permits No. 1406C, No. 1439B)

Dear Ms. Dunn:

I am writing to advise that Mr. Allen E. Schwartz and I will be representing Lincoln's Sports Grille, 119 S. Illinois Avenue, Oak Ridge, Tennessee 37830 regarding the above show cause action. As a result, our client would provide hereinbelow an outline of remedial action to be taken by the establishment to prevent any possible future disturbances which require Oak Ridge Police Department involvement.

First, the owners of the establishment wish to apologize for the most recent incident and provide attached hereto a video which depicts circumstances surrounding this particular event. Additionally, it has been and will continue to be the intent and goal of the owners that Lincoln's is a family restaurant which promotes only a healthy environment with excellent service and food. To this end, the owners have invested and made a vast financial commitment to accomplish not only this goal but to enhance the City of Oak Ridge by its presence.

As to the proposed modifications regarding operation which could only decrease/eliminate further issues, the owner's propose as follows:

1. Changing the closing time from 2:00 a.m. to 1:00 a.m.
2. Increase employees on the floor from Thursday-Saturday by two (2). At present, there are no employees assigned specifically to monitor the actions of patrons in the parking lot.

3. Increase the number of cameras in the establishment from ~~eight (8)~~ to sixteen (16) and place two (2) additional cameras to monitor the activity of patrons in the parking lot of the establishment. Additionally, the owners would purpose to commit personnel to work/monitor actions of the patrons in the parking lot. to 24

4. The three individuals at the center of the subject disturbance have been banned for life from the establishment. It should be noted that no arrests were effected on the evening in question and there has been no Tennessee Alcoholic Beverage Commission sanctions.

5. The establishment will now only have a single access for ingress and egress and patrons will no longer be able to travel from the patio directly to the parking lot. The gate on the patio will have a sign that says emergency exit only.

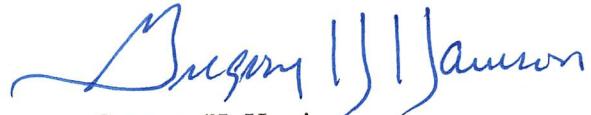
6. Any and all bands performing at the establishment will now be restricted to a three (3) hour set from 9:00 p.m. to 12:00 a.m. as opposed to the traditional four (4) hour set.

I hope that the above modifications provide a level of comfort to the Board that this establishment is completely prepared to have a family restaurant as stated above that the city of Oak Ridge can be proud to have.

On behalf of the owners, I am requesting an opportunity to implement the changes without additional/further sanctions consistent with the evidence as provided in the video presented by the licensee.

Thank you very much for your time, attention and consideration to this request.

Sincerely,



Gregory H. Harrison



Allen E. Schwartz

GHH/sph

PROPOSED CITY CODE AMENDMENT

City Code § 8-709. *Successful Completion of Instruction Program Required.*

- (1) Requirements. The permittee shall not allow any employee to sell or serve beer unless the employee has attended and successfully completed an alcoholic beverage sale or server instruction program approved by the Tennessee Alcoholic Beverage Commission within the past three (3) years. Further, no employee of a permittee shall sell or serve beer unless the employee has attended and successfully completed an alcoholic beverage sale or server instruction program approved by the Tennessee Alcoholic Beverage Commission within the past three (3) years. New hires **without current certification** have thirty (30) days from the date of hire to obtain proper certification; however, new hires can sell/serve beer during this timeframe under the supervision of a certified person employed by the permittee.
- (2) Timeframe for Completion. Existing employees of a permittee **without current certification** have six (6) months from [*insert the effective date of this ordinance*] to obtain proper certification. After initial certification, employees must maintain certification at all times while selling or serving beer.
- (3) Extension. Upon application and good cause shown, the Board may grant an extension up to an additional six (6) months for an existing permittee to achieve full compliance.
- (4) Proof of Compliance. Documentation demonstrating compliance with the terms of this section shall be maintained on the premises and shall be available for inspection by the City at all times beer is being served or sold.
- (5) Exemption. Employees holding a valid Tennessee Alcoholic Beverage Commission certification or license are exempt from the terms of this section.
- (6) Definition. "Employee" means, for the purposes of this section, any person involved in the sale of alcoholic beverages including owners and managers.

Notes: The Board's last action on this item was March 10, 2014, where the Board voted unanimously to postpone discussion of this item until the May 12, 2014 meeting to allow ASAP time to bring to the Board information on the costs/benefits associated with the administrative process of requiring training by other municipalities.

The Board has a motion that was tabled until further information is received by ASAP. That motion is as follows:

Ms. Solmonson was concerned about the impact on the businesses and made a motion to invite the businesses to a meeting to discuss the issues. This motion was seconded by Chairman Tedford.

Language shown above in bold is proposed to address the concerns raised by Mr. Colverson about employees that are already certified.

Any ordinance change requires approval by City Council. Ordinances require approval on two readings by City Council.