

FARRAGUT BOARD OF MAYOR AND ALDERMEN MINUTES

Mayor Williams called the meeting to order at 7:00 PM. Members present were Mayor Williams, Aldermen Meyer, Pinchok and Povlin; Alderman Burnette was absent.

Approval of Agenda

Motion was made to approve the agenda as presented. Moved by Alderman Povlin, seconded by Alderman Meyer, voting yes, Mayor Williams, Aldermen Meyer, Pinchok and Povlin; Alderman Burnette was absent; no nays, motion passed.

Mayor's Report

Mayor Williams thanked those who attended the Mayor's Night Out at Sam and Andy's.

Approval of Minutes

Motion was made to approve the minutes of September 26, 2019 as presented. Moved by Alderman Povlin, seconded by Alderman Pinchok, voting yes, Mayor Williams, Aldermen Meyer, Pinchok and Povlin; Alderman Burnette was absent; no nays, motion passed.

Business Items

Rejections of Bids for the Campbell Station Wall

Motion was made to reject the bids that were received for the Campbell Station Wall project. Moved by Alderman Povlin, seconded by Alderman Pinchok, roll call vote; Aldermen Meyer, yes; Alderman Pinchok, yes; Alderman Povlin, yes; Mayor Williams, yes; Alderman Burnette was absent; no nays, motion passed.

Town Administrator's Report

David Smoak, Town Administrator, announced that Freaky Friday is October 25 from 5-7 PM.

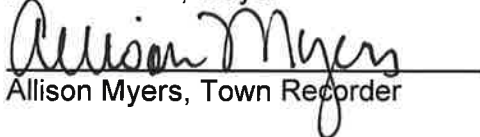
Citizens Forum

Michael Wilson, 412 Eisenhower Street, requested that the town hold evening workshops to get ideas from citizens about land use issue. Mr. Wilson also addressed the board concerning the Open Meeting Act.

Meeting adjourned at 7:18PM.



Ron Williams, Mayor



Allison Myers, Town Recorder



**FARRAGUT BOARD OF MAYOR AND ALDERMEN
AGENDA**

October 10, 2019

**WORKSHOP
COMMUNITY CENTER FEES & BEER ORDINANCE
5:45 PM**

**BEER BOARD MEETING
6:55 PM**

**BMA MEETING
7:00 PM**

- I. Silent Prayer, Pledge of Allegiance, Roll Call**
- II. Approval of Agenda**
- III. Mayor's Report**
- IV. Approval of Minutes**
 - A. September 26, 2019
- V. Business Items**
 - A. Rejections of Bids for the Campbell Station Wall
- VI. Town Administrator's Report**
- VII. Town Attorney's Report**
- VIII. Citizens Forum**

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WWW.TOWNOFFARRAGUT.ORG

It is the policy of the Town of Farragut not to discriminate on the basis of race, color, national origin, age, sex, or disability pursuant to Title VI of the civil Rights Act of 1964, Public Law 93-112 and 101-336 in its hiring, employment practices and programs. To request accommodations due to disabilities, please contact the ADA Coordinator at jcurry@townoffarragut.org or 865-966-7057 in advance of the meeting.

Board of Mayor and Aldermen Meeting Public Comment Protocol

The Board of Mayor and Aldermen welcomes and invites citizens to participate in public meetings.

At the beginning of each meeting, there will be time reserved for public comment under the Citizen Forum agenda item. If you are interested in speaking, please fill out a blue comment card and turn it in to the Town Clerk or staff member. This time is set aside specifically for comments on items that are not on the Board of Mayor and Aldermen regular agenda for the meeting. Each speaker will be given five (5) minutes to speak on his/her topic.

During the regular agenda portion of the meeting there may be an allowance for public comment for each agenda item. The Mayor may recognize individuals for public comment based on the following guidelines:

1. The Mayor shall maintain and control the meeting to provide a professional and objective environment conducive to presentation and discussion of the agenda items;
2. Anyone interested in speaking should fill out a blue comment card stating which agenda item they would like to comment on and turn in to the Town Clerk or a staff member;
3. Speakers shall come to the podium and identify themselves by name and address;
4. Public comment shall be limited to five (5) minutes per individual, time may be extended at the discretion of the Mayor; time is not transferable to other speakers;
5. Speakers should strive to avoid redundancy;
6. Comments shall address issues, not individuals or personalities;
7. Comments may support or oppose particular issues or measures, but the motives of those with differing views shall not be questioned or attacked;
8. Personal attacks and malicious comments shall not be tolerated;
9. An applicant, and/or their representative(s), for an item on the regular agenda shall be afforded the time necessary to present their request and respond to questions. The five (5) minute limitation shall not apply. However, the Mayor may ask an applicant to stay on point in order to facilitate the efficiency of the meeting.



FARRAGUT BEER BOARD

October 10, 2019

6:55 PM

I. Approval of Minutes

A. September 12, 2019

II. Beer Permit Request

A. Approval of Class 6, Special Occasion Beer Permit for the Q, Crafts & Brew Festival

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FARRAGUT BEER BOARD MINUTES

September 12, 2019

Alderman Pinchok, Chairman, called the beer board meeting to order at 6:55 PM. Members present were Mayor Williams, Aldermen Burnette, Pinchok and Povlin; Alderman Meyer was absent.

