

REGULAR MEETING – KINGSTON BEER BOARD
TUESDAY, NOVEMBER 14, 2023
KINGSTON CITY HALL

The Regular Meeting of the Kingston Beer Board was held on Tuesday, November 14, 2023. Chairman Tim Neal called the meeting to order with the following members present upon roll call: Member Philip Bredwell, Vice-Chair Tony Brown, Member Randy Childs, Member Tommy Guinn, Member Lucy Johnson, Member Stephanie Wright, and Chairman Tim Neal.

PREVIOUS MINUTES

A motion made by Member Wright, second by Member Johnson to waive the reading and approve as written the minutes of the regular meeting on October 10, 2023.

The motion passed with a unanimous roll call vote. 7 Ayes

Citizens Comments: None

New Business:

1. Consideration to approve an application for a beer permit for 1190 Gallaher Road.

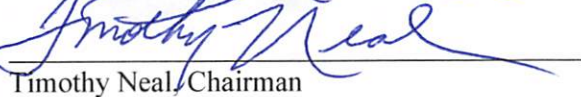
A motion was made by Member Guinn, second by Member Wright to approve an application for a beer permit for 1190 Gallaher Road.

The motion passed with a unanimous roll call vote. 7 Ayes

Chairman Neal adjourned the meeting at 6:22 pm

APPROVED

December 12, 2023


Timothy Neal, Chairman

ATTEST:


City Clerk



CITY OF KINGSTON

900 Waterford Place

Kingston, TN 37763

865-376-6584

Application for Beer Permit

CLASSIFICATION:

- ☒ Restaurant: ☐ Caterer
☐ Grocery Store/Convenience Store ☐ Package Beer Store (off premise) ☐ Golf Course
☐ Tavern ☐ Wholesale/Distribution (off premise)

TYPE OF PERMIT:

- On-Premises: ☒
Off-Premises: ☐

The Kingston Beer Board meets monthly on the second Tuesday following the regular City Council Meeting. Applicant will be required to attend this meeting for consideration. Meeting Date: _____

I HEREBY MAKE APPLICATION FOR A PERMIT TO SELL, STORE, MANUFACTURE, OR DISTRIBUTE BEER OR OTHER BEVERAGES AUTHORIZED TO BE SOLD, STORED, MANUFACTURED OR DISTRIBUTED UNDER THE PROVISIONS OF TENNESSEE CODE ANNOTATED 57-5-101 ET SEQ., AND BASE MY APPLICATION UPON THE ANSWERS TO THE FOLLOWING QUESTIONS:

- Full name of applicant: (owner of business) Guadalupe Calderon Borja
- Type of applicant: (check one)
☒ Person ☐ Firm ☐ Corporation
☐ Syndicate ☐ Association ☐ Joint-Stock Company
- Give the name and address of all persons, firms, corporations, joint-stock companies, syndicates, or associations who own 5% or more of the business (attach additional sheet, if needed)

If the owner is an individual, answer Questions 4-8, Otherwise, proceed to Question 9
- What is your present home address?
6249 Rexburg Drive, Knoxville, TN 37921
- Previous address(es) within the last ten years Same address
- Date of Birth: 6/24/1984
- Applicant's home telephone: 865-306-7113

- 8 Applicant's business telephone: 8 6 5 - 2 7 0 - 2 2 1 1
- 9 Under what name will the business operate: Cazadores Mexican Restaurant
- 10 Give business address and geographical location: 1190 Gallher Rd, Kingston, TN 37763
- 11 Describe the nature of the business you will operate: Mexican Restaurant
- 12 Name and address of the person to receive annual tax notices and any other communication:
Guadalupe Calderon Borja
- 13 Name and address of property owner (if other than business owner):
Same as business owner
- 14 Will this permit be used to operate two or more restaurants or other businesses within the same building (yes or no) No. If yes, specify number _____, and list the names of all restaurants or other businesses and describe all locations.

