

OAK RIDGE BEER PERMIT BOARD  
REGULAR MEETING

Municipal Building Training Room – Room 104  
Monday, July 15, 2013  
12:00 Noon

AGENDA

1. ATTENDANCE
2. APPROVAL OF MINUTES – Regular Meetings of May 13, 2013 and June 10, 2013
3. APPLICATIONS FOR NEW BEER PERMITS AND ASSOCIATED MANAGER APPROVAL APPLICATIONS

Application No. 1479

Bread Box #3471  
680 Emory Valley Road  
GPM Southeast, LLC – Owner  
Donna Kay Mayberry – Manager  
Class “B” Permit

Application No 1480

Comfort Inn  
433 S. Rutgers  
Mitesh Patel and Ricky Patel – Owners  
Kate Groover and Renee Golden – Managers  
Class “D” Permit

Application No. 1481

Free Medical Clinic of Oak Ridge  
Tanya H. Vargas – Director  
Fundraiser Event at St Mary’s Life Center  
August 11, 2013  
327 Vermont Avenue  
Class “E” Permit

Application No 1482

Boys and Girls Club of Oak Ridge  
Ann Likens and Lisa Green – Supervisors  
Fundraiser Event at Lincoln’s Sports Grille  
July 27, 2013  
119 S. Illinois Avenue  
Class “E” Permit

4. NEW MANAGER APPROVAL APPLICATIONS

Barry Bergren

Eagles  
1650 Oak Ridge Turnpike

Katherine I. Todd

Red Lobster  
359 S. Illinois Avenue

5. **NEW / OLD BUSINESS**

**Applebee's Neighborhood Bar & Grill – Action May be Taken**

On June 13, 2013, the State of Tennessee Alcoholic Beverage Commission transmitted information to the City of Oak Ridge that Applebee's Neighborhood Bar & Grill was found to be in violation of state law for selling beer to a minor (Tennessee Code Annotated §57-4-203(b)(1)(B)). According to the TABC, this was the second violation for sale of beer to a minor within a one year period. By Agreed Order, Applebee's Neighborhood Bar & Grill agreed to a five-day suspension of their liquor-by-the-drink permit (Permit #18059) from June 23, 2013 through June 27, 2013, and a \$500.00 civil penalty.

(See attached Legal Department Memorandum 13-23 for further information)

6. **SHOW CAUSE HEARING**

**Show Cause Hearing # 2013-03**

**Back to Brewski's**

**144 Randolph Road**

**Class "C" Beer Permit #1457, Approved: 7/9/12**

**Owner: W. Nang Crossno**

**Manager: W. Nang Crossno and Wanda Reagan**

At the May 13, 2013 meeting, the Oak Ridge Beer Permit Board voted to hold a Show Cause Hearing for Back to Brewski's regarding two arrests on April 14, 2013 occurring inside/outside the premises as reported to the Board by Deputy Chief Massengill. The vote included a requirement that the owners/managers be present at the show cause hearing and bring camera/video footage to the hearing.

(See attached supporting documentation, including three exhibits and a letter from Brewski's)

7. **ADJOURNMENT**

# MINUTES

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

Training Room – Municipal Building  
May 13, 2013  
12:00 noon

PRESENT: Barton Bailey, Colin Colverson, Pedro Otaduy, Theresa Scott, and Wendy Williams

ABSENT: Debra Solmonson and Randy Tedford  
(Both gave prior notice of absence to the Legal Department)

ALSO  
PRESENT: Tammy Dunn, Senior Staff Attorney  
Alan Massengill, Deputy Police Chief

AUDIENCE  
MEMBERS: Michael Foster, Allies for Substance Abuse Prevention

**ATTENDANCE**

In the absence of the Chairperson, Ms. Dunn called the meeting to order at 12:00 noon. All members were present except Chairman Tedford and Ms. Solmonson, both of whom contacted the Legal Department prior to the meeting to report their absence.

**ACTING CHAIRPERSON**

Secretary Bailey nominated Mr. Colverson to be the Acting Chairperson. Ms. Scott seconded the nomination. Mr. Colverson accepted the nomination and was appointed Acting Chairperson for the meeting by unanimous vote.

**APPROVAL OF MINUTES**

Secretary Bailey moved, seconded by Ms. Scott, to approve the April 8, 2013 regular meeting minutes and the motion carried with a vote of 5-0-1, with Mr. Otaduy abstaining from the vote.

**APPLICATIONS FOR NEW BEER PERMITS AND THEIR ASSOCIATED MANAGER APPROVALS**

**Application No. 1476**  
**Ian's Market #17**  
**Dinesh S. Patel and Komel D. Patel, Owners**  
**Dinesh S. Patel, Manager**  
**400 N. Illinois Avenue**  
**Class "B" Permit**

Mr. Dinesh Patel was present to discuss his beer permit application and manager approval application.

Acting Chairperson Colverson inquired about ownership of the business since reference was made on the application to an LLC. Mr. Patel stated the business would be owned by an LLC (Kedar Enterprises, LLC) and, at Acting Chairperson Colverson's request, Mr. Patel amended his application to provide that information.

Mr. Otaduy inquired of Mr. Patel whether he understood certain statements on the application form and specifically inquired if Mr. Patel knew what Tennessee Code Annotated §57-5-301(e)(1) meant. When Mr. Patel indicated he did not know what that statute said, Mr. Otaduy read the statute and interpreted its meaning for Mr. Patel regarding possession/transportation of beer in the course of employment by persons under the age of twenty one (21), in contrast with City Code §8-801(3) regarding possession of beer in the course of employment by persons under the age of eighteen (18). Mr. Otaduy also asked Mr. Patel if he has posted the sign required by Tennessee Code Annotated §57-5-301(f) and Mr. Patel stated he has a sign regarding IDs but does not have the sign specifically required by statute. Mr. Patel stated he would contact his vendor for the sign. Acting Chairperson Colverson told Mr. Patel that the Board does not provide legal advice and only provides reference to the statute.

Secretary Bailey moved, seconded by Ms. Scott, to approve the beer permit application (as edited at the meeting) and the manager application, and the motion carried unanimously.

**Application No. 1477**  
**Worsley Operating Corporation**  
**d/b/a Breadbox #471**  
**Donna Mayberry, Manager**  
**680 Emory Valley Road**  
**Class "B" Permit**

Ms. Mayberry and Mr. Mike Davis (regional director) were present to discuss the beer permit application and the manager approval application. The applications were submitted due to a change in ownership at the corporate level.

Ms. Scott inquired as to the business's telephone number since the application did not list a local number. Mr. Davis replied that number is the corporate number and Ms. Mayberry provided the local number (865-332-2045). Secretary Bailey reminded them of the obligation to monitor the parking lot for consumption of beer and to call the Police Department if there were any problems. Acting Chairperson Colverson inquired if there had been any issues. Ms. Mayberry stated they had called the police recently regarding a person that appeared to be passed out at the gas pumps. Acting Chairperson Colverson inquired as to the number of employees and Ms. Mayberry stated there were five (including herself) and that all had received the Breadbox's required training on alcohol sales and all had been working there for at least nine months.

Secretary Bailey moved, seconded by Ms. Scott, to approve the beer permit application and the manager application, and the motion carried unanimously.

**Application No. 1478**  
**St. Mary's Church/Fundraising Event**  
**May 18, 2013: 6:00 p.m. – 11:30 p.m.**  
**John Thomas Slankas and Lynda Vineyard, Supervisors of Beer Sales**  
**327 Vermont Avenue**  
**Class "E" Permit**

Mr. Slankas and Ms. Vineyard were both present to discuss the special event beer permit application.

Mr. Otaduy asked whether this was a permanent application and Mr. Slankas stated it was for a special event permit and that they applied for each event separately, not exceeding four per twelve months. Mr. Otaduy asked why there was a limit of four and suggested St. Mary's ask someone to change that. Mr. Otaduy mentioned the Arts Council of Oak Ridge had a permanent beer permit for city events and suggested St. Mary's consider this option. Secretary Bailey mentioned that option was discussed at the previous meeting with Mr. Slankas. Mr. Slankas stated he did not want to apply for a permanent beer permit due to cost. Mr. Otaduy stated he wanted St. Mary's to be aware of that possibility.

Ms. Williams pointed out an error on the application for the date of the fall festival (had incorrect year) and Ms. Vineyard corrected that information on the application. Acting Chairperson Colverson asked about their ID policy. Mr. Slankas stated they did not expect many young people at this event but they would ID patrons and issue wristbands. Secretary Bailey pointed at that on the application Mr. Slankas asked for an exemption from the wristbands for those obviously over thirty years of age.

Mr. Otaduy moved, seconded by Secretary Bailey, to approve the application with the requested exemption and the motion carried unanimously.

#### **NEW MANAGER APPROVAL APPLICATIONS**

**Barry Bergren**  
**Eagles**  
**1650 Oak Ridge Turnpike**

Mr. Bergren was not present at the meeting. Mr. Otaduy asked whether Mr. Bergren received a letter from the City reminding him of the meeting date. Ms. Dunn stated she did not know whether he was sent a letter or whether he was told in person. Secretary Bailey pointed out that JoAnn Oran notarized the application, implying Mr. Bergren would have been informed at that time of the meeting date. The Board asked that Mr. Bergren be placed on the June agenda and be sent a reminder letter informing him of the new date and that he missed this meeting.

**Pamela Dean Bunch**  
**Throttle Down Bar & Grill**  
**259 Warehouse Road**

Ms. Bunch was not present. Ms. Betty Reynolds stated Ms. Bunch had changed her mind about applying as a manager. Ms. Dunn stated she would send a letter to Ms. Bunch for her to confirm that information.

**Betty L. Reynolds**  
**Throttle Down Bar & Grill**  
**259 Warehouse Road**

Ms. Reynolds was present to discuss her application. Ms. Dunn stated there was an error on the Knox County background investigation form, which has delayed receipt of this information.

Deputy Chief Massengill inquired as to ownership of the establishment and Ms. Reynolds said it was still Steven Robinette. Ms. Scott inquired as to Ms. Reynold's previous employment at Brewski's and Shenanigan's. Ms. Reynolds stated she was a bartender at both places and also did ordering for Shenanigan's. Acting Chairperson Colverson inquired whether Ms. Reynolds was aware of the parking lot responsibilities and to call the police when needed. Ms. Reynolds stated she was and that they contact the owner with any problems first, but that he is usually there.

Ms. Reynolds also stated they had about twenty cameras inside and out that were monitored. Mr. Otaduy asked how long those records were kept and Ms. Reynolds did not give an exact timeframe but did say the police have viewed their video footage in the past regarding a recent issue. Ms. Scott asked whether there are any bouncers and Ms. Reynolds stated there are not, but that there are stockers who watch out for the bartenders and the patrons. When asked by Acting Chairperson Colverson, Ms. Reynolds stated they are open from 11am to 3am and stop serving shortly before 3am since everyone has to be out by then. Mr. Otaduy asked how she monitors patrons to make sure they do not arrive intoxicated. Ms. Reynolds stated they watch their cameras and have to use their judgment. Mr. Otaduy asked whether she networks with other establishments and Ms. Reynolds stated she knows the other bars and they do keep in touch and will notify others for safety reasons.

Acting Chairperson Colverson inquired whether the police had any issues with the establishment. Deputy Chief Massengill stated recently there has been nothing significant. Secretary Bailey stated that beer was not allowed in the patio/outside area but that he has recently seen people outside with cups but did not call the police. Deputy Chief Massengill stated he would notify patrol to watch out for this since this establishment was not in the business of selling beverages that were not beer. Ms. Scott asked why Ms. Reynolds left employment at Brewski's and Shenanigan's and Ms. Reynolds stated it was for a better opportunity and more money. She also stated, when asked by Ms. Scott, that she was not part owner of Shenanigan's.

Secretary Bailey moved, seconded by Mr. Otaduy to approve the application subject to completion of the background investigation and the motion carried unanimously.

**Jonathan Blake Romer**  
**Salsarita's**  
**288 S. Illinois Avenue**

Mr. Romer was present to discuss his application. Ms. Scott noted that Mr. Romer was replacing a manager that left in November. Acting Chairperson Colverson inquired why the delay was so long in submitting an application. Mr. Romer stated the owners handled these matters in the past and he did not know about the requirement until he received a letter in April on behalf on the board. Acting Chairperson Colverson asked that a letter be sent to the owners about this issue.

Mr. Romer asked a few questions of the board. He asked about Mr. Otaduy's previous comment to Mr. Patel regarding persons under twenty-one being able to handle beer and stated he has worked at previous establishments where busboys were not even allowed to handle empty bottles. Mr. Otaduy stated establishments can have their own policies and some training courses—while not compulsory—may suggest those actions. Mr. Romer also asked about allowing St. Mary's to not use wristbands for those over thirty and asked whether this was discriminatory. Ms. Dunn stated St. Mary's only asked for a waiver from the Board's requirement to *use wristbands* at special events and this did not negate their obligation to check patrons' IDs.

Acting Chairperson Colverson inquired about training. Mr. Romer stated he has been ABC trained every five years and that this training has made him a little tougher on his employees, but that their establishments have passed every sting operation.

Ms. Scott moved, seconded by Secretary Bailey, to approve the application and the motion passed unanimously.

**Jerrold Anthony Williams**  
**Oak Ridge Country Club**  
**150 Gum Hollow Road**

Mr. Williams called the Legal Department on May 9, 2013 and requested his application be postponed until the June meeting.

### **NEW / OLD BUSINESS**

#### Arts Council of Oak Ridge

Jim Dodson and Joye Montgomery were present at the meeting and requested two exemptions from the *Required Control Measures for Special Occasion Beer Permits*. The first request was to be exempt from the limit to the number of beers that can be sold at one time to one person (one beer at a time). The Arts Council mentioned long lines at the last festival and some upset customers about not being able to buy a beer for a friend or spouse. Deputy Chief Massengill explained the Police Department's role in asking the Board to originally place this limit on special events and explained that it is risky to allow someone to buy a beer for another person because you do not know if that person is of age or is sober or intoxicated. The Arts Council also asked for an exemption from the requirement to punch wristbands because it was time consuming and at the last festival it caused patrons to question why others were allowed to purchase more beers than they were or what their total limit would be.

The Board had some in-depth discussions about plans for the beer sales by the Arts Council and plans for security by the Police Department. After learning that the ID/armband table would be separate from the beer sales table, that police would be scattered throughout the event but would also be close by the beer sales, that beer was sold in easily identifiable cups, and that volunteers would be watching out for intoxicated persons, the Board was satisfied with the request for a waiver of the wristband punching requirement.

The Board also discussed there may be a need for specific signage about beer sales and the Arts Council may want to consider not allowing or checking bags that come in to the event to prevent outside alcohol. Ms. Montgomery said she would discuss that with the Festival Executive Committee.

Acting Chairperson Colverson moved, seconded by Ms. Scott, to approve the request for a waiver of the wristband punching requirement and the motion carried unanimously.

#### Police Reports

(Secretary Bailey had to leave the meeting before this item was discussed)

Deputy Chief Massengill discussed recent events at two establishments. First, he mentioned two arrests that occurred at Back to Brewski's on April 14, 2013. One arrest for public intoxication and one arrest for drug possession. Second, he mentioned an issue at Lincoln's Sports Grille where an owner was involved in a disturbance with an intoxicated patron though no arrests were made.

Mr. Otaduy inquired who called the police and Deputy Chief Massengill could not answer since that information was not contained on the documents in his possession at the meeting. Mr. Otaduy stated he would give a little leeway because the businesses try and are handling the toughest crowds. Deputy Chief Massengill stated it was a fine line because these businesses are in the business of selling alcohol to make money. Mr. Otaduy stated the businesses were not making that much.