Approval of Minutes

Motion was made to approve the minutes of June 27, 2019 as presented. Moved by Mayor Williams, seconded by Alderman Povlin; voting yes, Mayor Williams, Aldermen Burnette, Pinchok and Povlin; Alderman Meyer was absent; no nays; motion passed.

Beer Permit Request

Approval of Class 1, On-Premise Beer Permit for Parrilla's Cantina, 12740 Kingston Pike Suite 105

Motion was made to approve a Class 1, On-Premise Beer Permit for Parrilla's Cantina, 12740 Kingston Pike Suite 105. Moved by Alderman Povlin, seconded by Alderman Burnette; voting yes, Mayor Williams, Aldermen Burnette, Pinchok and Povlin; Alderman Meyer was absent; no nays; motion passed.

Ron Pinchok, Chairman

Allison Myers, Town Recorder

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REPORT TO THE BEER BOARD

PREPARED BY: Allison Myers, Town Recorder

SUBJECT: Approval of a special occasion beer permit for the Q, Crafts & Brew Festival

DISCUSSION:

The Farragut/West Knox Chamber of Commerce is planning the Q, Crafts & Brew Festival, 11221 Outlet Drive and is requesting a special occasion beer permit. The Town's Municipal Code governing special occasion beer permits is below.

Sec. 8-212. - Special occasion beer permit.

The special occasion beer permit request shall be made on such form as the board shall prescribe and/or furnish and shall be accompanied by a non-refundable application fee of one hundred dollars (\$100.00).

- (1) The beer board is authorized to issue a special occasion beer permit to bona fide charitable or nonprofit organizations for special events.
- (2) The special occasion beer permit shall not be issued for longer than one (1) forty-eight-hour period, unless otherwise specified by the beer board, subject to the limitations on the hours, imposed by law.
- (3) The application for the special occasion beer permit shall state whether the applicant is a charitable or nonprofit organization, include documents showing evidence of the type of organization, and state the location of the premise upon which alcoholic beverages shall be served and the purpose for the request of the license.

- (4) For purposes of this section:

Bona fide charitable or nonprofit organization means any corporation or other legal entity which has been recognized as exempt from federal taxes under section 501(c) of the Internal Revenue Code.

- (5) No charitable or nonprofit organization possessing a special occasion beer permit shall purchase, for sale or distribution, beer from any source other than a licensee as provided pursuant to state law.
- (6) Failure of the special occasion permittee to abide by the conditions of the permit and all laws of the State of Tennessee and the Town of Farragut will result in a denial of a special occasion beer permit for the sale of beer for a period of two (2) years.

The Farragut/West Knox Chamber of Commerce is a nonprofit organization and is requesting the permit for October 13, 2019. They are also requesting the \$100 application fee be waived.

RECOMMENDATION BY:

Allison Myers, Town Recorder, for approval.

PROPOSED MOTION:

Motion to waive the \$100 application fee and approve the special occasion beer permit for the Q, Crafts & Brew Festival October 13, 2019 at 11221 Outlet Drive.

BOARD ACTION:

MOTION BY: _____ **SECONDED BY:** _____

APPLICATION FOR BEER PERMIT

STATE OF TENNESSEE

TOWN OF FARRAGUT

I hereby make application for a permit to sell, store, manufacture, or distribute Beer under the provisions of Tennessee Code Annotated Section 57-5-101 et seq. and base my application upon the answers to the following questions:

1. Reason for application: New Business ____ New Ownership ____ Name Change ____ Other 5
2. Type of permit requested, please circle all that apply:

Class 1 On-Premise

Class 2 On-Premise, Other

Class 3 On-Premise, Hotel/Motel

Class 4 On-Premise, Tavern

Class 5 Off-Premise

Class 6 Special Occasion

Q. Crafts & Brew Festival

3. Name of Applicant(s) (Owner(s) of Business) Farragut West Knox Chamber of Commerce

4. Type of applicant (check one):

Person ____ Firm ____ Corporation ____ Joint-Stock Company ____ Syndicate ____ Other Sol(c)(06)

5. List all persons, firms, corporations, joint-stock companies, syndicates, or associations having at least a 5% ownership interest in the business:

N/A

6. Applicant's present home address:

809 Highland Drive Knoxville TN 37912

7. Date of Birth ____ Home Telephone Number ____

Business Telephone Number 865 675 7057 Social Security Number 1

8. Representative Email Address: julie@farragutchamber

9. Under what name will the business operate? Farragut West Knox Chamber of Commerce

10. Business address 11826 Kingston Pike Ste 110 Knoxville TN 37934

Business Telephone number: 865 675 7057

11. Specify the identity, email and physical address of the person to receive annual privilege tax notices and any other communication from the Town: N/A / Julie Blaylock julie@farragutchamber.com
11526 Kingston Pike Ste 110 Knoxville TN 37934
12. Information of any manager, other than the applicant:
Name: _____ Birth Date: _____
Address: _____ N/A
Phone Number: _____
13. Has any person having at least a 5% ownership interest, any of the managers, or any other employee of the business, been convicted of any violation of the beer or alcoholic beverage laws or any crime within the last ten (10) years: ___ Yes X No. If yes, give particulars of each charge, court, and date convicted.

