

City of Bolivar Council Meeting

Monday, October 12, 2020

6:00 PM

The Bolivar City Council met in regular session, Monday October 12, 2020, at the Bolivar Municipal Building with the following attendance:

Present:

Mayor Julian McTizic
Councilman Jonathan Joy
Councilman Todd Lowe
Councilman Suzanne Rhea
Councilman Larry McKinnie
Councilman Carol Spinks
Councilman Page Walley

Absent:

Councilman Larry Crawford
Councilman Melvin Golden

Others Present: Shelia Dellinger, City Administrator, Steve Maroney, City Attorney, Don and Ann Cherry, Sarah Rice, Ricky Watkins, Darrell Teubner, Joanna Harwood, Greg Vaughan, Calvin Howell, Joyce Woods

Mayor McTizic called the meeting to order and thanked the guest for attending. At this time, Councilman Page Walley led the group in prayer followed with the Pledge of Allegiance.

Mayor McTizic asked if there were any changes or corrections to the September minutes. There being no changes, Councilman Joy made a motion, seconded by Councilman Walley to approve the minutes as presented. All voted "Aye."

Mayor's Report:

Mayor McTizic announced the events that will be taking place this month as follows:

- "Walk with the Mayor" has started back every Thursday morning at 7:00 a.m. and Friday's at 12:00 noon. He encouraged everyone that would like to participate to join the city employees at the gym at City Hall.
- The Historic Hardeman Home Tour will be October 17,2020, beginning at 10:00 a.m. through 5:00 p.m.
- Hardeman County Baptist Association will be hosting a "Prayer Walk" on Saturday, October 24th at 9:00 a.m. It will begin at the Hardeman County Courthouse and end at the ball park on Highway 64W. There will be several resting places and watering stations set up throughout the route.

- The Presidential/General election is November 3, 2020, as you all know, and we have one of our own, Councilman Page Walley, seeking the seat of State Senator and Civil Miller-Watkins we wish them both good luck. If Councilman Walley wins this election his seat on the city council will become vacant immediately and applications will be accepted at the November 9th meeting to be considered to fill this position.

Mayor McTizic stated he excused all the department heads from attending the meeting again this month but all the committee reports are in each of your packets. There is one bid opening for the gas department for gas meters, gas regulators, gas tubing and risers. The Bolivar Utility Board accepted the low bids contingent council approval. The low bids were as follows:

Consolidated Pipe and Supply.....gas meters.....	\$ 6,660.00
Consolidated Pipe and Supply.....gas regulators.....	\$ 2,460.00
G & C Supply Co.....gas tubing.....	\$ 3,200.00
Consolidated Pipe and Supply.....gas risers.....	\$ 3,073.50

Councilman McKinnie made a motion to approve the low bids for each of these items. Councilman Lowe seconded the motion. All voted “Aye.”

Mayor McTizic gave an update on the Hardeman County Landfill being closed to the City of Bolivar to dispose all commercial and residential waste. The City was notified by the Hardeman County Landfill personnel on August 28, 2020, that we would have to take all the garbage to Walnut, MS until further notice. County Mayor Jimmy Sain stated it would be approximately 3 weeks before the cells were repaired but the Hardman County Solid Waste would pay for the expenses until the problem was corrected. Unfortunately, the problem has not be corrected at this time but Mayor Sain told Mayor McTizic it should not be much longer. The quarterly bulky items pickup has been delayed as well, due to the condition and wear and tear of the sanitation trucks not being able to haul these loads to Walnut, MS. There was much discussion concerning the cost to the City of Bolivar and how much longer this would continue. It was the consensus of the council to have Mayor McTizic to continue staying in touch with Mayor Sain to resolve this problem as soon as possible and report back to the council at the November meeting.

Old Business:

A. 2nd Reading/Public Hearing, Ordinance 20-004, An Ordinance to Amend Title 1 Chapter 2 of the Bolivar Municipal Code to Establish the Salary of the Mayor

Mayor McTizic briefly discussed this was second reading to establish the salary of the Mayor for the next election that will be held in May 2021. The salary of the Mayor shall be \$85,000 per annum and shall be paid in equal installments on the same days as the regular payroll for city employees. Mayor shall receive all benefits, and cost of living increases as regular full-time employees. This ordinance shall not be implemented until the next mayoral term commences. At this time Councilman Rhea made a motion,

seconded by Councilman Joy to adjourn from Executive Session to Public Hearing. All voted "Aye." Mayor asked if any public would like to speak, you will be given three minutes, please come forward speak clearly and state your name and the business you are associated with or the reason you are addressing. The following were recognized:

Ms. Laura Hall- Bolivar, TN

Ms. Hall stated she lives in Bolivar and would like to speak about the importance of having a full-time mayor for Bolivar. She believes Bolivar is on an upward trend and needs the commitment of a full-time position. She stated having a full-time mayor and adequately supporting that position in that role would allow the Mayor to fully commit to the position and move the City of Bolivar to the place it needs to be.

