

CITY OF BRISTOL, TENNESSEE

MINUTES OF THE BEER BOARD MEETING

HELD FEBRUARY 15, 2017

BOARD MEMBERS PRESENT PRESENT

Mr. Craig Kistner - Chairman
Mr. Mike Ketron - Vice Chairman
Mr. Vince Turner
Mr. Spike Tickle

CITY EMPLOYEES

Chief Blaine Wade
Capt. Glenn James
Ms. Danielle Kiser
Ms. Robin Stedman

Call to Order - At approximately 5:00 pm on February 15, 2017, Mr. Kistner, Chairman of the Beer Board for the City of Bristol, Tennessee, called the meeting to order in the Conference Room of the Ewell L. Easley Municipal Bldg., located at 104 Eighth St., Bristol, Tennessee.

Review of Minutes - Board Members reviewed the minutes from the December 21, 2016 meeting, the minutes were approved as read.

NEW BUSINESS

Zachary's Steak House, 724 State St., Bristol, TN - Mr. Yared Desalegn, Owner, appeared before the Board to request an On Premises Permit as a restaurant. Capt. James advised the Application is in order, all fees paid, two employees have completed training, and all requirements met. Mr. Kistner asked Mr. Desalegn if he has previous experience in alcohol sales, he related he does and has no violations. Mr. Kistner asked him where he got his experience, Mr. Desalegn related he has had a restaurant in Kingsport with no problems. Mr. Kistner called for questions/comments from the public, there were none. Mr. Turner made a Motion to approve the Permit, seconded by Mr. Tickle. There being no further discussion Mr. Kistner called for a vote. The Motion was approved by unanimous vote.

Machiavelli's, 8 5th St., Bristol, TN - Mr. Justin Peters, Owner, appeared before the Board to request renewal of 7 Temporary Permits for use at 2744 and 2745 Highway 11E, Earhart Campgrounds. The temporary sites are open during events at Bristol Motor Speedway. Capt. James advised there have not been any problems at any of their sites in the past. Mr. Kistner asked if the sites are the same as in the past, and if a map was submitted pinpointing each location. Capt. James said they are and he can easily find them using the site map submitted. Mr. Tickle asked if they will be serving spirits also, Mr. Peters advised beer only. Mr. Turner made a Motion to approve the Permits, seconded by Mr. Tickle. There being no further discussion Mr. Kistner called for a vote. The Motion was approved by unanimous vote.

Election of Officers - Mr. Kistner advised the Board usually holds its election of officers during the first meeting of each new year, and opened the floor for nominations. Mr. Turner nominated Mr. Kistner for Chairman, seconded by Mr. Tickle, there were no other

nominations. Capt. James called for a vote, Mr. Turner, Mr. Ketron, and Mr. Tickle voted yes, Mr. Kistner abstained. Mr. Kistner called for nominations for Vice Chairman, Mr. Tickle nominated Mr. Ketron, seconded by Mr. Turner, there were no other nominations. Capt. James called for a vote, Mr. Turner, Mr. Tickle, and Mr. Kistner voted yes, Mr. Ketron abstained. Mr. Kistner and Mr. Ketron will remain in their present positions.

2016 Statistical Report - Capt. James advised the 2016 Statistical Report required by Tennessee ABC was completed, signed by Mr. Kistner, and sent out. He passed out a copy of the report to Board Members for their information.

Board Members - Capt. James advised that Mr. Walt Vernon resigned his seat on the Beer Board effective immediately. Mr. Kistner asked Capt. James to notify the City Manager of the resignation, so the City Council can begin the process to fill the seat.

The Sportsman, LLC - Capt. James advised the owner of this establishment has been arrested and the case is set for March 14, 2017 in General Sessions Court. The case is in the hands of the District Attorney's office. The business continues to operate as of this time pending the outcome.

PENDING BUSINESS

Capt. James advised the Police Dept. Street Crimes Unit notified him of two violations during recent Alcohol Compliance Checks. He also has one request to renew a Temporary Permit, and requested a meeting be scheduled for March 15, 2017. Mr. Turner and Mr. Tickle both advised they would be unable to attend on that day, and requested it be set a week earlier. Mr. Kistner tentatively scheduled the next meeting for March 8, 2017, and asked Capt. James to see if the Board could use the conference room on that date.

Capt. James also reminded the Board the spring race is coming up in April, and the third Wednesday of April is right before the race. He suggested the April Beer Board Meeting be moved up a week to April 12, 2017. Mr. Kistner approved the change, and directed him to reserve the conference room for that date.

OLD BUSINESS

TEMPORARY PERMITS - Mr. Kistner advised board members wanted to talk about Temporary Permits where it is a one-time thing, a violation occurs, and the holder of the Permit will not answer a summons to appear before the Board. Mr. Turner asked if there was a way to compel them to pay a fine, and not offer them the choice of a suspension. Mr. Kistner said the problem is, there is no need to be concerned about their actions or the consequences of those actions, and wanted to know if it is possible to require a Bond. Mr. Turner related all they had to do is have somebody else apply for the Permit for them. Mr. Ketron said as it stands now the Board cannot do anything about it. Mr. Turner related he would like to see something put in place that would allow the city to collect. Ms. Kiser, City Attorney, advised she will research this, everything in

place now is governed by TCA, but she understands the Board's concerns and their wish to prevent a repeat.

PUBLIC COMMENTS

Mr. Kistner asked if anyone attending the meeting wished to address the Board. Mr. Todd Dolhanty asked to address the Board. He related he thought he was supposed to appear before the Board concerning his Permit Application for a business he is in the process of buying, Sportsman Pub, 1403 Bluff City Hwy., Bristol, TN, currently operating as The Sportsman, LLC. Capt. James advised the Board cannot issue a Permit for the business while it still has an active Permit, a business cannot have two Permits and the one issued to The Sportsman, LLC has not been turned in. Mr. Dolhanty advised it was his understanding the old Permit could be turned in as he was getting the new one, Mr. Kistner related that in this case there is a court case pending, and that makes circumstances different. The current Permit could be turned in or seized depending on the case. Mr. Dolhanty was worried that if it is seized the business cannot be issued another Permit for at least a year. Capt. James advised the Board can issue a new Permit once assured the new Permit holder is not related to or connected to the owner who lost the Permit. Mr. Dolhanty advised the business has been there for years, under various owners, and he has wanted to purchase it for some time. He has been working to get everything ready to take over ownership, and was not aware of all the problems. He left his job and has been concentrating on taking over ownership. Mr. Kistner advised as soon as the case is settled in court the Board will move as quickly as possible to help him. The sign must be posted in the window and a notice posted in the newspaper. Mr. Dolhanty asked if he will have to pay the fees again, Ms. Kiser advised she will look into that. Mr. Dolhanty said he is worried about the five employees already working there, and keeping them working without a long break as they mostly work paycheck to paycheck. Chief Wade advised that this location has a long and troublesome history, and that will be presented when application is made. Capt. James advised he will follow-up on the application, and it appears the present owner entered into a contract without telling Mr. Dolhanty about the problems. If the owner surrenders his Permit the application can come before the Board, but they are aware of this locations past problems. Mr. Kistner said he was sorry, but the Board is bound by law, and this is an unusual situation. Mr. Dolhanty advised perhaps it would be best if he start looking for a new location rather than let this drag on.

There being no further business to come before the Board, Mr. Kistner advised the next meeting is scheduled for March 8, 2017. The meeting was adjourned.