14. Have you or your organization ever had a Beer Permit revoked, suspended, or denied in the State of Tennessee? NO If so, specify, where, when, and why:

15. Name and address of property owner, if other than the business owner: Festival Site
Site 1, 11221 Outlet Dr Farragut TN 37934
16. What is the name and address of the Church (or other place of worship) nearest to your business?
Concord Church 11549 Snyder Rd 37932
17. What is the name and address of the school nearest to your business?
Knoxville Christian School 11549 Snyder Rd 37932
18. Special Occasion Event Name: Q, Crafts and Brew
Location of the special occasion event: 11221 Outlet Dr.
Event Date & Times: Oct 13th 12pm - 6pm
Representative name & phone number: Julie Blaylock 865 675 7057
Have you received a special event permit to hold the event in the Town of Farragut? Pending / Submitted
19. Tennessee Sales Tax Number: 62-1333456
20. Town of Farragut Business License Number /

I certify that I am knowledgeable of the laws prohibiting the sale of beer to minors and that this application contains true information to the best of my knowledge and belief.

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 investigation shall be conducted and any and any and all documents related to my request shall become public records.

I understand that the applicant or representative must be present at the beer board meeting in which the permit will be discussed.

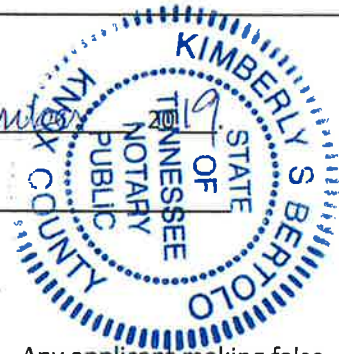
Julie A. Blaylock
Signature of Applicant/Owner (or authorized Corporate Official)

Sworn to and subscribed before me this 19 day of September

KBERT

Notary Public

My Commission Expires: August 2 2020



*Included in
Chamber
MOR*

Notice: A non-refundable \$250 fee must accompany this application. Any applicant making false statement in this application shall forfeit his/her permit and shall not be eligible to receive any permit for a period of ten years.

A privilege tax of \$100 is imposed on the business of selling, distributing, storing or manufacturing beer in this state effective January 1, 1994 and each successive January 1. Any holder of a beer permit issued after January 1, 1994 shall pay a pro rata portion of this annual tax when the permit is issued.

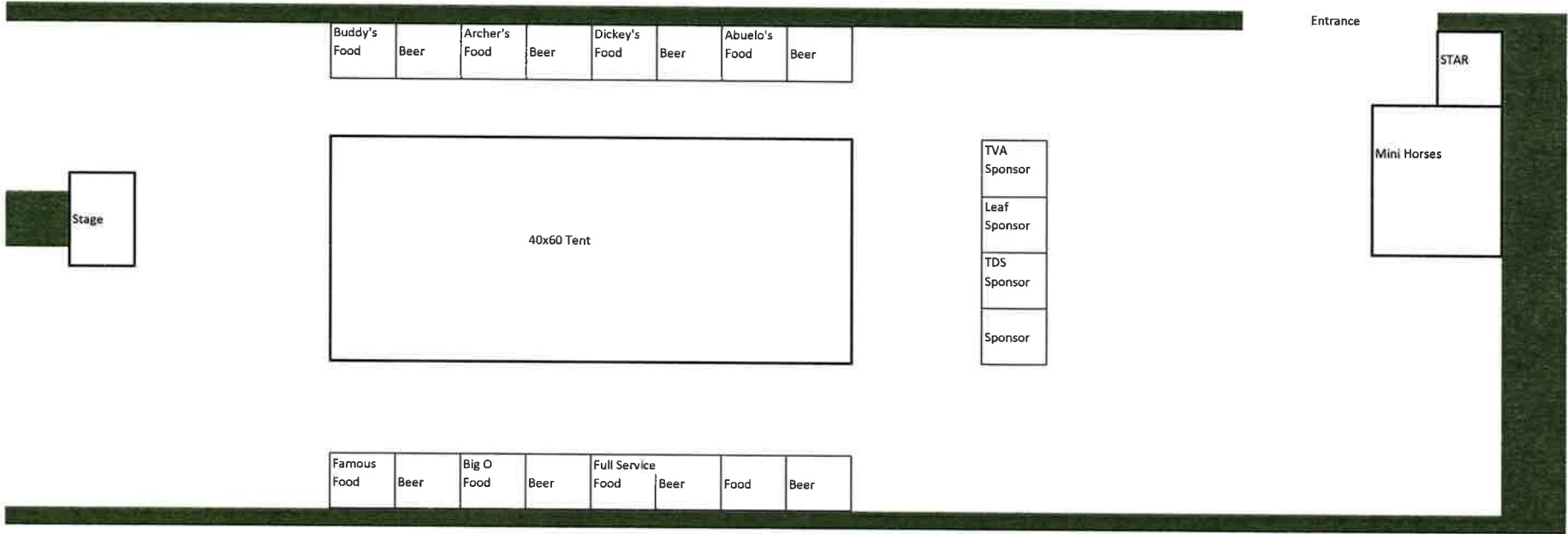
FOR OFFICE USE ONLY

Application is hereby: Approved _____ Denied _____

On this date: _____, 20__

Beer Board Chairman

Town Recorder



WORKSHOP REPORT

PREPARED BY: Sue Stuhl

SUBJECT: Community Center Fees

See attached sheets.

