

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

APPROVED

Training Room – Municipal Building
April 9, 2012
12:00 noon

PRESENT: Barton Bailey, Colin Colverson, Gerald Cooksey, Theresa Scott, Debra Solmonson, and Randy Tedford

ABSENT: Carol Heck (notified the Legal Department in advance)

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

AUDIENCE
MEMBERS: Michael Foster, Allies for Substance Abuse Prevention

ROLL CALL

Chairman Tedford called the meeting to order at 12:02 p.m.

APPROVAL OF MINUTES

Mr. Cooksey, seconded by Secretary Bailey, to approve the minutes of the February 13, 2012 meeting and the motion carried 5-0-1 (Chairman Tedford abstained from the vote since he was absent from the February meeting).

APPLICATIONS FOR NEW BEER PERMITS AND THEIR ASSOCIATED MANAGER APPROVALS

Application No. 1446
Leonor Martin and Eva Brown, Co-Owners
Leonor Martin, Manager
Tienda Nony #4
112 Raleigh Road
Class "C" Permit

This item was postponed to the May meeting at the owners' request.

Chairman Tedford moved, seconded by Secretary Bailey, to hear the special event applications first and the motion carried unanimously.

Application No. 1449

**John Wheeler on behalf of
St. Mary's Church – Endowment Fund Dinner
April 20, 2012 – 5:00 p.m. to 11:00 p.m.
327 Vermont Avenue
Class "E" Permit**

Mr. Wheeler was present to discuss the application. Having had no problems with St. Mary's events in the past and with Mr. Wheeler's indication that the event will be run the same as in years' past, Chairman Tedford moved, seconded by Secretary Bailey, to approve the application and the motion carried unanimously.

Application No. 1450

**Roger W. Johnson on behalf of
Ulster Project of East Tennessee Fundraiser
May 12, 2012 – 6:00 p.m. to 10:00 p.m.
St. Mary's Church – Knights of Columbus Hall
327 Vermont Avenue
Class "E" Permit**

Mr. Johnson was present to discuss the application. Mr. Johnson was encouraged by the Board to manage his event in the same manner as Mr. Wheeler has managed his events at St. Mary's. The Board discussed the Control Measures with Mr. Johnson and gave him permission to use stamps instead of armbands for the event. Secretary Bailey moved, seconded by Ms. Solmonson, to approve the application and the motion carried unanimously.

Application No. 1452

**Steve Robinette on behalf of
Anderson County Toy Run, Inc.
April 14, 2012
Throttle Down Bar & Grill
259 Warehouse Road
Class "E" Permit**

Mr. Robinette and Mr. Bruce Hale were present to discuss the application. The Board inquired about the details of the "poker run" fundraiser event. Mr. Robinette and Mr. Hale explained it is a motorcycle ride fundraiser that takes place over five locations, with the last location being Throttle Down Bar & Grill. At each location, participants can pay \$5 per hand to "play" and receive a playing card at each location. The participant that has the best hand at the last location receives 40% of the proceeds of the event. The Board, Chief Massengill and Ms. Dunn all explained that this type of event is gambling under State law. Mr. Hale responded that they have done this in the past few years at other locations without problem, it was explained that those businesses did not go through the proper channels to obtain the required permits. It was also explained that non-profit organizations can have gambling-type events with permission from the State. Mr. Michael Marsh, who was present for his manager application at the Elks Lodge, explained that the application is a yearly process and offered to assist Mr. Hale in his application to the State for an event next year.

The Board expressed concerns over even considering an application knowing that gambling was involved in the event, whether or not the gambling activity took place in Oak Ridge. Chief Massengill was also concerned about their planned security for the event since Mr. Robinette had not yet scheduled a meeting between his security "team" and Chief Massengill as he indicated he would during his permanent on-premises application.

After much discussion, Mr. Robinette and Mr. Hale agreed this year's event will be solely a fundraiser event and no gambling will occur. They also agreed to comply with the Control Measures and stated they may use a stamp instead of armbands. Chairman Tedford moved, seconded by Ms. Scott, to approve the application and the motion carried unanimously.

Application No.1453

**Michelle Hoffman on behalf of
Boys/Girls Club Fund Raising Event
May 19, 2012 (Rain date May 20, 2012)
Lincoln's Sports Grille
119 S. Illinois Avenue
Class "E" Permit**

Ms. Hoffman was present to discuss the application. Ms. Solmonson recused herself from the discussion due to her relationship with the Boys Club. Ms. Hoffman explained that this event is a corn hole tournament scheduled for May 19th with a May 20th rain date. Ms. Hoffman stated they would follow the Control Measures without exception and would require all beer to be purchased inside. Having had no issues with events held at this location in the past, Secretary Bailey moved, seconded by Ms. Scott, to approve the application and the motion carried 5-0-1 with Ms. Solmonson abstaining from the vote.

