

Bolivar City Council Meeting
Monday, May 13 2024
6:00 P.M.

The Bolivar City Council met in regular session, Monday, May 13, 2024, at the Bolivar Municipal Building with the following attendance:

Present:

Mayor Julian McTizic
Councilmember Michael Brown
Councilmember Melvin Golden
Councilmember Larry McKinnie
Councilmember Caroline Miller
Councilmember Suzanne Rhea
Councilmember Chris Williams
Councilmember Tommie Woods

Absent:

Councilmember Todd Lowe

Others present: Carri Beth Rhea, Sarah Rice, Mick Vinson, Jim Nuckolls, Chief Lynn Price, Chief Mike Jones, Anthony Ford, Jerry Mayfield, Ricky Watkins, Dylan Hill, Charity Howell, Janie Ross, former Mayor Barrett Stevens, Leon McNeal, Russ Kelley, Jonathon Joy, Brenda Woods, Maurecio Beauregard, and other from the community.

Mayor McTizic called the meeting to order, welcomed the guests in attendance and those who were watching on social media. Mayor McTizic asked Councilmember Woods to lead the group in prayer and followed with the Pledge of Allegiance.

Approval of Minutes:

Mayor McTizic asked if there were any corrections to the minutes from the April 8, 2024 council meeting. There being no corrections, Councilmember Rhea made a motion, seconded by Councilmember Woods to approve the minutes as written. All present voted "Aye."

Mayor's Report:

- a. Mayor McTizic announced there will be an In-Home Childcare Workshop hosted by Southwest Tennessee Development District (SWTDD) on May 20th at 1:00 pm at City Hall.
- b. The mayor announced that city offices will be closed on May 27th in observance of Memorial Day.

Public Comments:

- a. Barrett Stevens, former Bolivar mayor, came before the council members concerning the discussion on changing city elections. He expressed his concern about extending each council member plus the mayor's terms for one year in order to get the city's elections adjacent to federal, state, and county elections. He stated that the discussion of changing the city's election to get in sync with the county has been taking place since he was mayor and on the city council for 14 years before he was mayor. He also stated he felt the Bolivar election was important enough not to get mixed in with the county election and the county election ballot was hard to read in the last election. Mr. Stevens went on to state that the Bolivar election does not need to be on the ballot with the other cities in the county.
- b. Janie Ross addressed the city council members regarding the election. Ms. Ross stated she thinks that the city does not need to rush into this decision and asked the council members to rethink the election changes. She urged the elected officials to really think about this decision and that this change really needs their attention before carefully deciding.

Standing Committee Reports:

Electric- Mayor McTizic

The Bolivar Energy Authority Board met on April 29, 2024, for their regular monthly meeting. There were no actions taken by the Board.

Utilities- Jim Nuckolls, Director

The Bolivar Utility Board met on May 1, 2024 and discussed the following:

- All residents on New Hope and Smalley Roads have paid their gas tap fees.
- Tennessee Public Utility Commission (TPUC) did an inspection on public awareness funds (811) and everything was in compliant.
- Discussed and voted on raising the water and gas connection fees as well as reconnection fees. The connection fees will go from \$50.00 to \$100.00, and reconnection fees from \$25.00 to \$50.00.
- The new equipment approved for purchase has arrived.
- The maintenance and repairs on the water tank are complete.
- Gas prices are at \$0.65 for May.

Fire- Chief Lynn Price

- Total Fire Calls-30 (18 city, 12 county), Civilian Fire Injury-0, Fire Service Injury-0
- Training Hours- 217
- Smoke Alarms Installed-11
- Fire Code Inspections-21
- Public Relations Event- 3

Police- Chief Mike Jones

- Calls for service-582
- Citations- 163
- Accidents-17 (0 fatal, 2 injuries, 15 property damages)
- Arrest- 40 (9 juvenile, 31 adult)
- Training Hours- 238