Community Center Use Policy for Free Rentals

Unlimited Free Use:

- Town sponsored/co-sponsored events only – as approved by PARD staff.

Limited Free Use (Farragut Business Alliance and Farragut/West Knox Chamber of Commerce)

- Two free rentals of Farragut Room/Pre-function Area or Gym per year. Includes setup and take down services but entity must comply with all other rental rules.
- One free rental of a classroom (any size) per quarter if usage (total time) is during normal Community Center hours.
 - Community Center Hours:
 - Monday – Thursday, 8 a.m. to 9 p.m.
 - Friday, 8 a.m. to 5 p.m.
 - Saturday, 8 a.m. to 3 p.m.
 - Sunday, closed
- Free rentals can be reserved up to 12 months in advance but Farragut Room/Gym must be reserved at least 30 days in advance and the classrooms at least 7 days in advance.

Community Center Rental Rate Proposal: Classrooms (Small, Medium, Large)

	Proposed TOF Classrooms (s, m, l)		Knox County Schools		Knoxville P & R	Oak Ridge		
	Reg Hours*	After Hours	Reg Hours	After Hours		Youth & Senior	Oak Ridge Non-Profit	Commercial/Non-Resident
Rental Fee per block (1- 1/2 hours)	\$15, \$20, \$25	\$40, \$45, \$50	\$15	\$40	\$70/2 hr; \$35 hr	\$6, \$11.25	\$12.75; \$18.75	\$39.75; \$78
Holiday Fee**	N/A	\$50, \$55, \$60	N/A	N/A	N/A	N/A	N/A	N/A
* Regular Hours: Monday- Thursday 8 a.m. to 9 p.m.; Friday 8 a.m. - 5 p.m.; Saturday 8 a.m. - 3 p.m. (Sundays closed)								
** Holidays and 3 day holiday weekends								
Proposed TOF Rental Guidelines								
Reservation must be made at least 7 days in advance but if space is available within the 7 day period, rentals for any blocks during normal office hours of 8 a.m. to 5 p.m. Monday through Friday will be considered with a 1 day notice								
Reservations may be made up to 6 months in advance								
No more than 1 rental per week (up to 2 blocks/3 hrs.)								
Payment Due: Due upon reservation								
Must be rented by block (no split blocks)								
Renters must provide setups and may use furniture in room (as listed) and must be returned to original setup; other furniture may be brought in by pre-approval by PARD								
Proposed TOF Cancellations & Refunds								
No refunds but reservation can be moved 1 time if canceled at least 30 days prior to event								
Moved reservation must be within 6 months of current reservation and must be scheduled at time of cancelation								

Community Center Rental Rate Proposal: Gym (Sports/Fitness Only - No Special Event)

	Proposed TOF Gymnasium		Knox County Schools		Knoxville P & R	Oak Ridge		
	Reg Hours*	After Hours^	Reg Hours	After Hours		Youth & Senior	Oak Ridge Non-Profit	Commercial/ Non-Resident
Rental Fee per hour	\$30	\$55	\$30	\$55	\$70/2 hr; \$35 hr	\$53	\$70	\$130
Holiday Fee**	N/A	\$75	N/A	N/A	N/A	N/A	N/A	N/A
Setup Fee***	\$15	\$15	N/A	N/A	N/A	N/A	N/A	N/A
Camp Fee - 1/2 Day (8 a.m. - 2 p.m. or 3 p.m. - 9 p.m.)	\$150	\$275	N/A	N/A	N/A	N/A	N/A	N/A
Camp Fee - All Day	\$325	\$600	N/A	N/A	N/A	N/A	N/A	N/A
Tournament Fee - 1/2 Day (8 a.m. - 2 p.m. or 3 p.m. - 9 p.m.)****	\$150	\$275	N/A	N/A	N/A	N/A	N/A	N/A
Tournament Fee - All Day (8 a.m. - 9 p.m.)	\$325	\$600	N/A	N/A	N/A	N/A	N/A	N/A
Holiday Camp Fee - 1/2 Day (8 a.m. - 2 p.m. or 3 p.m. - 9 p.m)**	N/A	\$375	N/A	N/A	N/A	N/A	N/A	N/A
Holiday Tournament Fee - All Day (8 a.m. - 9 p.m.)**	N/A	\$800	N/A	N/A	N/A	N/A	N/A	N/A
* Regular Hours: Monday- Thursday 8 a.m. to 9 p.m.; Friday 8 a.m. - 5 p.m.; Saturday 8 a.m. - 3 p.m. (Sundays closed)								
** Holidays and 3 day holiday weekends								
*** Volleyball or pickleball equipment setup								
****1/2 Day rental available only as an add-on to whole day rental								
^If rental includes any time outside of regular hours then entire rental is charged the after hours rate								
Proposed TOF Rental Guidelines								
Reservation must be made at least 7 days in advance but if space is available within the 7 day period, rentals for any hours during normal office hours of 8 a.m. to 5 p.m. Monday through Friday will be considered with a 1 day notice								
Reservations may be made up to 6 months in advance								
No more than 1 rental per week (up to 3 hrs); tournaments and camps (no more than once a quarter)								
Payment Due: Due upon reservation								
Must be rented by hour (no split hours)								
Rental hours include setup and cleanup time; rentals will be scheduled back to back								
Proposed TOF Cancellations & Refunds								
No refunds but reservation can be moved 1 time if canceled at least 30 days prior to event								
Moved reservation must be within 6 months of current reservation and must be scheduled at time of cancelation								

