

RESOLUTION NO. 20-637

CITY OF GENTRY, ARKANSAS

**A RESOLUTION CALLING A SPECIAL ELECTION ON
THE QUESTION OF AUTHORIZING OFF-PREMISES
SALE OF ALCOHOL ON SUNDAYS WITHIN THE CITY OF
GENTRY; AND PRESCRIBING OTHER MATTERS
PERTAINING THERETO.**

WHEREAS, Charles Jech and Jerah Jech have filed a petition seeking to authorize the sale of alcoholic beverages for off-premises consumption on Sundays between the hours of 10:00 a.m. and 12:00 midnight within the City of Gentry, Arkansas, pursuant to the provisions of Arkansas Code Annotated § 3-3-210; and

WHEREAS, the City Council, having previously determined that said petition was signed by at least fifteen percent (15%) of the qualified electors within the City who cast a vote in the city for the Office of Governor in the last general election, directed in Resolution 20-631 that the petition be referred to the voters at the November 3, 2020 general election;

WHEREAS, the deadline for placing items on the ballot for the November 3, 2020 general election ran prior to the passage of Resolution 20-631, thus preventing the petition from being referred to the voters at the general election;

WHEREAS, on October 5, 2020, the City Council passed Resolution 20-634, calling for the issue to be referred to the voters at a special election to be held December 8, 2020;

WHEREAS, the City has since learned that the Benton County Clerk was unable to bring the matter before the Benton County Quorum Court in time for a special election to be called on December 8, 2020, in accordance with Arkansas Code Annotated §§ 3-9-206 and 7-11-205;

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF GENTRY, ARKANSAS:

1. The following issue shall be submitted to the electors of the City at a special election to be held February 9, 2020:

Whether to authorize the sale of alcoholic beverages for off-premises consumption on Sundays between the hours of 10:00 a.m. and 12:00 midnight within the City of Gentry, Arkansas.

2. The issue shall be placed on the ballot for the election in substantially the following form:

☐ FOR the off-premises sale of alcoholic beverages on Sundays in Gentry, Arkansas, as authorized by Arkansas Code § 3-3-210.

☐ AGAINST the off-premises sale of alcoholic beverages on Sundays in Gentry, Arkansas, as authorized by Arkansas Code § 3-3-210.

3. Said election shall be held and conducted and the vote canvassed and the results declared under the law and in the manner now provided for in accordance with the initiative and referendum laws of this state applicable to cities, and only qualified voters of the City shall have the right to vote at the election.

4. The results of the election shall be proclaimed by the Mayor, and his proclamation shall be published one time in a newspaper having a general circulation in the City, which proclamation shall advise that the results as proclaimed shall be conclusive unless attacked in the courts within 30 days after the date of publication.

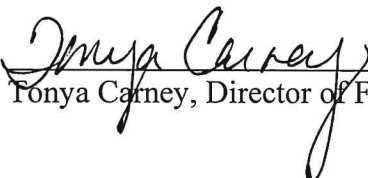
5. A copy of this Resolution shall be filed with the Benton County Clerk so that she may forward the matter to the Benton County Quorum Court to enter an Order calling the election and directing the Benton County Election Commission to prepare the necessary election officials and supplies.

PASSED and APPROVED this 2nd day of November 2020.



Kevin D. Johnston, Mayor

ATTEST:



Tonya Carney, Director of Finance