Ms. Scott moved, seconded by Acting Chairperson Colverson, to hold a show cause hearing for Back to Brewski's, to require Back to Brewski's to bring their camera/video footage, and for the owners/managers to be present, and the motion carried by a vote of 3-to-1 with Mr. Otaduy voting against.

Acting Chairperson Colverson moved, seconded by Ms. Scott to set the date of the show cause hearing at the next meeting and the motion carried unanimously. There was some confusion after the vote as to whether this motion set the show cause hearing to be at the next meeting or if the date would be decided upon at the next meeting. Acting Chairperson Colverson stated he wanted to decide the date at the next meeting when there the remaining members were present. After a little discussion, the Board agreed that was the meaning of the vote.

#### Audio Recording of Meetings

Mr. Otaduy re-visited the approved minutes of the March 11, 2013 meeting stating he felt the language below did not accurately reflect his current position:

Mr. Colverson asked Mr. Otaduy if he wanted the meetings tape recorded and Mr. Otaduy stated no, but Council meetings were recorded and it could be helpful for the person who writes the minutes.

Mr. Otaduy stated he only wanted to know if the meetings were recorded and re-iterated that he thought it would be helpful in order to write the minutes. Mr. Otaduy also stated he has now decided he would like for the meetings to be recorded and made an official motion to that effect. Mr. Otaduy's motion for the meetings to be recorded failed for lack of a second. Ms. Scott suggested this issue be discussed at the next meeting and Mr. Otaduy stated there was no hurry.

#### ADJOURNMENT

The meeting adjourned at 1:37 p.m. by unanimous approval.

Respectfully submitted,

Barton Bailey, Secretary

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

Training Room – Municipal Building  
June 10, 2013  
12:00 noon

**PRESENT:** Colin Colverson, Pedro Otaduy, Theresa Scott, Debra Solmonson, Chairman  
Randy Tedford, and Wendy Williams

**ABSENT:** Secretary Barton Bailey  
(Secretary Bailey gave prior notice of his absence to the Legal Department)

**ALSO  
PRESENT:** Tammy Dunn, Senior Staff Attorney  
Alan Massengill, Deputy Police Chief

**AUDIENCE  
MEMBERS:** Michael Foster, Allies for Substance Abuse Prevention

**ATTENDANCE**

Chairperson Tedford called the meeting to order at 12:00 noon. All members were present for the meeting except Secretary Bailey who informed the Legal Department of his absence in advance and Mr. Colverson who arrived to the meeting at approximately 12:05 p.m.

**APPROVAL OF MINUTES**

Chairman Tedford and Ms. Solmonson both stated their intention to abstain from the vote as they were not present at the May 13, 2013 meeting. Ms. Williams moved, seconded by Ms. Scott, to approve the May 13, 2013 minutes. Prior to a vote, Mr. Otaduy stated he would like for the meetings to be (audio) recorded because the printed words in the minutes do not reflect the nuances of the meeting and, further, that the minutes did not contain some information that he would have put in the minutes. Chairman Tedford stated the issue of recording the meetings was later on the agenda and asked Mr. Otaduy if he would like to propose any corrections or specific changes to the minutes. Mr. Otaduy stated he would vote against the minutes. Ms. Solmonson moved, seconded by Chairman Tedford, to wait to vote on approval of the minutes until Mr. Colverson arrived at the meeting and the motion carried unanimously.

[See below for continuation of minutes]

**APPLICATIONS FOR NEW BEER PERMITS AND THEIR ASSOCIATED MANAGER APPROVALS**

None

### **ACTING SECRETARY**

Ms. Scott nominated Mr. Colverson to be Acting Secretary. Ms. Solmonson seconded the nomination. Mr. Colverson was appointed Acting Secretary by a vote of 5-0 with Mr. Colverson abstaining. Mr. Colverson accepted the nomination. [This item was actually voted on during the discussion of Mr. Williams' manager application.]

### **NEW MANAGER APPROVAL APPLICATIONS**

**Jerrold Anthony Williams  
Oak Ridge Country Club  
150 Gum Hollow Road**

Mr. Williams was present to discuss his application. Chairman Tedford asked Mr. Williams to post a notice in the manager's office that any change in manager will require submittal of an application to the board for approval. This was requested due to the timeframe between which the last approved manager left employment and the time of Mr. Williams' application.

The Board discussed the establishment's beer sales process with Mr. Williams. Mr. Williams stated beer is served on the premises, including on the golf course itself, and that all beer servers (about five) have ABC cards. Mr. Williams stated he has an ABC as well. Mr. Williams stated beer sales occur on the golf course through a beverage cart service. Mr. Williams stated he relies on the integrity of his staff and he trusts golfers to not break the law by handing beer to someone underage. Mr. Williams stated his inventory monitoring service shows the establishment has no less than a 98% rating. Mr. Williams recalled a previous incident where one golfer in a group did not have his ID on his person and beer was not sold to that individual. Mr. Williams also stated that employees know they will lose their job if caught selling to underage persons or breaking the rules.

Acting Secretary Colverson inquired of Mr. Williams how beer is legally transported/consumed while operating a golf cart, and Mr. Williams stated this was a practice everywhere but he had not specifically looked into whether it was legal or not. Mr. Otaduy told Mr. Williams Tennessee law allowed it. Ms. Scott indicated it was most likely permissible because it was on private property.

Mr. Otaduy inquired of Mr. Williams about employees handling/transporting beer under the ages of twenty-one (21) and eighteen (18). Mr. Otaduy spoke to Mr. Williams about Tennessee Code Annotated §57-5-301(e)(1) regarding possession/transportation of beer in the course of employment by persons under the age of twenty one (21), in contrast with City Code §8-801(3) regarding possession of beer in the course of employment by persons under the age of eighteen (18). Mr. Otaduy told Mr. Williams that employees under the age of eighteen (18) could ring up beer, sell beer, and transport beer to a vehicle provided an employee over the age of eighteen (18) approves it. Mr. Otaduy offered to email Mr. Williams the referenced information. Chairman Tedford stated the board was not a legal advisor and that statutes/ordinances were available online. Mr. Otaduy stated that was Chairman Tedford's interpretation. Chairman Tedford stated that is the way the board has always operated and Mr. Otaduy could propose a change to that process later. Mr. Otaduy stated Chairman Tedford had no right to restrain him. Chairman Tedford stated this issue would be discussed later and asked if there were any relevant questions for Mr. Williams.

Acting Secretary Colverson inquired of Mr. Williams why there was a year and a half delay in submitting his application. Mr. Williams stated he was not aware of the need to submit an application until he received a letter from the City a few months ago.

Mr. Otaduy moved, seconded by Acting Secretary Colverson, to approve the application without conditions and the motion carried unanimously.

**Barry Bergren**  
**Eagles**  
**1650 Oak Ridge Turnpike**

Mr. Bergren was not present at the meeting. This was the second meeting Mr. Bergren has missed. Mr. Bergen was reminded of the meeting by letter. Mr. Otaduy moved, seconded by Chairman Tedford, to give Mr. Bergren one more opportunity to attend a meeting and the motion carried unanimously. Incorporated into the motion was Ms. Scott's suggestion that the letter be sent by certified mail.

#### **APPROVAL OF MINUTES (RE-VISITED)**

[This item was taken back up from earlier in the meeting.]

Chairman Tedford asked Mr. Otaduy to state his issue with the minutes for the benefit of Acting Secretary Colverson. Mr. Otaduy repeated that there are nuances in the meeting that are not reflected in the minutes. Mr. Otaduy stated the minutes were fairly good, but not 100%, and there were some things he would have placed in the minutes. Mr. Otaduy stated he would prefer for the minutes to be recorded.

As examples, Mr. Otaduy stated the minutes did not reflect Deputy Chief Massengill's conversation with the owner of one of the establishments that was reported on by the Police Department under "Old/New Business" which was a personal accountant of the incident. Additionally, Mr. Otaduy stated the other establishment that was reported on was not a personal account of the incident by Deputy Chief Massengill but was a statement made by a drunk person who he did not think should necessarily be given credence. Mr. Otaduy stated it was also not clear who called the police to report the incidents. Mr. Otaduy stated the minutes were biased toward one establishment and were not perfect.

Ms. Williams stated the minutes were a good representation of what was said. Ms. Williams also stated that even if the meetings were recorded, there would be no expectation that everything said would be in the minutes or the minutes would be too bulky. Mr. Otaduy agreed, however, he stated City Council records meetings and court does as well.

Acting Secretary Colverson stated the minutes are not a transcript of the meeting but a summary. Acting Secretary Colverson stated the minutes could be corrected if needed, but that the minutes adequately captured the meeting, the minutes were not biased, and the minutes were not missing any substantive facts. Mr. Otaduy stated they did not need a transcript. Acting Secretary Colverson stated transcripts are expensive and require the services of a court reporter.

Acting Secretary Colverson moved, seconded by Ms. Scott, to approve the minutes as submitted and the motion failed by a vote of 3-1, with Mr. Otaduy voting against. Chairman Tedford and Ms. Solmonson abstained from the vote.

Note: At the meeting, it was believed that the vote was sufficient to approve the minutes because there was a majority vote of those who voted. However, City Code §8-603(2) requires a majority of those *present* at the meeting in order to take any action. This was not noticed until after the meeting and the minutes will be placed back on the agenda for approval at a future date.

**NEW / OLD BUSINESS**

A. Schedule Show Cause Hearing

At the May 13, 2013 meeting, the Board voted to hold a show cause hearing for Back to Brewski's regarding two arrests on April 14, 2013 occurring inside/outside the premises as reported to the Board by Deputy Chief Massengill. The vote included a requirement that the owners/managers be present at the show cause hearing and bring camera/video footage to the hearing. The Board then unanimously voted to decide on a show cause hearing date/time at the next regular meeting when more members would be present. Chairman Tedford moved, seconded by Ms. Scott, to schedule the show cause hearing immediately after the regular meeting in July 2013. Mr. Otaduy suggested a meeting date of July 8, 2013. Chairman Tedford stated the date needed to be realistic. Mr. Otaduy stated a hearing was not appropriate at this time and was not justified.

The motion carried by a vote of 5-1, with Mr. Otaduy voting against. The show cause hearing will be held immediately after the regular meeting in July 2013.

B. Audio Tape Recordings

At the May 13, 2013 meeting, Mr. Otaduy stated he would like for the meetings to be audio tape recorded for benefit of writing the minutes. While Mr. Otaduy's motion failed for lack of a second, Ms. Scott suggested this issue be discussed at the June 10, 2013 meeting.

Mr. Otaduy stated City Council meetings were recorded as well as City Court. Ms. Dunn stated City Court is not recorded as it is not a court of record. Mr. Otaduy stated he knew that City Court was recorded, but maybe that practice had stopped. Chairman Tedford stated City Court previously had General Sessions jurisdiction, but does not anymore. Chairman Tedford stated that current General Sessions court is recorded, but City Court matters are civil in nature and not recorded. Acting Secretary Colverson asked for a motion.

Mr. Otaduy moved to audio record the proceedings by either the staff liaison or a member of the board. Acting Secretary Colverson stated he may support a motion to record meetings that could involve litigation, such as show cause hearings and meetings where show cause hearings may be decided upon, but not all meetings. Chairman Tedford stated the meetings are public and anyone can attend. Ms. Solmonson agreed.

The motion failed for lack of a second.

C. Throttle Down Bar & Grill (Not Originally On Agenda)

Ms. Dunn reported that Ms. Betty Reynolds stopped by her office prior to the meeting and requested her name be removed as manager of the establishment. Ms. Reynolds stated she quit. Ms. Reynolds also said Ms. Aycock was no longer employed there. Ms. Scott suggested confirmation of whether Ms. Aycock (prior manager) is still employed in that capacity. Ms. Dunn stated the owner would receive a letter requesting a new manager application within the 15-day timeframe if Ms. Aycock was not a current manager and the letter would be delivered by the Police Department to obtain a status update on Ms. Aycock.

D. Breadbox (Not Originally On Agenda)

Ms. Dunn stated a request had been made by the Accounting Office of Breadbox for a special meeting to approve a new beer permit application due to changes in ownership. No member of the board made a motion to schedule a special meeting, therefore, the application will be

presented at the next regular meeting.

E. Agenda Order / Keeping to the Issues (Continuation of Prior Discussion)

Chairman Tedford addressed Mr. Otaduy about keeping to the issues as much as practically possible, especially since some members are using their lunch break from work to attend meetings. Chairman Tedford stated the importance of following the agenda to keep a good flow to the meeting and for members to state any objections, be accurate, and to the point. Ms. Williams stated it was especially important to keep to the agenda when applicants were present. Ms. Scott agreed. Mr. Otaduy suggested minutes be moved last on the agenda.

Chairman Tedford suggested minutes could be moved during a meeting if there were any objections to the minutes. Mr. Otaduy suggested the minutes be placed under "Old/New Business." Ms. Williams suggested that applicants could wait outside during discussions of the minutes. Chairman Tedford stated the meeting was open to the public and applicants could not be required to wait outside. Ms. Williams stated it was an awkward discussion at this meeting in front of the applicant. Chairman Tedford suggested that if there were problems with the minutes that the item could be moved to later in the agenda for discussion, like was done at this meeting, but to otherwise stay in the same agenda order. Mr. Otaduy stated he was fine with this as it offered flexibility.

Chairman Tedford moved, seconded by Ms. Scott, to adjourn the meeting. Mr. Otaduy wanted to discuss the application form.

F. Application Form (Not Originally On Agenda)

Mr. Otaduy expressed concern over the application form and indicated it was not informative regarding the ability of employees under eighteen (18) and under twenty-one (21) to handle beer. Mr. Otaduy stated if the purpose of the list on the back of the application is to remind applicants and inform them, then the list missed the point. Mr. Otaduy stated the list was confusing and redundant. Chairman Tedford asked whether there was any interpretation on the state's use of the word "transport/transportation" in the statute governing beer. Ms. Dunn stated she did not find anything that interpreted that word during the previous discussions on this issue and that the board approved the language on the application at a prior meeting. Ms. Dunn did state the City could attempt to obtain an Attorney General's Opinion but that such requests have to go through the state legislature. Ms. Scott asked what information applicants receive when requesting an application. Ms. Dunn stated the application packet contains instructions, the applications, and a copy of the City's beer ordinances.

Ms. Scott stated it was not right for a member of the board to give personal or legal interpretations to applicants regarding the meaning of state statutes. Ms. Scott stated if applicants had concerns over such matters, they could contact their own attorney and it was not for Mr. Otaduy to give an opinion. Ms. Scott stated applicants sign the application indicating they agree to comply with state and local beer laws. Acting Secretary Colverson echoed Ms. Scott's point. Acting Secretary Colverson stated the board is charged with issuing beer permits for the sale of beer and that acting beyond that charge is going beyond the board's authority. Acting Secretary Colverson stated the board has no interpretation authority over state law and it is illegal for the board to give legal advice. Acting Secretary Colverson cautioned Mr. Otaduy from speaking on behalf of the board regarding legal matters because if that information is wrong, the applicant can sue the board and the individual.

Mr. Otaduy stated he was not giving advice, but only reading the statute and the ordinance to the applicant at which point Mr. Otaduy read a city ordinance to Ms. Scott. Mr. Otaduy stated it was not his opinion he was giving and that the law was very clear. Mr. Otaduy then stated the

list on the application form was ridiculous list to try to inform applicants. Mr. Otaduy stated he was not giving legal advice, was not giving an interpretation, and that the board should change what an applicant is required to sign.

Chairman Tedford suggested the board no longer allow any interpretations of statutes to applicants, and that if an applicant does not understand a statute or requirement then the applicant should not sign the application.

**ADJOURNMENT**

The meeting adjourned at 1:05 p.m. upon the prior motion of Chairman Tedford that was seconded by Ms. Scott. The vote for adjournment was 5-1, with Mr. Otaduy voting against adjournment.

