Bolivar City Council
Called Meeting
June 22, 2015

Mayor Stevens apologized for the delay in getting started due to four councilmembers not being present. Attorney Hornsby read from the City Charter, **Section 2.03. City Council. Be it further enacted. That the mayor and councilmen shall compose the city council, in which is vested all corporate legislative and other powers of the city, except as otherwise provided in this Act. A majority of the council shall constitute a quorum. Section 2.04. Mayor as Presiding Officer. Be it further enacted, That the mayor shall preside at meeting of the council, shall have a vote only in case of a tie, etc...Section 2.10 . City Legislation. The affirmative vote of the majority present of the council shall be required to pass any motion, resolution or ordinance including two readings in the case of an ordinance.** At this time Attorney Hornsby stated it was legal to begin the meeting and conduct business.

Mayor Stevens called the meeting to order and welcomed all guests. Councilman Willie McKinnie led the group in prayer followed by the Pledge of Allegiance.

Present: Mayor Barrett Stevens
James Futrell
Todd Lowe
Willie McKinnie
Suzanne Rhea

Absent: Tracy Byrum
Randy Hill
Julian McTizic
Larry McKinnie

Others Present: Attorney Steve Hornsby, Administrator Shelia Dellinger, Brad Grantham, Karen Tysenn, Chief Pat Baker, Sarah Rice, Amelia Carlson, Calvin Howell, Jimmy Howell

Business:

A. 2nd Reading/Public Hearing of Ordinance 15-003, "An Ordinance to Approve the Budget for Fiscal year 2015-2016"
Councilman Futrell moved, seconded by Councilman Lowe to adjourn from executive session to public hearing. All voted "Aye". There being no comment from the public, Councilwoman Rhea moved, seconded by Councilman Willie McKinnie to reconvene to executive session. All voted "Aye". Councilman Lowe moved, seconded by Councilman Futrell to approve Ordinance 15-003 on 2nd reading. All voted "Aye".

B. 2nd Reading/Public Hearing of Ordinance 15-004, "An Ordinance to Amend the Bolivar Municipal Code and Revise Title 8, Chapter 1, Intoxicating Liquors"
Councilman Futrell moved, seconded by Councilman Lowe to adjourn from executive session to public hearing. All voted "Aye". At this time Mr. Jimmy Howell asked Mayor Stevens to read Ordinance 15-004. Mayor Stevens read the ordinance in its entirety. Mr. Howell asked what the current ordinance of the sale of beer allowed within the city limits of Bolivar in regards to its restrictions. Mayor Stevens stated it was 500 feet from schools or churches. There was some discussion if we were going to apply the same rules as a courteous to the schools and churches in regards to the ordinances that have been on the books for the past 30 to 40 years. Mayor Stevens stated that has not been adopted in this ordinance. He also stated there was not a state law that requires this action. Mayor Stevens stated this was one of the reasons for the establishments to be located within the boundaries of the downtown economic development zone established pursuant to the Courthouse Revitalization Pilot Project. It will keep the businesses out of the neighborhoods. It will also allow the city to receive double taxation. Mr. Jimmy Howell asked if it was right for the city council and mayor to restrict the sale of liquor in the downtown area just for sole purposes of the extra taxation. Mayor Stevens stated we do not have any limitation on the number of store but it is restricted to the downtown area to help generate extra money to our DevCo zone until the grant expires in 2023 after that time it can be opened to the entire city of Bolivar in a commercial zone if the council amends this ordinance. Mr. Calvin Howell stated he would like to echo exactly the same statements Mr. Jimmy Howell. Mr. Calvin Howell stated primarily the restriction of commerce is we have business zones and commercial zones past Walmart and he does not want to see those restricted. Mr. Calvin Howell stated he does not like the idea of restricting it inside our tax base or the limitation of where it is. He also felt is should be some very specific concerns about where they are located whether it be neighborhoods, churches or around other activities. Mayor Stevens thanked Mr. Howell for his comments. Mr. Calvin Howell stated his main concern was to legislate something that was outside the zone with the competition and the ability to start a business that is outside the zone. Mr. Howell stated he was a DevCo board member and has been since it was established and understands the two taxes on that and it is an incentive to do it this way but would like to see it be adjusted to the Walmart area which is strictly commercial zone other than restricting it to the DevCo area. There being no further comments from the public, Councilwoman Rhea made a motion to adjourn from public hearing to executive session, and Councilman Lowe seconded the motion. All voted "Aye". At this time Councilwoman Rhea moved to approve Ordinance 15-004 on 2nd and final reading, Councilman Futrell seconded the motion. All voted "Aye" except Councilman Willie McKinnie who abstained. Motion passed on 2nd reading.

There being no further business, Councilwoman Rhea moved to adjourn the meeting. Councilman Futrell seconded the motion. All voted "Aye". Meeting adjourned.

Attest: