

## Beer Board Minutes

The Shelbyville Beer Board met in regular session on September 9, 2015 at the meeting room of the Shelbyville Recreation Center. Chairman Reeves called the meeting to order at 6:00 p.m. Roll was called and the following members were present: Member York, Member Finney, Member Hughes, Member Fisher, and Chairman Reeves. Also present were City Attorney Ginger B. Shofner, City Building Inspector Monty Kapavik, Deputy Police Chief Mike Rogers, and City Recorder Shanna Boyette.

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The first item on the Agenda was approval of the Agenda. Chairman Reeves called for any additions or deletions. Hearing none, Member York made a motion to approve the Agenda as submitted. The motion was seconded by Member Fisher and carried unanimously upon oral vote.

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The next item of business was approval of the minutes of the previous meeting of August 12<sup>th</sup>. Chairman Reeves called for any corrections. Hearing none, Member York made a motion to approve, seconded by Member Fisher, and carried unanimously upon oral vote.

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Chairman Reeves called for items of Old Business. The only item of Old Business was an application for consideration to sell beer (consume) by Cazadora Mexican Restaurant, Jose Gomez Mendez and Maria Torres Guterrez 341 Bethany Lane Shelbyville, TN. Chairman Reeves called for the applicants. The applicants Jose Gomez Mendez and Maria Torres Gutierrez were sworn in by City Recorder Boyette. The application was then before the board and Chairman Reeves provided brief history of the application presented previously to the Board on August 12<sup>th</sup> and explanation for the deferral of said application. Chairman Reeves then acknowledged the proof of citizenship submitted to the Board in regards to applicant Maria Torres Gutierrez, noting that the legal U.S. VISA document is dated 05-21-2014. This documentation satisfies the State requirement set forth that applicants must provide documentation of residency and or citizenship of the U.S. for a period of one year prior to submittal of beer application. There being no more discussion, Member York made a motion to approve the application for beer permit. Seconded by Member Hughes, and carried unanimously upon oral vote.

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Items of New Business were then in order.

Consideration of an application to sell beer (consume) by Leo's Lounge, Kevin Patrick O'Donnell and Mary Gonzales-O'Donnell 203 E. Depot Street Shelbyville, TN was the first item of New Business. Chairman Reeves called for the applicants Kevin Patrick O'Donnell and Mary Gonzales-O'Donnell and they were both sworn in by City Recorder Boyette. The application of Leo's Lounge was then before the Board for consideration. Chairman Reeves verified that both individuals present were applicants as stated on the application before the Board. Chairman Reeves confirmed that the applicants have

received a copy of the Beer Rules and Ordinance of which they confirmed they had received. Both applicants confirmed that they understand the law and gave a brief decryption of the establishment for where beer would be sold if a permit was granted. Both applicants confirmed that they had never been a beer permit holder before, but both have experience in beer sales from bartending to training. The Board reviewed their citizenship and TN residency requirements set forth in State law. City Attorney Shofner was recognized by the Board and noted the LLC documented on the application for the Board to consider. The applicants stated that Leo's Lounge as noted on the application was a DBA name and the LLC was the Athlete Factory. In addition Chairman Reeves requested that a full lease be provided and the LLC form filed with the State be submitted and attached to the minutes of the meeting as a matter of record. There being no further discussion, Member York made a motion to allow for a modification to the application to include The Athlete Factory LLC as the owner of the beer permit. The motion was seconded by Member Hughes, and carried unanimously upon oral vote. Member Young made a motion to approve the application, seconded by Member Finney, and carried unanimously upon oral vote.

The next item of business was review and discussion of letters/reports received by the TN Alcoholic Beverage Commission (TABC) in regards to Alfonso's Mexican Restaurant, Alfonso Sandoval, 608 Madison Street Shelbyville, TN; Legends of Shelbyville 1609 N. Main Street Shelbyville, TN; and El Mexico Restaurant 724 N. Main Street Shelbyville, TN. City Attorney Shofner provided comments on a 2014 a State PILOT program offered short term between jurisdictions and TABC. This program is not active to date. In addition Attorney Shofner contacted MTAS and based on research and comments provided by MTAS it was recommended that a certified copy of violation from TABC would be sufficient for local Beer Board to proceed with a Special hearing to address violations. Member Fisher notified that the Board that he would need to recues himself from any Alfonso's and El Mexico notice of violations and any action taken by the Board based on conflict. The Board acknowledged the request. The Beer Board scheduled a Special Hearing to be held immediately preceding the Regular Session Board of October 14<sup>th</sup>. There being no further the business before the Board, Member York made a motion to adjourn, seconded by Member Hughes, and carried unanimously upon oral vote. The meeting adjourned at 6:28 p.m.

APPROVED:

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Chairman Jason Reeves

ATTEST:

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Shanna Boyette, City Recorder