Respectfully submitted,

Barton Bailey, Secretary

# APPLICATIONS

**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:

- 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
- Name under which business will operate: Bread Box #3471

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.

- Street address where business will operate: 680 Emory Valley Rd, 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.

- Business Telephone Number: (910) 796-2429 / 865-482-7843
- Proposed date business will open under this ownership: \_\_\_\_\_

- Full Name of Applicant (Owner or Owner's Agent/Representative):  
Mark Charles King

- Applicant's prior experience selling/serving beer or other alcoholic beverage:  
\_\_\_\_\_  
\_\_\_\_\_

- Type of business entity:  
 Individual \_\_\_\_\_ Corporation \_\_\_\_\_ L.L.C.  Joint-stock Company \_\_\_\_\_  
 Partnership \_\_\_\_\_ Other \_\_\_\_\_

- Full name of the person to be the on-premise manager responsible for the direct daily operations of the business: Donna Kay Mayberry

- 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:  
Abigail Todd, P.O. Box 3227, Wilmington, NC 28406  
Executive Administrative Asst.

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

Convenience store / fuel

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

Attached

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

Pleasant Baine Properties, LLC - P. O. Box 50035, Knoxville, TN 37950

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 Chapel on the Hill { Jefferson Middle School  
85 Kentucky Ave, Oakridge, TN 37830 } 200 Fairbanks Rd.  
Oakridge, TN 37830

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

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.

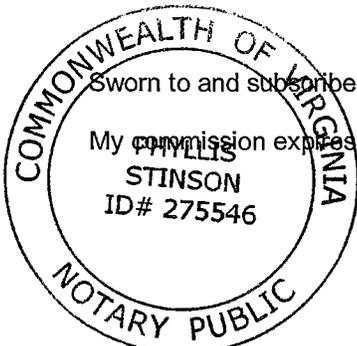
I hereby release, absolve and hold harmless the City of Oak Ridge, the Oak Ridge Beer Permit Board, the Oak Ridge Police Department, its employees, agents and representatives from any and all liability of whatever type for any damages, causes of action, personal property injuries which may result as 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 9<sup>th</sup> day of May, 2013.

[Signature]  
Signature of Applicant

Sworn to and subscribed before me this 9 day of MAY, 2013.

My commission expires: Nov. 30, 2015.



Phyllis Stinson 275546  
Notary Public

## Penalties for Making Illegal Sales

- Termination of employment
- Fines
- Possible jail time
- Community service
- Criminal record
- Suspension of your driver's license
- You could be sued and held liable if you sold alcohol to an underage or intoxicated customer who was later injured or killed in an alcohol-related accident.
- The store could lose its license to sell alcohol.

### CAREFULLY CHECK I.D.'S TO AVOID THESE PENALTIES!

## Alcohol Sales

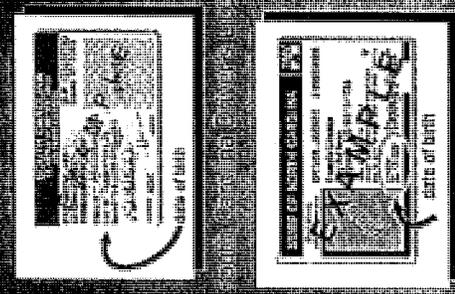
- The legal drinking age is 21 in TN & VA.
- Customers must PROVE their age if they are to purchase alcohol by presenting a valid photo I.D.
- This company policy states that employees must card ALL customers under the age of 21 who wish to purchase alcohol.
- You cannot sell alcohol to the following:
  - Under the legal drinking age
  - Obviously intoxicated
  - Buying for someone else who is underage
  - Possessing I.D. that is expired, altered, or forged
  - Trying to purchase one alcohol after legal hours of sale.

## Acceptable forms of Identification (cont.)

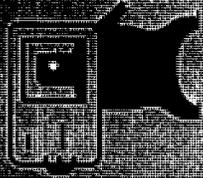
- 3. U.S. Passport
  - 5. U.S. Immigration Card (Accepted in SC only)
- 

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## Acceptable forms of Identification

- There are ONLY 5 forms of I.D. you can accept for alcohol purchases.
    - 1. A Driver's License from any state
    - 2. A State Issued ID card for non-drivers
      - NC only recognizes NC State I.D.'s
      - SC, TN, & VA recognize all State I.D.'s
- 

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## Age Verification Steps

- Primarily ask to see the customer's photo I.D.
- The I.D. must be removed from its wallet
- Ensure the photo and description match the appearance of the customer.
- Ask questions (Date of birth, address) and look for nervous answers.
- Check for any alteration to the I.D.
  - Bumps, peeling, or splits in the lamination
  - Check for state seal and holograms
  - Does all the type match and is it lined up?
  - Dark or blurry photograph
  - Fading or discoloration

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## Intoxicated Customers

- Under the law and store policy, you CANNOT sell alcohol to a customer who is intoxicated and/or under the influence.
- Signs of intoxication:
  - Staggering or stumbling gait
  - Slurred speech
  - Loss of judgment
  - Speaking loudly or using obscene language
  - Belligerent, aggressive or erratic behavior
  - Bloodshot eyes
  - Smell of alcohol on breath or clothing
  - Vomiting or traces of vomit
- If you suspect a customer is intoxicated, **REFUSE THE SALE.**
- If an intoxicated customer gets into a car and drives away, get a description of the car and driver and...  
**CALL THE POLICE!**

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## Un-Acceptable Forms of Identification

- Customers may attempt to give you a questionable I.D. as proof of age, but these forms are **NOT** legally accepted:
  - Birth Certificates
  - Social Security Cards
  - Student ID Cards
  - Credit Cards
  - Any I.D. that is expired
  - Any I.D. that has been altered, forged, or stolen
  - Temporary license that does not have a photograph
  - Work Visas
  - I.D.'s from other countries (Mexico, Canada, etc.)
  - **DO NOT ACCEPT THESE FORMS OF ID!**

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## Age Verification Steps

- If in doubt, compare the customer's I.D. side by side with your own.
- If the I.D. is from another state, refer to that state's license guide (if available)
- Observe the customer's appearance and behavior:
  - Are they acting nervous?
  - Enter the customer's date of birth into the register to verify if they are of legal age.
  - If you have any doubt about the customer's age or the validity of their I.D., politely refuse the sale.
- **REFUSE THE SALE!**
- As long as you are following the store policy and the law, the company will back you up!
- Remember, YOU have the right to refuse the sale of any age restricted product.

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## Legal Hours for Alcohol Sales



### North Carolina Law states that:

All alcoholic beverages are sold 24 hours a day, 7 days a week.

### South Carolina Law states that:

No alcohol sales after 2:00 AM on Saturdays until 7:00 AM. No alcohol sales after 2:00 AM on Sundays until 7:00 AM. No alcohol sales on Sundays.

### Tennessee Law states that:

Sales of alcoholic beverages are 24 hours a day and 7 days a week, Monday through Saturday, and no sales on Sundays.

### Virginia Law states that:

No sale of alcoholic beverages after 12:30 AM (Midnight) until 6:00 AM, 7 days a week.

**Legal hours for alcohol sales vary greatly between states, counties, and cities. Check with your manager and DM for more details regarding your store's legal hours of sale.**

## "Two Party" Sales



• **BEHIND THE SCENES:** In some states, a "Two Party" sale is defined as a sale of alcohol to a group of people, where the person purchasing the alcohol is not the only person in the group. In some states, a "Two Party" sale is defined as a sale of alcohol to a group of people, where the person purchasing the alcohol is not the only person in the group. In some states, a "Two Party" sale is defined as a sale of alcohol to a group of people, where the person purchasing the alcohol is not the only person in the group.

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## On-Premise vs. Off-Premise Sales



### On-Premise License

• Customers can purchase alcohol at the premises. Only one of our stores, Scott's Hardware in Benson, NC has this type of license.

### Off-Premise License

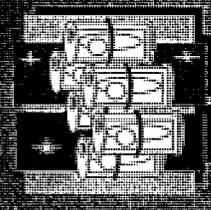
• Customers can purchase alcohol at the store, but CANNOT consume it on the property (in the store or parking lot). All other VPS locations have this type of license. If a customer is drinking on the premises, remind them of the law and politely ask them to leave. If they refuse, call the police and have them removed.

## When Refusing a Sale



- Move the alcohol out of sight and away from the customer, without getting physically involved.
- State the law and store policy. The customer to show them it's nothing personal.
- Remain calm, polite, and assertive throughout the refusal process.
- Explain to the customer that if you make an illegal sale, you could lose your job and possibly go to jail.
- Move on to other customers or other work.
- If a customer becomes abusive, contact your supervisor, or if necessary, call the police.

## Theft of Alcohol



- All thefts must be reported.
- A consumer should monitor:
  - Stay in the store, never drink, don't take your coat, keys, or phone and the cashier's attention if possible.
  - Call the cashier your name.
  - Remember the cashier's name.
- In the event a consumer believes theft or alcohol has occurred:
  - DO NOT drink or use cash.
  - Report cash sale.
  - Take note of the person's name and details about their vehicle.
  - Call the police and your supervisor.
  - Complete the Cash Report.

The BreadBox





The BreadBox



**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:

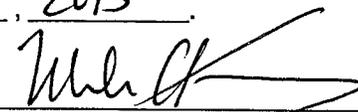
1. Business Name: GPM Southeast, LLC  
Business Address: 8565 Magellan Parkway, Suite 400, Richmond, VA
2. Manager's Full Name: Donna Kay Mayberry 23227
3. Request is made as (check which applies):  
Additional Manager \_\_\_\_\_ Replacement of Prior Manager \_\_\_\_\_
4. Manager's prior experience selling/serving beer or other alcoholic beverage:  
I have maintained retail positions that included selling alcohol to customers for 27 yrs.
5. Manager's Work History:  
How long have you been employed at the business? 11-3-05 / changing owners effective 6-1-13  
Date you became Manager: 8-19-11 (at Store #3)  
Name of Previous Manager: Donna (Kim) Mayberry Date left: still remain at this location  
Previous Employment for the past ten (10) years (name of business, address, length of employment, position held). Attach additional sheets if necessary):  
Bread Box: 11-2005 to Present Clerk/Asst. mgr / Store mgr  
Quik Shop/Truckstop Clinton, TN 5/2003 to 10/2005 Clerk/Asst mgr
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):  
We I.D. every customer, every alcohol sale. We check for proper I.D., expiration date, etc.

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.

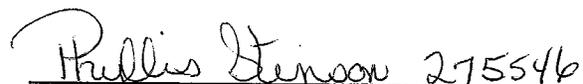
I hereby release, absolve and hold harmless the City of Oak Ridge, the Oak Ridge Beer Permit Board, the Oak Ridge Police Department, its employees, agents and representatives from any and all liability of whatever type for any damages, causes of action, personal property injuries which may result as 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 9<sup>th</sup> day of May, 2013.

  
\_\_\_\_\_  
Signature of Applicant

Sworn to and subscribed before me this 9 day of MAY, 2013.

My commission expires: Nov. 30, 2015.

  
\_\_\_\_\_  
Notary Public

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

Application for (check all that apply):

XX 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):  
     XX 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: COMfort Inn-Oak Ridge, TN

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: 433 S. Rutgers Ave Oak Ridge, TN 37830

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

4. Business Telephone Number: 865-481-8200
5. Proposed date business will open under this ownership: Already in Operation

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

7. Applicant's prior experience selling/serving beer or other alcoholic beverage:  
Holiday Inn - Winston Salem, NC  
Hilton Garden Inn - Lynchburg, VA

8. Type of business entity:  
 Individual \_\_\_\_\_ Corporation \_\_\_\_\_ L.L.C. XX 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: Troy Patel

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:  
Mitesh Patel, Managing Member 109 Destination Blvd Anderson, SC 29621

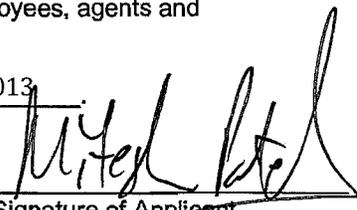


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- Should any manager cease to act in such capacity, this fact shall be reported to the City's Legal Department at 425-3530 within five (5) days.
- Should any ownership change, this fact shall be reported to the City's Legal Department at 425-3530 within 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.

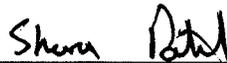
I hereby release, absolve and hold harmless the City of Oak Ridge, the Oak Ridge Beer Permit Board, the Oak Ridge Police Department, its employees, agents and representatives from any and all liability of whatever type for any damages, causes of action, personal property injuries which may result as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

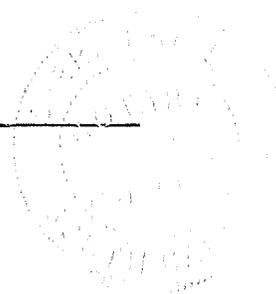
This the 7th day of June, 2013.

  
Signature of Applicant

Sworn to and subscribed before me this 7th day of June, 2013.

My commission expires: 7/10/2019.

  
Notary Public



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.

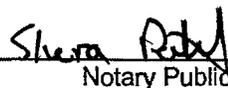
I hereby release, absolve and hold harmless the City of Oak Ridge, the Oak Ridge Beer Permit Board, the Oak Ridge Police Department, its employees, agents and representatives from any and all liability of whatever type for any damages, causes of action, personal property injuries which may result as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

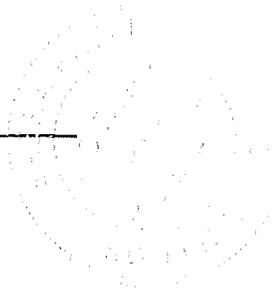
This the 7th day of June, 2013

  
Signature of Applicant

Sworn to and subscribed before me this 7th day of June, 2013

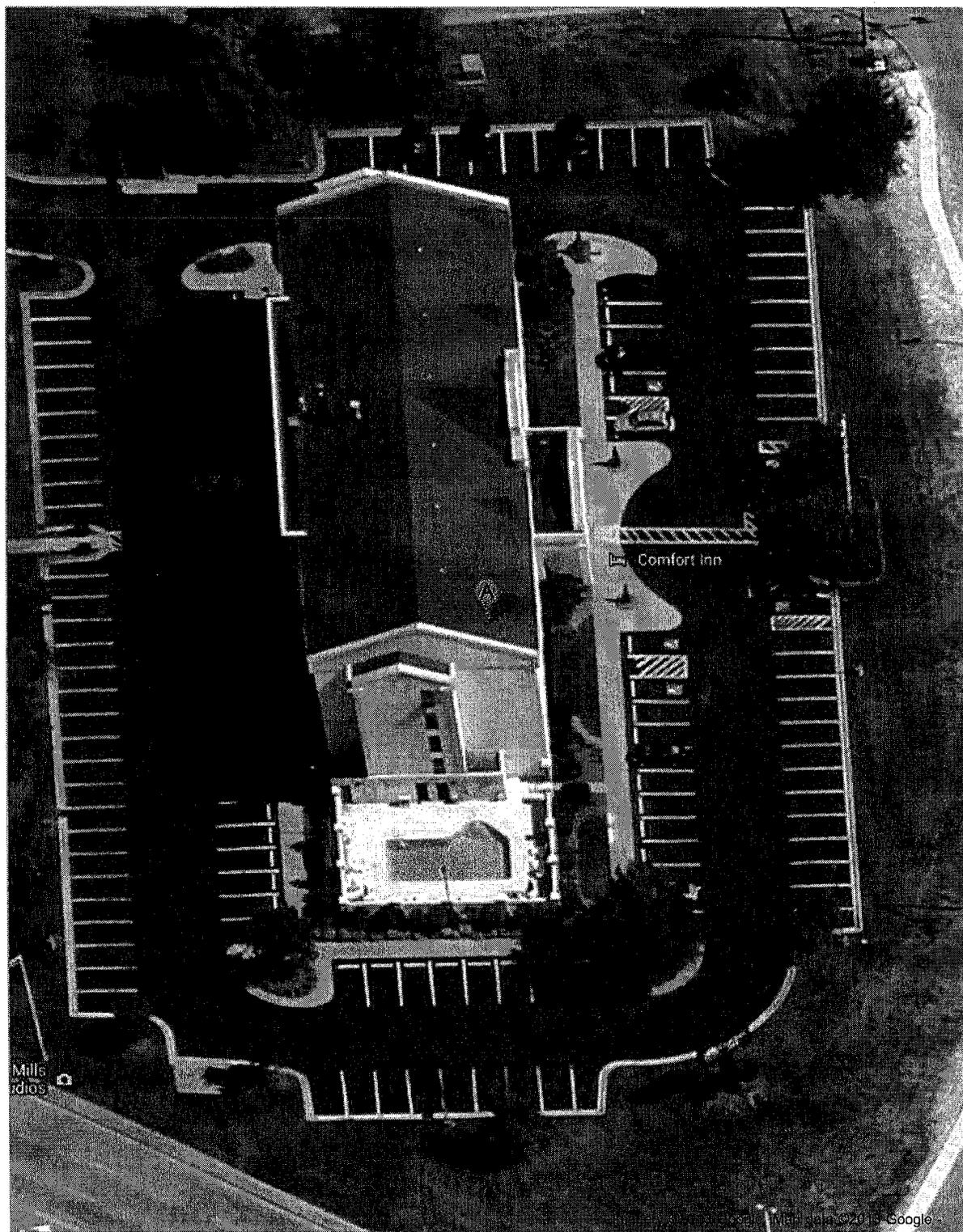
My commission expires: 7/10/2019

  
Notary Public



To see all the details that are visible on the screen, use the "Print" link next to the map.

