

AGENDA
CITY OF MORRISTOWN, TENNESSEE
BEER BOARD MEETING
JULY 19, 2016 – 5:00 P.M.

1. **CALL TO ORDER**

Mayor Gary Chesney

2. **ROLL CALL**

3. **APPROVAL OF MINUTES**

1. May 17, 2016

4. **OLD BUSINESS**

5. **NEW BUSINESS**

1. Resolution No. _____
Being A Resolution of the Beer Board of the City of Morristown, Tennessee, adopting a Beer Permit Application and Annual Renewal Application.
2. On-premise Beer Permit for Valerie Washam (Valerie Washam Owner and Registered Agent) DBA Night Owl Grill & Venues, 2747 West Andrew Johnson Highway.
3. Off-premise Beer Permit for ALDI, Inc. (Randall Sweeny Manager and Registered Agent) DBA Aldi #9, 154 Pin Lane.

6. **ADJOURN**

**STATE OF TENNESSEE
COUNTY OF HAMBLLEN
CORPORATION OF MORRISTOWN
MAY 17, 2016**

The Beer Board for the City of Morristown, Hamblen County, Tennessee, met in session at the regular meeting place in the Morristown City Center at 5:54 p.m., Tuesday, May 17, 2016, with the Honorable Mayor Gary Chesney, presiding and the following Beer Board members present; Bob Garrett, Chris Bivens, Kay Senter, Dennis Alvis, Ken Smith, and Tommy Pedigo.

Councilmember Senter made a motion to approve the April 5, 2016 minutes as circulated. Councilmember Bivens seconded the motion and upon roll call; all voted "aye".

Councilmember Senter made a motion to approve the on-premise beer permit for KBS Morristown, Inc. (Kirby Smith Owner, Lydonna Benner Registered Agent) DBA Holston's Kitchen/No Way Jose's, 1836 West Andrew Johnson Highway. Councilmember Bivens seconded the motion and upon roll call; all voted "aye".

Mayor Chesney adjourned the April 5, 2016 meeting of the City of Morristown, Beer Board at 5:56 p.m.

MAYOR

ATTEST:

CITY ADMINISTRATOR

**RESOLUTION NO. _____
BEING A RESOLUTION OF THE BEER BOARD OF THE
CITY OF MORRISTOWN, TENNESSEE ADOPTING A BEER
PERMIT APPLICATION AND ANNUAL RENEWAL
APPLICATION.**

Be it resolved by the Beer Board for the City of Morristown, Tennessee, that the attached Beer Permit Application (Exhibit A) and Renewal Application (Exhibit B) have been adopted.

Passed this the 19th day of July, 2016.

Mayor

ATTEST:

City Administrator, Anthony Cox

**CITY OF MORRISTOWN BEER BOARD
APPLICATION FOR BEER PERMIT
CHECKLIST & INFORMATION**

Exhibit A

Please submit the forms listed below with your application

- _____ 1. Completed permit application & owner/manager questionnaire submitted to City of Morristown Tax Office, 100 West 1st North St., Morristown, TN 37814.
 - _____ 2. Designation of Registered Office and Registered Agent
 - _____ 3. Completed authorization form for Criminal History Inquiry on all owners, registered agents and managers.
 - _____ 4. \$280 Permit application & Publication fee paid
 - _____ 5. Copy of Current County Business License
 - _____ 6. Copy of Current City Business License
 - _____ 7. Copy of Lease Agreement or Certified Copy of Deed & Copy of Corporate Charter, LLC, etc. (if applicable)
 - _____ 8. Copy of Certificate of Registration for Tennessee Sales Tax
 - _____ 9. Restaurant seating area plan showing a minimum of 40 seats.
-

This application must be completely filled out and submitted with application fees (non-refundable) and the requirements listed above. By making this application, the applicant assumes personal responsibility for all information provided. The Beer Board may delay action or deny the permit if an application contains inaccurate information. Copies of licenses and documents must be submitted with the completed beer permit application to the City of Morristown Tax Office, 100 West 1st North Street. Each application must be signed and notarized. Applicants may call (423) 318-1552 with any questions regarding the application process.

A background check will be conducted from all counties an applicant has resided in within the last 10 years. The Beer Board requires records checks on all owners, registered agents and managers.

The owner shall list the local manager(s) responsible for operations. Any change in management must be reported and a new owner/manager questionnaire submitted to the city business tax office. A new manager is subject to a background check. Applicant may not have been convicted of any crime involving moral turpitude or violation of any alcoholic beverage law within the ten (10) years prior to applying for permit.

The City will place a public notice in the local newspaper one (1) time at least ten (10) days prior to the Beer Board meeting. A notice will also be posted at the establishment at least (15) days prior to the meeting.

State law requires a \$100.00 annual privilege tax which is due each January. New permittees will pay a prorated annual tax.

A permit holder must surrender the beer permit to the City Business Tax Office within five (5) days of termination of the business, change in ownership, relocation of the business or change in the business name. A change in ownership for a corporate owner occurs when at least fifty percent (50%) of the stock of the corporation is transferred to a new owner.

The City Beer Board meets as needed on the first and third Tuesday of each month. To ensure consideration of an application, the applicant must submit the completed application to the City of Morristown Tax Office 30 days prior to the next Beer Board meeting in order to appear on that agenda.

[Return to Agenda](#)

**CITY OF MORRISTOWN
APPLICATION FOR BEER PERMIT**

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

I/we hereby make application for a permit to sell, store, brew, or distribute beer or other beverages authorized to be sold, stored or distributed under the provisions of the City of Morristown's Municipal Code, Title 8, Chapter 2, and base my application upon the answers to the following questions:

1. Reason for application ☐ New Business ☐ New Ownership ☐ Name Change
☐ Other _____
2. Name of Business Owner(s): _____
3. Is Owner a ☐ Corporation ☐ General Partnership ☐ Limited Partnership ☐ LLC
☐ Sole Proprietorship ☐ Other _____
4. Under what name will the business operate: _____
5. Business Address _____ Phone _____
6. Property Owners Name _____ Phone _____
7. Type of permit requested: ☐ On Premise ☐ On/Off Premise Brewery ☐ Off Premise
☐ Manufacturer/Distributor
8. List names of all general partners and owners and designate percentage of ownership. (Use additional paper if necessary.) Each person owning 5% or more of the business must complete an owner/manager questionnaire (attached) and submit to a criminal history/background checks conducted by the City of Morristown's Police Department from all counties of residence within the last 10 years. If ownership is a corporation, please indicate whether the corporation is privately held or publicly traded. Be sure to include all names ever used by the named individuals, (i.e. maiden and previous married names).

9. List the name(s) of registered agents and managers or others on-site responsible for operations. Any change in management must be reported to the Business Tax Office. Any new manager must complete the owner/manager questionnaire and submit to a criminal history/background check as listed in No. 8 above.

**CITY OF MORRISTOWN
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 two thousand five dollars (\$2,500) 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 by submitting this application, a background investigation shall be conducted on the applicant(s) and all on-site managers who will be selling beer at the permitted establishment. It is further understood that any and all documents related to that investigation shall become public record open for public inspection and reproduction pursuant to Tennessee Code Annotated § 10-7-503.
5. I/we understand that a requirement of maintaining good status standing with the Morristown Beer Board is that I/we must notify the City of Morristown Tax Office each time there is a change in the on-site manager responsible for selling beer.
6. I/we hereby release, absolve and hold harmless, the City of Morristown, the Morristown Beer Board, the Morristown 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 Morristown, Morristown Beer Board, Morristown Police Department, its employees, agents and representatives as stated above.
7. I/we agree that the hiring of an employee 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 Morristown Municipal Code Section 8-213 or the hiring of an employee 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.
8. I/we understand if any information given in the application subsequently changes, I/we will immediately notify the Morristown Beer Board.
9. I/we understand that if the business closes, relocates, or there is any change in the ownership of the business, the permit will be surrendered to the Business Tax office within 5 days of said change for appropriate action.
10. I/we assume full responsibility for the permit and will be accountable for full compliance with the laws of Morristown and the State of Tennessee in the sale of beer.
11. I/we have read the foregoing release. I/we fully understand its provisions, and voluntarily consent to abide by its requirements.
12. I/we acknowledge and understand that the fees paid for the beer permit application process are non-refundable.
13. The undersigned is the applicant or the bona fide and qualified agent/representative of the corporate applicant.
14. I/we have been a citizen and/or lawful resident of the United States for not less than one (1) year immediately preceding the date of this document.

Applicant Signature or Agent/Representative

Date

Co-Applicant Signature

Date

Co-Applicant Signature

Date

Sworn to and subscribed by me this _____ day of _____, 20 _____.

Notary Public: _____

My Commission Expires: _____

[Return to Agenda](#)

**CITY OF MORRISTOWN BEER BOARD
AUTHORIZATION FOR CRIMINAL HISTORY**

Date

I, the undersigned applicant, or duly authorized signatory for applicant, for a permit authorizing the sale of beer within the City of Morristown, Tennessee, do hereby authorize the City of Morristown, by and through it's agents and representatives and employees, to make inquiry, whether verbal, written, or electronic, of any and all law enforcement agencies or clerks of courts, whether, state, federal or local, concerning my criminal history of any convictions that I have had for any misdemeanor or felony, involving other than minor traffic violations, within the last ten (10) years from the date above.

I, the undersigned, further authorize any and all law enforcement agencies or clerks of courts, whether state, federal or local, or any state, federal, local or national entity storing and providing criminal history data, to release the afore stated information to the City of Morristown.