- 15 Give the name, date of birth, and address of any manager other than the applicant.
Guadalupe Calderon Borja, 6-24-1984, 6249 Rexburg Dr, Knoxville, TN 37921
- 16 Has any person who owns five percent (5%) or more of the business, any manager listed in response to Question 15 above, or any other employee of the business, been convicted of any violation of the beer or alcoholic beverage laws or any crime (other than minor traffic violations) within the past ten (10) years No. If yes, give the particulars of each charge, the court, and the date convicted.

- 17 Have you, your business, or any person who owns five percent (5%) or more of the business, ever had a beer permit revoked, suspended, or denied in the State of Tennessee? (Yes or no) No. If yes, specify where, when and why.

- 18 Give the name, relationship to the applicant (if applicable) and address of the former beer permittee at this location. N/A
- The City of Kingston has adopted a rule forbidding the sale, storage, or manufacture of beer within _____ feet of a church, school, or other place of public gathering.
- 19 Give the name and address of the church or other place of worship nearest to your business.
Gallaher Road Church, 104 Oberly Rd, Kingston, TN 37763

20 Give the name and address of the school nearest to your business.

Kingston Elementary, 2000 Kingston Hwy, Kingston, TN 37763

21 Give the name of the owner and address of the nearest residential dwelling to your business.

108 Nurr Rd. Kingston, TN 37736

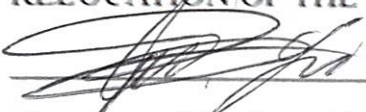
NOTICE

A non-refundable \$250 fee must accompany this application. If the application is approved, you are required to provide documentation of sales tax registration to the City within ten (10) days of approval. An annual privilege tax of \$100 is imposed on the business of selling, distributing, storing, or manufacturing beer in the state. This tax is due each January 1st and is payable to the City of Kingston. This tax is prorated for new permits issued after January 1st, and must be paid when the permit is issued.

Per TCA § 5-5-104(a): No portion of the fee shall be refunded to the applicant, notwithstanding whether an application is approved or denied.

ANY APPLICANT MAKING A FALSE STATEMENT IN THIS APPLICATION SHALL FORFEIT HIS/HER PERMIT AND SHALL NOT BE ELIGIBLE TO RECEIVE ANY PERMIT FOR TEN (10) YEARS.

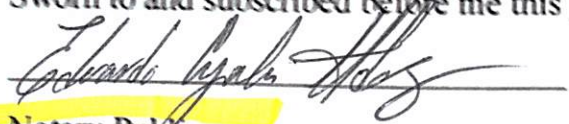
I CERTIFY THAT THIS APPLICATION CONTAINS TRUE INFORMATION TO THE BEST OF MY KNOWLEDGE AND BELIEF. I CERTIFY THAT I HAVE BEEN A CITIZEN OR LAWFUL RESIDENT OF THE UNITED STATES FOR AT LEAST ONE (1) YEAR IMMEDIATELY PRECEDING THE DATE THIS APPLICATION IS MADE TO THE CITY. I AM AWARE OF MY CONTINUING OBLIGATION TO AMEND OR SUPPLEMENT THIS APPLICATION PROMPTLY IF A CHANGE IN CIRCUMSTANCES AFFECTS THE RESPONSES PROVIDED IN THIS APPLICATION, EITHER BEFORE OR AFTER A PERMIT HAS BEEN ISSUED. I CERTIFY THAT I AM KNOWLEDGEABLE OF THE LAWS PROHIBITING THE SALE OF BEER TO MINORS. I AM AWARE THAT I WILL NOT BE ISSUED A BEER PERMIT OR MY PERMIT WILL BE REVOKED IF MY BUSINESS LOCATION CAUSES TRAFFIC CONGESTION OR INTERFERES WITH SCHOOLS, CHURCHES, OR OTHER PLACES OF PUBLIC GATHERING, OR OTHERWISE INTERFERES WITH PUBLIC HEALTH, SAFETY AND MORALS. I WILL SURRENDER TO THE BEER BOARD ANY PERMIT ISSUED UNDER THIS APPLICATION WITHIN FIFTEEN (15) DAYS OF TERMINATION OF THE BUSINESS, CHANGE IN OWNERSHIP, RELOCATION OF THE BUSINESS, OR CHANGE OF THE BUSINESS NAME.