Google



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

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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 Comfort Inn  
Business Address 4335 Rutgers
  
2. Manager's Full Name Mary Katherine Groover
  
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:  
Festivals in Oak Ridge
  
5. Manager's Work History:  
How long have you been employed at the business? 2 mos  
Date you became Manager: May 6 - 2013  
Name of Previous Manager: \_\_\_\_\_ Date left: \_\_\_\_\_  
Previous Employment for the past ten (10) years (name of business, address, length of employment, position held). Attach additional sheets if necessary:  
Oak Ridge Revitalization Effort
  
6. Beer Permit History:  
Have you ever been employed at an establishment with a beer permit? Orla  
If so, where and when: \_\_\_\_\_  
Have you ever been a manager of an establishment with a beer permit? \_\_\_\_\_  
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? \_\_\_\_\_  
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's will be checked

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.

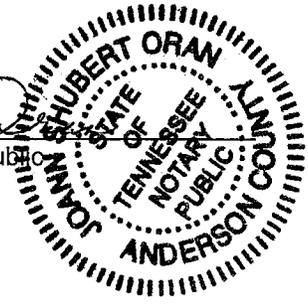
This the 11 day of June, 2013.

M.H. Groove  
Signature of Applicant

Sworn to and subscribed before me this 11th day of June, 2013.

My commission expires Jan 27, 2014.

Joann S. O...  
Notary Public



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

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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 Comfort Inn by Choice Hotels 481-8200  
Business Address 433 S. Rutgers Ave. Oak Ridge TN 37830

2. Manager's Full Name ~~Froy Patel~~ <sup>RG</sup> Renee Golden

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:  
\_\_\_\_\_  
\_\_\_\_\_

5. Manager's Work History:  
How long have you been employed at the business? 3 days  
Date you became Manager: 6-30-13  
Name of Previous Manager: \_\_\_\_\_ Date left: \_\_\_\_\_  
Previous Employment for the past ten (10) years (name of business, address, length of employment, position held). Attach additional sheets if necessary:  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

6. Beer Permit History:  
Have you ever been employed at an establishment with a beer permit? 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? \_\_\_\_\_  
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):  
checking ID  
\_\_\_\_\_  
\_\_\_\_\_

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 2nd day of July, 2013.

Gene Golden  
Signature of Applicant

Sworn to and subscribed before me this 2nd day of July, 2013.

My commission expires: Jan 27, 2014.

Joann Shuler  
Notary Public



**CITY OF OAK RIDGE, TENNESSEE  
APPLICATION FOR SPECIAL EVENT (CLASS E) BEER PERMIT**

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

1. Name of Organization: FREE MEDICAL CLINIC OF OAK RIDGE
  
2. Type of Organization (check one and submit proof of such status with the application):
  - Bonafide charitable organization recognized under Section 501(c) of the Internal Revenue Code
  - Bonafide non-profit organization recognized under Section 501(c) of the Internal Revenue Code
  - Bonafide political organization recognized under Tennessee Code Annotated §2-10-101(a) (political campaign committee) or §2-13-101 (political party)
  
3. General Information – Organization:
  - Address of Organization 320 ROBERTSVILLE RD. SUITE 1 Telephone Number 865-483-3904
  - Type of Event FUNDRAISER
  - Date(s) of Event SATURDAY AUGUST 10, 2013
  - Time(s) of Event\* 9 AM TO 11 PM
  
  - Dates of previous events held within the City of Oak Ridge under a Class E Permit within the past twelve (12) months:
    - SATURDAY AUGUST 11, 2012
  
  - Time during which applicant desires to sell/distribute beer: 5 PM TO 10 PM
  
  - Specific location where beer will be sold/distributed and consumed: GYM-AREA OF PARISH LIFE CENTER - ST. MARY'S.
  
4. Full Name of Individual Responsible for Supervising the Sale/Distribution of Beer During Event:
  - TANYA H VARGAS
  
5. Individual's prior experience selling/serving beer or other alcoholic beverage:
  - LAST YEARS FUNDRAISER

6. Name, mailing address and telephone number of the property owner, if other than the business owner: ST. MARY'S CATHOLIC CHURCH - PARISH LIFE CENTER  
327 VERMONT RD OAK RIDGE. 865-482-2875

NOTE: If the organization is not the property owner, you must submit a signed and notarized  
\* written statement from the property owner giving the organization permission to sell or serve beer  
on the premises for the event. Include this statement with the application.

If the property owner is the City of Oak Ridge, the written statement is not required; however,  
prior permission for the event and beer sales/distribution is required before beer can be served  
regardless of whether a beer permit is obtained. Additionally, the City requires a \$1,000,000  
alcohol liability insurance policy naming the City as an additional insured for the event.

7. Has the organization or the individual responsible for supervising beer during the event ever had  
a liquor license or beer permit suspended, revoked or denied? NO

If yes, where and under what business name? \_\_\_\_\_  
\_\_\_\_\_

8. Has the organization or the individual responsible for supervising beer during the event 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.  
\_\_\_\_\_  
\_\_\_\_\_

9. 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.

Church: ST. MARY'S CATHOLIC CHURCH  
School: ST. MARY'S SCHOOL

10. Describe steps which will be taken to prevent the sale of beer to persons under twenty-one (21):  
TICKET EVENT - NO ONE UNDER 21 ADMITTED.

11. Are you requesting any exceptions to the Required Control Measures for Special Occasion Beer  
Permits as approved by the Oak Ridge Beer Permit Board? If so, please explain:

NO  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

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 applicant is of good moral character and has 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 official of the organization has been convicted of driving under the influence within the past ten (10) years.
- Unlawful gambling and gaming devices will not be allowed during the event.
- 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.
- Persons under the age of twenty-one (21) will not be directly employed in the sale/distribution of beer.
- 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 event 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 change occur in this application prior to the expiration of the Class E Permit, the City's Legal Department will be notified at 425-3530 as soon as possible.
- 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 at the event that is easily seen by patrons, if available, and if not it shall be on site for inspection.
- 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 the event 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 (hereinafter the "City") 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 as stated above.

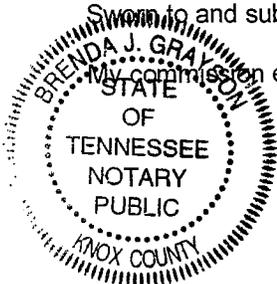
This the 11th day of June, 2013

*[Handwritten Signature]*

Signature of Applicant

Sworn to and subscribed before me this 11th day of June, 2013.

My commission expires: My Commission Expires March 5, 2017



*[Handwritten Signature]*  
Notary Public

***St. Mary's Catholic Church***  
327 Vermont Avenue  
Oak Ridge, TN 37830  
[www.stmarysoakridge.org](http://www.stmarysoakridge.org)

10 June 2013

**Memorandum of Record**

**Subject:** Sales of Beer and Liquor at Fundraiser by Free Medical Clinic of Oak Ridge

St. Mary's Catholic Church concurs with the planned sales of beer and liquor by the Free Medical Clinic of Oak Ridge at its fundraiser on 10 August 2013. The fundraiser will occur in the Parish Life Center of St. Mary's Catholic Church.

It is understood that the Free Medical Clinic is applying for the special occasion permit from the City of Oak Ridge TN, using the tax exemption issued to the Free Medical Clinic. Consequently, this permit does not affect the number of special occasion permits issued to St. Mary's Catholic Church (from the City of Oak Ridge TN) under the tax exemption for St. Mary's Catholic Church.



John T. (Tom) Slankas  
Business Administrator

CITY OF OAK RIDGE, TENNESSEE  
APPLICATION FOR SPECIAL EVENT (CLASS E) BEER PERMIT

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

- 1. Name of Organization: Boys + Girls Clubs of the Clinch Valley
- 2. Type of Organization (check one and submit proof of such status with the application):
  - Bonafide charitable organization recognized under Section 501(c) of the Internal Revenue Code
  - Bonafide non-profit organization recognized under Section 501(c) of the Internal Revenue Code
  - Bonafide political organization recognized under Tennessee Code Annotated §2-10-101(a) (political campaign committee) or §2-13-101 (political party)

- 3. General Information – Organization:
  - Address of Organization 102 S. Jefferson Circle 37831 Telephone Number 615 776 0941 / 865 482 4433
  - Type of Event Raffle
  - Date(s) of Event 7/27/2013
  - Time(s) of Event\* 6pm - 12am

Dates of previous events held within the City of Oak Ridge under a Class E Permit within the past twelve (12) months:

7/28/12

Time during which applicant desires to sell/distribute beer: 6:15 pm - 11 pm

Specific location where beer will be sold/distributed and consumed: Lincoln's Sports Grille  
119 S. Illinois Ave Oak Ridge, TN 37830

- 4. Full Name of Individual Responsible for Supervising the Sale/Distribution of Beer During Event: KAREN A GREEN

- 5. Individual's prior experience selling/serving beer or other alcoholic beverage: General Manager at Lincoln's Sports Grille; employed since 2010;  
licensed by TABC to serve alcohol in the state of TN

\* Time cannot exceed seventy-two (72) hours

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

LANE Properties 8836 Rosemont Blvd. Knoxville TN 37923

NOTE: If the organization is not the property owner, you must submit a signed and notarized written statement from the property owner giving the organization permission to sell or serve beer on the premises for the event. Include this statement with the application.

If the property owner is the City of Oak Ridge, the written statement is not required; however, prior permission for the event and beer sales/distribution is required before beer can be served regardless of whether a beer permit is obtained. Additionally, the City requires a \$1,000,000 alcohol liability insurance policy naming the City as an additional insured for the event.

7. Has the organization or the individual responsible for supervising beer during the event ever had a liquor license or beer permit suspended, revoked or denied? NO

If yes, where and under what business name? \_\_\_\_\_

8. Has the organization or the individual responsible for supervising beer during the event 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.

9. 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.

Church: St. Stephen's Episcopal Church 212 North Tulane Ave Oak Ridge TN 37830

School: Oak Ridge High School 1450 Oak Ridge Turnpike Oak Ridge TN 37830

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

Tickets for the event will not be sold to persons under 21, Identification will be checked by registration table & servers for those that appear appear to be underage.

11. Are you requesting any exceptions to the Required Control Measures for Special Occasion Beer Permits as approved by the Oak Ridge Beer Permit Board? If so, please explain:

NO

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 applicant is of good moral character and has 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 official of the organization has been convicted of driving under the influence within the past ten (10) years.
- Unlawful gambling and gaming devices will not be allowed during the event.
- 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.
- Persons under the age of twenty-one (21) will not be directly employed in the sale/distribution of beer.
- 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 event 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 change occur in this application prior to the expiration of the Class E Permit, the City's Legal Department will be notified at 425-3530 as soon as possible.
- 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 at the event that is easily seen by patrons, if available, and if not it shall be on site for inspection.
- 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 the event location.

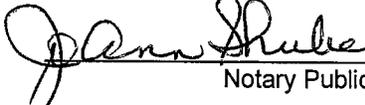
I hereby release, absolve and hold harmless the City of Oak Ridge, the Oak Ridge Beer Permit Board, the Oak Ridge Police Department, its employees, agents and representatives (hereinafter the "City") from any and all liability of whatever type for any damages, causes of action, personal property injuries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

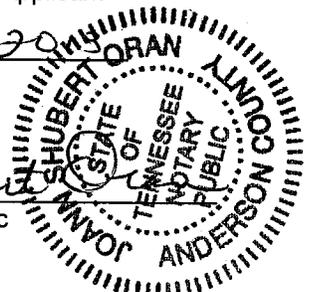
This the 25 day of June, 2013.

  
Signature of Applicant

Sworn to and subscribed before me this 25th day of JUNE, 2013.

My commission expires: Jan 27, 2014.

  
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:

FRATERNAL ORDER OF EAGLES

1. Business Name Atomic City Eagles Aerie 2514  
Business Address 1650 Oak Ridge Turnpike  
Oak Ridge, TN 37931

2. Manager's Full Name Barry Carlyle John Bergren

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:  
\_\_\_\_\_  
\_\_\_\_\_

5. Manager's Work History:

How long have you been employed at the business? N/A

Date you became Manager: April 3, 2013

Name of Previous Manager: Pat Cummings Date left: April 4, 2013

Previous Employment for the past ten (10) years (name of business, address, length of employment, position held). Attach additional sheets if necessary):

Pell Industrial Membranes, 2010 Hwy 58, Ste. 3016  
Bldg. K-1036, 8 years, Manufacturing

U.S. Cellular, 800 Cornerstone Drive Knoxville 37931  
5 years, NOCC Engineer

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? 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):

The Eagles distributes a membership I.D. card  
along with a card key to gain access to the  
buffet area where alcoholic beverages are served.  
Additionally, any and all guests must be signed  
in via a log book. The bar tender card as well.

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.

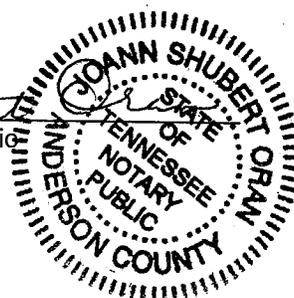
This the 26th day of April, 2013.

[Signature]  
Signature of Applicant

Sworn to and subscribed before me this 26th day of April, 2013.

My commission expires: Jan 27, 2014.

