

**CITY OF BRISTOL, TENNESSEE
MINUTES OF THE BEER BOARD MEETING
HELD APRIL 6, 2016**

BOARD MEMBERS PRESENT

Mr. Craig Kistner – Chairman
Mr. Mike Ketron – Vice Chairman
Mr. Walt Vernon
Mr. Vince Turner

CITY EMPLOYEES PRESENT

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

Call to Order – At approximately 5:00 pm on April 6, 2016, 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 of the March 16, 2016 meeting, the minutes were approved as read.

NEW BUSINESS

Stattice, Inc., d/b/a Machiavelli’s, 2745 Hwy 11E, Bristol, TN – Mr. Justin Peters, Co-Owner, appeared before the Board to request a Temporary On/Off Premises Permit to be located in Earhart East, adjacent Bristol Motor Speedway. Capt. James advised this will be a new location in Earhart East in addition to the five other locations Machiavelli’s already has, a site map has been submitted and he (Capt. James) will have no problem locating it in Earhart East. Mr. Kistner called for questions/comments from the public, there were none. Mr. Turner made a Motion to approve the Application, seconded by Mr. Vernon. There being no further discussion Mr. Kistner called for a vote. The Motion was approved by unanimous vote.

Levy Premium Food Service operating as Levy Restaurants, Bristol Motor Speedway, 151 Speedway Blvd., Bristol, TN – Mr. Oberdan Congello appeared before the Board to request 15 new Temporary Permits to perform a “Hawking Operation” in the grandstands at Bristol Motor Speedway. Mr. Kistner asked for clarification and Capt. James advised it will be in the patron seating area. Mr. Congello explained they will be hawking beer in the grandstands during the Virginia – Tennessee Football Game in September 2016, and possibly during the races in August 2016. Mr. Kistner asked if that involves an individual walking around with a tub of beer making sales to customers, Mr. Congello said it does. Mr. Kistner asked how the seller will check the ID of the customer if that person is seated at the end of the aisle. Mr. Congello advised the customer will pass their ID down to the seller to be checked, if it is approved he will return it with the beer, and the customer will pass the money back down. Mr. Kistner asked if Levy Foods has done this at other locations, Mr. Congello said yes, at the Georgia Dome and the Phillips Arena in Atlanta, GA, and the NASCAR racetrack in Las Vegas, NV. He advised they will be using the same company at BMS that they use in Georgia and Las Vegas, so they know what they are doing. Mr. Kistner asked if this will be a sub-contract company that will fall under Levy Foods License, Mr. Congello said it will, they will carry required insurance, and will provide the “hawkers” who will attend Levy Foods required training for alcohol sales. Mr.

Kistner asked if 15 Permits equals 15 “hawkers”, Mr. Congello advised it will equate to about 300 “hawkers”, and explained the formula he used to decide how many will be needed. They will position 15 “vending locations” around the grandstands, each stocked with beer. Each location will have a manager and staff to maintain the location, and 25 “hawkers”, and will be assigned a specific section of the grandstands. Each “hawker” will be wearing a shirt which will identify them and the section they are assigned to work, allowing Levy Foods to keep track of the operation and immediately respond if a problem arises. Mr. Kistner asked if Capt. James knows where the 15 locations are, Mr. Congello said he does, Capt. James advised he has a detailed map of the locations and their assigned area of service. Mr. Turner asked how many beers a person can purchase, Mr. Congello advised their policy is two beers per ID. Mr. Turner also asked about checking the date on the ID to ensure the customer is 21 or over, Mr. Congello advised the “hawkers” will be wearing a wristband with the correct date that will allow them to know if the customer is old enough to buy beer, that way they won’t have to try to do the math in their heads each time and risk a mistake. Mr. Kistner asked Capt. James if he is comfortable with the map provided by Mr. Congello, he advised he has no problem finding them. Mr. Kistner called for questions/comments from the public, Mr. Peters of Machiavelli’s asked what the difference is between Levy Foods “hawkers” in the track and his sites in Earhart Campground. Ms. Danielle Eller, City Attorney, advised sales by Levy Foods is contained within the Bristol Motor Speedway and is not open access to the public, however, the sites within Earhart Campgrounds are open access to the public, anyone driving down Volunteer Pkwy. can stop and buy beer. She also pointed out that each of the 15 “hawker” locations is restricted to a specific area of the grandstands, and are not allowed to roam freely anywhere within the racetrack area. Mr. Peters asked if he could divide Earhart East into quadrants, have a base location in each quadrant, and sell beer throughout the quadrant. Mr. Kistner advised one major difference is that people cannot enter the racetrack without a ticket, making it closed to the public, and anyone can walk into the campground, not just people staying or working there. Mr. Peters asked several questions concerning the differences in beer sales at his sites and throughout the campground and Mr. Congello’s beer sales within the track, Ms. Eller related she understands his reasoning, and will have to do some research before she can give a definite answer to his questions. Mr. Turner asked if this permit is any different from others the Board has approved in the past, Capt. James and Mr. Kistner both advised this is the first time anyone has requested to “hawk” beer in the grandstands. Ms. Eller advised there is a provision in the City Ordinance regarding Temporary Permits as they relate to the motor sports venue seating 20,000 or more, in that they are allowed 90 days of operation within a calendar year and do not require renewal each year. Temporary Permits issued to business’s such as Machiavelli’s are allowed 30 days of operation within a calendar year and must be renewed each year. Capt. James advised these 15 Permits are listed as Temporary Off Premises since the beer is sold and consumed away from the supply location, and asked how the Board would like them listed. Chief Wade advised although the beer is taken from the supply location and sold in the stands, it is still considered “on-premises” because it must be consumed or disposed of within the confines of the racetrack, it cannot be taken out. Ms. Eller agreed, and advised the Temporary Permit’s should be identified as on-premises on the Permit. Mr. Kistner also noted that Mr. Peter’s customers can take their beer with them off the property, but beer purchased from Levy Foods has to remain within the racetrack. Mr. Kistner called for further questions, there being none Mr. Turner made a Motion to approve the Applications, seconded by Mr. Vernon. There being no further discussion Mr. Kistner called for a Vote. The Motion was approved by unanimous vote.

OLD BUSINESS

Capt. James advised he talked with Ms. Dorn reference La Carretta Mexican Restaurant, Permit approved in November 2015 pending inspection, she advised they should be ready for him to complete his inspection within the next week.

PENDING BUSINESS

Capt. James requested a meeting be scheduled for May 18, 2016 to allow the Board to consider five business cited for sales to minors during a recent alcohol beverage enforcement operation. Mr. Kistner scheduled the meeting. There being no further business to conduct the meeting was adjourned.