Signature of Applicant/Owner



Sworn to and subscribed before me this 17 day of October, 2023.



Notary Public

My Commission Expires: February 22, 2025

BACKGROUND CHECK

Under TCA 57-5-103(e), a city or county is authorized to seek criminal history background or fingerprint checks on applicants. Criminal background checks may include fingerprint checks against state and federal criminal records maintained by the Tennessee Bureau of Investigation and the Federal Bureau of Investigation. The Tennessee Bureau of Investigation is authorized to assess fees for the searches in accordance with the fee schedule established by the bureaus.

☒ An online background has been completed through the Tennessee Bureau of Investigation and the results are attached for review.

☒ The Kingston Chief of Police or designee has reviewed the application and has completed an investigation.

☐ No Records Found

☒ Records Found

ARREST ON 6-16-2015 Alcohol violation / selling to
A MINOR (Knox County)

Det. Kevin Q.

Kingston Chief of Police or authorized personnel



Bill Lee
Governor

TENNESSEE BUREAU OF INVESTIGATION

ATTN: TORIS

901 R.S. Gass Boulevard
Nashville, Tennessee 37216-2639
(615) 744-4057
Facsimile (615) 744-4289



David B. Rausch
Director

10/31/2023

TIFFANY A MOORE
900 WATERFORD PLACE
KINGSTON TN 37763

Tennessee Criminal History Records Request

Attached is the response to your request for a criminal history record check on the following individual in which Tennessee information was found. NOTE: All aliases submitted have been searched.

GAUDALUPE CALDERON BORJA

Please be aware that, unless a fingerprint comparison is performed, it is impossible for the Tennessee Bureau of Investigation to be sure the record belongs to the individual you requested. A fingerprint comparison will only be performed in the event of a written appeal of criminal history results. The information you receive will be based on only those arrests which occurred within the state of Tennessee.

The Tennessee Bureau of Investigation found Tennessee criminal history based on the information provided. No criminal record check was conducted for other states or for the Federal Bureau of Investigation.

Tennessee Open Records Information Services
Tennessee Bureau of Investigation
901 R.S. Gass Blvd.
Nashville, TN 37216



INTERNATIONALLY ACCREDITED SINCE 1994

THE INFORMATION IN THIS RAP SHEET IS SUBJECT TO THE FOLLOWING CAVEATS:

THIS RECORD IS BASED ONLY ON THE SID OR FBI NUMBER IN YOUR REQUEST (4025435) BECAUSE ADDITIONS OR DELETIONS MAY BE MADE AT ANY TIME, A NEW COPY SHOULD BE REQUESTED WHEN NEEDED FOR SUBSEQUENT USE. USE OF THE FOLLOWING RECORD IS REGULATED BY LAW. IT IS FURNISHED FOR OFFICIAL USE ONLY AND SHOULD ONLY BE USED FOR THE PURPOSE REQUESTED. WHEN EXPLANATION OF A CHARGE OR DISPOSITION IS NEEDED, COMMUNICATE DIRECTLY WITH THE AGENCY THAT CONTRIBUTED THE FINGERPRINTS. (TBI; 2005-06-28)

***** IDENTIFICATION *****

SUBJECT NAME(S)

CALDERON, GUADALUPE BORJA

CALDERON BORJA, GUADALUPE (AKA)

SUBJECT DESCRIPTION

STATE ID NUMBER
4025435 (TN)

SOCIAL SECURITY NUMBER
MATCH

SEX
MALE

RACE
WHITE

SKIN TONE
UNKNOWN

HEIGHT
5'06"

WEIGHT
150

DATE OF BIRTH
[REDACTED]

