

**MINUTES OF THE REGULAR SESSION
OF THE BEER BOARD OF THE CITY OF KNOXVILLE**

February 18, 2014 – 6:00 PM
Main Assembly Room, City-County Building, 400 Main Street

Chairwoman Brenda Palmer called to order the Regular Session of the City of Knoxville Beer Board at 6:00 p.m. on February 18, 2014.

All members of the Beer Board were present as follows: Daniel Brown, Mark Campen, Nick Della Volpe, Duane Grieve, Vice-Mayor Nick Pavlis, Finbarr Saunders, Marshall Stair and George Wallace.

APPROVAL OF MINUTES

Motion: Vice-Mayor Nick Pavlis moved to approve the minutes from the January 21, 2014 Beer Board meeting.
Second: Council Members Nick Della Volpe and Duane Grieve.
Vote: Unanimous "Aye."
Disposition: Minutes approved.

PERMIT REQUESTS

Reporting of KPD: Sgt. Tracy Hunter, Inspections Unit
Reporting for Revenue: Donna Dyer and Wanda Day

1. **4TH AND GILL NEIGHBORHOOD BOARD , APPLICANT**
4TH AND GILL NEIGHBORHOOD BOARD
P. O. BOX 3845
4TH AND GILL NEIGHBORHOOD BOARD, OWNER
LAURIE L. MESCHKE, MANAGER
JUDITH NEFF, MANAGER
TEMPORARY

KPD: No Record.
Revenue: File complete.
Discussion: Chairwoman Palmer addressed the permit request.
Motion: Council Member Della Volpe moved to approve.
Second: Council Member Finbarr Saunders
Vote: Unanimous "Aye."
Disposition: Beer permit approved.

2. **SPYKOMANIA, INC. , APPLICANT**
AL'S MARKET
1006 UNIVERSITY AVENUE
SPYKOMANIA, INC. , OWNER
NIZARALI LALANI , OWNER
SADIK PANJWANI , MANAGER
OFF PREMISE

KPD: Mr. Panjwani needs to clear up matter (conviction) in City Court.
Revenue: File Complete.
Discussion: Chairwoman Brenda Palmer, Attorney Rob Frost, Council Member Della Volpe, Mr. Panjwani, Sgt. Tracy Hunter.

Motion: Council Member Daniel Brown moved to postpone to March 18, 2014.
Second: Council Member George Wallace.
Vote: Unanimous "Aye."
Disposition: Postponed to March 18, 2014.

3. CHIPOTLE MEXICAN GRILL OF COLORADO, LLC , APPLICANT
CHIPOTLE MEXICAN GRILL #2063
204 ADVANTAGE PLACE
CHIPOTLE MEXICAN GRILL OF COLORADO, LLC , OWNER
DANIELLE KROSS, MANAGER
ON/OFF PREMISE

KPD: Danielle Kross has not been in for processing and has not taken the TASK Class.
Revenue: Copies of the following documents are needed to complete the file: Sales tax registration, LLC, Fire Prevention approval.
Discussion: Chairwoman Palmer.
Motion: Council Member Duane Grieve moved to postpone the matter to March 18, 2014.
Second: Council Member Wallace.
Vote: Unanimous "Aye."
Disposition: Postponed to March 18, 2014.

4. IRISH LADS, INC. , APPLICANT
CLANCY'S TAVERN AND WHISKEY HOUSE
602 S GAY STREET
IRISH LADS, INC. , OWNER
DANIEL CLANCY , OWNER
JOSH TURBYVILLE , OWNER
ON/OFF PREMISE, WITH DANCING

KPD: Applicants have not been in for processing and have not taken the TASK Class.
Revenue: Copies of the following documents are needed to complete the file: Building Inspection approval, Health Department approval and Fire Prevention approval.
Motion: Council Member Daniel Brown moved to postpone the matter to March 18, 2014.
Second: Council Member Wallace.
Vote: Unanimous "Aye."
Disposition: Postponed to March 18, 2014.