Jonna Harwood- Bolivar, TN

Ms. Harwood stated she owns two businesses in Bolivar and was very surprised Mayor McTizic was only part-time. He works very hard and is the leader of the City and the face of the City. She stated he should be paid for his leadership and believes if you leave as a part-time position, you will get what you pay for. She stated if it wasn't for Mayor McTizic they would not have their business here now, he has helped them and guided them through the difficulties.

Greg Vaughan- Bolivar, TN

Mr. Vaughan is the owner of Vaughan Oil Company and other businesses in town. He stated the City Council along with the Mayor's and City Administrator's leadership have done a tremendous job in these past few years and are really moving this town forward. He stated when you see things going on around town you always see the Mayor and Council are always well represented of the businesses in our city which is very important. Mr. Vaughan stated he is one hundred percent in favor of having a full-time mayor.

Calvin Howell- Bolivar, TN

Mr. Howell stated he echoes what Ms. Hall; Mr. Vaughan and the others have said. Mr. Howell stated he has sat in these meetings for 20 years and feels like everyone is doing a great job and fully supports a full-time mayor's position.

There being no further comments from the public, Councilman McKinnie made a motion to adjourn from Public Hearing and move back to Executive Session, seconded by Councilman Spinks. All voted "Aye." At this time Mayor McTizic asked if there were questions or comments from the legislative body. The following comments were addressed:

Councilman Walley- Councilman Walley stated he voted "No" for this ordinance on 1st Reading, not because he is against full-time Mayor but feels strongly about the checks and balances of whoever is elected in the future. At the present time the city council appoints the city administrator and feels it is vital for the council to continue

appointing the position of the city clerk and recorder. Although, this will be in a separate ordinance.

Councilman Walley asked Attorney Maroney to confirm whoever wins this next mayoral election would have to win the majority plus one vote. Mr. Maroney confirmed this is correct.

There being no further questions, Councilman Rhea made a motion to approve Ordinance 20-004 on 2nd Reading. Councilman Spinks seconded the motion. Voting "aye" were Councilman Joy, Councilman Rhea, Councilman Spinks, Councilman Walley; Voting "no" Councilman Lowe; "abstained" Councilman McKinnie. Motion passed.

B. 2nd Reading/Public Hearing, Ordinance 20-005, An Ordinance to Amend Title 1 Chapter 1 of the Bolivar Municipal Code to Establish the Salary of the Council Members of the City of Bolivar

Mayor McTizic stated this was second reading to increase the Bolivar City Council members salary from \$3,000 per annum to \$6,000 per annum. If passed, this ordinance will not be implemented for each council position until the next term of each council position commences. At this time Councilman Joy made a motion, seconded by Councilman McKinnie to adjourn from Executive Session to Public Hearing. All voted "Aye." Mayor McTizic asked if there were questions from the public. There being no questions, Councilman McKinnie made a motion, seconded by Councilman Joy to reconvene to Executive Session. All voted "Aye." Mayor McTizic asked the legislative body if there were questions or comments concerning this ordinance. The following comments were discussed:

Councilman Lowe: Councilman Lowe stated he really believes the Mayor deserves a pay raise and he is not opposed to this at all. The only reason he did not vote for this increase is he promised his constituents he would not vote for a full-time mayor's position, and he felt obligated to keep his word. He stated Mayor McTizic has done a great job and deserves an increase. He also stated he would not vote for himself a raise as councilman, he did not feel like it would be the right thing to do.