HAIR COLOR
BLACK

EYE COLOR
BROWN

PLACE OF BIRTH
MM

***** CRIMINAL HISTORY *****

===== CYCLE 001 =====

TRACKING NUMBER 470003033459
EARLIEST EVENT DATE 2015-06-16 INCIDENT DATE 2015-06-02

ARREST DATE 2015-06-16
ARREST CASE NUMBER 1040201
ARRESTING AGENCY TN0470000 KNOX COUNTY SO
SUBJECT'S NAME GUADALUPE BORJA CALDERON
OFFENDER ID NUMBER 4025435
CHARGE NUMBER 108855699
CHARGE TRACKING NUMBER 470003033459
CHARGE LITERAL ALCOHOL SALE TO MINOR
COUNTS 1
SEVERITY UNKNOWN

***** INDEX OF AGENCIES *****

AGENCY KNOX COUNTY SO; TN0470000;

* * * END OF RECORD * * *

City of Kingston
 900 Waterford Place
 Kingston TN 37763
 865-376-6584

**CASH
 RECEIPT**

Date 10/25/2023

019222

Received From Calzagans Mexican Restaurant

Address

Two hundred fifty dollars & no/100

Dollars \$ 250.00

For

Beer Permit Application

clerk # 1277

ACCOUNT			HOW PAID		
AMT. OF ACCOUNT			CASH		
AMT. PAID			CHECK	<u>250.00</u>	
BALANCE DUE*			MONEY ORDER <input type="checkbox"/>		
			CREDIT CARD <input type="checkbox"/>		

By

[Signature]

Sergio Hernandez - Manager
865-566-4357

WAIVER

1. Grand Jury and Trial by Jury

DEFENDANT, _____
after being fully advised of his/her rights by the Court,
in writing waives his/her rights to be tried only upon
indictment or presentment by a Grand Jury and to
trial by a jury of peers.

DEFENDANT

JUDGE

2. Preliminary Examination

DEFENDANT, _____
hereby expressly waives in writing his/her right to a
preliminary hearing.

DEFENDANT

JUDGE

3. Right to Counsel

DEFENDANT, _____
after being fully advised of his/her right to the aid of
counsel in every stage of the proceedings, and
further having been advised that if necessary an
attorney will be appointed to represent the defendant,
hereby waives his/her right to counsel.

DEFENDANT

JUDGE

DATE _____, 20____

ATTORNEY CHECK IF COURT APPOINTED ☐

ATTORNEY

DOCKET NO. 110562# PAGE NO. _____

☒ STATE OF TENNESSEE

☐ COUNTY OF KNOX

1294527 "ALIAS"

GUADALUPE B. CALDERON

DEFENDANT

CHARGE SALE OF ALCOHOL TO A
PERSON LESS THAN 21 YRS

ISSUED THIS 3RD DAY OF JUN

20 15

BY [Signature] CLERK

JUDGE, COMMISSIONER, CLERK

INITIAL APPEARANCE DATE

DATE OF 6-16-15 3:21

CONTINUED 9-29-15 4:50

CONTINUED BA/RS

CONTINUED _____

DATE 6-2 20 15

CAPT ALLEN RAY KES01719

OFFICER

NO
Dates

JUDGMENT

Judgment that the Defendant be:

- ☒ Dismissed agreed
- ☐ Driving privilege suspended agreed
- ☐ Guilty 9-29-15
- ☐ Plea of Guilty
- ☐ Fined the Sum of _____
- ☐ and Court Cost of _____
- ☐ Bound over and held to the Grand Jury of _____

9-29-15

Bail Bond set at \$ _____

- ☐ Defendant having failed to appear, an Attachment
or Alias Arrest Warrant is hereby ordered.
- ☐ Waived preliminary hearing, bound over and held
to the Grand Jury.