Residences for Past 10 Years

Name of Witness – Printed

Street Address

City, State and Zip Code

Signature

Name – Printed (include Maiden Name if Applicable)

Date of Birth

Social Security Number

Current Home Street Address

City, State and Zip Code

Signature

City of Morristown

Exhibit B

Beer License Renewal Compliance



PLEASE VERIFY & UPDATE ALL INFORMATION BELOW

Licensee Name _____ DBA _____

Street Address _____

Mailing Address _____

Phone # _____ Contact Name _____

Beer Permit # _____

Permit Type: _____ On _____ On/Off

1. Since the date of filing of the last annual (calendar year January-December) renewal, has there been any change in organizational structure (addition or deletion of officers, directors, registered agents, managing members or general partners)? If yes, attach a detailed explanation. ____yes ____no
2. Since the date of filing of the last annual (calendar year January-December) renewal, has the applicant or any of its agents, owners, managers, partners been convicted of a crime? If yes, attach a detailed explanation. ____yes ____no
3. Please provide the annual sales of beer for the establishment per Title 8 of the Municipal Code Chapter 2 Section 8-209(2)(c):

Total Annual Sales _____

Beer Sales _____

Office Use Only

Date Received: _____

% Beer Sales: _____

Compliant ____ Non-Compliant ____

Signature of City Tax Official
[Return to Agenda](#)

City of Morristown
Beer Permit Compliance Affidavit

I/We _____ hereby solemnly swear or affirm that each statement in this beer permit compliance is true and correct and understand that if any statement contained herein is false, the City shall have the right to deny a permittee's request for renewal.

_____ Date: _____
Applicant Signature or Agent/Representative

_____ Date: _____
Co-Applicant Signature

STATE OF TENNESSEE

COUNTY OF _____

Appeared before me the undersigned, a Notary Public in and for the State and County aforesaid, _____, who acknowledged that the statements made in this instrument are true.

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

Notary Public

My commission expires: _____

City of Morristown Beer Board



Beer Permit Application Checklist

Application Date: June 7, 2016
Applicant's Name: Valerie Washam
DBA: Night Owl Grill & Venues
Contact Name Valerie Washam Contact # 865-6[REDACTED]

Provided By Applicant

- ☒ Application
- ☒ Application fee
- ☒ Authorization for Criminal History Inquiry
- ☒ Designation of Registered Office and Registered Agent
- ☒ Certified copy of deed or copy of lease agreement
- ☒ Sales Tax Certification (copy of certification of registration)
- ☒ Restaurant seating area plan showing a minimum of 40 seats ³⁹
- ☒ Certified Site Plan and Floor Plan (if facility is not existing)

Provided By the City of Morristown

- ☒ Site Plan Certification (by City Engineer)

Current taxes verified

- ☒ City Taxes
- ☒ County Taxes

Public Notices

- ☒ Notice of Beer Board Meeting
- ☒ Signs Posted at Location of Business – Date Posted: 6/30/16
- ☒ Newspaper Notice of Application – Date Ran in Paper: 7/6/16
- ☒ Background Investigation
- ☐ Date of Beer Board Approval: _____
- ☐ Copy of Permit (Number _____) Issued
- ☐ Prorated Privilege Tax Paid

Billy Gully

Signature of person verifying completion of checklist

P.O. Box 1283 • Morristown, Tennessee 37816-1283 • Phone (423)586-1215 • Fax (423)587-9518

[Return to Agenda](#)

AUTHORIZATION FOR CRIMINAL HISTORY INQUIRY

6-7-2016
Date

I, the undersigned applicant, or duly authorized signatory for applicant, for a permit authorizing the sale of beer within the City of Morristown, Tennessee, do hereby authorize the City of Morristown, by and through its agents and representatives and employees, to make inquiry, whether verbal, written, or electronic, of any and all law enforcement agencies or clerks of courts, whether, state, federal or local, concerning my criminal history of any convictions that I have had for any misdemeanor or felony, involving other than minor traffic violations, within the last ten (10) years from the date above.

I, the undersigned, further authorize any and all law enforcement agencies or clerks of courts, whether state, federal or local, or any state, federal, local or national entity storing and providing criminal history data, to release the afore stated information to the City of Morristown.

Residences for Past 10 Years

[REDACTED]
New Market TN 37820
[REDACTED]
Senterville TN 37562
[REDACTED]
Ballard WV 24908
Monroe Co.

Valerie Ann Whshan
Name - Printed

[REDACTED] 1975
Date of Birth

[REDACTED]
Social Security Number

[REDACTED]
Street Address

New Market TN 37820
City, State and Zip Code

Whshan
Signature

Delma Rae Kearns
Name of Witness - Printed

[REDACTED]
Street Address

Morristown, TN 37814
City, State and Zip Code

Delma Rae Kearns
Signature

*** * * NOTICE * * ***

**YOUR PRESENCE IS REQUIRED AT THE
BEER BOARD MEETING AT WHICH
YOUR BEER PERMIT APPLICATION IS
BEING CONSIDERED**

CITY OF MORRISTOWN
APPLICATION FOR BEER PERMIT

Received by Tax Office:

DATE: 6-7-2010

I N S T R U C T I O N S

1. Answer all questions completely or check appropriate box. If question is not applicable, write "NA". Write "unknown" only if you do not know the answer. Use blank space at end of form for extra details on any question for which you have insufficient space.
2. Type, print, or write carefully. Illegible or incomplete forms will not receive consideration.
3. Consider your answers carefully. Your signature at the end of this form will certify as to their correctness.

SECTION I - OWNERSHIP INFORMATION

1- Name of Owner

Valerie Washam

2- Check One for the Type of Ownership

☒ Person ☐ Firm ☐ Partnership
☐ Corporation ☐ Syndicate ☐ Association
☐ Joint-Stock Company

3- Name(s), date(s) of birth and social security number(s) of all person(s) who own a 5% or greater interest in the owner (Attach supplemental sheet if needed).

Valerie Washam

4- If you are the sole owner of the business listed above, please complete all remaining questions in the application.

5- If the owner listed in # 4, above is a corporation, firm, joint-stock company, syndicate, partnership or association, please complete Sections III, VI, VII, VIII and X of this application. Additionally, if the owner listed in # 4, above is a partnership, please complete Sections II, III, IV, and V for each partner.

SECTION II - GENERAL DATA

1- Full Name (last, first, middle)	2- Age Date of Birth	3- Sex Male Female <input checked="" type="checkbox"/>
<u>Washam Valerie A</u>	<u>1975</u>	
4- Height <u>5'7"</u>	5- Weight <u>207</u>	6- Color of Eyes <u>Brown</u>
7- Color of Hair <u>Brown</u>	8- Type Complexion <u>Fair/Med</u>	9- Type Build <u>Medium</u>
10- Social Security No. [REDACTED]	11- Driver's License No. & State of Issue [REDACTED] <u>TX</u>	

12- Lucky Lewis Furrer 13- Sally Sue Cockrill
 Father's Full Name Mother's Maiden Name

14- Previous Employment
Joann Fabrics

15- Marital Status Married ✓ Divorced _____ 16- Spouse's Name _____
 Single _____

17- Scars (Type and Location)
none

18- Other Distinguishing Features
none

19- Current Address
[REDACTED]

20- Permanent Address
New Market TN 37820

21- [REDACTED] Home Telephone No. 22- [REDACTED] Work Telephone No. 23- New Market TN 37820 Legal Residence
423-839-2828 US Citizen

24- Nickname 25- Other Names You Have Used
Eads, (Furrer) - maiden

26- Indicate circumstances (including length of time under which you have ever used these names)
Eads 1st marriage 1yr, Furrer maiden name 18yrs

27- If legally changed, give particulars (where and by what authority)
Giles county VA County clerk

SECTION III - CITIZENSHIP

To be completed by individual owners and each partner in a partnership

- 1- Are you a U.S. citizen or legal alien?
 Yes ✓ No _____
- 2- If you are a legal alien, please provide your certificate number.

To be completed by all other types of owners listed

- 3- Are you domiciliated in the State of Tennessee?
 Yes ✓ No _____

SECTION IV - MILITARY SERVICE

- 1- In what military organizations have you served?
N/A
- 2- Date of separation 3- Total length of service

- 4- Serial or file No. 5- Rank or grade 6- Type of discharge

SECTION V - RESIDENCES FOR THE PAST 10 YEARS

To be completed by individual owners (Use supplemental sheet if needed)

Address - Most recent first				Inclusive dates	
No.	Street	City	State/Zip	From	To
			New Market TN 37820	10/	- present
			Sevierville TN 37862	6/12	
			Baldwin WV 24918	5/12	

SECTION VI - ADDITIONAL INFORMATION

Special Instructions

If your answer is "yes" to any of the following questions, please provide complete details for each question on a separate signed sheet and attach the sheet to this form. A "yes" answer does not mean automatic refusal of a beer permit; however, failure to disclose may result in such a denial.

To be completed by individual owners:

- 1- Have you ever been arrested, indicted or convicted for any violation of the law other than minor traffic violations?
Yes _____ No X
- 2- Have you ever been arrested or court-martialed under military law or regulation?
Yes _____ No X

To be completed by all other types of owners listed:

- 3- Has any member listed on this application or any supplemental information form been arrested, indicted or convicted for any violation of the law other than minor traffic violations?
Yes _____ No _____
- 4- Has any member listed on this application or any supplemental information form been arrested or court-martialed under military law or regulation?
Yes _____ No _____

SECTION VII - PERMIT DATA

- 1- Type of Permit Applied For:
On Premise ☒ Off Premise _____
- 2- Type of Business: Restaurant ☒ Distributor _____
Patriotic Organization _____ Club _____
Drug Store _____ Full Line Grocery Store _____
Convenience Store _____ Lodge _____

<p>Charters that have been issued by the State of Tennessee must be presented with this completed application in all cases of lodges, patriotic organizations, and clubs. These charters will be examined and returned to applicant at the time this application is presented before the Beer Board</p>	<p style="text-align: center;">DO NOT WRITE IN THIS BLOCK For Use by City of Morristown Only</p> <p>Charter Presented Yes _____ No _____ Charter Returned Yes _____ No _____</p> <p>Issued by _____ Date _____ In Name of _____</p> <p>Signature of Tax Clerk _____</p>
---	--

- 3- Do you possess a valid business license issued by the City of Morristown?
Yes ☒ No _____
Date of Issue 6/7/16

- 4- Complete address of business wherein beer is to be sold:
2747 West Andrew Johnson Hwy Morristown TN 37814

<p>DO NOT WRITE IN THIS BLOCK For Use by City of Morristown Only</p>	
<p>Requested location is in a Nonconforming _____ Conforming _____ location under the zoning laws and ordinances of the City of Morristown.</p> <p>For Off Premise Permits Only: Is requested location within 150 ft. of property on which any church, school, or city park is located? Yes _____ No _____ N/A _____</p> <p>If yes, identify establishment. _____</p> <div style="text-align: right; margin-top: 10px;"> <p>Signature of City Planner </p> </div> <p>Have occupancy issues been addressed by City Inspections?: Non-Conforming _____ Conforming _____</p> <div style="text-align: right; margin-top: 10px;"> <p>Signature of City Inspector _____</p> </div> <p>Have fire code inspections been completed?: Non-Conforming _____ Conforming _____</p> <div style="text-align: right; margin-top: 10px;"> <p>Signature of _____</p> </div>	

Fire Marshall _____

- 5- Complete name of business wherein beer is to be sold:

Night Owl Grill + Venues

- 6- Do you now possess a beer license? Yes _____ No X If yes, list name of business, address, and type of license on separate sheet.