[Signature]  
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 Red Lobster  
Business Address 359 5th Illinois Ave Oak R, TN 37830
  
2. Manager's Full Name Katherine Irene Todd
  
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:  
Darden Restaurants Inc. 17 yrs  
Pizza Hut Inc. 6 yrs
  
5. Manager's Work History:  
How long have you been employed at the business? \_\_\_\_\_  
Date you became Manager: 1/6/2003  
Name of Previous Manager: Christina Slater Date left: 08/10/13  
Previous Employment for the past ten (10) years (name of business, address, length of employment, position held). Attach additional sheets if necessary):  
Red Lobster (DRI) 17 yrs. GM @ Oak R 6 yrs GM 8040 Kingston Pike Knoxville TN 10 yrs  
Pizza Hut Inc. Portsmouth Va 6 yrs
  
6. Beer Permit History:  
Have you ever been employed at an establishment with a beer permit? yes  
If so, where and when: Red Lobster 8040 Kingston Pike Knoxville TN 2012-2013  
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: N/A
  
7. Manager's Criminal History:  
Have you ever been convicted of any violation of federal laws, state statutes, or city ordinances involving the possession, sale, manufacture or transportation of intoxicating liquors, drugs or narcotics, or of a crime of moral turpitude with the past ten years? no  
If so, provide details of the offense and when you were convicted:  
N/A
  
8. Describe steps which will be taken to prevent the sale of beer to persons under twenty-one (21):  
We ID. all guest who appear to be younger than 21 yrs old.  
Can not purchase alcoholic beverages w/out ID.  
No one can pre order alcoholic bev for someone else  
must V ID.

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.

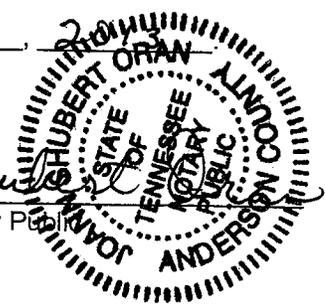
This the 6<sup>th</sup> day of June, 2013.

Signature of Applicant

Sworn to and subscribed before me this 6<sup>th</sup> day of June

My commission expires: Jan 27, 2014

Notary Public



**NEW/OLD BUSINESS  
MATERIALS – APPLEBEE'S**

LEGAL DEPARTMENT MEMORANDUM  
13-23

DATE: July 1, 2013

TO: Chairman and Members of the Oak Ridge Beer Permit Board

FROM: Tammy M. Dunn, Senior Staff Attorney / Beer Board Staff Liaison

SUBJECT: JULY 15, 2013 NEW/OLD BUSINESS AGENDA ITEM  
REPORT FROM TENNESSEE ALCOHOLIC BEVERAGE COMMISSION CONCERNING THE SALE  
OF BEER TO A MINOR BY APPLEBEE'S NEIGHBORHOOD BAR & GRILL LOCATED AT 1213  
OAK RIDGE TURNPIKE (BEER PERMIT #1220, CLASS C)

The Legal Department received a letter from the Tennessee Alcoholic Beverage Commission (TABC) regarding a violation of Tennessee Code Annotated §57-4-203(b)(1)(B)—sale of beer to a minor—by Quality Restaurant Concepts, LLC d/b/a Applebee's Neighborhood Bar & Grill. The letter and (redacted) supporting documentation is attached for your information. (Nine pages)

Background

On March 18, 2013, the TABC conducted a minor compliance operation at Applebee's Neighborhood Bar & Grill located at 1213 Oak Ridge Turnpike. Applebee's served a minor a Bud Light Draft Beer after checking the minor's Tennessee driver's license which showed the minor was 19 years old. Applebee's was cited by the TABC for the violation (Tennessee Code Annotated §57-4-203(b)(1)(B)).

On June 12, 2013, Applebee's and the TABC signed an Agreed Order where Applebee's agreed to a five day suspension of its liquor-by-the-drink permit; agreed to pay a \$500.00 civil penalty in addition to the suspension; and agreed that if a sale of beer to a minor occurs within the next three years the TABC will initiate revocation proceedings. The Agreed Order was signed by Bobby Prince as Regional Manager for Applebee's.

Pilot Project Created by Tennessee Code Annotated §57-4-202(c)

The letter from Ginna Winfree, Staff Attorney for the TABC, indicates that the information was submitted to the City pursuant to Tennessee Code Annotated §57-4-202. This statute contains a new pilot program which terminates on July 1, 2014 unless extended by the General Assembly. As part of the pilot program, the TABC is authorized to notify the local beer board when the TABC suspends any license to sell alcohol for certain violations. Upon receipt, the local beer board is to take action according to Tennessee Code Annotated §57-5-108(o) which requires a show cause hearing to be scheduled for the next regularly scheduled meeting of the board.

This pilot program is only applicable to certain counties based upon population. Based upon the populations listed, this pilot program is not applicable to Oak Ridge as Anderson and Roane Counties do not fall within the population parameters. However, in conversations with Ms. Winfree, the information was submitted to the City to comply with the statute's intent of open communication and to ensure that all are aware of establishments that continuously violate the law. Since the pilot program is not applicable to Oak Ridge, Ms. Winfree was informed that the information would be submitted to the

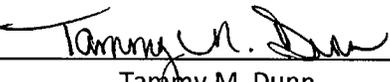
Board at the next available meeting—July 15, 2013—for the Board to follow its normal process of reviewing the information and then determining whether or not to call a show cause hearing.

Board Action May be Taken

By City Code §8-712(1)(a), the Board has the option to schedule a show cause hearing for Applebee's for the sale of beer to a minor based upon the information submitted by the TABC. If a show cause hearing is scheduled, the Board may suspend or revoke the beer permit or may offer the imposition of a civil penalty in lieu of suspension not to exceed \$2,500.00 for the violation.

It is unknown whether Applebee's is a Responsible Vendor with the TABC, however, since this violation is the second sale of beer to a minor within a one year timeframe the Responsible Vendor Act would not offer any protection against negative action by the Board. Additionally, the limitations on suspensions/revocations contained in City Code §8-712(1)(b) are likewise not applicable because the minor in this case showed a valid Tennessee driver's license showing the minor's age to be nineteen.

This issue is scheduled for the Board's consideration at the July 15, 2013 meeting under New/Old Business.

  
\_\_\_\_\_  
Tammy M. Dunn

Attachment – Documentation from TABC



STATE OF TENNESSEE  
ALCOHOLIC BEVERAGE COMMISSION  
DAVY CROCKETT TOWER  
500 JAMES ROBERTSON PARKWAY, 3<sup>RD</sup> FLOOR  
NASHVILLE, TENNESSEE 37243-0755



PHONE 615.741.1602

FAX 615.741.0847

June 13, 2013

Ms. Tammy Dunn  
City of Oak Ridge  
Senior Staff Attorney  
P.O. Box 1  
Oak Ridge, Tennessee 37831

RE: Quality Restaurants Concepts, LLC d/b/a Applebee's Neighborhood Bar & Grill

Dear Ms. Dunn,

The above captioned establishment has been found in violation of T.C.A. § 57-4-203(b)(1)(B) – Sale of beer and/or malt beverages to a minor. This is the second sale to a minor within a one-year period. As a result, the licensee has agreed to a five (5) day suspension of their liquor-by-the-drink permit and a \$500.00. Pursuant to § 57-4-202, I have enclosed a copy of the executed Agreed Order, as well as the violation report and the citations that were issued.

Please feel free to contact me if you have any questions or concerns.

Sincerely,

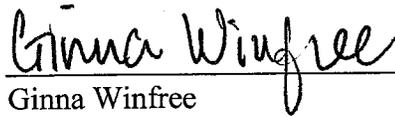
*Ginna Winfree*

Ginna Winfree  
Staff Attorney

/gw  
Enclosures

Certificate of Service

I, the undersigned, hereby certify that a true and exact copy of the foregoing Final Order has been sent by certified mail via the United States Postal Services, with sufficient postage to make it to its destination, Ms. Tammy Dunn, City of Oak Ridge, Senior Staff Attorney, P.O. Box 1, Oak Ridge, Tennessee, 37831 on this the 13<sup>th</sup> day of June 2013.

  
Ginna Winfree

STATE OF TENNESSEE  
ALCOHOLIC BEVERAGE COMMISSION  
DAVY CROCKETT TOWER  
500 JAMES ROBERTSON PARKWAY  
3<sup>RD</sup> FLOOR  
NASHVILLE, TENNESSEE 37243-0755  
PHONE 615-741-1602  
FAX 615-253-3782

TABC,

vs.

RI 13-0299

Quality Restaurant Concepts, LLC  
d/b/a Applebee's Neighborhood Bar & Grill  
1213 Oak Ridge Turnpike  
Oak Ridge, TN 37830  
Permit Number 18059  
Respondent,

AGREED ORDER

As evidenced by the signatures of TABC Staff Attorney, Ginna Winfree and Respondent, Bobby Prince, Regional manager, it was determined that:

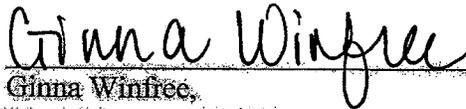
- Respondent, Quality Restaurant Concepts, LLC d/b/a Applebee's ("Applebee's") admits the Tennessee Alcoholic Beverage Commission ("TABC") has jurisdiction over the matters herein contained.
- Upon TABC investigation and by TABC report, the TABC has charged Applebee's, with committing the following violation: T.C.A. § 57-4-203(b)(1)(B), Sale of beer and/or malt beverages to a minor.
- As a result, citation RI 13-0315 was issued.
- Applebee's hereby agrees to a five (5) day suspension of liquor-by-the-drink permit number 18059.
- This suspension shall take place from June 23, 2013 through June 27, 2013.
- In addition, Applebee's will pay to the TABC a civil penalty in the amount of \$500.00. This penalty shall be in paid in full prior to the re-instatement of liquor-by-the-drink permit 18059.
- Applebee's agrees that this settlement will be used in any further proceedings for enhancement purposes.

- This Agreed Order shall serve as notice that if T.C.A. § 57-4-203(b)(1)(B) is violated within the next three (3) years that the TABC will initiate revocation proceedings.
- Appellee's waives all rights to a hearing and appeal under the provisions of T.C.A. §§ 4-5-101, 57-4-202 and 57-3-201.

It is therefore so Ordered, that the settlement of this matter is by consent without having afforded either party the opportunity for a contested case hearing held pursuant to the Tennessee Administrative Procedures Act.

Entered into this 12<sup>th</sup> day of June, 2013.

Approved for Entry by:



Ginna Winfree,  
Staff Attorney, TABC  
Davy Crockett Tower  
500 James Robertson Parkway, 3<sup>rd</sup> Floor  
Nashville, Tennessee 37243-0755



Bobby Prince  
Representative for Respondent  
Regional Manager  
713 Pine Valley Road  
Knoxville, Tennessee 37923

Certificate of Service

I, the undersigned, hereby certify that a true and exact copy of the foregoing Final Order has been sent by certified mail via the United States Postal Services, with sufficient postage to make it to its destination, Quality Restaurant Concepts, LLC, Bobby Prince, 713 Pine Valley Road, Knoxville, Tennessee, on this the 18<sup>th</sup> day of June 2013.

Ginna Winfree  
Ginna Winfree

**STATE OF TENNESSEE**  
**ALCOHOLIC BEVERAGE COMMISSION**  
**CITATION**

To: Applebee's  
1213 Oak Ridge Turnpike  
Oak Ridge, TN 37830

Permit # 18059

RI 13-0315

TABC Report Date: 3-21-13

This establishment is in violation of the following statutes and/or rules governing the sale of alcoholic beverages by licensees: Sale of beer and/or malt beverages to a minor is a violation of TCA §57-4-203(b)(1)(B)

This violation(s) may be resolved by indicating the option you intend to exercise by circling either A or B below. Then sign this document and return it to the TABC at our Nashville address.

A. HEARING: If you do not agree with the violation(s) against you or wish to contest them, you may request a hearing to the TABC at the address stated below. At such a hearing, you may be represented by counsel, cross-examine witnesses, present your own proof and have the right to judicial review.

B. AGREEMENT: If you do not wish to contest the violation(s), you may agree to settle by accepting these particular terms: \$ ~~1500.00~~ Fine: revocation

This offer will remain open for twenty (20) calendar days from the date noted below. By agreeing to settle this matter as set forth in paragraph B above, you are waiving your right to a hearing. When the TABC receives payment in full and this original citation signed by authorized agent of licensee, this TABC will consider this matter administratively closed. Existing criminal charges pending as a result of the same factual scenario which resulted in this citation are not affected by this agreement.

However, failure to respond within the aforementioned twenty (20) days by (1) requesting a hearing; (2) paying the fine in full; or (3) contacting this office to discuss the merits of the citation, will result in the matter being set for a hearing which could result in a default judgment and additional administrative costs. You or your attorney may wish to discuss the charge(s) with appropriate TABC staff. You may do so by calling the Nashville Office at (615) 741-1602. Mail payments or correspondence to:

TENNESSEE ALCOHOLIC BEVERAGE COMMISSION  
226 CAPITOL BLVD., SUITE 300  
NASHVILLE, TN 37243-0755

\_\_\_\_\_  
Authorized Agent of Licensee (Date)

  
\_\_\_\_\_  
TABC Authorized Signature (Date)

APR 26 2013

**TENNESSEE ALCOHOLIC BEVERAGE COMMISSION**  
**LIQUOR BY THE DRINK/PRIVATE CLUB**  
**REPORT OF VIOLATION**

DATE: 3/21/2013

RI: 13-0315

TO: Mark Hutchens - CLEO

FROM: SA Wade Hurst

**BUSINESS NAME:** Applebee's Neighborhood Grill  
**ADDRESS:** 1213 Oak Ridge Turnpike  
**CITY/ZIP:** Oak Ridge, Tn. 37830  
**LICENSE NO.:** 18,059  
**EXPIRATION DATE:** July 8, 2013  
**MANAGER/CLERK: (ON DUTY):** Richard Hicks

**STATE LAWS:**

- Warning Signs at Retail Establishments (Pregnancy Sign) TCA 57-1-211
- Restaurant Requirements (Seating Days of Operation) 57-4-102(29)(A)
- Expiration of Licenses TCA 57-4-201 [Ref: TCA 57-3-213]
- Exterior Signs TCA 57-4-203(a)
- Sales To Minors Prohibited TCA 57-4-203(b)(1)(A){Liquor}
- Sales To Minors Prohibited TCA 57-4-203(b)(1)(B){Beer}
- Selling to Intoxicated Customer TCA 57-4-203(c)
- Hours of Sale TCA 57-4-203(d)
- Restrictions on Sealed or Unsealed Packages, or Gifts TCA 57-4-203(e)
- Ownership of Alcoholic Beverages Sold TCA 57-4-203 (g)
- Server Permit Violation TCA 57-4-203(h)
- Prohibited Sexual or Pornographic Conduct TCA 57-4-204
- Buying Liquor From Non-Wholesaler TCA 57-3-404(b)
- Possession Gambling Device(s) TCA 39-17-505(a)
- Health Inspection Displayed TCA 68-14-317(d)
- Delinquent in Filing and/or Paying LBD Taxes Three (3) Times During Licensed Year TCA 57-4-304(b)(1)
- Collection of Taxes, Bond of Licensee TCA 57-4-302 (3)(A)
- Other:

**RULES & REGULATIONS:**

**Liquor By the Drink:**

- Advertising 0100-1-.01
- Business Management Restricted 0100-1-.03(1)
- Consumption on Licensed Premises 0100-1-.03(2)
- Free Access to Licensed Premises 0100-1-.03(3)
- Refusal of Cooperation 0100-1-.03(4)
- Licensees Not to Combine 0100-1-.03(5)
- Sanitary And Fire Standards 0100-1-.03(7)
- On-Premises Sale By Bottle Restricted 0100-1-.03(8)
- On-Premises Employees' Activities Restricted 0100-1-.03(9)
- Restriction As To Age of Dispensing Employees 0100-1-.03(10)
- Dual Interests Prohibited 0100-1-.03(11)
- License Surrender if Business Discontinued 0100-1-.03(13)
- Prohibited Practices 0100-1-.03(14)
- Happy Hour Restrictions 0100-1-.03(15)
- Business Name Change 0100-1-.03(16)
- Display of License 0100-1-.03(17)
- Seating 0100-01.03(19)
- Limitation on Credit Sales 0100-6-.04
- Other:

