

MINUTES OF REGULAR MEETING GOODLETTSVILLE BEER BOARD

Date: March 9, 2011
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 City Manager Jim Thomas, Police Chief Richard Pope and City Recorder Claudia Davis. Also present were Rob Wheeler, Sherry Tiedt, Linda Evans, Darlyn Farris, Cecil Ray and others.

The meeting was called to order by Chairman Carl Sloan. City Recorder Davis called the roll: Randall Hall present, Karl Nixon present, James Pomeroy present, Mark Allison present, and Carl Sloan present.

A motion was made by Karl Nixon to approve the minutes of the October 13, 2010 meeting. The motion was seconded by Mark Allison and passed unanimously 5-0.

A motion was made by Karl Nixon to approve the minutes of the February 9, 2011 meeting. The motion was seconded by James Pomeroy and passed unanimously 5-0.

Darlyn Farris, 206 Hollywood Street, expressed concern that Ray's Tobacco & Beer would entice crime in the area, submitting a list of crimes that have occurred at the tobacco stores on Rivergate Parkway. She encouraged the board to deny the request for a beer permit.

Cecil Ray stated that he manages the mobile home park at Fannin Drive. He sees children crossing the highway to Swift Stop Market. Ray's will sell snacks and staples so that they can shop on their side of the highway. The site of the bus stop is well off the highway and parents normally wait with their children and are there to meet them in the afternoon. He encouraged the board to approve the application for Ray's.

City Manager Thomas reported on his research to define premises. There is no definition of premises in the current City beer ordinance. He reported that he looked at over fifteen other cities' beer ordinances and could not find a definition in any of their ordinances. In the City's beer ordinance, off premises and on premises requirements are defined. The open container law is enforced where there is public drinking from an open container in a public area, unless that facility has received the appropriate permit from this board. He stated that he believes we do have guidance in the ordinance as it is written. Regarding the lighting conditions at this location, there is a street light at this intersection. Additional security lighting has been installed by the property owner which lights the parking lot and the store front and the access into the intersection.

Cecil Ray reported that he has been working with NES to increase the wattage in the street light from 300 watts to 1000 watts in the next few weeks.

Consider application for an off-premises beer permit to Ray's Tobacco & Beer, 102 Fannin Drive, Goodlettsville, Tn. The applicant is Chad Marshall Ray, Greenbrier, Tennessee. City Manager Thomas reported this request was deferred at the last meeting due to a question on the distance to the closest residential structure. The applicant has submitted a stamped drawing with

a surveyor attesting that the closest residence is a greater distance that is required by the beer ordinance.

Rob Wheeler, Attorney, representing Chad Ray, stated that in reviewing the action at the February Beer Board meeting, that the requirements requested at that meeting have been met. He presented a petition of ninety-two signatures of residents in the area that are in favor of the approval. He requested that this petition be entered into the minutes. He expressed that if this prevents one child from crossing Dickerson Road that it will be worthwhile.

A motion was made by Randall Hall to approve an off-premises beer permit to Ray's Tobacco & Beer. The motion was seconded by Karl Nixon. Mark Allison stated that while the City's zoning does not prevent having a tobacco store, he personally would prefer that it be a convenience store. The motion was approved 4-1. The opposing nay vote was by Mark Allison.

Consider application for an off-premises beer permit to RBS Market, 943 Louisville Highway, Goodlettsville, TN. The applicant is Sherry Lynn Tiedt, Cross Plains, TN. After reviewing the application, a motion was made by Randall Hall to approve the off-premises permit, subject to the address of the nearest residence and church be added to the application. The motion was seconded by James Pomeroy and passed unanimously 5-0.

City Manager Thomas reported to the Beer Board that Recording Secretary Davis will be retiring in April.

There being no further business to consider, a motion was made by Randall Hall to adjourn. The motion was seconded by Mark Allison and passed unanimously 5-0 to adjourn at 9:51 a.m.

Claudia Davis, City Recorder

Carl Sloan, Chairman