

**OAK RIDGE BEER PERMIT BOARD
REGULAR MEETING**

Municipal Building Training Room – Room 104
Wednesday, January 6, 2016
5:15 p.m.

AGENDA

1. ATTENDANCE – Introduction of New Members
2. ELECTION OF OFFICERS – Chairperson and Secretary
3. APPROVAL OF MINUTES – November 4, 2015 Regular Meeting
4. APPLICATIONS FOR NEW BEER PERMIT AND ASSOCIATED MANAGER APPROVAL APPLICATIONS – None
5. NEW MANAGER APPROVAL APPLICATIONS

Melinda Dawn Fout Al-Bawi
Loyal Order of Moose #1316 (Moose Lodge)
103 N. Jefferson Circle
Replacement Manager

Joe Green Wilkinson
Ridge Runners Bar & Grill
259 Warehouse Road
Additional Manager
6. NEW / OLD BUSINESS
 - A. Reports from Oak Ridge Police Department (if any)
 - B. Request for recognition of former Chairman Randy Tedford
7. ADJOURNMENT

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

Municipal Building Training Room – Room 104
Wednesday, November 4, 2015
5:15 p.m.

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

ABSENT: Chairman Randy Tedford, David Mosby, and Debra Solmonson

ALSO PRESENT: Tammy Dunn, Senior Staff Attorney / Staff Liaison to Board
Captain Robin Smith, Oak Ridge Police Department

AUDIENCE MEMBERS: None

ROLL CALL/ATTENDANCE

In the absence of the Chairman, Ms. Dunn called the meeting to order at 5:28 p.m. when a quorum was present. Secretary Bailey, Mr. Osborne, Ms. Scott, and Ms. Williams were present. Chairman Tedford, Mr. Mosby, and Ms. Solmonson were not present. Chairman Tedford and Ms. Solmonson gave prior notice of their absence to the Legal Department.

ACTING CHAIRPERSON

Ms. Williams nominated Secretary Bailey to act as Acting Chairman for the meeting and Secretary Bailey accepted the nomination which was unanimously approved by the Board.

APPROVAL OF MINUTES

Ms. Williams moved, seconded by Acting Chairman Bailey, to approve the minutes of the October 7, 2015 regular meeting and the motion passed unanimously.

APPLICATIONS FOR NEW BEER PERMITS AND ASSOCIATED MANAGER APPROVALS

Application #1532
Chipotle Mexican Grill #2589
433 S. Illinois Avenue
Chipotle Mexican Grill of Colorado, LLC, Owner
Tyler Anthony Mascia, Manager
Class C

Mr. Mascia was present for discussion of the application. He stated their policy is to ID all beer purchasers and he indicated all cashiers, managers, and some cooks are trained in beer sales. The Board discussed with Mr. Mascia the importance of monitoring the parking lot and to call the police if needed. Having no further discussion, Acting Chairman Bailey moved, seconded by Ms. Scott, to approve the beer permit and manager applications and the motion carried unanimously.

Application #1534

That Other Place

246 S. Illinois (inside the Oak Ridge Bowling Center)

Amanda Caldwell, Owner/Manager

Class C

Ms. Caldwell (along with Bowling Center owner Len Hart) was present for discussion of the application. The Board discussed hours of operation and the use of wristbands (see application for detail) for beer sales on weekends. Having no further discussion, Ms. Scott moved, seconded by Mr. Osborne, to approve the beer permit and manager applications and the motion carried unanimously.

APPLICATIONS FOR NEW MANAGER APPROVALS

Austin Thayer Winebarger

Comfort Inn

482 S. Rutgers Avenue

Replacement Manager

Mr. Winebarger was present to discuss his manager application. He stated they require ID of all beer purchases and tell patrons they cannot take beer outside the hotel. Having no further discussion, Acting Chairman Bailey moved, seconded by Ms. Williams, to approve the manager application and the motion carried unanimously.

David Scott Mayers

Hank's Market

691 Emory Valley Road

Replacement Manager

Mr. Mayers was present to discuss his manager application. He stated they require ID of all beer purchases and input the date of birth into the register. Having no further discussion, Acting Mr. Osborne moved, seconded by Ms. Scott, to approve the manager application and the motion carried unanimously.