Community Center Rental Rate Proposal: Assembly Hall (includes pre-function area and catering kitchen)

[illegible]

Community Center Rental Rate Proposal: Gym for Events (includes stage and commercial kitchen): Includes setup and breakdown (no self setup available)

	Proposed TOF Gym and Commercial Kitchen				Oak Ridge			City of Knoxville
	Non-Profit/Reg Hours**	Non-Profit/After Hours	Business-Social/Reg Hours**	Business-Social/After Hours	Youth & Senior	Oak Ridge Non-Profit	Commercial/ Non-Resident	
Rental Fee (8 hours)*	\$450	\$650	\$750	\$950	\$315	\$420	\$777	\$280
Holiday Upcharge ***	N/A	20%	N/A	20%	N/A	N/A	N/A	N/A
Setup Fee	Included	Included	Included	Included	N/A	N/A	N/A	N/A
Kitchen Fee	Included	Included	Included	Included	\$25	\$50	\$75	Included
Refundable Damage Deposit	\$250	\$250	\$250	\$250	N/A	N/A	N/A	N/A
Additional Hours (per hour)	\$125	\$125	\$125	\$125	\$53	\$70	\$130	\$35
AV Fee	TBD	TBD	TBD	TBD				
*Includes tables, chairs, all setup, wi-fi, parking, 1 staff person, no AV								
** Regular Hours: Monday- Thursday 8 a.m. to 9 p.m.; Friday 8 a.m. - 5 p.m.; Saturday 8 a.m. - 3 p.m. (Sundays closed)								
*** Holidays and 3 day holiday weekends								
Proposed TOF Rental Guidelines								
Reservation must be made at least 30 days in advance but if space is available within the 30 day period, rentals during normal office hours of 8 a.m. to 5 p.m. Monday through Friday will be considered with a 7 day notice								
Reservations may be made up to 6 months in advance								
No more than 1 rental per quarter except for use Monday through Friday, 8 a.m. - 5 p.m. which may be allowed on a monthly basis (1 per month)								
Must be rented by hour (no split hours)								
Gym Rental Hours ar 8 a.m. to 9 p.m.; other hours available only if pre-approved by Town Administrator and PARD Director								
Alcohol Prohibited in Gym unless pre-approved by Town Adminstrator and PARD Director								
Proposed TOF Payment Schedule								
Reservation hold for 7 days	\$0							
Down payment: Due on 8th day to hold	Damage deposit & 50% of total cost							
Reminder Due:	90 days before event							
Damage deposit refunded	Within 30 days of event							
Proposed TOF Cancellations & Refunds								
121 or more days prior	100% refundable minus \$50 processing fee							
91 - 120 days prior	75% refundable							
61-90 days prior	50% refundable							
60 days or less	Damage deposit only							

WORKSHOP MEMO

PREPARED BY: Trevor Hobbs

SUBJECT: To Amend the Town's alcohol ordinance, for the purpose of regulating alcohol on town-owned property.

INTRODUCTION: The opening of the Farragut Community Center and expansion of related rental venues have prompted the need to modify and adopt additional policies in order to regulate the sale and serving of beer and alcoholic beverages at the Farragut Community Center, Campbell Station Inn, and Town Hall.

BACKGROUND: The Town has historically prohibited selling or distributing alcoholic beverages of any kind on town-owned property including rental spaces at Town Hall and the town's parks. The only indoor facility available for rental is currently the Community Room at Town Hall.

However, with the opening of the town's community center and the expansion of rental opportunities on town-owned property, market and benchmarking research conducted by staff indicates that use of town facilities will be maximized by permitting the sale and distribution of alcoholic beverages.

In terms of regulatory authority, the Tennessee Alcoholic Beverage Commission regulates the sale and distribution of alcoholic beverages having greater than eight percent alcohol content by volume, leaving the regulation of alcoholic beverages having eight percent or less alcohol content by volume to municipalities. Currently, the Town's Beer Board has sole authority to grant permits related to the sale and distribution of beer within the town.

In order to reduce the burden on individuals and groups who rent town-owned property, staff have drafted amendments to the Town's Alcoholic Beverage Ordinance to create a new permit specifically for selling and serving alcohol in designated rental areas of town-owned property. The proposed amendments would allow these permits to be issued as part of the rental process rather than through the Beer Board.

DISCUSSION: The proposed ordinance has four elements:

The first element of the ordinance amends Article 3- Beer, by adding a definition for the newly created Temporary Alcohol Permit. This permit authorizes renters to sell or serve beer and alcoholic beverages during their events held on town-owned property.

The second element of the ordinance amends language related to the authority and powers of the town's Beer Board, to exempt the Temporary Alcohol Permit from the Beer Board's regulatory authority and application process.