5. DOGWOOD ARTS FESTIVAL, INC. , APPLICANT
DOGWOOD ARTS FESTIVAL, INC.
602 S GAY STREET M LEVELS
DOGWOOD ARTS FESTIVAL, INC. , OWNER
LISA DUNCAN, MANAGER
TEMPORARY

KPD: No record.
Revenue: File complete.
Disclosure: Council Member Brown stated that he is a member of the Dogwood Arts Festival, Inc. Board but receives no remuneration for his service.
Discussion: Chairwoman Palmer, Council Member Grieve and Dogwood Arts representative Lisa Duncan.
Motion: Council Member Brown moved to approve.
Second: Council Member Della Volpe and Chairwoman Palmer.
Vote: Unanimous "Aye."

Disposition: Beer permit approved.

6. **ELITE YOUTH BASEBALL TN, INC. , APPLICANT**
ELITE YOUTH BASEBALL TENNESSEE, INC.
11219 OUTLET DRIVE
ELITE YOUTH BASEBALL TN, INC , OWNER
DEVIN DRISCOLL, MANAGER
TEMPORARY

There was no one present to represent Elite Youth Baseball Tennessee, Inc.

Motion: Council Member Grieve made a motion to move the item to end of the agenda.

Second: Council Member Wallace.

Vote: Unanimous "Aye."

Disposition: Moved to end of agenda.

7. **GUNNY'S CORNER PUB, LLC , APPLICANT**
GUNNY'S CORNER PUB
6547 CHAPMAN HIGHWAY
GUNNY'S CORNER PUB, LLC , OWNER
TAMMY PERRY , OWNER
ON/OFF PREMISE

KPD: No applicable record.

Revenue: File complete.

Motion: Vice-Mayor Pavlis moved to approve.

Second: Council Members Della Volpe and Grieve.

Vote: Unanimous "Aye."

Disposition: Beer permit approved.

8. **HOPS AND HOLLERS, LLC , APPLICANT**
HOPS AND HOLLERS
937 N CENTRAL STREET
HOPS AND HOLLERS, LLC , OWNER
EMILY L. WAKEFIELD , OWNER
GERALD T. WAKEFIELD , OWNER
ON/OFF PREMISE

KPD: No record.

Revenue: Copies of the following documents are needed to complete the file: Building Inspection approval, Fire Prevention approval and Health Department approval.

Motion: Council Member Della Volpe moved to approve pending final documentation.

Second: Council Member Grieve.

Vote: Unanimous "Aye."

Disposition: Beer permit approved pending final documentation.

9. **IJAMS NATURE CENTER , APPLICANT**
IJAMS NATURE CENTER (SPEC EVENTS)
2915 ISLAND HOME AVENUE
IJAMS NATURE CENTER , OWNER
MARGARET BEAUTE , MANAGER
TEMPORARY

KPD: No record.
Revenue: File complete.
Motion: Vice-Mayor Pavlis moved to approve.
Second: Chairwoman Palmer.
Vote: Unanimous "Aye."
Disposition: Beer permit approved.

10. KNOXVILLE OPERA , APPLICANT
KNOXVILLE OPERA COMPANY
612 E. DEPOT AVENUE
KNOXVILLE OPERA , OWNER
DON TOWNSEND , MANAGER
TEMPORARY

KPD: No applicable record.
Revenue: File complete.
Motion: Council Member Brown moved to approve.
Second: Council Member Della Volpe.
Vote: Unanimous "Aye."
Disposition: Beer permit approved.

11. KNOXVILLE ZOOLOGICAL GARDENS INC , APPLICANT
KNOXVILLE ZOO
3500 KNOXVILLE ZOO DRIVE
KNOXVILLE ZOOLOGICAL GARDENS, INC. , OWNER
LISA NEW, MANAGER
ASHLEY HACKNEY , MANAGER
ON/OFF PREMISE, WITH DANCING

KPD: The applicants have not been in for processing.
Revenue: File complete.
Discussion: Zoo representative Lisa New requested a postponement to March 18.
Motion: Council Member Brown moved to postpone the matter to March 18, 2014.
Second: Council Member Della Volpe.
Vote: Unanimous "Aye."
Disposition: Postponed to March 18, 2014.

12. LA GAMES, INC. , APPLICANT
LOS ANGELES GAME ROOM
3800 SUTHERLAND AVENUE #B
LA GAMES, INC. , OWNER
YOUNG AE KIM , OWNER
GAMILLO H. LEE , MANAGER
ON/OFF PREMISE

KPD: No applicable record.
Revenue: File complete.
Motion: Council Member Grieve moved to approve.
Second: Council Members Saunders.
Vote: Unanimous "Aye."
Disposition: Beer permit approved.

