

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

Municipal Building Training Room – Room 104
Monday, December 9, 2013
12:00 noon

PRESENT: Secretary Barton Bailey, Theresa Scott, Debra Solmonson, Chairman Randy Tedford, and Wendy Williams

ABSENT: Colin Colverson

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

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

ATTENDANCE

Chairman Tedford called the meeting to order at 11:55 a.m. All members were except Mr. Colverson who reported his anticipated absence to the Legal Department prior to the meeting.

APPROVAL OF MINUTES

Ms. Williams moved, seconded by Secretary Bailey, to approve the minutes of the November 18, 2013 meeting and the motion carried unanimously.

APPLICATIONS FOR NEW BEER PERMITS AND THEIR ASSOCIATED MANAGER APPROVALS

Application No. 1489,
Gallo Loco, Inc.
Patricia Sanchez, Owner/Manager
80 East Tennessee Avenue
Class C Permit

Ms. Sanchez was present to discuss her application. The Board discussed the upcoming business with Ms. Sanchez. Ms. Sanchez stated she plans to open both outdoor seating locations, the servers will have a good view of the outside to make sure beer is not handed off to persons other than the purchaser, ten employees will be working at the establishment, all employees must be ABC certified even if they are not serving alcohol, and cameras are planned for the establishment. When asked by the Board, Ms. Sanchez also stated she did work at Hidalgo previously but was not there the day an employee sold beer to a minor as part of the ABC's minor compliance check.

Secretary Bailey moved, seconded by Ms. Solmonson, to approve the beer permit application and the manager application conditioned upon passing the life safety inspection and the motion carried unanimously.

NEW MANAGER APPROVAL APPLICATIONS**Pamla Morton****Moose Lodge****103 N. Jefferson Avenue**

Ms. Morton was present to discuss her application. The Board discussed Ms. Morton's managerial plans with her. Ms. Morton stated she was a manager at this establishment two years prior, all current bartenders are TIPS trained, all employees know to ask for the patron's membership card at the door and to ID the patron, and that she only hires employees with an active ABC card. When asked by the Board, Ms. Morton stated she was aware of the problem that occurred in March with an employee allowing a non-member inside the lodge and selling beer to a minor. Chairman Tedford stated to be sure to call the Police Department when needed and for an employee to make the call rather than rely on someone driving by to call.

Secretary Bailey moved, seconded by Ms. Scott, to approve the manager application and the motion carried unanimously.

SHOW CAUSE HEARING**Show Cause Hearing # 2013-11****Lincoln's Sports Grille****119 S. Illinois Avenue****Class "C" Permit #1406, Approved 8/9/10****Class "B" Permit #1439, Approved 11/14/11 (for catering only)****Owners: Edward Scott Green, Lendon Aaron Hart, Mike Lincoln, and Vander J. Murray****Manager: Lisa Green (4/8/13)**

Chairman Tedford swore in all witnesses and explained the hearing process. Deputy Chief Alan Massengill was present for the City. Scott Green, owner; Lisa Green, Roy McKinnon, consultant; manager; Corey Taack, employee; and Brad Julian, employee, were present for Lincoln's.

Deputy Chief Massengill detailed the police report arising out of the physical disturbance at Lincoln's on November 2, 2013 where a patron was arrested for public intoxication and theft of services (failure to pay bar tab). During this discussion, a copy of the patron's bar tab was presented to the Board which contained mostly liquor and one pitcher of beer.

Mrs. Green explained the order on the bar tab and that the order was placed for two guests. Mrs. Green also stated the patron was a regular customer and there were no problems in the past. Ms. Williams inquired how the patron became intoxicated based upon the bar tab. Mrs. Green stated the patron was fine until he left the bar area and returned. At that point, the patron appeared under the influence and soon thereafter began a fight with an acquaintance. Mrs. Green said it would be speculation but the patron appeared to be under the influence when he returned. Mrs. Green stated the patron's actions were uncharacteristic and, in hindsight, the bartender should have called the police immediately when the patron refused to pay his bar tab. Ms. Taack, bartender, stated she had an employee call the police when the fight began. Mrs. Green also stated they had called the patron a cab to take him home prior to the disturbance. Deputy Chief Massengill also reported there were no subsequent problems at Lincoln's that he was aware of after this incident.

Secretary Bailey moved, seconded by Ms. Scott, that Lincoln's had shown sufficient cause as to why the Board should not take any negative action and the motion carried unanimously.

Ms. Williams stated to Lincoln's that she did not want to see them again for a show cause hearing. Ms. Scott commented that the intoxication of the patron appeared to occur prior to consumption of any beer. Secretary Bailey commented that it would be a good idea to call the police quicker in the future. Mr. Green stated he felt the bartender handled the matter well, but should have called the police immediately. He also stated they have hired a consultant and plan to be proactive.

NEW / OLD BUSINESS

A. Reports from Oak Ridge Police Department (if any)

None

B. Possible Ordinance Amendment –Training Requirements

No information on cost/benefit was available from other cities with training requirements in place. This item will be continued to a subsequent meeting.

ADJOURNMENT

Upon motion of Chairman Tedford, seconded by Secretary Bailey, and unanimous consent, the meeting adjourned at 12:35 p.m.

Respectfully submitted,

(Signature on Official Filed Copy)

Barton Bailey, Secretary