

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

APPROVED

Training Room – Municipal Building
May 14, 2012
12:00 noon

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

ABSENT: (None)

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

AUDIENCE
MEMBERS: Anne Garcia Garland, City Council Member
Stephanie Strutner, Executive Director of Allies for Substance Abuse Prevention

ROLL CALL

Chairman Tedford called the meeting to order at 12:00 noon.

APPROVAL OF MINUTES

Mr. Cooksey, seconded by Mr. Colverson, to approve the minutes of the April 9, 2012 meeting and the motion carried unanimously.

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

Ms. Martin and Ms. Brown were present to discuss the application for on-premises consumption. Ms. Dunn reminded the Board that this establishment was previously approved for off-premises consumption. Ms. Dunn also stated she received an email from Denny Boss, Code Enforcement Division, indicating he visited the establishment and was told they would not be seeking an on-premises consumption beer permit. Ms. Martin and Ms. Brown both stated they did want to apply for the on-premises permit. Ms. Dunn stated any approval would need to be subject to the life safety inspection.

Chairman Tedford explained the need to understand the ordinances pertaining to on-premises consumption, calling the police when needed, and "patrolling" the parking lot areas. Ms. Heck inquired about the sign (still has prior business listed – Ms. Martin stated they were replacing the sign), the reason for the permit (Ms. Martin stated it will help deter robberies), and the room behind the curtain (Ms. Martin stated she may open a barber shop in that room). Chief Massengill stated his concern

about the curtain and did not want a separate room that could be shielded from view of management or the police. Ms. Martin stated they are getting cameras for the inside like she has at her other establishments. Ms. Scott expressed concerns over people drinking and hanging out at the establishment, especially if they were also intended to assist with security or help deter robberies. Secretary Bailey expressed his concern that the Board is delving into an issue beyond their scope as to why an establishment wants to have an on-premises beer permit. Ms. Brown stated they want the permit for business reasons as well and not just as a crime deterrent.

Chairman Tedford asked whether they would require food to be purchased along with any on-premises beer consumption, and Ms. Martin said no. Chairman Tedford asked whether they could expand the seating and Ms. Martin said maybe if they went into the curtained-off area. Ms. Heck stated with the concerns that were raised today along with the number of permits already issued in the area nearby the high school and a preschool, that she would not vote in favor of this permit if voted on today. Chairman Tedford stated the number of permits in the area were not a concern for him provided the establishments abided by the rules. He then asked if the curtained area could be secured and Ms. Brown stated they would remove the curtain or install a door, whatever the board preferred.

Secretary Bailey moved, seconded by Chairman Tedford, to approve the beer permit application and the motion carried by a vote of 5-to-2, with Ms. Heck and Ms. Scott voting no.

Application No. 1454

Riverside Grill

Richard Chinn, Jr. and Ryan Chinn – Owners

Eric Hux, Manager

100 Melton Hill Lake Peninsula

Class “C” Permit

Mr. Ryan Chinn and Mr. Eric Hux were present to discuss the beer permit and manager approval applications. Chairman Tedford inquired how many employees were TIPS certified and Mr. Hux stated at least 30, including all servers and bartenders. Mr. Hux stated the ID policy is to require ID of all beer purchasers, regardless of age. Chairman Tedford reminded Mr. Hux about the parking lot responsibilities and calling the police when needed. Mr. Hux and Mr. Chinn stated cameras were present.

Chairman Tedford moved, seconded by Secretary Bailey, to approve the beer permit and manager approval applications, and the motion carried unanimously.

NEW MANAGER APPROVAL APPLICATIONS

(None)

NEW / OLD BUSINESS

The Other One Deli – 178 Randolph Road

Amanda Caldwell, owner/manager, was present to discuss concerns over the outside eating area, managerial responsibilities when the owner is absent, and the change in hours/days of operation. The Board encouraged Ms. Caldwell to obtain a Board-approved manager who works in her absence. Ms. Caldwell stated she works at the deli 50+ hours a week, gives massages at her other business which is located nearby in the early morning or late afternoon/evening hours, and provides off-site massages at SAIC on Thursdays from 12:00-3:00. The Board was concerned that the outside eating area is not roped off to designate it as a contiguous eating area and is concerned whether the area can be easily viewed to ensure beer is not improperly consumed. Ms. Caldwell stated the outside area can be seen from the cash register, though the Board stated the cashier is not always able to focus on the outside area. Ms. Caldwell stated she could rope off the area, or could post that beer was not allowed outside.

Ordinance Amendments

Ms. Dunn reviewed Legal Department Memorandum 12-24 and her email to the Board on April 10, 2012 asking for input into any proposed beer ordinance changes. For example, in previous meetings the Board had discussed requiring a Board-approved manager on-site at all times an establishment is open for business. Another example is the previous issue about window tinting and/or boarded windows which prevent the police from clearly seeing the inside of an establishment prior to entry. Also, there was an issue about a bar wanting to hold a wake, with the body, in the bar and health codes did not prevent such activity. Ms. Dunn asked the Board to think about any changes they would like to see in the ordinances for future discussion. Ms. Strutner, Executive Director of Allies for Substance Abuse Prevention, was present and asked about the resolution Anderson County adopted regarding training of beer permit holders. Ms. Dunn stated training was also a consideration for the Board when looking at possible amendments.

ADJOURNMENT

The meeting adjourned at 12:50 p.m.

Respectfully submitted,

Barton Bailey, Secretary