Parks and Recreation- Anthony Ford, Director

- The city swimming pool has been tested and we will attempt to maintain the equipment and facility for the duration of the summer. We have a lifeguard certification class scheduled here for next week.
- Adult exercise (line dance) class continues on Tuesdays and Thursdays at 5pm.
- Adult pickle ball is on Monday, Wednesday, and Fridays 9am-11pm. We are considering hosting a pickle ball league and will send flyers out soon with information to see if there is any interest.
- The youth basketball league for the 15-18 age group will begin registration next week.
- We will begin our Youth Summer Golf league the first Wednesday in June.
- Councilmember Golden asked Anthony if we had received any grant money to help repair the pool. Mr. Ford stated we had not and we only received a quote to repair the pool and it was around \$157,000.00. Mayor McTizic noted that he was holding off on repairing the pool this year to see if the agreement with YMCA works out which would provide an indoor swimming pool.
- Councilmember Williams asked Mr. Ford how much the Youth Summer Golf League fees were, he stated \$35.00 a child. Councilmember Williams said he would donate his monthly council salary of \$350.00 to 10 kids to participate in the Youth Summer Golf League.

Street and Sanitation- Jerry Mayfield, Superintendent

- Picked up trash around downtown.
- Street paving is complete.
- Weed eating and mowing.
- Tons taken to landfill: 337.09 commercial, and 168.10 residential for a total of 505.19 tons.

- Bulky item pick up has ended.

Library- Jessica Phillips, Director (absent)

- Financials: Donations, Copies, Fines, and Faxes- \$1,479.40
- Total Programs: 16, Total Participates: 58, Estimated March patronage: 678
- Meeting Room: Bookings- 19, Guests- 57
- Circulations Report: Material Circulation-1,933, Computer Users-357, Wi Fi users-3,938, READS (Regional E-book and Audio Book download system)-640, History Room-19, Microfilm Reader usage-14, History Room Materials Circulated-20

Compliance/Zoning- Ricky Watkins

- Building Consultations-6
- Building Permits Written- 2
- Building Inspections-5
- Plumbing Inspections- 2
- Mechanical Inspections- 1
- Courtesy Notices Issues-25
- Attended TBOA Conference for training April 14-17

Community Development and Tourism- Dylan Hill, Director

- Attended the Delta Regional Authority Grant Programs 101 class.
- Assisted with two community meetings regarding the latest Home Grant project.
- Hosted Doug Stone with a sold-out crowd at the Luez Theater.
- Hosted the Bethel Renaissance Choir at the Luez Theater.
- Assisted with Spring Fling hosted by Bolivar Main Street.

Old Business: NONE

New Business:

A. Resolution 2024-006: Authorizing the Issuance of a Capital Outlay Note Series 2024 for a Front Loader Refusal Truck

This Resolution approves a Capital Outlay Note to purchase a new Heil Halfpack 28-yard front loader mounted refusal truck. This CON will be in the amount of \$403,323.79. Mayor McTizic noted that he had received 3 interest rate quotes from local banks, one from Simmons Bank at 4.25%, CB&S Bank also quoted 4.25%, and Centennial Bank quoted 5.89%. After some discussion, it was decided to go with CB&S Bank since Simmons Bank was awarded the last Capital Outlay Note. Councilmember Williams made a motion, seconded by Councilmember Miller to approve Resolution 2024-006. All present voted "Aye".

B. Approval to Open a New Bank Account for Federal Drug Money

Mayor McTizic asked the councilmembers approval to open a new bank account for the Federal drug money the city has received back from drug cases that the city police department has helped close. Mayor McTizic stated that these funds need to be kept separate from other funds due to restrictions. Councilmember McKinnie made a motion, seconded by Councilmember Williams to approve the opening of a new bank account for federal drug funds the city receives. All present voted "Aye".

C. Approval for Certificate of Compliance

There was a request for a Certificate of Compliance submitted to the city for approval, by potential new owners of Hatchie Spirits.

- Daljit Singh-Kirat, Inc.

- D/B/A Hatchie Spirits
- 115 South Water Street, Bolivar, TN 38008

Mayor McTizic stated that this is a Certificate of Compliance that the city issues when a retail package store is being sold to another individual. Certain criteria have to be met in order for the city to issue this COC. He noted that all criteria had been met. The mayor also noted that this is not a liquor permit nor beer permit. A retail package store has to get its liquor, which includes beer, from the State Alcohol Beverage Commission (ABC). Councilmember Golden made a motion, seconded by Councilmember McKinnie to approve the Certificate of Compliance for Daljit Singh-Kirat, INC. D/B/A Hatchie Spirites. Councilmember Woods voted "Nay"; all others present voted "Aye". Motion carried.