- 7- Identify the Registered Agent (chapter 209 of the Beer Ordinance)

Valerie Washam

- 8- Identify the individual who is to receive annual tax notices and any other communication from the Tax Office, City Council, or Beer Board and list their address.

Valerie Washam

New Market TN 37820

SECTION VIII - GENERAL INFORMATION AND AGREEMENTS

- 1- Do you agree not to engage in the sale, storage, manufacture, or distribution of beer other than at the place for which a permit was issued?
Yes X No _____
- 2- Do you agree that sale, storage, manufacture, or distribution of beer will be made only in accordance with the permit granted?
Yes X No _____
- 3- Do you agree that no sales will be made to any person under twenty-one years of age?
Yes X No _____
- 4- Have you received and read the Beer Ordinance of the City of Morristown, and do you agree not to violate any of its requirements?
Yes X No _____
- 5- Have you ever had a license for the sale, storage, manufacture, or distribution of legalized beer revoked?
Yes _____ No X
If the answer is yes, give complete details on separate sheet of paper.

To be completed by individual owners:

- 6- Have you or any of your employees involved in the distribution, storage, manufacture, or sale of beer ever been convicted of any violation of any law involving prohibition, sale, manufacture, storage, distribution or transportation of any alcoholic beverage or any crime involving moral turpitude within the past 10 years immediately preceding the date of this application?
Yes _____ No X
If the answer is yes, give complete details on separate sheet of paper.

To be completed by all other types of owners listed:

- 7- Has any person listed on this application or any supplemental information form involved in the distribution, storage, manufacture, or sale of beer ever been convicted of any violation of any law involving prohibition, sale, manufacture, storage, distribution or transportation of any alcoholic beverage or any crime involving moral turpitude within the past 10 years immediately preceding the date of this application?

Yes _____ No ☒

If the answer is yes, give complete details on separate sheet of paper.

- 8- Do you agree not to employ any person so convicted?

Yes ☒ No _____

- 9- Do any brewers, manufacturers, distributors or warehousemen of legalized beer have any interest in the business, financial or otherwise or in the premises upon or in which the business is to be licensed to sell beer at retail?

Yes _____ No ☒

If the answer is yes, give complete details on separate sheet of paper.

To be completed by individual owners and partnerships:

- 10- Are you willing to be fingerprinted by the Police Department, City of Morristown?

Yes ☒ No _____

To be completed by all other types of owners listed:

- 11- If requested, are you willing for any member listed with a 5% or greater ownership to be fingerprinted by the Morristown Police Department?

Yes ☒ No _____

- 12- Is a completed fingerprint card submitted with this application?

Yes ☒ No _____

Applicant may have cards completed at Morristown Police Department.

SECTION IX - REFERENCES

Please give the correct name, address, zip code, and telephone number of at least three people who have known you personally for a period of at least three years.

Name

Address

City/State/Zip

Phone

Sherman Saffell

Lucky Farrow

Sally Washam

Stratford TN 865-2

Port Orange FL

Knoxville TN

SECTION X - SIGNATURES

STATE OF TENNESSEE
COUNTY OF HAMBLLEN

The undersigned Valerie Washam, hereby makes oath and swears that all the facts and answers set forth in the above application are true and correct to the best of my knowledge, information, and belief; that misrepresentation of facts and/or withholding of information on this application may result in the denial of a beverage permit now and can forfeit the eligibility to receive any permit for a period of ten (10) years, that I will comply with the laws of the United States, and of the State of Tennessee, and Ordinances of the City of Morristown, that I have received a copy of and read the Beer Ordinance of the City of Morristown, and all amendments thereto. The undersigned further makes oath that if the owner is a corporation, firm, joint-stock company, syndicate, partnership or association, that he or she is authorized to execute this application on behalf of the owner.

In testimony whereof witness my signature on this the 8 day of 6, 2016

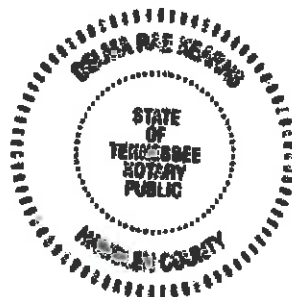
[Signature]
Applicant

Sworn to and subscribed by Valerie Washam before me, a notary public in and for said State and County, on this the 3rd day of June, 2016

[Signature]
Notary Public

My commission expires

4-28-2020



CITY OF MORRISTOWN
100 W 1ST NORTH ST
MORRISTOWN TN 37814-1499

RECP7#: 491188

06/10/16 15:26 bstuart

CUSTOMER#:0

NAME:

BEER PERMIT BOND

CHG: 808

BEER BOND

250.00

PAID AMT

25 PAID BY NAME

NIGHT OWL GRIPAY METHOD

CASH

AMT TENDERED:

AMT APPLIED: 250.00

CHANGE:

250.00

DO NOT ACCEPT UNLESS THIS DOCUMENT IS PRINTED WITH A COLOR BACKGROUND, CONTAINS A VOID PANTOGRAPH, AND A MICROPRINTED BORDER

**POST AT
LOCATION OF
BUSINESS**

**City of Morristown
Minimum Business License
and Gross Receipt Tax**

License Number

9729

THIS LICENSE EXPIRES 05/15/2019

Business Name NIGHT OWL GRILL & VENUES
1050 FRIENDS STATION ROAD
NEW MARKET, TN 37820

ID: 9729

Location: 2747 W ANDREW JOHNSON HWY

MINIMUM BUSINESS TAX

This is your official notice that if gross receipts tax is not paid within 60 days from above expiration date, a distress warrant may be issued to satisfy the tax debt. Further, notification of expiration is not required by law. Please make note of these dates. If paid by check, this license valid only after check is paid. This license does not permit operation unless properly zoned, and/or in compliance with all other applicable laws/rules.

Classification: 2

Date Issued 05/12/18

By

A.W. [Signature]
Taxing Authority



City of Morristown

P.O. Box 1664

Morristown, Tennessee 37816-1664

PAID

Total Tax



TENNESSEE DEPARTMENT OF REVENUE

CERTIFICATE OF REGISTRATION

NIGHT OWL GRILL & VENUES
2747 W ANDREW JOHNSON HWY
MORRISTOWN TN 37814-3215

June 8, 2016

Account Type: SALES&USE

Account No.: 107055956

Filing Status: MONTHLY

We have received and processed your application for registration. Your valid certificate is attached below. This certificate must be publicly displayed at the location for which it is issued. The account number on this certificate is used by the department to identify your account and must be shown on all reports and correspondence. The reverse side of this certificate contains important information regarding change and/or cancellation instructions. This certificate is not assignable and is valid only for the person (entity) to whom it is issued.

T.C.A. 67-8-607 Unauthorized Use of Certificate

It is a class C misdemeanor for any person having a certificate of registration to:

- (1) Use such certificate for the purpose of purchasing tangible personal property subject to the tax herein levied except for resale, unless authorized to do so by other provisions of this chapter and the rules and regulations adopted pursuant thereto; or
- (2) Use or consume any tangible personal property purchased or otherwise acquired under the certificate of registration and subject to the privilege taxes herein levied without paying the privilege taxes.

Reporting

All sales and use tax returns must be filed and associated tax payments must be paid electronically. You are required to file your monthly, quarterly, or annual return, according to your filing frequency, even if no tax is due. If your business opens after the 20th of the month, do not file a separate return covering only the days remaining in the month. Rather, include those days on the return covering your first full filing period.

Penalty & Interest

In order to avoid the penalty and interest, all returns must be filed and all associated tax payments must be made on or before the due date for the reporting period.

DETACH HERE AND DISPLAY IN PUBLIC AREA

TENNESSEE DEPARTMENT OF REVENUE CERTIFICATE OF REGISTRATION SALES&USE

This certificate must be publicly displayed

NIGHT OWL GRILL & VENUES
2747 W ANDREW JOHNSON HWY
MORRISTOWN, TN 37814

Account Type: SALES&USE

Account No.: 107055956

Effective Date: July 1, 2016

Richard H. Roberts
COMMISSIONER OF REVENUE

[Return to Agenda](#)

Penny Petty, HAMBLÉN COUNTY CLERK

LICENSE
0356944

STANDARD BUSINESS TAX LICENSE

Total Due: 15.00
Cash: 20.00 Check: Check No.: Change: 5.00
TAMMY wk03 Drawer: 28 Site: 1
Work Date: 05/31/2016

DETACH THIS PORTION FOR CONFIDENTIAL FILE

Penny Petty
HAMBLÉN COUNTY CLERK

611 W. 2ND NORTH ST
MORRISTOWN, TN 37814

LICENSE
0356944

STANDARD BUSINESS TAX LICENSE

Mailing

Location

74135 NIGHT OWL GRILL & VENUES

2747 W A J HWY
MORRISTOWN, TN 37814

NIGHT OWL GRILL & VENUES

2747 W A J HWY
MORRISTOWN, TN 37814

VALERIE WASHAM

LOCAL ACCOUNT NUMBER 74135
STATE ACCOUNT NUMBER _____
TRANSACTION NUMBER _____
CLASS 02
SALES TAX NUMBER 0

ISSUE DATE 06/07/16
TAX PERIOD STARTED - 07/01/2016
PAYMENT DUE BY 4/15/2017
EXPIRATION DATE 6/15/2017

TO AVOID PENALTY, INTEREST, AND POTENTIAL ENFORCED COLLECTION ACTION, BUSINESS TAX RETURNS AND PAYMENTS MUST BE REMITTED TO THE TENNESSEE DEPARTMENT OF REVENUE AT LEAST 30 DAYS PRIOR TO THE EXPIRATION DATE OF THIS LICENSE.

