

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

Municipal Building Courtroom
Tuesday, September 16, 2014
5:30 p.m.

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

ABSENT: None

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

ROLL CALL/ATTENDANCE

Chairman Tedford called the meeting to order at 5:40 p.m. All members were present.

PENDING SHOW CAUSE HEARING – SET DATES/TIMES

At the regular meeting on July 14, 2014, the Oak Ridge Beer Permit Board voted to hold show cause hearings for all five (5) Oak Ridge businesses that sold beer/alcohol to an underage patron during the Tennessee Alcoholic Beverage Commission's minor compliance check that took place in June 2014. Three (3) show cause hearings remain pending (Outback, Riverside, and New China Palace).

The Board discussed two potential dates/times for the three pending show cause hearings. An original motion was made by Secretary Bailey and seconded by Mr. Colverson to reschedule the October regular meeting—with the show cause hearings immediately following—for Monday October 6, 2014 at 6:00 p.m. in the Courtroom. This motion was later withdrawn.

Chairman Tedford moved, second by Ms. Scott, to reschedule the October regular meeting—with the show cause hearings immediately following—for Tuesday October 7, 2014 at 6:00 p.m. in the Courtroom and the motion carried unanimously. Mr. Colverson stated he may or may not be able to attend.

Secretary Bailey moved, second by Ms. Scott, to set an alternate date if Tuesday October 7, 2014 did not work out for scheduling. The motion was made to set an alternate date of Monday October 6, 2014 at 6:00 p.m. in the Courtroom and the motion carried 6-0, with Mr. Osborne abstaining. Mr. Osborne stated he would not be available on the alternate date.

Ms. Dunn stated she would notify the Board as soon as a date has been confirmed.

LINCOLN'S SPORTS GRILLE – PETITION FOR WRIT OF CERTIORARI, REQUEST FOR A STAY OF THE REVOCATION

On August 28, 2014, the Board revoked the beer permits for Lincoln's Sports Grille's. On September 2, 2014, Lincoln's filed with the Chancery Court of Anderson County a Petition for Writ of Certiorari, as permitted by state law, requesting a trial de novo (new trial). As part of this Petition, Lincoln's filed a request for a stay of the revocation until such time as the Court will hear the case and render a decision.

Lincoln's, through attorney Kevin Angel, has requested the City's consent to an Agreed Order staying the revocation until such time as the new hearing takes place and a decision is rendered. The Board considered a list of thirteen conditions Lincoln's was willing to follow as part of an Agreed Order to stay the revocation.

Secretary Bailey commented this was the type of list he would have preferred to have been submitted months ago prior to the show cause hearing.

Mr. Colverson commented he thought it was in the Board's best interests to pursue the request for an Agreed Order as it shows the Board is willing to come to a workable solution.

The Board discussed a few of the conditions individually for explanation of the reasoning behind it and/or clarification. Ms. Williams inquired as to the timing for implementation of the conditions.

Secretary Bailey moved, seconded by Ms. Solmonson, to agree to the thirteen conditions as part of an Agreed Order to stay the revocation pending a new trial in court on the appeal and the motion carried 5-to-2, with Chairman Tedford and Ms. Williams voting against.

ADJOURNMENT

The meeting adjourned at 6:00 p.m.

Respectfully submitted,

Barton Bailey, Secretary
(Signature on official document in City Clerk's Office)