NEW BUSINESS/OLD BUSINESS

Reports from Oak Ridge Police Department – None

Throttle Down Bar and Grill

Larry Davidson, along with his daughter/bartender Asha Davidson appeared before the Board to formally request consideration of allowing beer on the patio. The Davidsons stated they intend to build a patio, if approved for beer consumption outside, that will only be accessible from the inside of the establishment. They are waiting to obtain approval from the Community Development Department for zoning ordinance compliance and permitting until after approval by the Board for beer consumption.

Acting Chairman Bailey moved, seconded by Mr. Osborne, to allow beer on the patio at Throttle Down Bar and Grill provided the patio is constructed as indicated to the Board and approval from the City is received for a building permit, and the motion carried unanimously.

Outback Steakhouse

At the Board's request, Outback Steakhouse appeared before the Board to explain their recent liquor sales suspension imposed by the Tennessee Alcoholic Beverage Commission for a recent sale of beer to an underage patron. Chris Borden, Manager, was present. Mr. Borden stated the server asked for ID but did not read it correctly and sold beer to the underage purchaser. In response to this incident, Outback instituted a local store policy to no longer accept IDs with a red strip (Under 21) on the ID for beer purchases, even though the patron could be over 21 and legally allowed to purchase beer. Additionally, the local store purchased new ID scanners that read the age of the purchasers. The scanners will not recognize invalid IDs or fake IDs. Additionally, servers were re-trained by Pouncey Partners and the local store places more focus on the training of new servers.

Ms. Scott commended Outback on the actions taken in response to the underage beer sale. No further action by the Board was taken.

ADJOURNMENT

There being no other business to come before the Board, Acting Chairman Bailey moved, seconded by Mr. Osborne, to adjourn the meeting at 6:08 p.m. and the motion carried unanimously.

Respectfully submitted,

Barton Bailey, Secretary

**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 Moose Lodge 1316
Business Address 103 North Jefferson Circle

2. Manager's Full Name Melinda Dawn Al-Bawi

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

Replacement of Prior Manager X

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

5. Manager's Work History:

How long have you been employed at the business? 8 years

Date you became Manager: March 2013

Name of Previous Manager: Pam Norton Date left: March 2013

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

- Moose Lodge Oak Ridge 8 years
- Eagles Oak Ridge 3 years
- Atomic City Sports bar 5 years
- EIKS Oak Ridge 2 years

6. Beer Permit History:

Have you ever been employed at an establishment with a beer permit? Yes

If so, where and when: Moose Lodge Oak Ridge 8 years

Have you ever been a manager of an establishment with a beer permit? No

Have you ever had a beer permit refused, suspended or revoked? No

If so, where and when: _____

7. Manager's Criminal History:

Have you ever been convicted of any violation of federal laws, state statutes, or city ordinances involving the possession, sale, manufacture or transportation of intoxicating liquors, drugs or narcotics, or of a crime of moral turpitude with the past ten years? No

If so, provide details of the offense and when you were convicted:

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

Anyone who is not a member or a visitor of a member will not be allowed in plus check ID's

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 4 day of November, 2015


Signature of Applicant

Sworn to and subscribed before me this 4th day of November, 2015

My commission expires: 8-19-18




Notary Public

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

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

1. Business Name Ridge Runners Bar & Grill
Business Address 259 Warehouse Rd. - Oak Ridge, TN 37830

2. Manager's Full Name Joe Green Wilkinson

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: None

5. Manager's Work History:
How long have you been employed at the business? 2 weeks
Date you became Manager: 12-7-15
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):
Co-Owner M&W Drilling, LLC
Knoxville, TN

6. Beer Permit History:
Have you ever been employed at an establishment with a beer permit? NO
If so, where and when: _____
Have you ever been a manager of an establishment with a beer permit? NO
Have you ever had a beer permit refused, suspended or revoked? NO
If so, where and when: _____

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

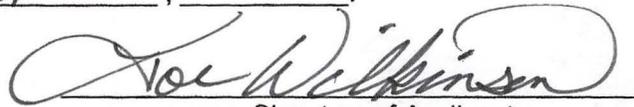
8. Describe steps which will be taken to prevent the sale of beer to persons under twenty-one (21):
Proof of current valid drivers license which will be scanned with an ID-E Scanner.

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.

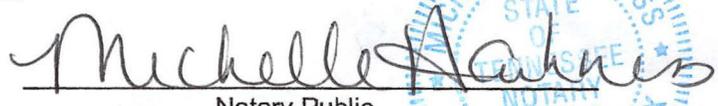
This the 21st day of December, _____.



Signature of Applicant

Sworn to and subscribed before me this 21st day of December, 2015.

My commission expires: 4-2-17.



Notary Public