IF PAID BY CHECK, THIS LICENSE VALID ONLY AFTER CHECK IS PAID.

THIS LICENSE DOES NOT PERMIT OPERATION UNLESS PROPERLY ZONED, AND/OR IN COMPLIANCE WITH ALL OTHER APPLICABLE LAWS/RULES.


DEPUTY CLERK SIGNATURE TAMMY wk03 Drawer:28 Site:1

-- POST AT LOCATION OF BUSINESS --
IF BUSINESS CLOSES, MOVES, OR CHANGES OWNERS, NOTIFY THIS OFFICE

[Return to Agenda](#)

LEASE AGREEMENT

THIS AGREEMENT is made as of this day 06/08/2016, by and between Alan Hale hereinafter called "LESSOR", and NIGHT OWL GRILL & VENUES, hereinafter called "LESSEE".

Lessor hereby leases unto Lessee and Lessee does take and lease from Lessor the following described property:

A portion of the premises located at 2747 W. A J Hwy in
Morristown, Tennessee; specifically being
Suite(s) B&C

1. RENTAL

Lessee shall pay to Lessor the monthly rent of \$2000.00 per month. Rent shall be payable at the location of the leased premises, or at such other place as Lessor may designate in writing. Rental shall be payable on or before 14 days from receipt of the rental billing submitted by Lessor.

2. TERM OF LEASE

The initial term of this lease shall commence on the 06/08/2016 and end at 12:00 midnight on the 06/07/2019, unless sooner terminated by Lessor or Lessee by giving one hundred twenty days advance written notice to the other of the intention to terminate, or unless sooner terminated as otherwise provided herein.

3. REAL ESTATE TAXES

Lessor, herein, shall pay all real estate taxes and assessments upon the leased property, and upon the buildings and improvements thereon, which are assessed and allocable to such property during the term of the lease.

4. FIRE INSURANCE

Lessee shall not be obligated to maintain fire or casualty insurance on its vehicles stored on the premises or any other of its property, but may do so if it so elects.

5. GENERAL PUBLIC LIABILITY INSURANCE

After the commencement date of the term of the lease, the Lessee shall, at its sole cost and expense, maintain comprehensive general public liability insurance, with limits of at least one hundred thirty thousand dollars (\$130,000.00) per person and three hundred thousand dollars (\$300,000.00) per occurrence for bodily injury and fifty thousand dollars (\$50,000.00) for property damage. Such policies shall name the Lessor and the Lessee as the insureds. Within ten days after the date hereof, Lessee shall deliver to Lessor certificates of insurance certifying that such insurance is in full force and effect.

6. REQUIREMENTS OF LESSEE-INSURANCE

All policies of insurance required to be maintained by Lessee, if any, shall name Lessee and Lessor as the insured as their respective interests may appear. All such policies shall, to the extent obtainable, contain an agreement by the insurers that such policies shall not be canceled without at least ten days prior written notice to Lessor and to the holder of any mortgage to whom loss hereunder may be payable.

7. INSURANCE – RENEWALS

At least thirty (30) days prior to the expiration of any policy of insurance the Lessee is obligated to carry under this lease, Lessee shall furnish a binder to Lessor renewing each such policy. Each policy and/or binder shall provide for at least ten (10) days notice to Lessor of any change or cancellation thereof. Lessee shall promptly deliver to Lessor a certificate from the insurance carrier evidencing the renewal of the policy and the payment of the premium.

8. UTILITIES

Lessee shall pay for all utilities including but not limited to charges for water, sewer, gas, electricity, light, heat, power and telephone or other communications services used, rendered or supplied upon or in connection with the leased property, and shall indemnify the other party hereto against any liability or damages on such account.

9. INTERIOR REPAIRS

Lessee covenants that during the term of this lease, Lessee will, at its own cost, keep in good order and repair (and make such renewals thereof from time to time as may be necessary or advisable) the interior of the building located on the premises.

10. EXTERIOR REPAIRS

Lessee covenants that during the term of this lease it will, at its own cost, keep in good order and repair the exterior of said building and lot.

11. FIXTURES

Any improvements to the leased property or any part thereof and any replacement of fixtures and personal property during the term of this lease shall at once become the absolute property of Lessor without payment of any kind.

12. DEFAULT

Lessee further covenants that if said premises at any time be deserted, abandoned or closed or if Lessee defaults for a period of thirty (30) days from paying any installment of rent when due or in performing any covenant, provision or condition herein contained binding upon Lessee, Lessor shall have in addition to all other rights and remedies provided by law, the right, without notice to Lessee, to enter and take possession of the premises, peaceably or by force, and to terminate this lease; and Lessor may relet said premises for the unexpired portion of the term or any part thereof, and receive the rent therefore and apply it on the rent due hereunder, and Lessor's actions shall be final and binding upon said Lessee and Lessee agrees to pay promptly to Lessor upon demand at one time or from time to time any difference between the rent payable hereunder and any smaller amounts collected by Lessor from the tenant or tenants to whom said premises may be relet as aforesaid. Lessor shall have the right to terminate this lease at any time Lessee goes into bankruptcy or receivership or makes a general assignment for the benefit of its creditors.

13. DAMAGE BY FIRE

In case of damage by fire or other casualty to the building in which the leased property is located, without the fault of Lessor, if the damage is so extensive as to amount practically to the total destruction of the leased property or such building, this lease shall cease, and the rent shall be apportioned to the time of the damage. In all other cases where the leased property is damaged by fire or other casualty without the fault of Lessor, Lessee shall repair the damage within a reasonable time, and if the damage has rendered the leased property untenable, in whole or in part, it shall be in apportionment of the rent until the damage has been repaired. In determining what constitutes a reasonable time, consideration will be given to delays caused by strikes, adjustment of insurance and other causes beyond Lessee's control.

14. CONDEMNATION

If the whole of the leased property, or such portion thereof as will make the leased property unsuitable for the purposes herein leased, is condemned for any public use or purpose by any legally constituted authority, then in either of such events this lease shall cease from the time when possession is taken by such public authority and rental shall be accounted for between the Lessor and Lessee as of the date of surrender of possession. Such termination shall be without prejudice to the rights of either the Lessor or the Lessee to recover compensation from the condemning authority for any loss or damage caused by such condemnation. Neither the Lessor or the Lessee shall have any rights in or to any award made to the other by the condemning authority.

15. ASSIGNMENT

Lessee may not assign or sublet the demised premises to third parties without the consent of Lessor; however, such assignment or subletting shall not be permitted where so doing would violate any governmental ordinance, statute, rule or regulation; or where so doing would result in a substantial change in the use of the premises to the detriment of Lessor.

16. DISCLAIMER AND ACCEPTANCE

Neither the Lessor nor an agent of Lessor has made any representations with respect to the leased premises or any real estate of which same may be a part except as expressly set forth herein and no rights, easements or licenses are acquired by Lessee by implication or otherwise except as expressly set forth in the provisions of this lease. The taking of possession of the leased premises by Lessee shall be conclusive evidence that Lessee accepts the same "as is" and that the leased premises and the real estate of which same be a part were in good and acceptable condition at the time possession was taken, unless expressly provided for otherwise, hereinafter.

17. SURRENDER

Lessee covenants that it will, upon the termination of this lease, deliver to Lessor the same premises and all appurtenances thereto peaceably and quietly in as good order and condition as same are or may hereafter be put by Lessor and Lessee, ordinary wear and tear and damage from fire not occasioned by the fault or negligence of Lessee, its agents or employees, excepted.

18. NON-WAIVER OF REMEDIES

Lessee agrees that any failure of Lessor to insist upon strict observance of any covenant, provision or condition of this lease in any one or more instances shall not constitute or be deemed a waiver, at that time or thereafter, of such or any other covenant, provision or condition of this lease.

19. RIGHT OF ENTRY

Lessor and its representatives may enter the leased property, at any reasonable time, for the purpose of inspecting the leased property, performing any work which the Lessor elects to undertake made necessary by reason of Lessee's default under the terms of this lease, and exhibiting the leased property for sale, lease, or mortgage financing.

20. HOLD HARMLESS

Lessor shall not be liable for injury or damage to person or property occurring within the leased premises, unless caused by or resulting from the negligence of Lessor or any of Lessor's agents, servants, or employees.

21. CONSTRUCTION LAW

The lease shall be governed by, constructed and enforced in accordance with the laws of the State of Tennessee.

22. GENERAL CONSTRUCTION

In construing this lease, feminine or neuter pronouns shall be substituted for those masculine form and vice-versa, and plural terms shall be substituted for singular and singular for plural in any place in which the context so requires.

23. JOINT AND SEVERAL

If there is more than one party Lessee, the covenants of the Lessee shall be the joint and several obligations of each such party, and if Lessee is a partnership, the covenants of Lessee shall be the joint and several obligations of each of the partners and the obligations of the firm.

24. PERSONS BOUND

The covenants, terms, conditions, provisions and undertakings in this lease or in any renewals thereof shall extend to and be binding upon the heirs, executors, administrators, successors and assigns of the respective parties hereto, as if they were in every case named and expressed, and shall be construed as covenants running with the land; and wherever reference is made to either of the parties hereto, it shall be held to include and apply also to the heirs, executors, administrators, successors and assigns of such party, as if in each and every case so expressed.

25. REMEDIES CUMULATIVE

The specified remedies to which Lessor may resort under the terms of this lease are cumulative and are not to be exclusive of any other remedies or means of redress to which Lessor may be lawfully entitled in case of any breach or threatened by Lessee of any provision or provisions of this lease.

