

**CITY OF ETOWAH, TENNESSEE
COMMISSION MEETING**

Record of Minutes of Special Called **Meeting Date** December 27, 2012 **Sheet No.** _____

A special called meeting of the Etowah City Commission was held on Thursday, December 27, 2012 at 5:30 p.m. in the Council Chambers of City Hall, 723 Ohio Avenue, Etowah, Tennessee. Members present were Mayor Jim Bull, Commissioner Burke Garwood, Commissioner Dennis Morgan, and Commissioner Jim Swayne. Also present were Finance Director April Preston and Recording Secretary Jamie Davis. Absent was Vice Mayor Matt Goodin.

Mayor Jim Bull called the meeting to order at 5:30 p.m.

NEW BUSINESS

- a. Second Reading of Ordinance No. 736 by Mayor Jim Bull.

ORDINANCE NO. 736

**AN ORDINANCE TO AMEND TITLE 8 OF THE ETOWAH MUNICIPAL CODE
BY ESTABLISHING PACKAGE LIQUOR REGULATIONS**

Commissioner Jim Swayne stated that on December 3rd we made a motion and passed the Ordinance to read as public gathering place. But in Section 8-110 of the Ordinance it states public park or school but we voted on public gatherings. Mayor Jim Bull said that City Attorney Russ Blair advised it could affect celebrations like the 4th of July, parades, etc. Commissioner Burke Garwood ask what do you want it to say specifically? Commissioner Jim Swayne said in the Ordinance we are about to vote on it says public park/school not public gathering place. Commissioner Burke Garwood ask if Bordwine's is a public gathering place? Commissioner Jim Swayne said yes. Mayor Burke Garwood said it's too restricted now and the people are the ones that wanted this and voted on it. Commissioner Jim Swayne said we are charged to come up with guidelines for it. Mayor Burke Garwood ask again what is a "public gathering place"? I think it's pretty cut and dry. We know what a public park and a school is but I consider a public gathering place every gas station, Bordwine's, and every restaurant in town. Mayor Jim Bull ask Commissioner Jim Swayne if he has any objection to the way it's written now and he said no. Commissioner Burke Garwood said we need to vote as it's written. Commissioner Jim Swayne said the only thing left would be the hospital. Commissioner Burke Garwood said what does the hospital have to do with it, its private property. This covers the most sacred land; schools and parks. He said it's too restrictive.

A motion was made by Commissioner Burke Garwood and seconded by Commissioner Jim Swayne to approve Ordinance No. 736. The motion was tied with a 2-2 vote, Commissioner Jim Swayne and Commissioner Burke Garwood voted nay.

ADJOURNMENT

A motion was made by Commissioner Burke Garwood seconded by Commissioner Dennis Morgan to adjourn the meeting. The motion passed unanimously by a commission vote.

Jim Bull, Mayor

April Preston, City Recorder

Respectfully submitted by:

Jamie L. Davis, Recording Secretary