The third element of the ordinance amends language related to the town's Class 6 Special Occasion Beer Permit to exempt the Temporary Alcohol Permit from the regulations of that section.

The fourth element of the ordinance creates a new Article IV- Town-owned Properties.

The newly formed Article IV includes the following elements:

- A section for definitions
- Authorizes the Town Administrator or his designee to administer the Temporary Alcohol Permit process
- Clarifies that other regulations of the chapter still apply to rental situations
- Specifies the town-owned properties governed by the new article
- Introduces the Temporary Alcohol Permit, its purpose, and content
- Requires the sale or distribution of alcohol to be exclusively through a state-licensed caterer whose staff are state-licensed servers.
- Authorizes the Town Administrator or his designee to terminate the sale or distribution of alcohol at events held on town-owned property in the event of inappropriate behavior.
- Specifies the terms and conditions for a violation of the article and its penalty.

The key feature of the policies that will regulate alcohol on town-owned properties is the requirement for renters to hire caterers who have a Catering License from the Tennessee Alcoholic Beverages Commission and for them to utilize staff who have a Server Permit from the Tennessee Alcoholic Beverages Commission.

Together with the Temporary Alcohol Permit, the aggregate regulation will comply with the State's permit and license requirements and will fulfill the regulatory intent of the Town's Beer Board.

The intent of these amendments is to reduce the number of regulatory agencies with which renters must interact when planning events that will be held on town-owned property, keep rental lead time low, and prevent overburdening the Beer Board with applications that relate to rentals at town-owned properties. These amendments would also facilitate the Town's planning of special events on its own property and allow for the sale or distribution of alcohol.

In summary, the article transfers the regulatory burden of alcohol permits related to events held on town-owned property from the Beer Board to the administrative rental process. It is anticipated that The Parks & Recreation Department will operate the rental process for all town-owned properties and that applications for this permit will be frequent.

Alcohol on town-owned property ordinance

1. Amend FMC CH. 14 Article 3, Division 1, Sec. 4-93 by adding the following definition:

Temporary Alcohol Permit means the permit and letter of permission provided to a renter of a property owned by the Town of Farragut granting the temporary privilege of storing, serving, distributing or selling beer and alcoholic beverages on town-owned property for a specified period of time.

2. Amend FMC CH. 14 Article 3, Division 2, Sec. 4-125 as follows:

With the exception of town-owned properties, the beer board shall have the power and is hereby directed to regulate the selling, storing for sale, distributing for sale, and manufacturing of beer within this municipality in accordance with the provisions of this division.

The selling, storing for sale, and distributing of beer on town-owned properties shall be governed by the provisions of Article IV of this chapter.

3. Amend FMC CH. 14 Article 3, Division 3, Sec. 4-149(a)(1)(f) by adding item 7 as follows:

Temporary Alcohol Permits shall be exempt from the provisions of this section and division and shall instead be governed by the provisions of Article IV of this chapter.

4. Amend FMC CH. 4 by creating Article IV- Town-owned Properties:

ARTICLE IV. Town-owned Properties

Section 4-163. – Definitions

The following words, terms and phrases, when used in this article, shall have the meanings ascribed to them in this section, except where the context clearly indicates a different meaning:

Alcoholic Beverage means and includes alcohol, spirits, liquor, wine, high gravity beer and every liquid containing alcohol, spirits and wine, and capable of being consumed by human beings, where the alcoholic content is greater than eight percent by weight.

Applicant means the person or organization on whose behalf an application for a Temporary Alcohol Permit is filed.

Bartender means an individual who is directly engaged in the distribution, serving, or sale of beer and alcoholic beverages for on-premise consumption.

Beer means beer, ale or other malt beverages, having an alcoholic content of not more than eight percent by weight, provided, however, that no more than forty-nine percent of the overall alcoholic content of such beverage may be derived from the addition of flavors and other non-beverage ingredients containing alcohol.

Bona Fide Charitable, Non-profit Organization means any corporation which has been recognized as exempt from federal taxes under § 501(c) of the Internal Revenue Code (26 U.S.C § 501(c) or any organization recognized as exempt from sales tax by The State of Tennessee.

Bona Fide Political Organization means any political campaign committee as defined in TCA § 2-10-102 or any political party as defined in TCA § 2-13-101.

Caterer means a business engaged in the offering of food and beverage service for a fee at various locations, which:

- (a) Operates a permanent catering hall on an exclusive basis or restaurant;
- (b) Has a complete and adequate commercial kitchen facility; and
- (c) Is licensed as a caterer by the Tennessee Department of Health

High Gravity Beer means an alcoholic beverage which is beer, ale or other malt beverage having an alcoholic content of more than eight percent by weight and not more than twenty percent by weight, provided that no more than forty-nine percent of the overall alcoholic content of such beverage may be derived from the addition of flavors and other non-beverage ingredients containing alcohol.

Temporary Alcohol Permit means a permit and letter of permission issued by the Town Administrator or his designee, provided to a renter of a property owned by the Town of Farragut, granting the privilege of storing, serving, distributing or selling beer and/or alcoholic beverages on town-owned property.

Section 4-164. – Administration

The Town Administrator or his designee shall have authority to administer the provisions of this article.