26. ORAL MODIFICATION

This lease, together with any written agreements which shall have been executed simultaneously herewith, contains the entire agreement and understanding between the parties. There are no oral understandings, terms or conditions, and neither party has relied upon any representation, express or implied, not contained in this lease or in the simultaneous writings heretofore referred to. All prior understandings, terms or conditions are deemed merged in this lease. This lease cannot be changed or supplemented orally, but only by an agreement in writing and signed by the party against whom enforcement of any waiver, change, modification or discharge is sought.

27. SEVERABILITY

If any provision of this lease shall be declared invalid or unenforceable, the remainder of the lease shall continue in full force and effect.

MEMORANDUM OF LEASE

THIS AGREEMENT is made this 8th day of June, 2016, by and between Alan Hale hereinafter called "LESSOR", and NIGHT OWL GRILL & VENUES, hereinafter called "LESSEE".

A portion of the premises located at 2747 W. A J Hwy. Morristown,
Tennessee _____ Specifically _____ being
Suite(s) B&C

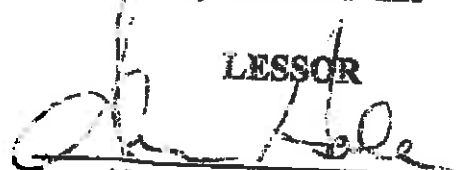
2. TERM OF LEASE


The initial term of this lease shall commence on 06/08/2016 and end at 12:00 midnight on 06/07/2019, unless sooner terminated by Lessor as herein provided.

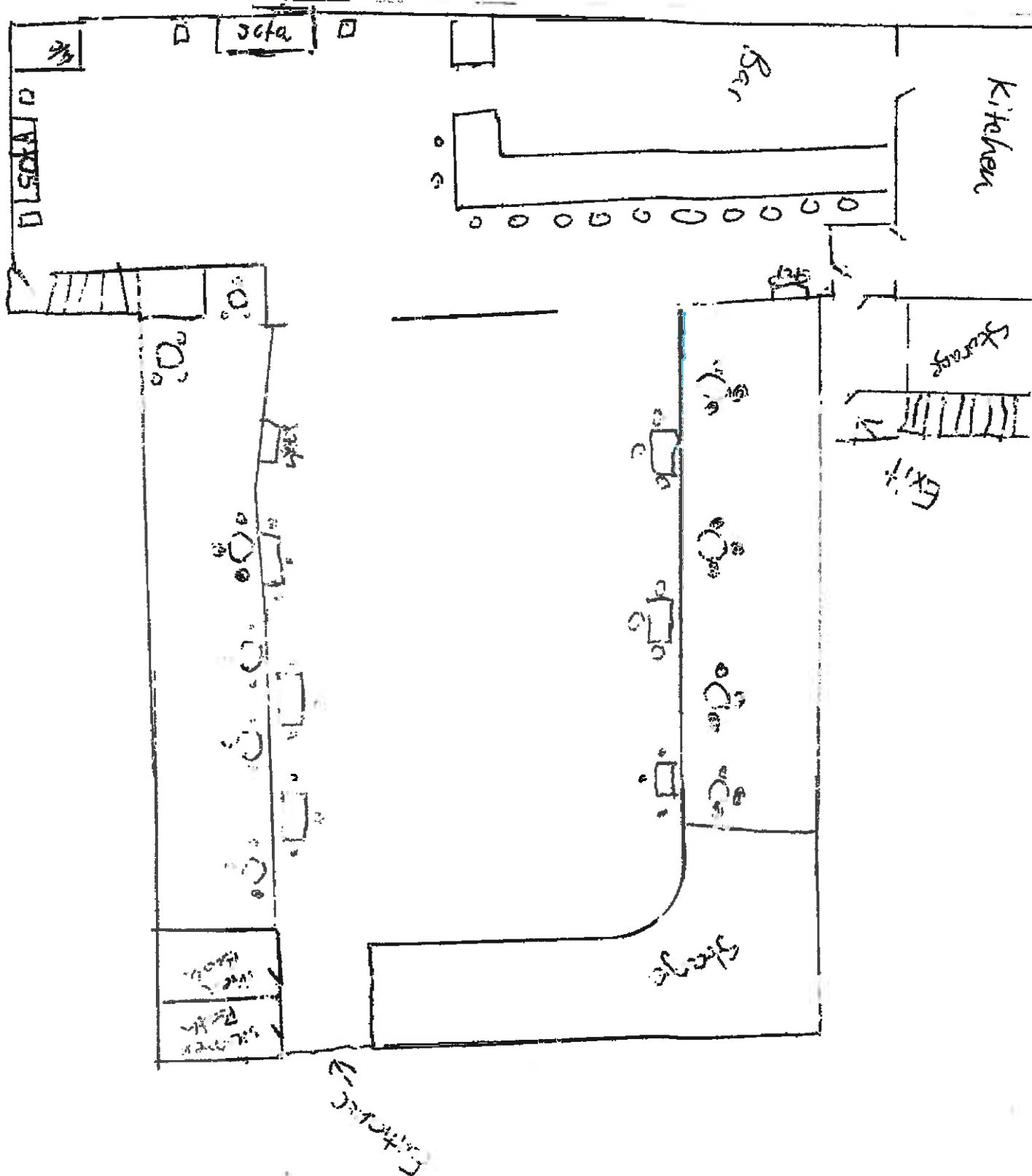
3. LEASE AGREEMENT

The provisions set forth in a written Lease Agreement between or among the parties, dated as of 06/08/2016, are hereby incorporated in this Memorandum by reference.

IN WITNESS WHEREOF, the parties hereto have duly executed this agreement the day and year first above written.


LESSOR
Alan Hale


LESSEE
Valerie Washam



6-29-16
60 sets
B Gully

AFFIDAVIT

My name is Valerie A. Washam, I am the sole owner of Night Owl Grill & Venues located at 2747 West Andrew Johnson Highway, Morristown TN 37814 in the County of Hamblen and State of Tennessee. This affidavit is to show that neither my spouse nor any other person Owns 5% or greater own my business.

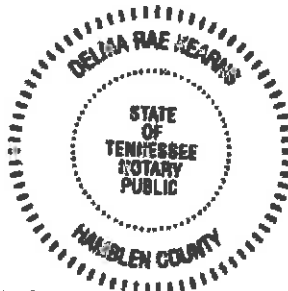
Valerie A. Washam

Valerie A. Washam

6-10-16

Date

Sworn to and subscribed by Valerie A. Washam before me, a notary Public in and for said State and County, on this the 10th day of June, 2016



Delma Rae Kearns
Notary Public - Hamblen County, TN

My commission expires

4-28-2020

Morristown Police Department

ROGER OVERHOLT
Chief of Police



BEER ORDINANCE ASSURANCE

I, the undersigned, acknowledge receipt of a copy of the City of Morristown Beer Ordinance Title 8 Chapter 2. *And have been shown by Lt. Gulley*

how to access it on the website.
I understand it is my responsibility to adhere to the guidelines of this ordinance and the applicable laws of the State of Tennessee.

I understand it is my responsibility to ensure that my employees are aware of, and adhere to, all governing ordinances and laws concerning the sale of beer in my establishment.

Business Name & Address:

Night Owl & Venues

2747 W.E.J. Hwy.

MORRISTOWN, TN. 37814

Signature

Valerie Washam

Print Name

6-15-16

Date

FAX COVER SHEET

MIKE GRAVELY
SHERIFF OF MONROE COUNTY
P.O. BOX 350
UNION, WV 24983

PHONE: 304-772-3018
FAX: 304-772-5051

SEND TO: Lt. Billy Gullett
Support Services Supervisor
ATTENTION: Lt. Billy Gullett
FAX NUMBER: 1-423-587-9518

FROM: Sheriff of Monroe
DATE: 6-15-16
PHONE NUMBER: 772-3018

TOTAL PAGES INCLUDING COVER: 3

COMMENTS:

Morristown Police Department

ROGER OVERHOLT
Chief of Police



Jefferson County Sheriff's Dept.
Records Division

June 14, 2016

I am requesting a records check for the purpose of a Beer Permit on the following individuals:

VALERIE ANN WASHAM

D.O.B. [REDACTED] **76**

SSN: [REDACTED]

If you have any questions, please give me a call at 423-318-1552 or fax me the results at 423-587-9518.

Thanks in advance for your assistance,

Billy Gulley

NO RECORD

ina Rohan
6-14-16

Lt. Billy Gulley, Support Services Supervisor
Morristown Police Department
P.O. Box 1283
Morristown, TN 37816-1283
Office: 423-318-1552
Fax: 423-587-9518

Jefferson County Sheriff's Office
P.O. Box 915
Dandridge, TN 37725

Esco R. Jarnagin
Sheriff



Wayne Mills
Chief Deputy

Sheriff of Hamblen County

510 Allison Street
Morristown, Tennessee 37814

HAMBLLEN CO. ARREST RECORD SEARCH

DATE: 6/14/16

AN ARREST RECORD SEARCH WAS PROVIDED FOR THE FOLLOWING
INDIVIDUAL:

NAME: Valene Ann Washam

DATE OF BIRTH: [REDACTED] 75

INDIVIDUAL HAS NO RECORD AT THE HAMBLLEN CO. SHERIFF'S DEPT. ✓

Has Arrest with Morristown Police Department, Please Contact MPD-423-585-2710

INDIVIDUAL HAS THE FOLLOWING RECORD AT THE HAMBLLEN CO. SHERIFF'S DEPT:

NO RECORD

JUN 14 2016

HCSO

IF YOU HAVE ANY QUESTIONS PLEASE CONTACT THE HAMBLLEN CO.
SHERIFF'S DEPT. RECORDS OFFICE AT (423) 585-2769. THIS
RECORD CHECK IS A COUNTY RECORD CHECK ONLY.