There being no further comments, Councilman Rhea made a motion to approve Ordinance 20-005 on second reading. Councilman Spinks seconded the motion. Voting "no" Councilman Joy, Councilman Lowe, Councilman Walley, voting "yes" Councilman Rhea, Councilman Spinks, "abstained" Councilman McKinnie. Motion failed. Mayor McTizic asked if those who were opposed would like to bring something back to the board next month. At this time Councilman Joy stated he would like to know how the committee came up with raising the salary from \$275 each month to \$500 per month. After a short discussion, Mayor McTizic stated he would like to clarify that some council members serve on board that get paid extra and some members serve on several boards that do not pay anything and he felt this would make it fair for everyone. No

other comments, Mayor stated the legislative body must set the salary for the council by ordinance and it will have to have two readings. The second reading must be passed by December 18, 2020, in order to meet the February 19, 2021, qualifying deadline. After a brief discussion, it was suggested for the committee to meet again before the November 9, 2020, regular council meeting and bring another ordinance setting the council salary. This will be the 1st reading. Mayor McTizic encouraged the other council members to discuss this with the committee.

A. 1st Reading, Ordinance 20-006, An Ordinance to Establish an Updated Occupational Safety and Health Program Plan, Devise Rules and Regulations, and to Provide for a Safety Director and the Implantation of Such Program Plan

Mayor McTizic stated this is the City of Bolivar has an Occupational Safety Plan that has been in place for several years. The Safety Director is Mr. Jarred White, employee of BUD. This plan must be updated every seven years to stay in compliance with State regulations. There being no questions, Councilman Joy made a motion, seconded by Councilman Lowe to approve Ordinance 20-006 on first reading. All voted "Aye."

B. Resolution 2020-2004, A Resolution Authorizing the City of Bolivar to Participate in James L. Richardson "Driver Safety" Matching Grant Program (50% match)

The Bolivar Fire Department applies for this grant each year. The match is budgeted and will help provide driving safety supplies. Councilman McKinnie made a motion, seconded by Councilman Spinks to approve Resolution 2020-2004. All voted "Aye."

C. Resolution 2020-2005, A Resolution Providing the Cash Match for the 2020 TDOT Multimodal Access Grant (5% match)

This is a \$250,000 grant and it is not in the budget, this resolution allows the City of Bolivar the apply for the grant. The grant will be to provide sidewalks from Highway 64 East beginning at the old jail and ending at Sand Beach Lake. If the city is awarded this grant, the 5% will come from fund balance. Councilman McKinnie made a motion, seconded by Councilman Lowe to approve Resolution 2020-005. All voted "Aye."

D. Open an interest-bearing account for the Community Development Block Grant (CDBG) at Simmons Bank

This account is required to be opened for retainage fee for the CDBG project for the water/sewer fund. Councilman Walley made a motion, seconded by Councilman Spinks to approve opening a new interest-bearing account at Simmons Bank. All voted "Aye."

E. Board appointments for the Bolivar Historic Zoning Commission

Mayor McTizic stated the Bolivar Historic Zoning Commission was short several members and would like to appoint three new members to serve a five-year term. The member recommended will be; Leatha Frost, Richard McNaulty, and Karen Roberts. At this time Councilman Rhea made a motion to approve the appointment for the three new members. Councilman Walley seconded the motion with all voting "Aye."

Mayor McTizic stated, Councilman Joy asked to speak before the meeting adjourned. At this time Councilman Joy stated he wanted to raise a question through the Mayor to the City Clerk. His question was, "What is your procedure when you receive a bill from the city that has been unauthorized and what procedure did you take? You do know you have investigating power just like the city council and the attorney?" Ms. Dellinger answered stating, "when I received the credit card statement, which was Mayor McTizic card, I called the hotel to determine what these charges were for and who authorized them. The hotel clerk stated this was a charge made by Mr. Joy and it was noted on the invoice, this was for pleasure. I called Mayor McTizic and asked if he approved this charge, Mayor McTizic stated "no" he had not approved this and did not know anything about it. At this time, I called the credit card company back and asked if they would email me all the documentation they had on this charge, and they did." Councilman Joy asked Ms. Dellinger if this was her procedure on everyone who had a mis-hap on a credit card? Ms. Dellinger explained there were some situations that had been handled differently. After further discission, Councilman Joy stated the investigation on him was not handled the same. Councilman Joy stated he had stated his point.

Councilman McKinnie stated he would like to take a few minutes to sincerely thank everyone in the City of Bolivar, Hardman County and the Town of Toone for all their prayers and concerns for him after his accident in Toone.

There being no further business, Councilman McKinnie made a motion to adjourn the meeting, seconded by Councilman Joy. Meeting adjourned.

Administrator

Mayor