Section 4-165. – Supremacy

- (a) The provisions of this article shall not be interpreted to supersede other provisions of this chapter as related to the consumption, serving, distribution, and sale of beer and alcoholic beverages.
- (b) Nothing in this article shall be interpreted to replace or supersede any provision or law of The United States of America, The State of Tennessee, or regulation of the Tennessee Alcoholic Beverages Commission.

Section 4-166. – Town-owned Properties

- (a) Subject to the provisions of this article, beer and alcoholic beverages may be sold, served, and consumed only on the premises of the Farragut Town Hall and grounds, Campbell Station Inn and grounds, and the Farragut Community Center and grounds.
- (b) Subject to the provisions of this article, beer and alcoholic beverages may be sold, served, or consumed only in a specified rental area of a town-owned property.
- (c) Nothing in this article shall be interpreted to permit the sale, serving, distribution, possession, or consumption of beer or alcoholic beverages outside of a specified rental area or on the premises of any other property owned by The Town of Farragut.

Section 4-167. – Permits

- (a) For the purposes of this article, in addition to permits and licenses required by the State of Tennessee, the Town Administrator or his designee may authorize the issuance of municipal permits for the sale and/or serving of beer and alcoholic beverages at town-owned properties to individuals or groups renting town-owned property.
- (b) No individual, group, or entity shall transport to, serve, distribute, possess, or consume beer or alcoholic beverages of any kind on the premises of town-owned property unless approved for a Temporary Alcohol Permit.
- (c) A Temporary Alcohol Permit shall:
 - (1) State the name of applicant to whom the permit is granted
 - (2) Specify the designated rental area for which the permit is granted
 - (3) State the dates and times during which the permit is valid

Section 4-168. – Service and Sale of Beer & Alcoholic Beverages

- (a) Beer and alcoholic beverages may be served at an event held on town-owned property for on-premise consumption only if the renter is approved for a Temporary Alcohol Permit.
- (b) Beer and alcoholic beverages may only be sold and/or served by a licensed caterer who holds a Caterer License from the Tennessee Alcoholic Beverage Commission by a bartender who holds a Server Permit from The Tennessee Alcoholic Beverage Commission.
- (c) The sale of beer or alcoholic beverages on town-owned property for off-premise consumption is prohibited.

Section 4-170. – Inappropriate Behavior

The serving, possession or consumption of beer and alcoholic beverages on town-owned property, may be ordered discontinued at any time at the discretion of The Town Administrator or his designee. Inappropriate behavior, exposure to liability due to excessive drinking, intoxication of individuals, damage to property or injury to individuals, and other such activities will result in the discontinuance of the serving, possession or consumption of beer and alcoholic beverages.

Section 4-171. – Violation

Any violation of the terms of this article shall constitute a civil offence, and upon conviction, shall be punishable by a fine not to exceed \$50 per violation. Each separate occurrence shall be considered a separate violation.

Notes

1. Any time a TABC Special Occasion Permit applicant is holding an event on property of which they are not the owner, they must submit a Letter of Permission from the property owner, stating the name of the organization, date, and time where/when permission is granted to use the property. It needs to be on Official Town of Farragut letterhead, bearing the signature of The Town Administrator or his designee.

Our Temporary Alcohol Permit can serve as the Letter of Permission for renters who then apply for TABC Special Occasion Permits.

2. The Supremacy Clause is intended to communicate that the new Article IV governs alcohol on town-owned properties, that it supersedes any other regulations in the chapter (distance requirements from schools, churches, beer board etc.), yet also serves as a comprehensive statement that all TABC, State, and Federal laws still apply.

3. The language in sections 4-168(b), 4-69(a)3, and 4-169(b)3 is intended to communicate that alcohol can only be sold through licensed caterers, by licensed bartenders.

Community Center Alcohol Guidelines

General Requirements:

- Serving of alcohol (including beer and wine) is allowed on the premises. Selling of alcohol requires additional approvals and permits.
- Alcohol must be served by a licensed provider and in accordance with Tennessee Alcoholic Beverage Commission rules and regulations. Serving alcohol to any person under the age of 21 will not be tolerated.
- Provider must provide insurance in the amount of \$1,000,000 with the Town of Farragut listed as additionally insured.
- Renters may transport alcohol to and from the Farragut Community Center for use at the event. No other individual or group may bring in outside alcohol to event or transport alcohol from the event.
- Alcohol may only be served/consumed in specified rental areas inside the community center. Any exceptions must be approved by the Town Administrator or his designee.
- Alcohol service must be discontinued at least 30 minutes prior to the ending time of the event.
- The serving, possession or consumption of alcohol, including beer and wine on the premises, may be ordered discontinued at any time at the discretion of Farragut staff. Inappropriate behavior, exposure to liability due to excessive drinking, intoxication of individuals, damage to property or injury to individuals, and other such activities will result in the closing of the bar and the discontinuance of the serving, possession or consumption of alcohol, including beer and wine.
- Beer service available in cans or bottles only – no kegs.
- Punch and champagne fountains not permitted.
- Bartender is responsible for placing all bottles, cans and trash in the dumpster.
- Coolers must be placed on a floor mat (available at the community center.)