Kim Sipe

PHONE: (423) 586-3781 - Administrative
(423) 585-2720 - Jail
FAX: (423) 587-1658 - Administrative
(423) 587-1329 - Jail

Morristown Police Department

ROGER OVERHOLT
Chief of Police



Sevier County Sheriff's Dept.
Records Division

June 14, 2016

I am requesting a records check for the purpose of a Beer Permit on the following individuals:

VALERIE ANN WASHAM ✓ D.O.B. [REDACTED] /78 ✓ SSN: [REDACTED] ✓

If you have any questions, please give me a call at 423-318-1552 or fax me the results at 423-587-9518.

Thanks in advance for your assistance,

Billy Gulley

Lt. Billy Gulley, Support Services Supervisor
Morristown Police Department
P.O. Box 1283
Morristown, TN 37816-1283
Office: 423-318-1552
Fax: 423-587-9518

NO RECORD
SEVIER COUNTY SHERIFF'S DEPT.
RECORDS BUREAU

Date 6/14/16 By [Signature]

SEVIER COUNTY SHERIFF'S DEPT.
106 W. Bruce Street
Sevierville, TN 37862

* Sevier Co Background checks only

Forwarded @ 12:00pm

P.O. Box 1283 • Morristown, Tennessee 37816-1283 • Phone (423)586-1215 • Fax (423)587-9518

Morristown Police Department

ROGER OVERHOLT
Chief of Police



Jefferson County Sheriff's Dept.
Records Division

June 14, 2016

I am requesting a records check for the purpose of a Beer Permit on the following individuals:

VALERIE ANN WASHAM

D.O.B. [REDACTED] 75

SSN [REDACTED]

* Also check w/last EADS & FURROW

If you have any questions, please give me a call at 423-318-1552 or fax me the results at 423-587-9618.

Thanks in advance for your assistance,

Billy Gulley

NO RECORD
Shirley Patten

Lt. Billy Gulley, Support Services Supervisor
Morristown Police Department
P.O. Box 1288
Morristown, TN 37816-1288
Office: 423-318-1552
Fax: 423-587-9618

Jefferson County Sheriff's Office
P.O. Box 915
Dandridge, TN 37725

Monroe County Sheriff Dept.

June 15, 2016

We have found no records on the following individual:

VALERIE ANN WASHAM

D.O.B. [REDACTED] /75

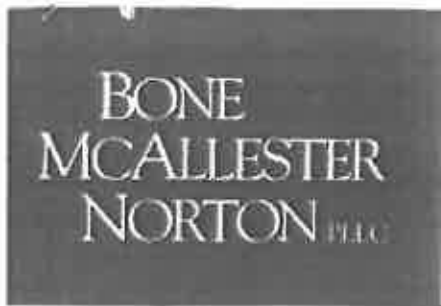
SSN: [REDACTED]

Sincerely,



Michael Gravley

Sheriff of Monroe



Vicki L. Schmidt, Paralegal
615-687-5790 Direct Dial
615-687-5786 Direct Fax
vschmidt@bonelaw.com

June 13, 2016

Mr. Randall Sweeney
Aldi #9
154 W. Pin Lane
Morristown, TN 37814

VIA FEDERAL EXPRESS

**RE: ALDI INC. (TENNESSEE) D/B/A ALDI #9
154 W. PIN STREET, MORRISTOWN, TN 37814**

Dear Randall:

Enclosed please find the following documents to be filed on behalf of ALDI Inc. (Tennessee) d/b/a Aldi #9 located at 154 W. Pin Street, Morristown, TN 37814:

- Application for a Beer Permit;
- Authorization for Criminal History Inquiry;*
- \$250 check for the application filing fee;
- Certificate of Registration; and
- Lease.

(*) You need to sign where indicated and have the witness, Wanda Johns, sign where indicated.

Our contact for submitting the application is as follows:

Ms. Michelle Parvian
City of Morristown – Beer Board
100 W. 1st North Street
Morristown, TN 37816

Please turn these documents in at your earliest chance. It would be best if you file the Application directly with Ms. Parvian. She can be contacted directly at (423) 585-4610 if you would like to schedule an appointment to file the Application.

{01398249.1 }

Thank you for your assistance in this matter. Please do not hesitate to contact me directly at (615) 687-5790 if you have any questions. Additionally, once the Application is filed, please contact me to confirm and advise of the scheduled Beer board meeting date and if any additional documents are required.

Sincerely,


Vicki L. Schmidt, Paralegal

/s/

Enclosures

City of Morristown Beer Board



Beer Permit Application Checklist

Application Date: 06 / 30 / 16

Applicant's Name: ALDI Inc. (Tennessee)

DBA: Aldi #09

Contact Name Darlene Thompson Contact # 615-449-8840 X113

Provided By Applicant

- ☒ Application
- ☒ Application fee
- ☒ Authorization for Criminal History Inquiry
- ☒ Designation of Registered Office and Registered Agent
- ☒ Certified copy of deed or copy of lease agreement
- ☒ Sales Tax Certification (copy of certification of registration)
- ☐ Restaurant seating area plan showing a minimum of 75 seats
- ☒ Certified Site Plan and Floor Plan (if facility is not existing)

Provided By the City of Morristown

☒ Site Plan Certification (by City Engineer)

Current taxes verified

- ☒ City Taxes
- ☒ County Taxes

Public Notices

- ☒ Notice of Beer Board Meeting
- ☒ Signs Posted at Location of Business – Date Posted: 6-30-16
- ☒ Newspaper Notice of Application – Date Ran in Paper: 7-6-16
- ☒ Background Investigation
- ☐ Date of Beer Board Approval: _____
- ☐ Copy of Permit (Number _____) Issued
- ☐ Prorated Privilege Tax Paid

B. J. J. J. Signature of person verifying completion of checklist

**CITY OF MORRISTOWN
APPLICATION FOR BEER PERMIT**

Received by Tax Office:

DATE: 06 / 21 / 16

I N S T R U C T I O N S

1. Answer all questions completely or check appropriate box. If question is not applicable, write "NA". Write "unknown" only if you do not know the answer. Use blank space at end of form for extra details on any question for which you have insufficient space.
2. Type, print, or write carefully. Illegible or incomplete forms will not receive consideration.
3. Consider your answers carefully. Your signature at the end of this form will certify as to their correctness.

SECTION I - OWNERSHIP INFORMATION

1- Name of Owner

ALDI Inc. (Tennessee)

2- Check One for the Type of Ownership

<input type="checkbox"/> Person	<input type="checkbox"/> Firm	<input type="checkbox"/> Partnership
<input checked="" type="checkbox"/> Corporation	<input type="checkbox"/> Syndicate	<input type="checkbox"/> Association
<input type="checkbox"/> Joint-Stock Company		

3- Name(s), date(s) of birth and social security number(s) of all person(s) who own a 5% or greater interest in the owner (Attach supplemental sheet if needed).

Aldi, Inc., 100% owner, 1200 N. Kirk Road, Batavia, IL 60510. Formed: 12/19/75; FEIN: 42-1051659

4- If you are the sole owner of the business listed above, please complete all remaining questions in the application.
n/a

5- If the owner listed in # 4, above is a corporation, firm, joint-stock company, syndicate, partnership or association, please complete Sections III, VI, VII, VIII and X of this application. Additionally, if the owner listed in # 4, above is a partnership, please complete Sections II, III, IV, and V for each partner.

SECTION II - GENERAL DATA

1- Full Name (last, first, middle) <u>n/a</u>	2- Age Date of Birth <u>n/a</u>	3- Sex Male <u>n/a</u> Female <u>n/a</u>
4- Height <u>n/a</u>	5- Weight <u>n/a</u>	6- Color of Eyes <u>n/a</u>
7- Color of Hair <u>n/a</u>	8- Type Complexion <u>n/a</u>	9- Type Build <u>n/a</u>
10- Social Security No. <u>n/a</u>	11- Driver's License No. & State of Issue <u>n/a</u>	

12-	Father's Full Name n/a	13-	Mother's Maiden Name n/a
14-	Previous Employment n/a		
15-	Marital Status Married <u>n/a</u> Single <u>n/a</u>	16-	Spouse's Name n/a
17-	Scars (Type and Location) n/a		
18-	Other Distinguishing Features n/a		
19-	Current Address n/a		
20-	Permanent Address n/a		
21-	Home Telephone No. n/a	22-	Work Telephone No. n/a
23-	Legal Residence n/a		
24-	Nickname n/a	25-	Other Names You Have Used n/a
26-	Indicate circumstances (including length of time under which you have ever used these names) n/a		
27-	If legally changed, give particulars (where and by what authority) n/a		

SECTION III – CITIZENSHIP

To be completed by individual owners and each partner in a partnership

- Are you a U.S. citizen or legal alien?
Yes X No
- If you are a legal alien, please provide your certificate number.
n/a

To be completed by all other types of owners listed

- Are you domiciliated in the State of Tennessee?
Yes X No

SECTION IV – MILITARY SERVICE

1-	In what military organizations have you served? n/a		
2-	Date of separation n/a	3-	Total length of service n/a
4-	Serial or file No. n/a	5-	Rank or grade n/a
6-	Type of discharge n/a		

SECTION V – RESIDENCES FOR THE PAST 10 YEARS

To be completed by individual owners (Use supplemental sheet if needed)

<u>Address – Most recent first</u>				<u>Inclusive dates</u>	
<u>No.</u>	<u>Street</u>	<u>City</u>	<u>State/Zip</u>	<u>From</u>	<u>To</u>
<u>n/a</u>					

SECTION VI – ADDITIONAL INFORMATION

Special Instructions

If your answer is "yes" to any of the following questions, please provide complete details for each question on a separate signed sheet and attach the sheet to this form. A "yes" answer does not mean automatic refusal of a beer permit; however, failure to disclose may result in such a denial.