**Private Club:**

- Change of Manager 0100-1-.05(4)
- Membership Application Procedures 0100-1-.05(7)(a)
- Complete Membership Roster 0100-1-.05(8)(a)
- Dispensing to Non-Members 0100-1-.05(8)(c)
- Membership (100 Members) 0100-1-.05 (8)(f)
- Use of DBA Name 0100-1-.05 (8)(g)

**Caterer:**

- Catering License 0100-01-.06(1)
- Server's Permit Card 0100-01-.06(2)
- LBD Where Such Sales Authorized 0100-01-.06(3)
- Alcohol without Food 0100-01-.06(4)
- Notice of Catered Event 0100-01-.06(5)
- Alcohol Transportation 0100-01-.06(7)

**Special Occasion Permits:**

- Two Week Notice 0100-01-.07(2)

**NARRATIVE** (Should include all pertinent facts and details relating to violation for which cited): **SEE ATTACHED NARRATIVE**

REVIEWED BY  
SAC [Signature] 3/21/13  
LBT  
WHT 4-17-13

COURT DATE:

COMPLAINT - AFFIDAVIT  DOS  PD  SO  OTHER

AGENCY: *TABC* I.D. NO.: *0191800*

THE UNDERSIGNED BEING DULY SWORN UPON HIS OATH DEPOSES:

VIOLATOR: NAME (FIRST) *Richard* (MIDDLE) \_\_\_\_\_ (LAST) *Nicks*

DATE OF BIRTH: *07-06-1993* RACE: *W* SEX: *M*

ADDRESS: \_\_\_\_\_

TN RESIDENT?  YES  NO SEAT BELT?  YES  NO

CITY: \_\_\_\_\_ STATE: \_\_\_\_\_ ZIP CODE: \_\_\_\_\_

DRIVER LICENSE NUMBER: \_\_\_\_\_ CLASS/TYPE LICENSE: \_\_\_\_\_ STATE: \_\_\_\_\_ EXPIRATION DATE: \_\_\_\_\_

TELEPHONE NUMBER: \_\_\_\_\_

VEHICLE:  OWNED  LEASED  CARRIER NAME: \_\_\_\_\_ ADDRESS: \_\_\_\_\_

MC  CMV  HAZ  ACCIDENT  MAT

DID UNLAWFULLY OPERATE/PARK A MOTOR VEHICLE:

MAKE: \_\_\_\_\_ MODEL: \_\_\_\_\_ YEAR: \_\_\_\_\_ COLOR: \_\_\_\_\_ LICENSE PLATE NUMBER: \_\_\_\_\_ STATE: \_\_\_\_\_ YEAR: \_\_\_\_\_

LOCALE: UPON STREET/HIGHWAY: \_\_\_\_\_ S.R. #: \_\_\_\_\_ TRAVEL DIR.  N  S  E  W M.M. #: \_\_\_\_\_ CITY/COUNTY: \_\_\_\_\_

HIGHWAY TYPE:  3-L  4-L  DIV.  2-L  1-RD AREA:  BUSINESS  SCHOOL  RES.  RURAL

VIOLATION: AFORESAID DID THEN AND THERE COMMIT THE FOLLOWING OFFENSE:

01  SPEEDING \_\_\_\_\_ MPH IN \_\_\_\_\_ SPEED LIMIT  ZONE  PACING  RADAR  OTHER 591  OVERWEIGHT AXLE

02  RECKLESS DRIVING 20  DUI BAC \_\_\_\_\_ 103  REGISTRATION LAW

03  TRAFFIC CONTROL DEVICE 22  REV/SUS/CAN DL 393  CHILD RESTRAINT

OTHER: \_\_\_\_\_

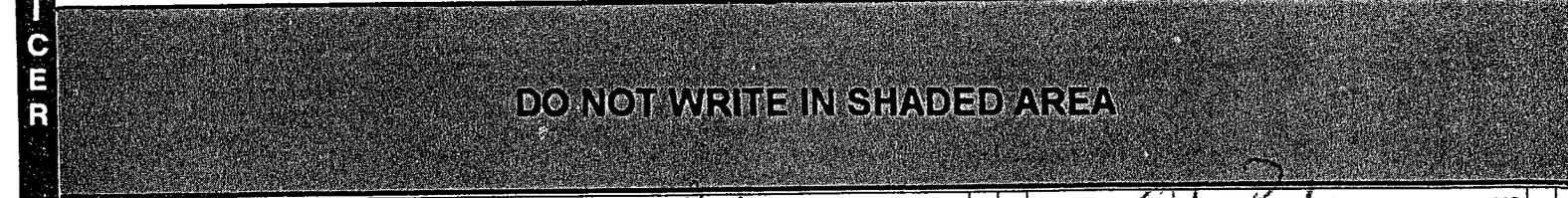
T.C.A. *57-4-203* ORDINANCE: *Sale to A Minor*

NARRATIVE: *On March 18, 2017 @ 6:15 pm the Tennessee Adult Beverage Commission conducted a minor compliance operation at Apples 120 Oak Ridge Turnpike Oak Ridge TN 37831. The Defendant served a Bud Light Draft Beer to a confident informant. The minor identification was checked by the Defendant. The informant state of Tennessee driver license showed that her date of birth was 07-06-1993 age 19. This above incident occurred in Anderson County.*

OFFICER: THE UNDERSIGNED FURTHER STATES THAT HE/SHE HAS JUST AND REASONABLE GROUNDS TO BELIEVE AND DOES BELIEVE, THAT THE PERSON NAMED ABOVE COMMITTED THE OFFENSE HEREIN SET FORTH, CONTRARY TO LAW.

THIS *18* DAY OF *March* 20 *13* TIME *6:30*  AM  PM

RANK: *Special Agent* OFFICER NAME (PRINT): *Drew R. H.* BADGE/ID NO.: *324*



COURT: IN THE \_\_\_\_\_ COURT NO. \_\_\_\_\_ IN THE CITY OF *Oak Ridge* NO. \_\_\_\_\_

1  GENERAL SESSIONS COURT OF \_\_\_\_\_ COUNTY *Anderson*

2  JUVENILE COURT

ON *Mar* THE *25* DAY OF *March* 20 *13* TIME *9*  AM  PM

NC: FAILURE TO APPEAR IN COURT ON THE DATE ASSIGNED BY THIS CITATION OR AT THE APPROPRIATE POLICE STATION FOR BOOKING AND PROCESSING WILL RESULT IN YOUR ARREST FOR A SEPARATE CRIMINAL OFFENSE WHICH IS PUNISHABLE BY A JAIL SENTENCE OF ELEVEN (11) MONTHS AND TWENTY-NINE (29) DAYS AND/OR A FINE OF UP TO TWO THOUSAND FIVE HUNDRED DOLLARS (\$2,500).

I UNDERSTAND THE ABOVE NOTICE, AND THAT MY SIGNATURE IS NOT AN ADMISSION OF GUILT.



**SHOW CAUSE HEARING  
MATERIALS – BACK 2 BREWSKI'S**

## SHOW CAUSE HEARING # 2013-03

### Show Cause Hearing # 2013-03

**Back 2 Brewski's**

**144 Randolph Road**

**Class "C" Beer Permit #1457, Approved: 7/9/12**

**Owner: W. Nang Crossno**

**Manager: W. Nang Crossno and Wanda Reagan**

At the May 13, 2013 meeting, the Oak Ridge Beer Permit Board voted to hold a Show Cause Hearing for Back to Brewski's regarding two arrests on April 14, 2013 occurring inside/outside the premises as reported to the Board by Deputy Chief Massengill. The vote included a requirement that the owners/managers be present at the show cause hearing and bring camera/video footage to the hearing.

The notice of the Show Cause Hearing was hand-delivered by Officer Matthew Johnston, Oak Ridge Police Department, to Nang Crossno on or about June 17, 2013. Copy Attached and Labeled as Exhibit A (One Page)

The show cause hearing concerns two police reports during the same timeframe. The first police report (2013-01386) shows police response to Back 2 Brewski's on April 14, 2013 at approximately 3:15 a.m. for a reported disturbance (fight) inside the establishment. A suspect was taken into custody for public intoxication and searched incident to arrest. The search resulted in suspected marijuana which resulted in a drug charge. The second police report (2013-01387) shows police response to Back 2 Brewski's on April 14, 2013 at approximately 3:15 a.m. which resulted in a public intoxication arrest for a patron that was observed on the sidewalk adjacent to the establishment. The patron admitted to drinking beer at the establishment. It was determined by the officer that the patron was unable to care for himself if he were to attempt to walk home due to his level of intoxication. Redacted Copy of Police Report 2013-01386 is Attached and Labeled as Exhibit B (Six Pages). Redacted Copy of Police Report 2013-01387 is Attached and Labeled as Exhibit C (Six Pages)

By City Code §8-712(2), the Board has authority to revoke or suspend the beer permit or to offer the imposition of a civil penalty in lieu of suspension not to exceed \$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, permitting intoxicated persons to consume beer on the premises, and allowing prohibited drugs to be brought onto the premises. If a civil penalty is imposed in lieu of suspension, the permittee has seven days to pay the civil penalty before the suspension shall be imposed and, if paid, the suspension is deemed withdrawn.

By City Code §8-712(9), prior suspensions and other disciplinary actions taken by the Board against a permittee may be considered by the Board for a determination of disciplinary action in any show cause hearing. There are no prior suspensions or disciplinary actions against Back 2 Brewski's for the Board to consider.

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

## 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 per violation for non-sales to minors). 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 action(s) and specific as to the grounds for your action(s).

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.

# CITY OF OAK RIDGE



ON BEHALF OF THE OAK  
RIDGE BEER PERMIT BOARD

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

June 13, 2013

Nang Crossno, Owner/Manager  
Wanda Reagan, Manager  
Back to Brewski's  
144 Randolph Road  
Oak Ridge, Tennessee 37830

Re: Show Cause Hearing #2013-03 – July 15, 2013 – Notice to Appear

Mr. Crossno and Ms. Reagan,

On May 13, 2013, the Oak Ridge Beer Permit Board voted to hold a Show Cause Hearing for Back to Brewski's. At this meeting, the Police Department reported to the Board two incidents occurring at the establishment on April 13, 2013 at approximately 3:15 am. The incidents involved a public intoxication arrest occurring outside the establishment and a drugs/narcotics arrest occurring inside the establishment when the police responded to a disturbance call. On June 10, 2013, the Board voted to schedule the show cause hearing immediately after the next regular meeting of the Board. By City Code §8-712, the Board has authority to revoke or suspend the beer permit or impose a civil penalty up to \$1,000.00 per violation.

The Show Cause Hearing has been set for **Monday, July 15, 2013**, immediately following the regular meeting of the Board which begins at 12:00 noon. The meeting and the show cause hearing will both take place in the Training Room (Room 104) of the City's Municipal Building located at 200 S. Tulane Avenue. The show cause hearing will be Back to Brewski's opportunity to explain to the Board why negative action should not be taken against the beer permit.

The board also required, as part of the motion, for the owner and managers to be present and for you to bring audio/video/camera footage of the events that occurred in the early morning hours of April 13, 2013 that resulted in the police being dispatched to your business. Please contact me prior to the hearing about how this will be viewed during the hearing.

You have the right to be represented by legal counsel at this hearing. The City will not provide an attorney for you. If you have any questions, please feel free to call my office at (865) 425-3530 however, this office cannot offer you any legal advice regarding the show cause hearing.

Sincerely,

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

Delivered to: Back 2 Brewski's

Left the original with: NANG CROSSNO

Oak Ridge Police Department

EXHIBIT

A

ADMINISTRATIVE

*Brewski*

**COPY**  
ASSIGNMENT: PTL

1 ORI# TN0010300	LOCATION: 144 RANDOLPH RD OAK RIDGE
2 INCIDENT# 2013-01386	REPORTING OFFICER: JOHN B THOMAS

INCIDENT OCCURRENCE RANGE	6 DATE	5 TIME	DAY OF WEEK	TODAY'S DATE	TODAY'S TIME	ZONE
	FROM: 04/14/2013	FROM: 03:15	FROM: Sunday	04/14/2013	03:15	31
	TO:	TO:	TO:			

<input checked="" type="checkbox"/> CLEARED BY ARREST <input type="checkbox"/> CLEARED EXCEPTIONALLY	3 EXCEPTIONAL CLEARANCE:	4 EXCEPTIONAL CLEARANCE DATE:
	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	

OFFENSE

7 UCR OFFENSE CODE	OFFENSE	OFFENSE RELATED TO T.C.A.#:
1. 35A	35A DRUG/NARCOTIC VIOLATIONS	39-17-418
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)
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10 OFFENSE STATUS:	11 OFFENDER USED:(CHECK AS MANY AS APPLY)
1. A <input type="checkbox"/> ATTEMPTED    C <input checked="" type="checkbox"/> COMPLETED	1. A <input checked="" type="checkbox"/> ALCOHOL    C <input type="checkbox"/> COMPUTER EQUIPMENT    D <input checked="" type="checkbox"/> DRUGS    N <input 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 P 2	70 WHAT WERE THE ACTS INVOLVED? 1 2	WAS THERE A HOSTAGE INVOLVED? 1 <input type="checkbox"/> YES <input checked="" type="checkbox"/> NO 2 <input type="checkbox"/> YES <input type="checkbox"/> NO
------------------------------------	-------------------------------------	--

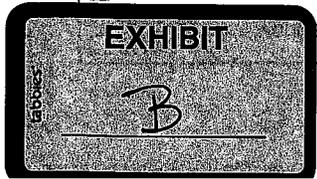
72 ALARM WAS 1 2	73 POINT OF ENTRY? 1 2	74 EVIDENCE AT SCENE 1 2
------------------	------------------------	--------------------------

13 TYPE OF WEAPON / FORCE INVOLVED: (SUBMIT UP TO THREE) (ALSO CHECK BOX IF AUTOMATIC WEAPON) 1	( AUTO) 2	( AUTO) 1 2	75 INSTRUMENT USED
	( AUTO)	( AUTO)	
	( AUTO)	( AUTO)	

14 (FOR BURGLARY ONLY) METHOD OF ENTRY 1 F <input type="checkbox"/> FORCIBLE 2 F <input type="checkbox"/> FORCIBLE	N <input checked="" type="checkbox"/> NO FORCE	15 NO. OF PREMISES ENTERED: 1) 2)
	N <input type="checkbox"/> NO FORCE	