13. NAZ INVESTORS, LLC , APPLICANT
NICK'S TOBACCO BARGAIN WAREHOUSE
6205 CHAPMAN HIGHWAY
NAZ INVESTORS, LLC , OWNER
SANA MITHANI , OWNER
OFF PREMISE

KPD: The applicant has not been in for processing.
Revenue: File complete.
Motion: Vice-Mayor Pavlis moved to postpone the matter to March 18, 2014.
Second: Council Member Grieve.
Vote: Unanimous "Aye."
Disposition: Postponed to March 18, 2014.

6. ELITE YOUTH BASEBALL TN, INC. , APPLICANT
ELITE YOUTH BASEBALL TENNESSEE, INC.
11219 OUTLET DRIVE
ELITE YOUTH BASEBALL TN, INC , OWNER
DEVIN DRISCOLL, MANAGER
TEMPORARY

There was no one present to represent Elite Youth Baseball Tennessee, Inc.
There was no motion made by the Beer Board.
The matter failed due to a lack of a motion.

ADDENDUM TO BEER BOARD AGENDA

February 18, 2014

A. Presented for Beer Board consideration:

- 1. Quik Stop, 815 W. Baxter Avenue (District 6):** Approved "subject to final documentation" at November 26, 2013 meeting. Registered mailing sent January 27, 2014. Signature card returned February 3, 2014.

Chairwoman Palmer addressed the extension.

Motion: Council Member Della Volpe moved to extend the beer permit to April 15, 2014.

Second: Council Member Grieve.

Vote: Unanimous "Aye."

Disposition: Beer permit extended to April 15, 2014.

- 2. Viet Taste, Inc., 213 N. Peters Road (District 2):** Approved "subject to final documentation" at November 26, 2013 meeting. Registered mailing sent January 27, 2014.

A representative of Viet Taste, Inc. was present to address the Beer Board.

Motion: Council Member Grieve moved to extend the beer permit to March 18, 2014.

Second: Council Member Saunders.

Vote: Unanimous "Aye."

Disposition: Beer permit extended to March 18, 2014.

3. Discussion on new beer permit application for Special Event Beer permits.

**A RESOLUTION OF THE BEER BOARD OF THE CITY OF
KNOXVILLE TO ADOPT A NEW APPLICATION FORM FOR
A SPECIAL EVENT BEER PERMIT PURSUANT TO CHAPTER 4,
ARTICLE II, DIVISION 2, SECTION 4-59 OF THE KNOXVILLE
CITY CODE**

Discussion: Council Members Della Volpe, Wallace, Brown and Chairwoman Palmer.
Motion: Council Member Grieve moved to approve.
Second: Council Member Saunders.
Vote: Unanimous "Aye."
Disposition: The resolution was approved. (See attached).

PUBLIC FORUM:

Bernadette West – Beer permits of Market Square

ADJOURNMENT:

The meeting adjourned at 6:35 p.m.

Chair

Recorder

RESOLUTION

A RESOLUTION OF THE BEER BOARD OF THE CITY OF KNOXVILLE TO ADOPT A NEW APPLICATION FORM FOR A SPECIAL EVENT BEER PERMIT PURSUANT TO CHAPTER 4, ARTICLE II, DIVISION 2, SECTION 4-59 OF THE KNOXVILLE CITY CODE.

RESOLUTION NO: BBR -1-2014
REQUESTED BY: Beer Board Chair Palmer.
PREPARED BY: Counsel.
APPROVED AS TO FORM AND CORRECTNESS _____
Director of Law
APPROVED: 2-18-2014
MINUTE BOOK: 2014 PAGE _____

WHEREAS, Chapter 4, Article II, Division 2, Section 4-59 of the Knoxville City Code, entitled Application Form, mandates that the application form for a permit shall be adopted by Resolution by the Beer Board; and

WHEREAS, through the efforts of the Beer Board Chair and various Departments of the City, a new Application for Special Event Beer Permit has been prepared; and

WHEREAS, it is the desire of the Beer Board to approve a new Application for Special Event Beer Permit, substantially similar to Exhibit A (attached hereto); and

NOW, THEREFORE, BE IT RESOLVED BY THE BEER BOARD OF THE CITY OF KNOXVILLE:

SECTION 1: That pursuant to Chapter 4, Article II, Division 2, Section 4-59 the Beer Board hereby adopts a new Application for Special Event Beer Permit which shall be substantially similar to Exhibit A (attached hereto).

