

SENATE BILL 2686

By Gresham

AN ACT to amend Chapter 32 of the Private Acts of 2009; and any other acts amendatory thereto, relative to the charter for the city of Adamsville.

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

SECTION 1. Chapter 32 of the Private Acts of 2009, and any other acts amendatory thereto, is amended in Article II, Section 2.02 by deleting the second paragraph and substituting instead the following:

2. Beginning in November 2012, a nonpartisan, at large, general municipal election shall be held every two (2) years to the end that the commissioners shall serve four (4) year staggered terms and the mayor shall serve a four (4) year term. Present incumbents in the positions of mayor and commissioners shall continue to serve for the terms to which they were elected and until such time as their successors are elected and qualified.

SECTION 2. Chapter 32 of the Private Acts of 2009, and any other acts amendatory thereto, is amended by deleting Article II, Section 2.05 and substituting instead the following:

Section 2.05. Meeting schedule. The commission shall meet regularly at least once every month at the times and places prescribed by ordinance, unless the commission does not deem it necessary to meet based upon the agenda. The commission shall meet in special session on written notice of the mayor or three (3) commissioners, if in their opinion the welfare of the city demands it. Said written notice shall be served on the other members of the commission at least twelve (12) hours in advance of the meeting. Each call for a special

meeting shall set forth the character of the business to be discussed at such meeting and no other business shall be considered at such meeting.

SECTION 3. Chapter 32 of the Private Acts of 2009, and any other acts amendatory thereto, is amended by deleting Article III, Section 3.01 and substituting instead the following:

Section 3.01. Organization of City Government. The commission shall determine by ordinance the functions and duties of all departments and offices. The commission shall establish, abolish, merge or consolidate offices, positions or employment and departments; may provide that the same person shall fill any number of offices and positions of employment; and may transfer or change the functions and duties of offices, positions of employment and departments. The city commission by this charter designates the city administrator as the head of the operating functions of the city of Adamsville.

SECTION 4. Chapter 32 of the Private Acts of 2009, and any other acts amendatory thereto, is amended by deleting Article III, Section 3.02 and substituting instead the following:

Section 3.02. Appointment of officers. The city commission shall appoint the city administrator by vote and only the city administrator. The city administrator shall be responsible for the appointment of all department heads.

All officers shall be appointed with due regard to their qualifications and fitness and for the good of the public service and without reference to race, age, color, creed, sex, or political party affiliation.

It shall be unlawful for any candidate for office or any candidate for appointed office, directly or indirectly, to give or promise any person any office, position, employment, benefit, or anything of value for the purpose of influencing or obtaining the political support, aid or vote of any person.

SECTION 5. Chapter 32 of the Private Acts of 2009, and any other acts amendatory thereto, is amended by deleting Article III, Section 3.06 and substituting instead the following:

Section 3.06. City Recorder. The city administrator shall appoint an officer who shall have the title of city recorder. The city recorder shall give notice of commission

meetings to its members and the public; keep the record of its proceedings and perform such duties as assigned by this charter, the city administrator, and/or by state law.

SECTION 6. Chapter 32 of the Private Acts of 2009, and any other acts amendatory thereto, is amended by deleting Article III, Section 3.10 and substituting instead the following:

Section 3.10. City Administrator. The commission shall appoint an operating administrative officer with the title of city administrator who shall be under the control and direction of the commission and who shall serve an indefinite term and may be removed from office by the commission.

The city administrator shall be directly responsible to the commission to exercise general administrative responsibilities assigned to the city administrator for the coordination and direction of the activities of all operating departments, which shall include the following:

- (a) Preparation of official agenda for all meetings;
- (b) Preparation and administration of annual operating and capital improvement budgets;
- (c) Preparation of reports for the commission;
- (d) Act as purchasing agent for the municipality in the purchase of all materials, supplies and equipment for the proper conduct of the municipality's business; provided, that all purchases shall be made in accordance with policies, practices and procedures established by the commission;
- (e) Investigation of citizen's complaints;
- (f) Application for grants and administration thereof;
- (g) Administration of personnel policies including: to employ, promote, discipline, suspend and discharge all employees, including department heads, in accordance with the personnel policies and procedures adopted by the commission;
- (h) Maintain all necessary intergovernmental relationships;
- (i) Attend all meetings of the commission;

(j) Any other duties as may be assigned by the commission or by ordinance; and

(k) Act as chief financial officer of the city.

The city administrator need not be a resident of Adamsville at the time of appointment but promptly thereafter shall become a resident within twelve (12) months of appointment and thereafter remain an actual resident of the city. Salary and other benefits incidental to the position shall be fixed by the commission.

In the temporary absence or disability of the city administrator, an employee of the city designated by the commission or the city administrator shall serve as city administrator. At any time during such absence or disability, the commission may revoke such designation and appoint another employee of the city to serve until the city administrator shall return.

SECTION 7. Chapter 32 of the Private Acts of 2009, and any other acts amendatory thereto, is amended by deleting Article IV, Section 4.12 and substituting instead the following:

Section 4.12. Disbursement by checks. All disbursements, except for any agency of the city administered by a board or commission other than the city commission, shall be made by checks signed by the mayor and by the city administrator. The commission may, by resolution, designate other officers to sign such checks in the absence or disability of the mayor or city administrator.

SECTION 8. 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 Adamsville. Its approval or nonapproval shall be proclaimed by the presiding officer of the legislative body and certified to the secretary of state.

SECTION 9. 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 8.