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			



OFFENSE REPORT

VICTIM																	
43 OFFENSE(S) AGAINST VICTIM	VICTIM #1 NAME (LAST, MIDDLE, FIRST) <span style="float:right;"><input type="checkbox"/> STATEMENT</span>																
ADDRESS (STREET, CITY, STATE, ZIP)																	
44 TYPE OF VICTIM	HOME		PHONE WORK		DOB	SSN											
43 OFFENSE(S) AGAINST VICTIM	VICTIM #2 NAME (LAST, MIDDLE, FIRST) <span style="float:right;"><input type="checkbox"/> STATEMENT</span>																
ADDRESS (STREET, CITY, STATE, ZIP)																	
44 TYPE OF VICTIM	HOME		PHONE WORK		DOB	SSN											
45 SEX <input type="checkbox"/> 1 <input type="checkbox"/> 2	47 HISPANIC <input type="checkbox"/> 1 <input type="checkbox"/> 2	48 RESIDENT <input type="checkbox"/> 1 <input type="checkbox"/> 2	WAS THE VICTIM AN OFFICER? <input type="checkbox"/> 1 YES <input type="checkbox"/> 2 NO		52 IS THE VICTIM A COLLEGE STUDENT? <input type="checkbox"/> 1 YES <input type="checkbox"/> 2 NO												
46 RACE <input type="checkbox"/> 1 <input type="checkbox"/> 2	NON-HISPANIC <input type="checkbox"/> 1 <input type="checkbox"/> 2	NON-RESIDENT <input type="checkbox"/> 1 <input type="checkbox"/> 2															
50 INJURY TYPE (SUBMIT UP TO FIVE)		51 (A) AGGRAVATED ASSAULT/HOMICIDE (B) NEGLIGENT MANSLAUGHTER (C) JUSTIFIABLE HOMICIDE AND ADDITIONAL JUSTIFIABLE HOMICIDE IF APPLICABLE		53 IF YES, LIST NAME OF COLLEGE/UNIVERSITY/SCHOOL?													
<table border="1" style="width:100%; border-collapse: collapse;"> <tr><td style="width:50px; height:20px;"></td><td style="width:50px; height:20px;"></td><td style="width:50px; height:20px;"></td><td style="width:50px; height:20px;"></td><td style="width:50px; height:20px;"></td><td style="width:50px; height:20px;"></td></tr> <tr><td style="width:50px; height:20px;"></td><td style="width:50px; height:20px;"></td><td style="width:50px; height:20px;"></td><td style="width:50px; height:20px;"></td><td style="width:50px; height:20px;"></td><td style="width:50px; height:20px;"></td></tr> </table>														A. AGGRAVATED ASSAULT/HOMICIDE CIRCUMSTANCES: #1 <input type="text"/> #2 <input type="text"/> B. NEGLIGENT MANSLAUGHTER (SUBMIT ONE) #1 <input type="text"/> #2 <input type="text"/> C. JUSTIFIABLE HOMICIDE (SUBMIT ONE) 20. CRIMINAL KILLED BY PRIVATE CITIZEN #1 <input type="text"/> 21. CRIMINAL KILLED BY POLICE OFFICER #2 <input type="text"/>		#1 _____ #2 _____  ADDITIONAL JUSTIFIABLE HOMICIDE (CHECK ONE IF ITEM C IS CHECKED): <input type="checkbox"/> 1 <input type="checkbox"/> 2 A. ATTACKED POLICE OFFICER AND THAT OFFICER KILLED CRIMINAL <input type="checkbox"/> B. ATTACKED OFFICER AND FELLOW OFFICER KILLED CRIMINAL <input type="checkbox"/> C. ATTACKED A CIVILIAN <input type="checkbox"/> D. ATTEMPTED FLIGHT FROM A CRIME <input type="checkbox"/> E. KILLED IN THE COMMISSION OF A CRIME <input type="checkbox"/> F. RESISTED ARREST <input type="checkbox"/> G. UNABLE TO DETERMINE/NOT ENOUGH	
IS THE VICTIM ALSO THE COMPLAINANT? YES <input type="checkbox"/> 1 NO <input type="checkbox"/> 2		54 DID THE OFFENSE OCCUR ON CAMPUS? YES <input type="checkbox"/> 1 NO <input type="checkbox"/> 2		55 DOMESTIC VIOLENCE? YES <input type="checkbox"/> 1 NO <input type="checkbox"/> 2													
56 IF YES, WAS VICTIM TRANSPORTED TO SAFE PLACE? YES <input type="checkbox"/> 1 NO <input type="checkbox"/> 2				57 RELATION OF VICTIM TO OFFENDER #1 <input type="text"/> #2 <input type="text"/>													
LEOKA																	
58 TYPE OF LEOKA:		59 TYPE OF VEHICLE:		60 OFFICER ASSIGNMENT:													
<input type="checkbox"/> OFFENDER # OF #			<input checked="" type="checkbox"/> ARRESTEE # 1 OF # 1														
31 DOCUMENT CONTROL #																	
32 NAME FIRST: _____		MIDDLE INITIAL: _____		LAST: WISMAN AKA:													
ADDRESS: HM: _____		TEL#: _____		WK: _____ TEL# _____													
(CITY, STATE, ZIP)				(CITY, STATE, ZIP)													
28 SEX: _____	29 RACE: _____	30 AGE: 42	29 ETHNICITY: _____	29 RESIDENT STATUS: _____													
HAIR: _____	EYES: _____	DOB: _____	WEIGHT: _____	HEIGHT: _____													
SCARS AND OTHER IDENTIFIERS: _____																	
SSN: _____		OLN#: _____		ST: TN OTHER:													
CLOTHING: _____		35 TYPE OF ARREST <input type="checkbox"/> O <input checked="" type="checkbox"/> S <input type="checkbox"/> T		36 DISPOSITION OF ARRESTEE UNDER 18: <input type="checkbox"/> HANDLED <input type="checkbox"/> REFERRED													
35 MULTIPLE CLEARANCE INDICATOR: <input type="checkbox"/> C <input type="checkbox"/> M <input type="checkbox"/> N		38 UCR OFFENSE CODE: 35A		PRESENT OFFENSE: <input type="checkbox"/> FELONY <input checked="" type="checkbox"/> MISDEMEANOR													
39 SUBJECT WAS ARMED WITH ALSO, CHECK IF AUTOMATIC		FIREARM: <input type="checkbox"/> CONFISCATED <input type="checkbox"/> OBSERVED		PRIOR OFFENSES:													
01 ( <input type="checkbox"/> AUTO ) 01 ( <input type="checkbox"/> AUTO )		IF SO, ENTER PROPERTY SECTION:		<input type="checkbox"/> FELONY <input type="checkbox"/> PAROLE <input type="checkbox"/> MISDEMEANOR <input type="checkbox"/> PROBATION													
40 ARREST DATE 04/14/2013 03:15		41 DOCKET #		42 WARRANT SIGNED: (DOM. VIOL. ONLY) <input checked="" type="checkbox"/> OFFICER <input type="checkbox"/> VICTIM <input type="checkbox"/> BOTH													
Court Date <input type="checkbox"/> Municipal <input checked="" type="checkbox"/> Session <input type="checkbox"/> Criminal <input type="checkbox"/> Juvenile LOCATION: OAK RIDGE																	
Gang Related <input type="checkbox"/> YES <input checked="" type="checkbox"/> NO Group: _____ NOTE(S): _____																	

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
10	SUSPECTED MARIJUANA	1		6		04/14/2013			
							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	22	21	IF NUMBER OF MARIJUANA PLANTS, COMPLETE THE FOLLOWING:			
SUSPECTED DRUG TYPE:	ESTIMATED QUANTITY:	TYPE/ MEASUREMENT:	24	25	26	27
DRUG # 1	E	5	GM	NUMBER OF PLOTS	LATITUDE:	LONGITUDE:
DRUG # 2			<input type="checkbox"/> INDOOR			
DRUG # 3			<input type="checkbox"/> OUTDOOR <input type="checkbox"/> BOTH			

NARRATIVE

Title: OFF  
 Date Entered: 04/15/2013 05:00  
  
 On 04-14-2013 around 0254 hours, officers responded to a reported fight at Brewski's, 144 Randolph Rd. One of the parties involved had already left. The other party involved was found to be in possession of a small amount of

User-Defined Information Continuation: Page 1 of 1  
Agency: OAK RIDGE POLICE DEPT  
Jurisdiction: TN0010300  
Report Date/Time: 04/14/2013 03:15  
Incident/Case Number: 2013-01386  
Case Description: DRUG VIOLATION ARREST  
Primary Officer Name/ID: /  
Approved By:  
Date/Time Printed: 04/16/2013 12:50

suspected marijuana. The suspect was arrested.

# ADDITIONAL NARRATIVE

Agency Name: OAK RIDGE POLICE DEPT	ORI #: TN0010300	Report Date/Time: 04/14/2013 03:15	OCA #: 2013-01386
---------------------------------------	---------------------	---------------------------------------	----------------------

Title: INV

Date Entered: 04/15/2013 05:06

Source: Radio dispatch

Circumstances: On 04-14-2013 around 0254 hours, I responded with other officers to a reported fight inside the bar at Brewski's, 144 Randolph Rd.

Observations: I was the first officer to arrive, and saw a crowd of people outside that began to disperse upon my approach. Several people told me one of the parties involved was [REDACTED] Smallwood, and that he had left with other people in a small silver car. I was told the other party involved was [REDACTED] Wisman, and that he was inside the bar.

I gave the information of the vehicle Smallwood had left in to other officers, and went inside to find Wisman. I found him seated on the band stage, accompanied by his girlfriend [REDACTED]. Wisman had an abrasion and swelling on his forehead, and appeared highly intoxicated in that his speech was slurred, he was very belligerent, his eyes were bloodshot and glassy, and there was a very strong odor like that of an alcoholic beverage on or about his person.

Interview 1: Initially Wisman would not tell me any details about the fight. He was yelling and cursing, making threats against Smallwood and others. At this time I decided to take him into custody for Public Intoxication.

Later Wisman gave details of the fight, stating that Smallwood had made some rude comments about Hobbs, and that a fight ensued outside.

Interview 2: I spoke to Smallwood by telephone later. He told me that he was in the bathroom at Brewski's, and Wisman came in accompanied by another subject. Wisman began calling Smallwood a "punk" and a "bitch", presumably due to his high level of intoxication. Wisman also threatened to cut Smallwood's throat. Smallwood departed the bathroom, then later stepped outside to accept a telephone call. He stated he was "jumped" by Wisman and a friend of Wisman's while on the phone. He defended himself by striking Wisman in the forehead, and pushing the other subject. He was told to leave by the bar manager, so he left with friends in a car.

Additional Information: After taking Wisman into custody, I searched him incident to arrest. I found a small sandwich bag containing an estimated 5 grams of suspected marijuana in his left front shorts pocket.

After arrest Wisman stated he needed medical attention for injuries sustained during the fight. Ofc Swigert transported him to Methodist Medical Center. After discussion with Sgt Tedford, I decided not to charge Wisman with Public Intoxication as he would be at the hospital for an undetermined amount of time. He was released into the care of hospital staff.

No charges in connection with the fight/assault will be filed as neither Wisman nor Smallwood wanted to prosecute.

Evidence/Property: The suspected marijuana was placed in ORPD Evidence with a TBI Lab Request for identification.

Status: Cleared by arrest

# ADDITIONAL NARRATIVE

Agency Name: OAK RIDGE POLICE DEPT	ORI #: TN0010300	Report Date/Time: 04/14/2013 03:15	OCA #: 2013-01386
---------------------------------------	---------------------	---------------------------------------	----------------------

Title: ARR  
Date Entered: 04/15/2013 05:04  
I arrested [REDACTED] Wisman for Simple Possession of Schedule VI drug. He was issued a misdemeanor citation for this offense at Methodist Medical Center, and released.

ADMINISTRATIVE

*Brewski*

**COPY**

1 ORI# TN0010300	LOCATION: 144 RANDOLPH RD OAK RIDGE
------------------	-------------------------------------

2 INCIDENT# 2013-01387	REPORTING OFFICER: Daniel T Freytag	ASSIGNMENT: PTL
------------------------	-------------------------------------	-----------------

INCIDENT OCCURRENCE RANGE	6 DATE	5 TIME	DAY OF WEEK	TODAY'S DATE	TODAY'S TIME	ZONE
	FROM: 04/14/2013	FROM: 03:15	FROM: Sunday			
	TO:	TO:	TO:	04/14/2013	03:15	31

INCIDENT <input checked="" type="checkbox"/> CLEARED BY ARREST <input type="checkbox"/> CLEARED EXCEPTIONALLY	3 EXCEPTIONAL CLEARANCE: A <input type="checkbox"/> DEATH OF OFFENDER B <input type="checkbox"/> PROSECUTION DECLINED C <input type="checkbox"/> EXTRADITION DECLINED	D <input type="checkbox"/> REFUSED TO COOPERATE E <input type="checkbox"/> JUVENILE, NO CUSTODY N <input type="checkbox"/> NOT APPLICABLE	4 EXCEPTIONAL CLEARANCE DATE:
---	--	---	-------------------------------

OFFENSE

7 UCR OFFENSE CODE	OFFENSE	OFFENSE RELATED TO T.C.A.#:
1. 90E	90E DRUNKENNESS	39-17-310
2.		

8 BIAS MOTIVATION CODE (SUBMIT ONLY ONE) 1) 88 2)	9 LOCATION OF OFFENSE (SUBMIT ONLY ONE) 1) 18 2)	71 TYPE OF RESIDENCE 1) 2)
---	--	----------------------------

10 OFFENSE STATUS: 1. A <input type="checkbox"/> ATTEMPTED C <input checked="" type="checkbox"/> COMPLETED 2. A <input type="checkbox"/> ATTEMPTED C <input type="checkbox"/> COMPLETED	11 OFFENDER USED:(CHECK AS MANY AS APPLY) 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"/> 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	WAS THERE A HOSTAGE INVOLVED? 1 <input type="checkbox"/> YES <input type="checkbox"/> NO 2 <input type="checkbox"/> YES <input type="checkbox"/> NO
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72 ALARM WAS 1 2	73 POINT OF ENTRY? 1 2	74 EVIDENCE AT SCENE 1 2
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13 TYPE OF WEAPON / FORCE INVOLVED: (SUBMIT UP TO THREE) (ALSO CHECK BOX IF AUTOMATIC WEAPON) 1	( AUTO) 2 ( AUTO) 1 2	75 INSTRUMENT USED ( AUTO) 1 2
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14 (FOR BURGLARY ONLY) METHOD OF ENTRY 1 F <input type="checkbox"/> FORCIBLE N <input checked="" type="checkbox"/> NO FORCE 2 F <input type="checkbox"/> FORCIBLE N <input type="checkbox"/> NO FORCE	15 NO. OF PREMISES ENTERED: 1) 2)
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COMPLAINANT/WITNESS

<input type="checkbox"/> STATEMENT <input type="checkbox"/> COMPLAINANT <input type="checkbox"/> WITNESS <input type="checkbox"/> OFFICER	NAME: _____	RESIDENCE PHONE: _____	DOB _____
	ADDRESS: _____	BUSINESS PHONE: _____	SSN _____

<input type="checkbox"/> STATEMENT <input type="checkbox"/> COMPLAINANT <input type="checkbox"/> WITNESS <input type="checkbox"/> OFFICER	NAME: _____	RESIDENCE PHONE: _____	DOB _____
	ADDRESS: _____	BUSINESS PHONE: _____	SSN _____

<input type="checkbox"/> STATEMENT <input type="checkbox"/> COMPLAINANT <input type="checkbox"/> WITNESS <input type="checkbox"/> OFFICER	NAME: _____	RESIDENCE PHONE: _____	DOB _____
	ADDRESS: _____	BUSINESS PHONE: _____	SSN _____

<input type="checkbox"/> STATEMENT <input type="checkbox"/> COMPLAINANT <input type="checkbox"/> WITNESS <input type="checkbox"/> OFFICER	NAME: _____	RESIDENCE PHONE: _____	DOB _____
	ADDRESS: _____	BUSINESS PHONE: _____	SSN _____



