

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

Training Room – Municipal Building  
April 8, 2013  
12:00 noon

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

ABSENT: Pedro Otaduy (gave prior notice of absence to Secretary Bailey)

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

AUDIENCE  
MEMBERS: Michael Foster, Allies for Substance Abuse Prevention  
John Huotari, Oak Ridge Today

**ATTENDANCE**

Chairman Tedford called the meeting to order at 12:00 noon. All members were present except Mr. Otaduy who contacted Secretary Bailey prior to the meeting to state he would be absent.

**APPROVAL OF MINUTES**

Secretary Bailey moved, seconded by Ms. Scott, to approve the March 11, 2013 regular meeting minutes and the motion carried with a vote of 5-0-1, with Ms. Solmonson abstaining from the vote.

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

**Application No. 1475**  
**Cheng Ping Ren, Owner/Manager**  
**New China Palace**  
**123 Central Avenue**  
**Class "C" Permit**

Mr. Ren was present to discuss his beer permit application and manager approval application for the new restaurant location. Two items pertaining to this application were posted on the agenda. One, Mr. Ren did not include the notarized statement from his landlord that beer could be sold on the premises. Two, Mr. Ren's business is not expected to open at this location until July 1, 2013 which prevents the life safety inspection from being conducted at this time. Ms. Dunn stated Mr. Ren hand-delivered some pages from his lease agreement with Vintage Development Corporation, executed on February 22, 2013, which includes a provision (Section 6.01) that allows beer for on premises consumption provided the terms and conditions of the permit are complied with by the tenant. The lease was signed by Anthony Cappiello, Jr., as the President of Vintage Development Corporation. This was accepted by the Board as the landlord's consent.

In response to the Board's questions, Mr. Ren provided the following information: he plans to open the new restaurant on or after July 1, 2013 depending on when the landlord finishes the renovations, he plans to have four servers, he would like to serve beer on the patio if one is constructed, and he plans to have the same menu but different décor than the current New China Palace.

Deputy Chief Massengill stated there have been no problems at this location.

Mr. Colverson moved, seconded by Chairman Tedford, to approve the beer permit application and the manager application subject to passing the life safety inspection, receipt of the certificate of occupancy for this location, and subject to receipt of an Oak Ridge business license, and the motion carried unanimously. [Note, the addition of the business license was at the request of Secretary Bailey and was agreed to by Mr. Colverson and Chairman Tedford to be part of the motion.]

### **NEW MANAGER APPROVAL APPLICATIONS**

**Gaurav Patel**  
**Grove Market**  
**133 Randolph Road**

Mr. Patel was present to discuss his manager application. At the request of Chairman Tedford, Mr. Patel completed two items on his application that were left blank. The Board and Deputy Chief Massengill expressed concern over juveniles attempting to purchase beer at this location due to its proximity to the high school and the outdoor pool. In response to the Board's questions, Mr. Patel provided the following information: he has about four employees including himself, he requires ID of all beer and cigarette purchases, and his employees have many years of experience with beer sales.

Mr. Colverson moved, seconded by Ms. Solmonson, to approve the manager application and the motion passed unanimously.

**Karen Green**  
**Lincoln's Sports Grille**  
**119 S. Illinois Avenue**

Ms. Green was present to discuss her manager application. In response to the Board's questions, Ms. Green provided the following information: she alters her schedule to open the business some days and close the business on other days, she usually works Tuesdays–Saturdays, she has a good relationship with the Police Department for nonemergency situations, and she has ensured awareness of policies and ABC rules with staff through mandatory server meetings. Chairman Tedford asked Ms. Green to increase the frequency of the nightly patrols of the outside area and encouraged Ms. Green to be one of the first calls to the Police Department should trouble arise. The Board and Ms. Green discussed the establishment's procedures in cutting off patrons, notifying area bartenders of cut-off patrons that might move to another establishment, and slowing down patron's alcohol consumption to help prevent problems.

Chairman Tedford moved, seconded by Secretary Bailey, to approve the application and the motion carried unanimously.

## **NEW / OLD BUSINESS**

### **St. Mary's Church**

John Shankas, on behalf of St. Mary's Church, inquired about the event limits for special event beer permits (City Code §8-702(5)) which limits organizations to holding up to four events in any twelve month period. He asked whether this timeframe was strictly adhered to since the church planned on having four events this year and the festival would fall within a few days of the twelve month time period and put the church at having five events. He asked because he planned to request a special meeting of the Board for an additional event to take place in May. Since the timeframe is established by ordinance, the timeframe is strictly adhered to and, therefore, St. Mary's elected to withdraw the application that was filed last week and to not seek a beer permit for that event so that an application could be submitted for the fall festival.

### **Managers on File**

Ms. Scott expressed a concern that many of the Board-approved managers were approved from 2010 and back, and maybe there were changes in management that had not been brought to the Board's attention. Ms. Scott requested the Legal Department send letters to inquire whether approved managers are still employed in that capacity. Secretary Bailey stated letters were sent as part of the privilege tax payment notice. Ms. Dunn stated letters could be sent out to the beer permit holders.

### **Sting Operation**

Ms. Williams asked if the Police Department had made progress on setting up a sting operation to check for underage sales of beer. Deputy Chief Massengill stated they had not. Secretary Bailey stated the Board's vote in January was only a request to the Police Department and was not binding. Michael Foster stated he is willing to assist the Police Department in finding an 18 to 20 year old to conduct the sting operation if needed. Ms. Williams also asked about the requirement for approval by the Juvenile Court Judge. Ms. Dunn stated it is a state law requirement to seek the judge's approval prior to sending an underage (under 21) person into an establishment to buy beer. The Board also commented on the need for the Police Department to not advertise any sting operation that may be forthcoming.

## **ADJOURNMENT**

The meeting adjourned at 12:40 p.m. upon motion of Chairman Tedford, second by Secretary Bailey, and unanimous approval.

Respectfully submitted,

Barton Bailey, Secretary  
(Official Signed Copy in City Clerk's Office)