Bail Bond set at \$ _____

- ☒ Put 90 days +
don't a costs, no
further + ASL (comp)

[Signature]

JUDGE

DATE 6-16 20 15

Cost

Fine \$

Cost \$ 215.25

6-16-15 Fine & Cost \$ 215.25

☒ STATE OF TENNESSEE T.C.A. CITATION
☐ KNOX COUNTY ORDINANCE CITATION
COMPLAINT - AFFIDAVIT

150602 0138

✓ #No. KCO- 110562

VIOLATOR	NAME (FIRST) <u>1294527</u> <u>Guadalupe</u>			(MIDDLE) <u>Borja</u>	(LAST) <u>Calderon</u>	DATE OF BIRTH MO. <u>06</u> DAY <u>24</u> YR <u>89</u>	RACE <u>0</u>	SEX <u>M</u>	
	ADDRESS <u>6249 Rexburg Drive</u>						TN RESIDENT? <input checked="" type="checkbox"/> YES <input type="checkbox"/> NO	SEAT BELT? <input type="checkbox"/> YES <input type="checkbox"/> NO	
	CITY <u>Knoxville</u>					STATE <u>TN</u>	ZIP CODE <u>37921</u>	SOCIAL SECURITY NUMBER <u>731-10-2309</u>	
	DRIVER LICENSE NUMBER <u>103467713</u>			CLASS/TYPE LICENSE <u>D</u>		STATE <u>TN</u>	EXPIRATION DATE MO. <u>10</u> DAY <u>24</u> YR <u>19</u>	TELEPHONE NUMBER <u>(865)-306-7113</u>	
	PLACE OF EMPLOYMENT <u>Taco Boy Sports Bar & Grill</u> <u>747 N. Campbell Station Rd.</u>								

VEHICLE	<input type="checkbox"/> OWNED <input type="checkbox"/> LEASED		NAME	ADDRESS				
	<input type="checkbox"/> CARRIER							
	DID UNLAWFULLY OPERATE/PARK A MOTOR VEHICLE:							
MAKE		MODEL	YEAR	COLOR	LICENSE PLATE NUMBER	STATE	YEAR	
UPON STREET/HIGHWAY		S.R.#	TRAVEL DIR. <input type="checkbox"/> N <input type="checkbox"/> S <input type="checkbox"/> E <input type="checkbox"/> W	M.M.#	CITY/COUNTY	HIGHWAY TYPE <input type="checkbox"/> 2-L <input type="checkbox"/> 3-L <input type="checkbox"/> 4-L <input type="checkbox"/> DIV. <input type="checkbox"/> I-RD	AREA <input type="checkbox"/> BUSINESS <input type="checkbox"/> SCHOOL <input type="checkbox"/> RES. <input type="checkbox"/> RURAL	

VIOLATION	AFORESAID DID THEN AND THERE COMMIT THE FOLLOWING OFFENSE:									
	<input type="checkbox"/> SPEEDING _____ MPH IN _____ LIMIT <input type="checkbox"/> ZONE <input type="checkbox"/> PACING <input type="checkbox"/> RADAR <input type="checkbox"/> TRAFFIC CONTROL DEVICE									
	<input type="checkbox"/> RECKLESS DRIVING <input type="checkbox"/> IMPROPER PASSING <input type="checkbox"/> FOLLOWING TOO CLOSELY <input type="checkbox"/> PASSING SCHOOL BUS									
	<input type="checkbox"/> EQUIPMENT VIOLATION - MOTORCYCLE <input type="checkbox"/> EQUIPMENT VIOLATION - AUTOMOBILE <input type="checkbox"/> CHILD RESTRAINT <input type="checkbox"/> WINDOW TINT									
	<input type="checkbox"/> HANDICAPPED PARKING <input type="checkbox"/> VIOLATION OF NOISE ORDINANCE									
<input type="checkbox"/> OTHER: <u>sale of Alcohol to a minor</u>										
T.C.A. <u>57-4-203</u>					ORDINANCE:					

