

**MINUTES OF REGULAR MEETING
GOODLETTSVILLE BEER BOARD**

Date: June 9, 2010
Time: 9:00 AM
Place: City Hall Auditorium

Board members present were Randall Hall, Karl Nixon, James Pomeroy, Mark Allison, Carl Sloan. City staff members present were Assistant City Manager Jim Thomas, Tim Ellis, Claudia Davis. Also present were Mayor John Finch, Bill Herbert, Lotfy Issa

The meeting was called to order by Chairman Randall Hall. City Recorder Davis called the roll.

Consider application for an off-premises beer permit to Lotfy Issa for Jack's Discount, 102 Fannin Drive previously denied at the March 9, 2010 beer board meeting. William B. Herbert, Attorney, reviewed the city's beer ordinance pertaining to the minimum distance requirements to a dwelling. He presented a map of the site to the board members. He calculated a distance of 248 feet to the nearest residence which is zoned as a residential district. His client proposes to extend the entrance to the building out two feet to meet the distance requirement. Pertaining to the proximity to the mobile homes in the mobile home park, he cited a case on January 22, 2010 where it was ruled that mobile homes in commercial districts are considered a commercial use. This ruling supersedes the local use in zoning districts. City Manager Thomas noted that there may be an issue with the number of available parking spaces that should be addressed by the Planning Director. James Pomeroy expressed concern that there are bicycles at the mobile home directly behind the store indicating children living there and that he has a real problem having beer sold that close to them. Mr. Herbert and Mr. Issa both indicated they would be willing to install opaque fencing on the rear to eliminate visibility to the store patrons. They added that the beer sales would be for off-premises use and their patrons would not be leaving the store intoxicated. City Manager Thomas suggested that further documentation to resolve some of the sensitive issues with this applicant should be provided by the applicant prior to a decision. These include: 1. Clarification from the Planning Director regarding the extension to the building; 2. Clarification from the Planning Director regarding fencing construction; 3. Determination from the Planning Director regarding parking and if the alteration to the building will continue to satisfy the parking compliance qualification; 4. Opinion from the City Attorney regarding the conflict of the State Supreme Court decision with the City's beer ordinance regarding distance to a residence. A motion was made by Karl Nixon to defer this request to the next beer board meeting. The motion was seconded by James Pomeroy and passed unanimously 5-0.

Mayor Finch thanked the board members for their valuable service. He added that he appreciates that the board is planning to look at the issue of the distance requirements in the current beer ordinance. He encouraged them to have workshops and to bring their recommendations to the Commission. The Beer Board is an important part of the economic development of our City to grow the tax base rather than the tax rate.

City Recorder Davis informed the board that a previously approved event at Bailey's was scheduled for the weekend of the May flood and they have rescheduled that event for June 27th.

A motion was made by James Pomeroy to adjourn at 9:40 a.m. The motion was seconded by Mark Allison and passed unanimously 5-0.

Claudia Davis, City Recorder

Randall Hall, Chairman