To be completed by individual owners:

- 1- Have you ever been arrested, indicted or convicted for any violation of the law other than minor traffic violations?
Yes n/a No n/a
- 2- Have you ever been arrested or court-martialed under military law or regulation?
Yes n/a No n/a

To be completed by all other types of owners listed:

- 3- Has any member listed on this application or any supplemental information form been arrested, indicted or convicted for any violation of the law other than minor traffic violations?
Yes _____ No X
 - 4- Has any member listed on this application or any supplemental information form been arrested or court-martialed under military law or regulation?
Yes _____ No X
-

SECTION VII – PERMIT DATA

- 1- Type of Permit Applied For:
On Premise _____ Off Premise X
- 2- Type of Business: Restaurant _____ Distributor _____
Patriotic Organization _____ Club _____
Drug Store _____ Full Line Grocery Store X
Convenience Store _____ Lodge _____

Charters that have been issued by the State of Tennessee must be presented with this completed application in all cases of lodges, patriotic organizations, and clubs. These charters will be examined and returned to applicant at the time this application is presented before the Beer Board

DO NOT WRITE IN THIS BLOCK For Use by City of Morristown Only

Charter Presented Yes _____ No _____
Charter Returned Yes _____ No _____

Issued by _____
Date _____
In Name of _____

Signature of
Tax Clerk _____

- 3- Do you possess a valid business license issued by the City of Morristown?
Yes X No _____
Date of Issue 10/22/15

- 4- Complete address of business wherein beer is to be sold:
154 W. Pin Lane, Morristown, Tennessee 37814

DO NOT WRITE IN THIS BLOCK For Use by City of Morristown Only

Requested location is in a Nonconforming _____ Conforming _____ location under the zoning laws and ordinances of the City of Morristown.

For Off Premise Permits Only. Is requested location within 150 ft. of property on which any church, school, or city park is located? Yes _____ No _____ N/A _____

If yes, identify establishment _____

Signature of
City Planner _____

Have occupancy issues been addressed by City Inspections?: Non-Conforming _____ Conforming _____

Signature of
City Inspector _____

Have fire code inspections been completed?: Non-Conforming _____ Conforming _____

Signature of
Fire Marshall _____

5- Complete name of business wherein beer is to be sold:

Aldi #09

6- Do you now possess a beer license? Yes ☐ No ☒ If yes, list name of business, address, and type of license on separate sheet.

Not at this location.

7- Identify the Registered Agent (chapter 209 of the Beer Ordinance)

Russell Sweeney (manager) 2080 ALDI Boulevard 6-27-16 1030 hrs.
CT Corporation System, 530 Gay Street, Knoxville, TN 37902

8- Identify the individual who is to receive annual tax notices and any other communication from the Tax Office, City Council, or Beer Board and list their address.

Dariene Thompson, 2080 ALDI Boulevard, Mt. Juliet, TN 37122.

SECTION VIII – GENERAL INFORMATION AND AGREEMENTS

1- Do you agree not to engage in the sale, storage, manufacture, or distribution of beer other than at the place for which a permit was issued?
Yes ☒ No ☐

2- Do you agree that sale, storage, manufacture, or distribution of beer will be made only in accordance with the permit granted?
Yes ☒ No ☐

3- Do you agree that no sales will be made to any person under twenty-one years of age?
Yes ☒ No ☐

4- Have you received and read the Beer Ordinance of the City of Morristown, and do you agree not to violate any of its requirements?
Yes ☒ No ☐

5- Have you ever had a license for the sale, storage, manufacture, or distribution of legalized beer revoked?
Yes ☐ No ☒
If the answer is yes, give complete details on separate sheet of paper.
n/a

To be completed by individual owners:

6- Have you or any of your employees involved in the distribution, storage, manufacture, or sale of beer ever been convicted of any violation of any law involving prohibition, sale, manufacture, storage, distribution or transportation of any alcoholic beverage or any crime involving moral turpitude within the past 10 years immediately preceding the date of this application?
Yes n/a No n/a
If the answer is yes, give complete details on separate sheet of paper.

n/a

To be completed by all other types of owners listed:

- 7- Has any person listed on this application or any supplemental information form involved in the distribution, storage, manufacture, or sale of beer ever been convicted of any violation of any law involving prohibition, sale, manufacture, storage, distribution or transportation of any alcoholic beverage or any crime involving moral turpitude within the past 10 years immediately preceding the date of this application?
Yes _____ No X _____
If the answer is yes, give complete details on separate sheet of paper.

n/a

- 8- Do you agree not to employ any person so convicted?
Yes _____ No X _____

- 9- Do any brewers, manufacturers, distributors or warehousemen of legalized beer have any interest in the business, financial or otherwise or in the premises upon or in which the business is to be licensed to sell beer at retail?
Yes _____ No X _____
If the answer is yes, give complete details on separate sheet of paper.

n/a

To be completed by individual owners and partnerships:

- 10- Are you willing to be fingerprinted by the Police Department, City of Morristown?
Yes n/a No n/a _____

To be completed by all other types of owners listed:

- 11- If requested, are you willing for any member listed with a 5% or greater ownership to be fingerprinted by the Morristown Police Department?
Yes X No _____

- 12- Is a completed fingerprint card submitted with this application?
Yes _____ No X _____
Applicant may have cards completed at Morristown Police Department.

SECTION IX – REFERENCES

Please give the correct name, address, zip code, and telephone number of at least three people who have known you personally for a period of at least three years.

Name	Address	City/State/Zip	Phone
------	---------	----------------	-------

n/a

SECTION X - SIGNATURES

STATE OF ILLINOIS
COUNTY OF Kane

The undersigned David Behm, President, hereby makes oath and swears that all the facts and answers set forth in the above application are true and correct to the best of my knowledge, information, and belief; that misrepresentation of facts and/or withholding of information on this application may result in the denial of a beverage permit now and can forfeit the eligibility to receive any permit for a period of ten (10) years, that I will comply with the laws of the United States, and of the State of Tennessee, and Ordinances of the City of Morristown, that I have received a copy of and read the Beer Ordinance of the City of Morristown, and all amendments thereto. The undersigned further makes oath that if the owner is a corporation, firm, joint-stock company, syndicate, partnership or association, that he or she is authorized to execute this application on behalf of the owner.

In testimony whereof witness my signature on this the 3rd day of June, 2016
ALDI Inc. (Tennessee)

By: [Signature]

Applicant David Behm, President

Sworn to and subscribed by David Behm before me, a notary
public in and for said State and County, on this the 3rd day of June, 2016

[Signature]
Notary Public

My commission expires

January 4, 2019



*** * * NOTICE * * ***

**YOUR PRESENCE IS REQUIRED AT THE
BEER BOARD MEETING AT WHICH
YOUR BEER PERMIT APPLICATION IS
BEING CONSIDERED**

AUTHORIZATION FOR CRIMINAL HISTORY INQUIRY

06 12/116
Date

I, the undersigned applicant, or duly authorized signatory for applicant, for a permit authorizing the sale of beer within the City of Morristown, Tennessee, do hereby authorize the City of Morristown, by and through its agents and representatives and employees, to make inquiry, whether verbal, written, or electronic, of any and all law enforcement agencies or clerks of courts, whether, state, federal or local, concerning my criminal history of any convictions that I have had for any misdemeanor or felony, involving other than minor traffic violations, within the last ten (10) years from the date above.

I, the undersigned, further authorize any and all law enforcement agencies or clerks of courts, whether state, federal or local, or any state, federal, local or national entity storing and providing criminal history data, to release the afore stated information to the City of Morristown.

Residences for Past 10 Years

[REDACTED]
Chattanooga, TN 37411

Randall Lynn Sweeney

Name - Printed

[REDACTED] 58

Date of Birth

[REDACTED]
Social Security Number

[REDACTED]
Street Address

Bean Station, TN 37708

City, State and Zip Code

Randall Lynn Sweeney
Signature

Wanda Johns

Name of Witness - Printed

[REDACTED]
Street Address

Whitesburg, TN 37711

City, State and Zip Code

Wanda Johns
Signature

Landlord and Tenant have executed this Lease, effective as of the date set forth below, respectively.

LANDLORD:

CHEROKEE CROSSING, LLC,
a Tennessee limited liability company

By: [Signature]
Its: President

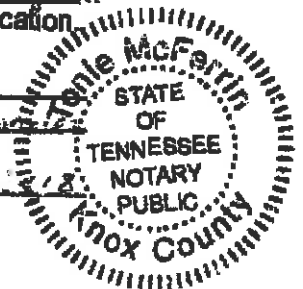
STATE OF Tennessee)
COUNTY OF Knox)

ACKNOWLEDGMENT

The foregoing instrument was acknowledged before me this 8th day of October, 2014, by Royal L. Montgomery, Jr. President of Cherokee Crossing, LLC a(n) Tennessee LLC, on behalf of said Cherokee Crossing, LLC. He is personally known to me or has produced a driver's license as identification.

[Signature]
Notary Public for State of Tennessee

My Commission expires: 5-6-18



TENANT:

Aldi Inc. (Tennessee),
a Tennessee corporation.

By: [Signature]
Troy Marshall, Vice President

Date: 12/5/14

Reviewed by:

[Signature]
David Hassen, Director of Real Estate

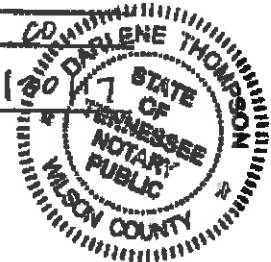
Tennessee
STATE OF GEORGIA)
COUNTY OF Wilson)

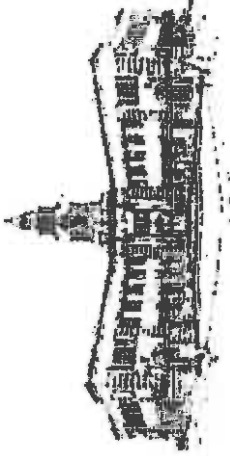
ACKNOWLEDGMENT

The foregoing instrument was acknowledged before me this 5 day of December, 2014, by Troy Marshall, Vice President of Aldi Inc. (Tennessee), a Tennessee corporation, on behalf of said corporation. He is personally known to me or has produced a driver's license as identification.