Additional Requirements for Selling of Alcohol (available only for bona fide charitable, nonprofit or political organization:)

- Due to the permit requirements, reservations for an event selling alcohol must be made at least 60 days in advance.
- Beer may be sold if the renter has obtained a permit from the Town of Farragut Beer Board. Permit application is available here: _____. Permit seeker will be required to appear before the Town of Farragut Beer Board when permit is reviewed.
- Alcoholic beverages (other than beer) may be sold only if the renter has also obtained a "Special Occasion License" from the Tennessee Alcoholic Beverage Commission and has provided a copy to the Town of Farragut. Permit application is available here:

<https://www.tn.gov/abc/licensing/liquor-by-the-drink-licenses/special-occasion-licenses--lob-.html>

September 26, 2019 Minutes

Mayor Williams called the meeting to order at 7:00 PM. Members present were Mayor Williams, Aldermen Meyer, Pinchok and Povlin; Alderman Burnette was absent.

Approval of Agenda

Motion was made to approve the agenda as presented. Moved by Alderman Povlin, seconded by Alderman Meyer, voting yes, Mayor Williams, Aldermen Meyer, Pinchok and Povlin; Alderman Burnette was absent; no nays, motion passed.

Mayor's Report

Vice-Mayor Povlin announce that Allison Myers was named the TAMCAR Clerk of the Year for 2019. She also announced that Susan Horne was not the chairperson for the Knox County School Board and Bruce Giles with FUD was honored by the Knox County Commission.

Approval of Minutes

Motion was made to approve the minutes of September 12, 2019 as presented. Moved by Alderman Povlin, seconded by Alderman Pinchok, voting yes, Mayor Williams, Aldermen Pinchok and Povlin; Alderman Meyer abstained; Alderman Burnette was absent; no nays, motion passed.

Business Items

Approval of Request for Supplement from Cannon & Cannon, Inc. for Additional Engineering Services for Development of Advanced Traffic Management System (ATMS) Phase 1 Project

Motion was made to approve the Supplement from Cannon & Cannon in the amount of \$20,000. Moved by Alderman Povlin, seconded by Alderman Pinchok, voting yes, Mayor Williams, Aldermen Meyer, Pinchok and Povlin; Alderman Burnette was absent; no nays, motion passed.

Approval of Bid for one (1) new 2020 2-Wheel Drive ½ Ton Pick-up Truck

Motion was made to approve the bid from Ted Russell Ford, 2020 Ford F150 in the amount of \$25,395. Moved by Alderman Povlin, seconded by Alderman Pinchok, voting yes, Mayor Williams, Aldermen Meyer, Pinchok and Povlin; Alderman Burnette was absent; no nays, motion passed.

Approval of Bid for one (1) new 2020 2-Wheel Drive ¾ Ton Pick-up Truck

Motion was made to approve the bid from Ted Russell Ford, 2020 Ford F250 in the amount of \$27,258. Moved by Alderman Povlin, seconded by Alderman Pinchok, voting yes, Mayor Williams, Aldermen Meyer, Pinchok and Povlin; Alderman Burnette was absent; no nays, motion passed.

Approval of Bid for one (1) new 2020 4-Wheel Drive ¾ Ton Pick-up Truck

Motion was made to approve the bid from Beaty Chevrolet, 2019 4-WD in the amount of \$38,000. Moved by Alderman Povlin, seconded by Alderman Pinchok, voting yes, Mayor Williams, Aldermen Meyer, Pinchok and Povlin; Alderman Burnette was absent; no nays, motion passed.

Town Administrator's Report

David Smoak, Town Administrator, announced that the Intro to Farragut class volunteered at the Farragut Intermediate School. He also announced that the McFee Road land use plan meeting will be Thursday, October 3 at 6:00PM.

Meeting adjourned at 7:25PM.

Ron Williams, Mayor

Allison Myers, Town Recorder

AGENDA NUMBER:

V.A.

MEETING DATE:

October 10, 2019

REPORT TO THE BOARD OF MAYOR AND ALDERMEN

PREPARED BY: William E. McKelvey, Public Works Director

SUBJECT: Campbell Station Wall Renovation Rejection of Bids

INTRODUCTION: The purpose of this agenda item is to reject the Bids for the Campbell Station Wall Renovations.

BACKGROUND: The wall on Campbell Station was built with a lightweight stone veneer finish that did not stay attached and was falling off. The town removed the remaining stone. The Town picked a new finish of brick and stone columns for the wall.

DISCUSSION: Attached are two bids which were received on September 17, 2019. The bids that were received exceeded our budgeted amount by 75 percent of the budget. Given the bids received staff recommends rejection of the bids. We plan on dividing out the project and re-bidding, which will require the Town to be the general contractor and subcontract the work for masonry services, purchase of brick and mortar, as well as traffic control.

FINANCIAL SECTION: The budget for this project is \$200,000. The low bid for the project was \$349,000 from Southern Constructors.

RECOMMENDATION BY: Public Works Director Bud McKelvey recommends rejection of the bids.

PROPOSED MOTION: Rejection of the bids received for the Campbell Station Wall Renovation.

BOARD ACTION:

MOTION BY:

SECONDED BY:

<u>VOTE / TOTAL</u>	Williams	Povlin	Pinchok	Meyer	Burnette
YES					
NO					
ABSTAIN					

[illegible]