

**MINUTES OF REGULAR MEETING
GOODLETTSVILLE BEER BOARD**

Date: May 12, 2010
Time: 9:00 AM
Place: City Hall Auditorium

Board members present were Randall Hall, Karl Nixon, James Pomeroy, Mark Allison. Carl Sloan was absent due to a scheduled vacation prior to his appointment to the Beer Board. City staff members present were Assistant City Manager Tim Ellis, Police Chief Richard Pope and City Recorder Claudia Davis. Also present were Gennet Bayu, Ramanlal R. Patel, Nathalie Cote, Zhong Zhi Zhuo, Josh Stimpson and Josh Gregory.

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

Consider approval of the minutes of the previous meeting on April 13, 2010. A motion was made by James Pomeroy to dispense with the reading of the minutes and approve them as submitted. The motion was seconded by Mark Allison and passed unanimously 4-0.

Consider application for an off-premises beer permit to Gennet Berihun Bayu for Ruth LLC, DBA Raceway #771, 943 Louisville Highway. Gennet Berihun Bayu appeared before the board. After reviewing the documents submitted to support this request, a motion was made by James Pomeroy to approve this permit. The motion was seconded by Karl Nixon and passed unanimously 4-0.

Consider application for an off-premises beer permit to Ramanlal R. Patel for S. K. Smoke Shop, 111 Northcreek Boulevard. Ramanlal R. Patel appeared before the board. After reviewing the documents submitted to support this request, a motion was made by James Pomeroy to approve this permit. The motion was seconded by Karl Nixon and passed unanimously 4-0.

Consider application for an on-premises beer permit to Cody LLC, Nathalie Cote, President, for Cody's Pub & Eatery, 1201 Twelve Stones Crossing. Nathalie Cote appeared before the board. At the prior inquiry from Chairman Hall, City Recorder Davis stated that this location was originally approved for a beer permit, after the Board of Commissioners passed Ordinance No. 99-576 to amend the beer ordinance so that the distance shall not apply to an applicant for an on-premises permit whose location is a part of a planned unit development and approved as a part of a master plan. After reviewing the documents submitted to support this application, a motion was made by Karl Nixon to approve this permit. The motion was seconded by James Pomeroy and passed unanimously 4-0.

Consider application for an on-premises beer permit to Mt Fuji Steakhouse, Inc., Zhong Zhi Zhuo, for Mt. Fuji Steakhouse, 801 Rivergate Parkway. Zhong Zhi Zhuo appeared before the board. After reviewing the documents submitted to support this request, a motion as made by Mark Allison to approve this permit. The motion was seconded by James Pomeroy and passed unanimously 4-0.

Consider request of Bailey's Sports Grille, 786 Rivergate Parkway, Suite 12, for special events in 2010. Josh Stimpson appeared before the board. The event will be on Saturday, June 19, 2010 from 11:00 a.m. to 6:00 p.m. Their original request included bike night events throughout the summer. Stimpson stated they wish to withdraw that portion of their request. After



reviewing the supporting documentation required for a special event, a motion was made by James Pomeroy to approve the request. The motion was seconded by Karl Nixon and passed unanimously 4-0.

Consider request of Hooter's Restaurant, 654 Wade Circle, for a special event May 16, 2010 from Noon to 5 p.m. Josh Gregory appeared before the board. After reviewing the supporting documentation required for a special event, a motion was made by Mark Allison to approve the request. The motion was seconded by James Pomeroy and passed unanimously 4-0.

A motion was made by Mark Allison to adjourn at 9:25 a.m. The motion was seconded by James Pomeroy and passed unanimously 4-0.


Claudia Davis, City Recorder


Randall Hall, Chairman

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.