SECTION 2: Upon adoption, the City Recorder is hereby respectfully requested and directed to notify the various City offices that play a role in the beer permitting process to inform them of this new form.

SECTION 3: This Resolution shall take effect from and after its passage, the welfare of the city requiring it.

Brenda Palmer

Presiding Officer the Beer Board

Cindy Mitchell

City Recorder

CITY OF KNOXVILLE
APPLICATION FOR SPECIAL EVENT BEER PERMIT

STATE OF TENNESSEE

COUNTY OF KNOX

Beer Permit Owner/Manager Application (\$25.00 fee)

Reason for application: New application Manager change or addition

1. Name _____
2. Home Address _____ City _____ State _____ Zip _____
3. Contact Phone: _____ Date of Birth _____ Social Security _____
4. Drivers license # _____ State _____
5. Local business name _____
6. Local business address _____ Phone _____
7. Have you ever been convicted of any violation of liquor and/or beer laws, felonies, or any crime involving moral turpitude, within the past ten years, or do you have any charges currently pending? Yes No If yes, give particulars or each charge including city, county, state, court and date: _____
8. Have you ever had a beer permit revoked, suspended, or denied? Yes No
9. Have you ever been convicted of any misdemeanors within the last ten (10) years or have any current charges pending? (i.e. Speeding, DUI, Simple Assault) Yes No
If yes, give particulars of each charge, including city, county, state, court and date: _____
10. Do you understand both the state laws and local laws regulating the sale and distribution of beer in the City of Knoxville? Yes No
11. Do you understand that allowing illegal gambling on the premises will subject the permit to revocation? Yes No

AFFIDAVIT

I hereby solemnly swear or affirm that each statement in this application is true and correct and agree that if my statement is false, the permit issued may be revoked by the Beer Board, upon notice and hearing, and that the burden is on the permittee to prove the correctness of all the statements in this application.

I understand that this application is subject to the Tennessee Public Records Act and shall be open for inspection and reproduction by any citizen. Tennessee Code Annotated 10-7-503.

I, _____ understand that by submitting this application, a background and investigation shall be conducted and any and all documents related to my investigation shall become public records.

I, _____, hereby release, absolve and hold harmless, the City of Knoxville, the Knoxville Beer Board, the Knoxville Police Department, its employees, agents and representatives, from any and all liability of whatever type for any damages, causes of actions, personal or property injuries which may result as a consequence of my application for a beer permit, background investigation, release of documents or any other matters related to employees, agents and representatives as stated above.

I have read and understand the foregoing Release and understand its provisions and voluntarily consent to abide by its requirements.