Application No. 1448

**Alan Shipley II – Owner
Alan Shipley II/Daniel J. Tremaine –Managers
The Market House at Jackson Square
80 East Tennessee Avenue
Class "C" Permit**

Mr. Shipley and Mr. Tremaine were present to discuss the applications. Ms. Dunn explained the background check came back with a DUI for Mr. Tremaine, which would normally prevent him from being a manager except that Mr. Tremaine also has a valid server permit therefore the prohibition is not applicable to Mr. Tremaine. This conviction was disclosed by Mr. Shipley on the application.

Mr. Shipley and Mr. Tremaine explained their plans for the new restaurant, scheduled to open the first week of May. The Board went over their responsibilities for selling beer, including patron IDs, parking lot checks, and watching to make sure beer was not handed off to someone other than the purchaser particularly on the patios. Mr. Shipley and Mr. Tremaine stated they have already obtained their liquor license and plan to feature local fare as much as possible. They also indicated no plans at this time to have live music.

Ms. Dunn stated the life safety inspection was complete.

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

Application No. 1451

**Linda Lou Scott, Owner
Ed Gallaher – Manager
Jefferson Tavern
102 Jefferson Terminal Road
Class "C" Permit**

Ms. Scott and Mr. Gallaher were present to discuss the applications. Ms. Dunn stated the life safety inspection was not complete at this time.

The Board discussed the responsibilities for serving beer, including patron IDs, checking the parking lot, and checking the patio area. Ms. Scott was a previous owner of the establishment and remembered the requirements. Mr. Gallaher was encouraged to go through formal training since has not worked in a manager capacity for an establishment that served beer in the past.

Having no further discussion, Chairman Tedford moved, seconded by Secretary Bailey, to approve the beer application and the manager application and the motion carried unanimously.

NEW MANAGER APPROVAL APPLICATIONS

James Donald Dodson
Manager/Supervisor
Arts Council Secret City/Sounds Concerts
A.K. Bissell Park Events

Mr. Dodson and Ms. Montgomery were present to discuss Mr. Dodson becoming the manager of the Arts Council for purposes of the beer permit and Ms. Montgomery stepping down. Ms. Montgomery also stated Mr. Dodson was the new Executive Director of the Arts Council. Mr. Dodson was encouraged to manage the events like Ms. Montgomery did.

Mr. Cooksey moved, seconded by Ms. Solmonson, to approve the application and the motion carried unanimously.

Michael M. Marsh
Manager
Elks Lodge #1684
684 Emory Valley Road

Mr. Marsh was present to discuss the application. Having no issues with this establishment, Mr. Cooksey moved, seconded by Chairman Tedford, to approve the application and the motion carried unanimously.

NEW / OLD BUSINESS

Brown-Bagging

Ms. Solmonson discussed a question she received from her neighbor about businesses allowing patrons to bring wine into their establishments with having a liquor license. Ms. Dunn explained the City's ordinance on brown-bagging and stated an establishment with a beer permit but no liquor license could not permit their patrons to bring liquor/wine onto the premises. The establishment in question was encouraged to obtain a beer permit and a liquor license.

Leprechaun Run

Ms. Scott discussed a concern she received via Facebook about the Leprechaun Run giving away beer. Both Chief Massengill and Ms. Dunn explained that the organizer of the event originally planned to have beer and was told to obtain a special event application if the beer would be in the parking lot or to keep the beer inside an establishment with a beer permit such as Razzleberry's or Big Ed's. It was also reported that the organizer did not apply for a special event beer permit and was reminded prior to the event of the rules. The Police Department was unaware of any issues with beer at this event.

The Other One Deli – 178 Randolph Road

No one was present from this establishment for discussion. The Board requested their presence at the next meeting to discuss concerns over their outside eating area, managerial responsibilities when the owner is absent, and the change in hours/days of operation.

Email Communication

Ms. Dunn explained the Board does not have authority to discuss matters outside of a public meeting and cautioned against members emailing each other, even when responding to an email initiated by Ms. Dunn. Ms. Dunn explained that sending an email to all members may violate the open meetings laws when the topic of discussion leans toward deliberation of an issue before the Board.

ADJOURNMENT

The meeting adjourned at 1:45 p.m.

Respectfully submitted,

Barton Bailey, Secretary