

HOUSE BILL 2902

By Marsh

AN ACT to amend Chapter 754 of the Private Acts of 1947; as amended by Chapter 62 of the Private Acts of 2016; and any other acts amendatory thereto, relative to the City of Shelbyville.

BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF TENNESSEE:

SECTION 1. Article VI, Section 6-5 of Chapter 754 of the Private Acts of 1947, as amended and rewritten by Chapter 62 of the Private Acts of 2016, and any other acts amendatory thereto, is amended by adding the following to the end of the section:

All employees of the city are at-will employees and nothing contained within this charter or such personnel policies or procedures shall be construed as granting a property interest to employees in their continued employment.

SECTION 2. Article XI, Section 11-2 of Chapter 754 of the Private Acts of 1947, as amended and rewritten by Chapter 62 of the Private Acts of 2016, and any other acts amendatory thereto, is amended by deleting the section and substituting instead:

11-2. Powers and duties. The treasurer shall exercise general supervision over the fiscal affairs of the city, and general accounting supervision over the city's property, assets and the disposition thereof. The treasurer shall, when necessary, assist the city manager in preparing and submitting the annual budget and capital program to the council. The treasurer shall be the general accountant and auditor of the city; when necessary, assist the city manager in submitting to the council and making available to the public a complete report on the finances of the city at the end of each fiscal year; and have custody of all papers, records and vouchers relating to the fiscal affairs of the city, and the records in the treasurer's office shall show the financial operations and condition, property, assets, claims, and liabilities of the city, all expenditures authorized,

and all contracts in which the city is interested. The treasurer shall require proper fiscal accounts, records, settlements and reports to be kept, made and rendered to the treasurer by the several departments and officers of the city, including all agents and employees of the treasurer's department who may be charged with the collection or expenditure of money, and shall control and continually audit the same. The treasurer shall, at least once each month, adjust the settlements of officers engaged in the collection of revenue, including, but not limited to, the monthly report required to be submitted by the city judge.

SECTION 3. Article XVII, Section 17-3 of Chapter 754 of the Private Acts of 1947, as amended and rewritten by Chapter 62 of the Private Acts of 2016, and any other acts amendatory thereto, is amended by deleting the section and substituting instead:

17-3. Members of the board.

(a) The board shall be comprised of seven (7) members, including five (5) citizen members, one (1) member of the city council, and the city manager. The citizen members shall be appointed by the city council in the month of May to staggered, three-year terms of office commencing June 1. One (1) citizen member appointment shall be made in 2016, two (2) citizen member appointments shall be made in 2017, and two (2) citizen member appointments shall be made in 2018. This appointment regime shall continue thereafter in perpetuity on a three-year cycle. The member serving from the city council shall be appointed by the city council, with the first such appointment to be effective June 1, 2016, or as soon thereafter as possible. The term of the member of city council on the board shall be for such time as the city council may fix by ordinance, but in no event to extend beyond such person's term in office. Each member of the board is to serve until his or her successor is appointed and qualified.

(b) No person shall be eligible to hold office as a citizen member on the board until such person shall have been a resident and bona fide freeholder or householder in Bedford County, ratepayer of the utility system for at least two (2) years next preceding the time of his or her appointment, and shall be at least thirty (30) years of age, and a citizen of the United States. No person who holds any kind of office, executive, judicial

or legislative, under the United States, the State of Tennessee, Bedford County, Utility Boards, or an employee of the City of Shelbyville, Tennessee, shall be eligible to serve as a citizen member of the board during such term of office or employment; provided, this shall not apply to notaries public, or to the state national guard. If any member of the board shall cease to possess any of the qualifications for the office, a vacancy shall thereupon immediately be declared. An appointment to complete an unexpired term of office shall be made in the same manner as the original appointment.

(c) Compensation and Benefits. The compensation of citizen members shall be fixed from time to time by ordinance of the city council. The city manager and city council member serving on the board shall receive no additional compensation while serving as a board member.

SECTION 4. Article XVIII, Section 18-3 of Chapter 754 of the Private Acts of 1947, as amended and rewritten by Chapter 62 of the Private Acts of 2016, and any other acts amendatory thereto, is amended by deleting the section and substituting instead:

18-3. Deposit proceeds. The proceeds received by the city from the tax shall be retained and deposited into a special fund for tourism and economic development and appropriated accordingly by the City Council. Any unencumbered funds and any unexpended balance of this fund remaining at the end of the fiscal year shall not revert to the general fund, but shall be carried forward until expended in accordance with the provisions herein. Interest accruing on investments and deposits of the fund shall be returned to the fund and remain a part of the fund.

SECTION 5. This act shall have no effect unless it is approved by a two-thirds (2/3) vote of the legislative body of the City of Shelbyville. Its approval or non-approval shall be proclaimed by the presiding officer of the legislative body and certified to the secretary of state.

SECTION 6. For the purpose of approving or rejecting the provisions of this act, it shall be effective upon becoming a law, the public welfare requiring it. For all other purposes, it shall become effective as provided in Section 5.