OFFENSE REPORT

VICTIM																	
43 OFFENSE(S) AGAINST VICTIM		VICTIM #1 NAME (LAST, MIDDLE, FIRST)			<input type="checkbox"/> STATEMENT												
		ADDRESS (STREET, CITY, STATE, ZIP)															
44 TYPE OF VICTIM		PHONE HOME _____ WORK _____		DOB _____	SSN _____												
43 OFFENSE(S) AGAINST VICTIM		VICTIM #2 NAME (LAST, MIDDLE, FIRST)			<input type="checkbox"/> STATEMENT												
		ADDRESS (STREET, CITY, STATE, ZIP)															
44 TYPE OF VICTIM		PHONE HOME _____ WORK _____		DOB _____	SSN _____												
45 SEX <input type="checkbox"/> 1 <input type="checkbox"/> 2	47 HISPANIC <input type="checkbox"/> 1 <input type="checkbox"/> 2	48 RESIDENT <input type="checkbox"/> 1 <input type="checkbox"/> 2	WAS THE VICTIM AN OFFICER? YES <input type="checkbox"/> 1 <input type="checkbox"/> 2 NO <input type="checkbox"/> 1 <input type="checkbox"/> 2	52 IS THE VICTIM A COLLEGE STUDENT? YES <input type="checkbox"/> 1 <input type="checkbox"/> 2 NO <input type="checkbox"/> 1 <input type="checkbox"/> 2													
46 RACE <input type="checkbox"/> 1 <input type="checkbox"/> 2	NON-HISPANIC <input type="checkbox"/> 1 <input type="checkbox"/> 2 UNKNOWN <input type="checkbox"/> 1 <input type="checkbox"/> 2	NON-RESIDENT <input type="checkbox"/> 1 <input type="checkbox"/> 2 UNKNOWN <input type="checkbox"/> 1 <input type="checkbox"/> 2															
50 INJURY TYPE (SUBMIT UP TO FIVE)		51 (A) AGGRAVATED ASSAULT/HOMICIDE (B) NEGLIGENT MANSLAUGHTER (C) JUSTIFIABLE HOMICIDE AND ADDITIONAL JUSTIFIABLE HOMICIDE IF APPLICABLE		53 IF YES, LIST NAME OF COLLEGE/UNIVERSITY/SCHOOL? #1 _____ #2 _____													
<table border="1" style="width:100%; border-collapse: collapse;"> <tr><td style="width:20px; height:20px;"></td><td style="width:20px; height:20px;"></td><td style="width:20px; height:20px;"></td><td style="width:20px; height:20px;"></td><td style="width:20px; height:20px;"></td><td style="width:20px; height:20px;"></td></tr> <tr><td style="width:20px; height:20px;"></td><td style="width:20px; height:20px;"></td><td style="width:20px; height:20px;"></td><td style="width:20px; height:20px;"></td><td style="width:20px; height:20px;"></td><td style="width:20px; height:20px;"></td></tr> </table>														A. AGGRAVATED ASSAULT/HOMICIDE CIRCUMSTANCES: #1 _____ #2 _____  B. NEGLIGENT MANSLAUGHTER (SUBMIT ONE) #1 _____ #2 _____  C. JUSTIFIABLE HOMICIDE (SUBMIT ONE) 20. CRIMINAL KILLED BY PRIVATE CITIZEN #1 _____ #2 _____ 21. CRIMINAL KILLED BY POLICE OFFICER #1 _____ #2 _____		ADDITIONAL JUSTIFIABLE HOMICIDE (CHECK ONE IF ITEM C IS CHECKED): <input type="checkbox"/> 1 <input type="checkbox"/> 2 A. ATTACKED POLICE OFFICER AND THAT OFFICER KILLED CRIMINAL <input type="checkbox"/> 1 <input type="checkbox"/> 2 B. ATTACKED OFFICER AND FELLOW OFFICER KILLED CRIMINAL <input type="checkbox"/> 1 <input type="checkbox"/> 2 C. ATTACKED A CIVILIAN <input type="checkbox"/> 1 <input type="checkbox"/> 2 D. ATTEMPTED FLIGHT FROM A CRIME <input type="checkbox"/> 1 <input type="checkbox"/> 2 E. KILLED IN THE COMMISSION OF A CRIME <input type="checkbox"/> 1 <input type="checkbox"/> 2 F. RESISTED ARREST <input type="checkbox"/> 1 <input type="checkbox"/> 2 G. UNABLE TO DETERMINE/NOT ENOUGH	
IS THE VICTIM ALSO THE COMPLAINANT? YES <input type="checkbox"/> 1 <input type="checkbox"/> 2 NO <input type="checkbox"/> 1 <input type="checkbox"/> 2		54 DID THE OFFENSE OCCUR ON CAMPUS? YES <input type="checkbox"/> 1 <input type="checkbox"/> 2 NO <input type="checkbox"/> 1 <input type="checkbox"/> 2		55 DOMESTIC VIOLENCE? YES <input type="checkbox"/> 1 <input type="checkbox"/> 2 NO <input type="checkbox"/> 1 <input type="checkbox"/> 2													
56 IF YES, WAS VICTIM TRANSPORTED TO SAFE PLACE? YES <input type="checkbox"/> 1 <input type="checkbox"/> 2 NO <input type="checkbox"/> 1 <input type="checkbox"/> 2				57 RELATION OF VICTIM TO OFFENDER #1 _____ #2 _____													
LEOKA																	
58 TYPE OF LEOKA:		59 TYPE OF VEHICLE:		60 OFFICER ASSIGNMENT:													
<input type="checkbox"/> OFFENDER # _____ OF # _____		/		<input checked="" type="checkbox"/> ARRESTEE # 1 OF # 1													
31 DOCUMENT CONTROL # _____																	
32 NAME FIRST: _____		MIDDLE INITIAL: _____		LAST: RIDLON AKA: _____													
ADDRESS: HM: _____		TEL#: _____		WK: _____ TEL# _____													
(CITY, STATE, ZIP) _____		(CITY, STATE, ZIP) _____															
28 SEX: _____	29 RACE: _____	30 AGE: 29	29 ETHNICITY: _____	29 RESIDENT STATUS: _____													
HAIR: _____	EYES: _____	DOB: _____	WEIGHT: _____	HEIGHT: _____													
SCARS AND OTHER IDENTIFIERS:																	
SSN: _____		OLN# _____		ST: TN OTHER: _____													
CLOTHING: _____ 35 TYPE OF ARREST <input type="checkbox"/> O <input type="checkbox"/> S <input type="checkbox"/> T 36 DISPOSITION OF ARRESTEE UNDER 18: <input type="checkbox"/> HANDLED <input type="checkbox"/> REFERRED																	
35 MULTIPLE CLEARANCE INDICATOR: <input type="checkbox"/> C <input type="checkbox"/> M <input checked="" type="checkbox"/> N			38 UCR OFFENSE CODE: 90E PRESENT OFFENSE: <input type="checkbox"/> FELONY <input checked="" type="checkbox"/> MISDEMEANOR														
39 SUBJECT WAS ARMED WITH ALSO, CHECK IF AUTOMATIC			FIREARM: <input type="checkbox"/> CONFISCATED <input type="checkbox"/> OBSERVED		PRIOR OFFENSES:												
01 ( <input type="checkbox"/> AUTO ) 01 ( <input type="checkbox"/> AUTO )			IF SO, ENTER PROPERTY SECTION: _____		<input type="checkbox"/> FELONY <input type="checkbox"/> PAROLE <input type="checkbox"/> MISDEMEANOR <input type="checkbox"/> PROBATION												
40 ARREST DATE 04/14/2013 03:15		41 DOCKET # _____		42 WARRANT SIGNED: (DOM. VIOL. ONLY) <input type="checkbox"/> OFFICER <input type="checkbox"/> VICTIM <input type="checkbox"/> BOTH													
Court Date 04/15/2013 09:00 <input type="checkbox"/> Municipal <input checked="" type="checkbox"/> Session <input type="checkbox"/> Criminal <input type="checkbox"/> Juvenile LOCATION: OAK RIDGE																	
Gang Related <input type="checkbox"/> YES <input type="checkbox"/> NO Group: _____ NOTE(S): _____																	

OFFENSE REPORT

PROPERTY									
16 CAT	PROPERTY DESCRIPTION (MAKE, MODEL, DESCRIPTION)	QTY	17 VALUE	18 TYPE PROPERTY LOSS	SERIAL #	19 DATE RECOVERED	RECOVERED QTY	RECOVER VALUE	DATE CLEAR
							NCIC #	ENTERED BY:	
							NCIC #	ENTERED BY:	
							NCIC #	ENTERED BY:	
							NCIC #	ENTERED BY:	
							NCIC #	ENTERED BY:	
							NCIC #	ENTERED BY:	
							NCIC #	ENTERED BY:	
							NCIC #	ENTERED BY:	
							NCIC #	ENTERED BY:	

INSURANCE CARRIER      NAME      ADDRESS      TELEPHONE

IF THE OFFENSE IS ARSON AND THE PROPERTY WAS A STRUCTURE, WAS THE STRUCTURE OCCUPIED?     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
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RELEASE DATE	RELEASED TO	LOCATION	RELEASED BY EMP#	NAME
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DRUGS

	21	22	21	IF NUMBER OF MARIJUANA PLANTS, COMPLETE THE FOLLOWING:			
	SUSPECTED DRUG TYPE:	ESTIMATED QUANTITY:	TYPE/ MEASUREMENT:	24	25	26	27
DRUG # 1				<input type="checkbox"/> INDOOR	NUMBER OF PLOTS	LATITUDE:	LONGITUDE:
DRUG # 2				<input type="checkbox"/> OUTDOOR			
DRUG # 3				<input type="checkbox"/> BOTH			

NARRATIVE

Title: OFF  
 Date Entered: 04/14/2013 07:11

On Sunday, April 14, 2013, about 3:15 am, officers found the suspect standing on the sidewalk adjacent to Brewskis Bar, 144 Randolph Road. Officers determined that the suspect was intoxicated and a danger to himself

User-Defined Information Continuation: Page 1 of 1

Agency: OAK RIDGE POLICE DEPT

Jurisdiction: TN0010300

Report Date/Time: 04/14/2013 03:15

Incident/Case Number: 2013-01387

Case Description:

Primary Officer Name/ID: /

Approved By:

Date/Time Printed: 04/16/2013 13:08

or others. The suspect was arrested.

# ADDITIONAL NARRATIVE

Agency Name: OAK RIDGE POLICE DEPT	ORI #: TN0010300	Report Date/Time: 04/14/2013 03:15	OCA #: 2013-01387
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Title: INV

Date Entered: 04/14/2013 07:11

Source: Radio Call

Circumstances: On Sunday, April 14, 2013, about 3:15 am, officers found the suspect, [REDACTED] Ridlon, standing on the sidewalk adjacent to Brewskis Bar, 144 Randolph Road. Officers determined that the suspect was intoxicated and a danger to himself or others.

Observations: I observed the suspect standing on the sidewalk adjacent to Brewskis Bar. The suspect was standing adjacent to a large column and appeared to be trying to avoid being seen. The suspect was found to have a very strong odor of an alcoholic beverage emitting from his person. His eyes appeared to be bloodshot, and he was very unsteady on his feet. The suspects speech was slurred and he had the general appearance of an intoxicated person. The defendant was observed to stagger heavily when he walked.

Additional Info: The suspect was identified as [REDACTED] i Ridlon.

Interview 1: [REDACTED] Ridlon: Stated that he had been drinking at Brewskis and had drank \$17.50 in beer. He stated that the beers were \$2.50 apiece and that he had walked to the bar. He stated that he did not have a ride home and that he was going to walk home. He stated that he lived on [REDACTED].

Additional Info: Due to Ridlons level of intoxication it was determined that he would not be able to care for himself if he were to attempt to walk to his residence.

Status: Cleared by arrest.

# ADDITIONAL NARRATIVE

Agency Name: OAK RIDGE POLICE DEPT	ORI #: TN0010300	Report Date/Time: 04/14/2013 03:15	OCA #: 2013-01387
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Title: ARR  
Date Entered: 04/14/2013 07:11  
On Sunday, April 14, 2013, at 3:15 am, [REDACTED] Ridlon was arrest at 144 Randolph Road and charged with Public Intoxication when it was determined that he was too intoxicated to care for himself. Ridlon was transported to Anderson County Jail where he was released to jail staff without incident.



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144 Randolph Road - Oak Ridge, TN 37839 - 865.272.3205

July 8, 2013

Dear Beer Board Members,

This letter is in response to the Show Cause Hearing request set for Monday, July 15, 2013. I wanted to take an opportunity to answer some of the possible questions that might arise from the police report, add some additional information that might not be in the report and make you aware of our position as a locally owned small business in Oak Ridge.

As some of you might know, I have owned and operated more than a few small businesses in Oak Ridge ranging from restaurants and bars to digital advertising and local marketing. All of which I spend a lot of valuable time and money to make as successful as possible. While enjoying the benefits of being self-employed and somewhat successful in a terrible economy I completely understand that a large part of that success comes from running tight businesses based on integrity. With that being said, I don't take chances when it comes to losing a business over something I can control whether it's maintaining customer satisfaction or securing the privilege of a beer permit. The other owners and I have always run Brewskis with a no tolerance policy. So much so that we tend to have a reputation for not allowing any disruptive or mischief behavior before asking those persons to leave our establishment. I believe that our lack of success in this venture is somewhat due to that reputation compared to other businesses that share that particular market. Even with that being said we will not veer from our current policy as we feel that there is a large enough market for those that want to enjoy good music, live entertainment, multiple billiard tables and friendly bartenders in a safe relaxing atmosphere.

In an effort to shine additional light to what was presented in the police report I have first-hand knowledge, as I was on site at the time of both incidents. I want to first assure you that although the report states that the incidents occurred at 3:15 am they actually began earlier and concluded around that time, as I know that time is a major concern when it comes to alcohol consumption. Last call was made at 2:20 am and no alcoholic beverages were on the bar top or tables after 2:55 am.

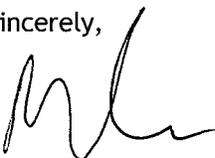
I'm not completely certain, but I believe that the drugs/narcotics charges were dropped on the individual that was questioned inside Brewskis at the time of closing. It actually stemmed from the disturbance call incident (which I requested) to assure that a situation did not escalate. The gentleman that was being questioned had actually followed another patron into the parking lot after an incident that was thought to have been resolved inside. The first patron was leaving after finishing his pool game. The patron in question followed him outside to confront him, at which point the other gentleman proceeded to punch him one time in an effort to protect himself. Hethen abruptly left. After being punched, the patron's girlfriend walked him back into the bar and sat him next to the stage to allow him to get his bearings. Shortly after the incident police arrived and I directed them to the patron sitting on the stage at which point I continued with shutting the bar down as it was close to 3:00 am.

Regarding the incident of public intoxication, I want to state that this particular gentleman was declined additional beverages after showing erratic behavior after being served three beers. I know this because after being cut off, he was asked to close out his tab. At that point he proceeded to inform us that he did not have any money to pay his tab (we run tabs for patrons with a credit card on hold but in some cases we allow ID's to run a tab). In this particular case he only had an ID and apparently no money, but we did not find that out until later. With that information, I told him to leave and that he was no longer welcome at our establishment and that we would hold his ID upon his return to pay his outstanding tab. During the above disturbance I noticed that he was being questioned by police just outside a few doors down from Brewskis. I approached the officer and informed him that I had the man's ID and that it was in my possession because he walked out on a tab. I gave it to the officer and he asked me if I wanted to press charges. I told him that it was just a small amount and that I would just prefer that he did not come back in our establishment again.

In reference for your request for video, I must regretfully inform you that there isn't a video to be viewed. Yes, there are a total of eight cameras placed on the inside and outside of Brewskis and Hibachi Burger for an initial investment of over \$900 but they are nothing more than a deterrent as they were initially presented with certain capabilities they do not have. Therefore, we are currently in dispute over that misrepresentation as well as the amount quoted of the monthly fees for monitoring the cameras. We are looking at alternative options until we get this issue resolved.

I feel that the sale of alcoholic beverages has inevitable challenges regardless of a businesses' policies on consumption and or tolerance on individual behavior. However, I also feel that we as owners, managers and staff at Brewskis keep those issues to very few as proven by our track record over the past two years of operation. Brewskis is a business that generates revenue from only three categories; games, snacks and beer. Ninety percent (90%) of our revenue comes from the latter. Needless to say, maintaining a safe environment free from any illegal activity and upholding the rules and guidelines set by the city and beer board are our highest priority.

Sincerely,

A handwritten signature in black ink, appearing to read 'Nang Crossno', written in a cursive style.

Nang Crossno

Brewskis, Owner