NARRATIVE	<u>On June 2, 2015 the defendant did serve a 12oz Budlight (bottle) to an underage minor (less than 21 yrs) at the Taco Boy, 747 N. Campbell Station Rd.</u>									
	<u>400 Main St.</u>									
	<u>Booking date: June 16, 2015 at 730 at the City/County Building</u>									

OFFICER	THE UNDERSIGNED FURTHER STATES THAT HE/SHE HAS JUST AND REASONABLE GROUNDS TO BELIEVE AND DOES BELIEVE, THAT THE PERSON NAMED ABOVE COMMITTED THE OFFENSE HEREIN SET FORTH, CONTRARY TO THE LAW. <u>422336</u>									
	THIS <u>2nd</u> DAY OF <u>June</u> 20 <u>15</u> TIME <u>1747</u> <input type="checkbox"/> AM <input checked="" type="checkbox"/> PM <u>CAPT ALLEN MAY 1719</u>									
	RANK OFFICER NAME (PRINT) BADGE/ID NO.									
	HAVING BEEN DULY SWORN, I DO HEREBY ATTEST THAT THE ABOVE IS A TRUE AND COMPLETE COPY OF THE ORIGINAL CITATION, AND THAT THE INFORMATION CONTAINED THEREIN IS TRUE AND CORRECT TO THE BEST OF MY KNOWLEDGE.									
	SWORN TO AND SUBSCRIBED BEFORE ME THIS <u>3rd</u> DAY OF <u>JUN</u> 20 <u>15</u>									
SIGNATURE OF OFFICER <u>[Signature]</u>					JUDGE/CLERK <u>[Signature]</u>					

COURT	1 <input type="checkbox"/> GENERAL SESSIONS COURT OF KNOX COUNTY, KNOXVILLE, TN									
	2 <input type="checkbox"/> JUVENILE COURT									
ON _____ THE _____ DAY OF _____ 20 _____ TIME _____										

<input type="checkbox"/> KNOX COUNTY ORDINANCE CITATION I UNDERSTAND THE ABOVE CITATION, AND THAT MY SIGNATURE IS NOT AN ADMISSION OF GUILT.	<input checked="" type="checkbox"/> STATE OF TENNESSEE T.C.A. CITATION NOTICE: FAILURE TO APPEAR IN COURT ON THE DATE ASSIGNED TO THIS CITATION OR AT THE APPROPRIATE POLICE STATION FOR BOOKING AND PROCESSING WILL RESULT IN YOUR ARREST FOR A SEPARATE CRIMINAL OFFENSE WHICH IS PUNISHABLE BY A JAIL SENTENCE OF UP TO SIX (6) MONTHS AND/OR A \$50 FINE. I UNDERSTAND THE ABOVE NOTICE, AND THAT MY SIGNATURE IS NOT AN ADMISSION OF GUILT.
VIOLATOR'S SIGNATURE <u>[Signature]</u>	DATE <u>6-2-15</u>



PERMIT #
11-14-2023-01

Beer Permit

City of Kingston
Roane County
State of Tennessee

Guadalupe Calderon Borja, IS HEREBY AUTHORIZED AND PERMITTED TO ENGAGE IN THE RETAIL SALE FOR CONSUMPTION ON THE PREMISES OF THE PERMITTEE, AS AUTHORIZED BY THE ACTION OF THE BEER BOARD OF THE CITY OF KINGSTON AT THEIR MEETING ON THE 14TH DAY OF NOVEMBER, 2023, WHICH IS REFLECTED IN THE MINUTES OF SAID BOARD ON THE DATE AFORESAID.

THIS PERMIT OF SALE IS TO BE EXERCISED; HOWEVER, ONLY AT THE LOCATION HEREIN DESCRIBED AND CLASSIFIED AS A RESTAURANT PERMIT.

TO WIT: Guadalupe Calderon Borja
 DBA Calzadore's Mexican Restaurant.
 1190 Gallaher Road
 Kingston, TN 37763

ISSUED THIS THE 14TH DAY OF NOVEMBER, 2023



City Manager, City of Kingston

POST IN A CONSPICUOUS PLACE