Notary Public for: Wilson CO

My Commission expires: 09/17/2017



POST AT LOCATION OF BUSINESS	City of Morristown Minimum Business License and Gross Receipt Tax THIS LICENSE EXPIRES 05/15/2017	License Number 9574
Business Name ALDI INC #09 P O BOX 100 GLADEVILLE, TN 37071		ID: 9574 Location: 154 W PIN LANE
MINIMUM BUSINESS TAX This is your official notice that if gross receipts tax is not paid within 60 days from above expiration date, a distress warrant may be issued to satisfy the tax dept. Further notification of expiration is not required by law. Please make note of these dates. If paid by check, this license valid only after check is paid. This license does not permit operation unless properly zoned, and/or in compliance with all other applicable laws/rules. Classification: 1 Date issued 04/15/2016 By _____		 City of Morristown P.O. Box 1654 Morristown, Tennessee 37816-1654 Total Tax PAID

Penny Petty, HAMBLÉN COUNTY CLERK

**LICENSE
0356153**

STANDARD BUSINESS TAX LICENSE

wk03 Drawer: 28 Site: 1
Work Date: 06/27/2016

DETACH THIS PORTION FOR CONFIDENTIAL FILE

**Penny Petty
HAMBLÉN COUNTY CLERK**
511 W. 2ND NORTH ST
MORRISTOWN, TN 37814

**LICENSE
0356153**

STANDARD BUSINESS TAX LICENSE

Mailing

Location

73880 ALDI # 09

ALDI # 09

PO BOX 100
GLADEVILLE, TN 37071

154 W PIN LANE
MORRISTOWN, TN 37814

**TERRY PFORTMILLER
LYNN MOSER**

LOCAL ACCOUNT NUMBER 73880
STATE ACCOUNT NUMBER 174318117
TRANSACTION NUMBER _____
CLASS 1A
SALES TAX NUMBER 0

ISSUE DATE 04/19/16
TAX PERIOD 1/1/2015 - 12/31/2016
PAYMENT DUE BY 4/15/2017
EXPIRATION DATE 05/15/2017

TO AVOID PENALTY, INTEREST, AND POTENTIAL ENFORCED COLLECTION ACTION, BUSINESS TAX RETURNS AND PAYMENTS MUST BE REMITTED TO THE TENNESSEE DEPARTMENT OF REVENUE AT LEAST 30 DAYS PRIOR TO THE EXPIRATION DATE OF THIS LICENSE.

IF PAID BY CHECK, THIS LICENSE VALID ONLY AFTER CHECK IS PAID.

THIS LICENSE DOES NOT PERMIT OPERATION UNLESS PROPERLY ZONED, AND/OR IN COMPLIANCE WITH ALL OTHER APPLICABLE LAWS/RULES.


DEPUTY CLERK SIGNATURE wk03 Drawer:28 Site:1

— POST AT LOCATION OF BUSINESS —
IF BUSINESS CLOSES, MOVES, OR CHANGES OWNERS, NOTIFY THIS OFFICE

[Return to Agenda](#)



N0001401

7146456161006

TENNESSEE DEPARTMENT OF REVENUE

CERTIFICATE OF REGISTRATION

ALDI INC #09
ATTN: BOOKKEEPING
PO BOX 100
GLADEVILLE TN 37071-0100

October 9, 2015

OCT 13 2015

Account Type: SALES&USE
Account No.: 106879612
Filing Status: MONTHLY

We have received and processed your application for registration. Your valid certificate is attached below. This certificate must be publicly displayed at the location for which it is issued. The account number on this certificate is used by the department to identify your account and must be shown on all reports and correspondence. The reverse side of this certificate contains important information regarding change and/or cancellation instructions. This certificate is not assignable and is valid only for the person (entity) to whom it is issued.

T.C.A. 67-8-607 Unauthorized Use of Certificate

It is a class C misdemeanor for any person having a certificate of registration to:

- (1) Use such certificate for the purpose of purchasing tangible personal property subject to the tax herein levied except for resale, unless authorized to do so by other provisions of this chapter and the rules and regulations adopted pursuant thereto; or
- (2) Use or consume any tangible personal property purchased or otherwise acquired under the certificate of registration and subject to the privilege taxes herein levied without paying the privilege taxes.

Reporting

All sales and use tax returns must be filed and associated tax payments must be paid electronically. You are required to file your monthly, quarterly, or annual return, according to your filing frequency, even if no tax is due. If your business opens after the 20th of the month, do not file a separate return covering only the days remaining in the month. Rather, include those days on the return covering your first full filing period.

Penalty & Interest

In order to avoid the penalty and interest, all returns must be filed and all associated tax payments must be made on or before the due date for the reporting period.

DETACH HERE AND DISPLAY IN PUBLIC AREA

TENNESSEE DEPARTMENT OF REVENUE CERTIFICATE OF REGISTRATION SALES&USE

This certificate must be publicly displayed

ALDI INC #09
154 W. PIN LANE
MORRISTOWN, TN 37814

Account Type: SALES&USE
Account No.: 106879612
Effective Date: November 1, 2015

Richard H. Roberts
COMMISSIONER OF REVENUE
Return to Agenda

CITY OF MORRISTOWN
100 W 1ST NORTH ST
MORRISTOWN TN 37814-1499

RECPT#: 491500

06/21/16 11:05 tdenosa
CUSTOMER#:0
NAME:

BEER PRNTY APP

CHG: 808

BEER BOND

250.00

PAID AMT

25 PAID BY NAME

ALDI #09 PAY METHOD

CHECK

10723

AMT TENDERED:

AMT APPLIED: 250.00

CHANGE: 250.00

Esco R. Jarnagin
Sheriff



Wayne Mize
Chief Deputy

Sheriff of Hamblen County

510 Allison Street
Morristown, Tennessee 37814

HAMBLEN CO. ARREST RECORD SEARCH

DATE: 6/28/16

AN ARREST RECORD SEARCH WAS PROVIDED FOR THE FOLLOWING
INDIVIDUAL:

NAME: Randall Lynn Sweeney
DATE OF BIRTH: [REDACTED] 6/8

INDIVIDUAL HAS NO RECORD AT THE HAMBLEN CO. SHERIFF'S DEPT. ☒

Has Arrest with Morristown Police Department, Please Contact MPD-423-585-2710

INDIVIDUAL HAS THE FOLLOWING RECORD AT THE HAMBLEN CO. SHERIFF'S DEPT:

NO RECORD

JUN 28 2016

HCSD

IF YOU HAVE ANY QUESTIONS PLEASE CONTACT THE HAMBLEN CO.
SHERIFF'S DEPT. RECORDS OFFICE AT (423) 585-2769. THIS
RECORD CHECK IS A COUNTY RECORD CHECK ONLY.

Kim Sweeney

PHONE: (423) 586-3781 - Administrative
(423) 585-2720 - Jail
FAX: (423) 587-1658 - Administrative
(423) 587-1329 - Jail

Morristown Police Department

ROGER OVERHOLT
Chief of Police



Grainger County Sheriff's Dept.
Attn: Records

June 28, 2016

I am requesting a records check, covering the past 10 years, for the purpose of a Beer Permit on the following individual:

Randall Lynn Sweeny **D.O.B.** [REDACTED] **68** **SSN** [REDACTED]

If you have any questions, please give me a call at 423-318-1552 or fax me the results at 423-587-9518.

Thanks in advance for your assistance,

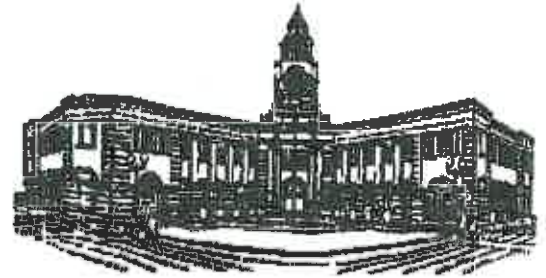
Lt. Billy Gulley, Support Services Supervisor
Morristown Police Department
P.O. Box 1283
Morristown, TN 37816-1283
Office: 423-318-1552
Fax: 423-587-9518

6-30-16

Grainger County Sheriff's Department
P. O. Box 5
Rutledge, TN 37861
Telephone 865-828-3613
Fax 865-828-8802

Morristown Police Department

ROGER OVERHOLT
Chief of Police



Chattanooga Police Dept.
Records Division

~~June 30, 2016~~

July 13, 16

I am requesting a records check on the following individual:

Randall Lynn Sweeney

DOB: [REDACTED] /68

SSN: [REDACTED]

If you have any questions, please give me a call at 423-318-1552 or fax me the results at 423-587-9518.

Thanks in advance for your assistance,

Lt. Billy Gulley,
Support Services Supervisor
Morristown Police Department

Chattanooga PD

JUL 13 2016

RECORD NO RECORD
Clerk Initials: PH



**City of Morristown
Office of the Police Department**



LOCAL ARREST HISTORY
MORRISTOWN, TN (CITY LIMITS ONLY)

Subject of Inquiry: SWEENEY, RANDALL LYNN
Last First Middle

Full Maiden Name if Applicable

Date of Birth: [REDACTED]/1968

Address: Street: [REDACTED]
City: BEAN STATION State: TN Zip Code: 37708

ID Presented: ☐ DL (State) ☒ SSN ☐ Military ☐ Other ID Number:

☐ Check if information is same as above

Person Requesting: GULLEY, B.
Last First MI

Date of Birth:

Address: Street: MPD
City: State: Zip Code:

ID Presented: ☐ DL (State _____) ☐ SSN ☐ Military ☐ Other ID Number: _____

"I understand this information is regulated by law."

Signature

☒ No Record was found with the name and DOB provided.

☐ The following record was found with the name and DOB provided.

[illegible]☐ Continued on Reverse Side

Bonnie Langdon, Records Supervisor
Employee Processing History Title

Date: 06/28/16

[Return to Agenda](#)

Morristown Police Department

ROGER OVERHOLT
Chief of Police



BEER ORDINANCE ASSURANCE

I, the undersigned, acknowledge receipt of a copy of the City of Morristown Beer Ordinance Title 8 Chapter 2.

I understand it is my responsibility to adhere to the guidelines of this ordinance and the applicable laws of the State of Tennessee.

I understand it is my responsibility to ensure that my employees are aware of, and adhere to, all governing ordinances and laws concerning the sale of beer in my establishment.

Business Name & Address: ALDI

Randall Lynn Sweeney
Signature

Randall Lynn Sweeney
Print Name

7-1-16
Date