Signature of Applicant: _____ Date: _____

Sworn to and subscribed before me this ____ day of _____, 20__

Notary Public: _____

My commission expires: _____

CITY OF KNOXVILLE
APPLICATION FOR SPECIAL EVENT BEER PERMIT

STATE OF TENNESSEE

COUNTY OF KNOX

CITY OF KNOXVILLE

BEER PERMIT APPLICATION AFFIDAVIT

1. I/we hereby solemnly swear or affirm that each statement in this application is true and correct and understand that if any statement contained herein is false, the permit issued is automatically forfeited and voided. Furthermore, that in the event of forfeiture I/we shall not be eligible to receive another permit for a period of ten (10) years pursuant to Tennessee Code Annotated § 57-5-105(d).
2. I/we understand that all applicants are charged with the responsibility of knowing the local and state beer laws. I/we are aware that the penalty for violating state or local beer laws can include revocation or suspension of the permit and/or the imposition of civil penalties up to ONE THOUSAND FIVE HUNDRED 00/100 DOLLARS (\$1,500.00) PER OFFENSE.
3. I/we understand that if the business allows illegal gambling on the premises that the beer permit will be subject to revocation.
4. I/we understand that a requirement of beer permit issuance is the Permit Holder and/or ON-SITE manager(s) who will supervise and/or sell and serve the beer at the event must complete alcohol education and training programs in accordance with City of Knoxville Code Section 4-60(c).
5. I/we hereby release, absolve and hold harmless, the City of Knoxville, the Knoxville Beer Board, the Knoxville Police Department, its employees, agents and representatives from any and all liability of whatever type for any damages, causes of actions, personal property injuries which may result as a consequence of my application for a beer permit, background investigation, release of documents or any other matters related to my application. I/we hereby waive all possible liability of the City of Knoxville, Knoxville Beer Board, Knoxville Police Department, its employees, agents and representative as stated above.
6. I/we agree that any server who has been convicted within the past ten (10) years of any law relating to the sale, possession, manufacture or transportation of intoxicating beverages, including beer, as defined by City of Knoxville Code Section 4-37 or the use of any server who has been convicted of any felony or crime involving moral turpitude within the past ten (10) years will be cause for possible revocation of the beer permit.
7. I/we understand if any information given in the application subsequently changes, I/we will immediately notify the Knoxville Beer Board c/o Business Tax Office.
8. I/we assume full responsibility for the permit and will be accountable for full compliance with the laws of Knoxville and the State of Tennessee in the sale of beer.
9. I/we have read the foregoing release. I/we fully understand its provisions, and voluntarily consent to abide by its requirements.
10. I/we acknowledge and understand that the fees paid for the beer permit application process are non-refundable.
11. The undersigned is the application or the bona fide and qualified agent/representative of the corporate applicant.

Applicant Signature or Agent/Representative:

Date: _____

Sworn to and subscribed before me this _____ day of _____, 20_____

Notary Public: _____

My Commission Expires: _____

CITY OF KNOXVILLE
APPLICATION FOR SPECIAL EVENT BEER PERMIT

STATE OF TENNESSEE

COUNTY OF KNOX

It is the applicant's responsibility to provide accurate and complete information. The Beer Board could delay or deny action on the application if any information is not accurate.

To be issued a beer permit for a special event, the following conditions must be met:

Code of Ordinances City of Knoxville Part II Chapter 4 Article II beer Div.2 Beer Permit Sec 4-77

- (a) With the exception of events occurring on the Second Creek redevelopment site, which shall not be controlled by the provisions of this section, special event licenses to bona fide charitable, nonprofit or political organization shall be limited to two (2) events per organization in any twelve month period.
- (b) The special occasion license shall not be issued for longer than one (1) twenty-four hour period, subject to the limitations on the hours of sale imposed by law. The application for the special occasion license shall state whether the applicant is a charitable, nonprofit or political organization, include documents showing evidence of the type of organization, copy of IRS determination letter, and state the location of the premises upon which alcoholic beverages shall be served and the purpose for the request of the license.
- (c) The fee for each special occasion license shall be fifty dollars (\$50.00).
- (d) For the purposes of this section:
Bona fide charitable or nonprofit organization means any corporation or legal entity which has been recognized as exempt from federal taxes under section 501c of the Internal Revenue Code.
Bona fide political organization means any political campaign committee as defined in T.C.A. §2-13-101.
- (e) No charitable, nonprofit or political organization possessing a special occasion license shall purchase, for sale or distribution, beer from any source other than a licensee as provided pursuant of state law.

For the Beer Board to consider an application, the Director of the applicant organization and/or event manager/responsible person must be present at the Beer Board meeting.

I/we hereby make application for a permit to sell or distribute beer or other beverages authorized to be sold or distributed under the provisions of the City of Knoxville alcoholic beverages ordinance Chapter 4 and base my application upon the answers to the following questions:

- 1. Is Applicant a 501c charitable organization? Political organization defined in T.C.A. §2-13-101?
- 2. Applicant _____
- 3. Applicant address _____ Zip _____ Phone (865) _____
- 4. Name of Special Event _____ Date _____
- 5. Purpose of Special Event _____
- 6. Event Location _____
- 7. Event Manager Name _____
Address _____ City _____ Zip _____
Phone _____ Cell _____

- Application fee paid (\$50.00)
- Publication fee paid (\$25.00)
- Total fees collected for background checks _____ @ \$25.00 = \$ _____
- Records Check Completed
- TASK Program Completed
- Copy of Designation letter
- Plan for server compliance
- Special Event Permit

-
- Approved: permit issued to applicant @ meeting. Date / /
 - Approved subject to final documentation Date / /
 - Permit released to _____ Date / /
 - Denied; notification given to applicant Date / /
 - Deferred to _____ Date / /
 - Other _____ Date / /