D. Discussion on the City Election

Mayor McTizic gave the councilmembers the background of the discussion on moving the city elections to even years to align with county, state, and federal elections rather than paying extra fees to have a stand-alone election. He stated that this has been a topic of discussion since before he was on city council as well as when he was elected mayor in 2017. He noted this was not a new conversation that was being brought up, and he had talked with the council members one on one about the election change. Mayor McTizic stated that Bolivar is the only city in Hardeman County that has stand-alone elections. He also noted that the State Legislatures tried to get a Bill passed this year that forced cities to move their stand-alone elections to coincide with state elections. The bill did not pass because State Legislatures decided to let cities make the decision to move their stand-alone elections rather than force them to. He stated out of 346 municipalities in the State of Tennessee 281 have already changed their stand-alone elections. Mayor McTizic said the two reasons he feels the city should consider changing their stand- alone elections is due to the cost to the city and voter turnout.

Councilmember Golden asked if the election would be free, Mayor McTizic said yes. Mrs. Amber Moore, Hardeman County Election Administrator, spoke up stating the city would have to pay for the ad in the newspaper and some supplies. Mrs. Moore stated that the cost of elections has gone up due to new machines. Councilmember Williams asked what all was associated with the cost of the elections, Mrs. Moore noted that is supplies, workers, machines, and contract labor. She went on to state that the city has never used these machines before and it is a different process than the old machines. She also noted that when they plan an election that have to plan for the majority of the citizens to vote because they could not run out of supplies. Mrs. Moore stated that the next stand-alone election would be around a minimum of \$15,000.00 and upward to \$17,000.00. She noted that the city would be saving over \$30,000.00 not having stand-alone elections every 4 years. She asked the council to review their voter turnout, and one year there was only 77 voters for a stand-along election that cost the city over \$10,000.00.

Councilmember McKinnie expressed his concern over having a long ballot and the elderly getting tired before they get to the city elections if the ballot was combined with other elections. Mrs. Moore iterated that the ballots will be paper ballots and not machines. She also pointed out that the Election Commission does not make money off of elections, they simply bill the city what the State bills them. Mr. McKinnie stated that the \$3,000.00 difference in the election cost was nothing and that \$3,000.00 is burned everyday here at city hall.

Councilmember Woods spoke up and expressed that he was split on this decision. He asked the other council members to consider doing what they had discussed doing for the proposed annexation discussion. Councilmember Miller asked if he meant a referendum, Councilmember Woods stated yes and Councilmember McKinnie stated he was good with that as well. Mayor McTizic asked if he meant a public meeting or a referendum because legally a referendum was not the process and the board was going to have to vote yes or no to change the election. He noted that a public meeting to discuss the election change would not be a problem. Councilmember McKinnie asked the City Attorney, Kevin Snider, if that was true and could not be done by referendum. Mr. Snider stated no and explained the process that he had studied

in the T.C.A. codes. Mrs. Moore went to further explain the process of what would need to be done to change the city's elections. She noted that this is not a new process and that the State has the process all laid out and that the city would follow the State's directions. Councilmember McKinnie brought up the State Legislatures' bill. Mayor McTizic again explained what that bill was and that it did not make it past committee. Councilmember McKinnie stated that the State voted no and he is going to vote no to change the election.

Councilmember Williams spoke up and said he was torn on the matter and that he understood the pros and cons. The pros are the cost savings, and would like more of a voter turnout. He then noted that he is for transparency, and integrity as well as listening to his constituents. He thanked Ms. Ross and others that came out to the meeting and this is what the council needs to see and hear because they are the ones who voted them to their positions and he feels that gets lost. Mr. Williams then stated he feels it is too late to change the election for this coming up election. He said if this was a conversation two years ago or after the next election, he would be for it because it makes sense in a lot of ways. Councilmember Williams said is not for exchanging a short-term gain of \$15,000.00 or whatever the cost may be for a long-term ripple effect for the City of Bolivar. He stated that were some citizens here tonight that do not trust the members of the board. He noted he is not for in exchange for a dollar amount to comprise the integrity of this board and the upcoming election because it is 6 months from petitions being pulled. He is not for it, and does not agree with it. He stated he found it troubling that he was only one to call the city attorney regarding changing the election. Mr. Williams again stated that he is for transparency and the agenda that was very vague when it only stated discussion on city elections and should have explained that the city was proposing to extend term limits or something similar because the average person does not know what the board will be talking about. He said we need to give people a chance to come and be heard and not give them time limits and to be cut off. He stated that he is for doing what is right and doing what is right is not always popular. Mayor McTizic then spoke up and agreed with Mr. Williams that he was all for transparency and for full transparency this was not a new discussion. The mayor also noted that he gave the respect and spoke with each council member weeks ago so they could share what the discussion was about with the public and that the city has been transparent. He again iterated that this was not a new discussion that was just thrown on the agenda. Mayor McTizic let Mr. Williams know that he does talk with the city attorney on a frequent basis and that this particular conversation regarding the city's election was not a legal matter. Councilmember Williams again brought up that his constituents felt the agenda was vague and it was like talking about the weather that could go a million different ways.

Councilmember McKinnie asked for the Robert's Rules of Orders to be suspended at that time. Mayor McTizic asked that before that was done to allow Councilmember Miller to speak. Councilmember Miller stated that timing is everything. She noted that it was no secret that the mayor plans not to run again, so it would extend his term and it isn't a coincidence that it would fall into place at the time Mayor McTizic plans to run for State Representative. Councilmember Miller said that the timing of changing this election is manipulative and self-serving then agreed she was aware the city had been discussing this for a long time. She stated that it is a good idea but she cannot support it until they hear from the public. Councilmember McKinnie again brought up suspending the Robert's Rules of Orders to go into public meeting. Councilmember McKinnie made a motion, seconded by Councilmember Williams. All present voted "Aye".

Barrett Stevens again came before the council to speak regarding the election. He asked the council if only half of the members terms would be extended. Mayor McTizic answered that all members terms would be extended. He then asked if each member was willing to take the ramification of extending their term. He then stated that he appreciated the board.

Brenda Woods then came before the council to speak. She asked them if they knew the preamble of the Constitution then began to read the preamble. She stated that what she sees here tonight is injustice and that people don't vote because they don't have a reason to vote. That the city is stagnant. Ms. Woods stated

that everything talked about tonight was about the 80th district and Representative Shaw. She continued that everything was a personal agenda and it doesn't matter what the elections costs because they are important. She noted that she came tonight to tell the council that the game is over and time us up , she and her peeps are going to start moving people out of office.

Bethany Miller came before the council and asked if it matters if the city does it now or later. Mrs. Moore spoke up and said it could be done at any time and she didn't have a say so in the matter. Ms. Bethany Miller asked if the cost would be the same later, and Mrs. Moore noted that the election costs will continue to go up. Ms. Miller expressed that it wouldn't really matter if it was done now or later because it won't matter the terms will have to be extended either way. Councilmember Miller said it wasn't right to do it now because people had voted them in for 4 terms and it wasn't fair to the councilmembers because they ran to be in term for 4 years and they may not want their term extended. Mayor McTizic stated that there will always be an extension on terms if the elections are ever changed. Councilmember Williams again brought up that it is too close to pulling a petition for the election to change now. Councilmember Golden stated that the city usually tries to save money where they can and if some didn't want to save money then vote against changing the election. Mayor McTizic brought up that if they do or don't vote tonight, it still has to be approved by the State Legislation and then the city council votes on it again because it will be a Charter change. Councilmember Woods spoke up again and stated that the board needs to listen to the voters that put them in office and he would like to hold a public meeting.

Councilmember McKinnie made a motion to reconvene back to executive session, seconded by Councilmember Woods. All present voted "Aye". It was decided to hold a public meeting regarding changing the city election and listen to the public's comments. Mayor McTizic stated that he will send a date to hold the public meeting in July.

There being no further business, Councilmember McKinnie made a motion, Seconded by Councilmember Woods to adjourn the meeting. All present voted "Aye."

Attest:

Mayor

City Clerk & Recorder