

HOUSE BILL 1557

By Littleton

AN ACT to amend Chapter 121 of the Private Acts of 2004; as rewritten by Chapter 84 of the Private Acts of 2014; and as amended by Chapter 58 of the Private Acts of 2018 and Chapter 56 of the Private Acts of 2020; and any other acts amendatory thereto, relative to Ashland City.

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

SECTION 1. Chapter 121 of the Private Acts of 2004, as rewritten by Chapter 84 of the Private Acts of 2014, and as amended by Chapter 58 of the Private Acts of 2018 and Chapter 56 of the Private Acts of 2020, and any other acts amendatory thereto, is amended by deleting Section 20 and substituting instead the following:

Section 20A. CITY ADMINISTRATOR. The City Council may appoint a City Administrator who shall be under the control and direction of the City Council, including the hiring and firing of a City Administrator. The City Administrator shall report to and be responsible to the City Council. In case of a temporary absence or vacancy in the position of City Administrator, the Mayor shall perform the functions of the City Administrator until such time as the Council designates an interim or new City Administrator. The qualifications, compensation, and benefits for the position of City Administrator shall be as determined by the Board. The Board may enter into an employment agreement with the City Administrator.

The City Council may, by passage of an Ordinance with a two-thirds (2/3) majority, require the City Administrator to perform any or all of the following duties:

- (a) Administer the business of the City;
- (b) Make recommendations to the City Council for improving the quality and quantity of public services to be rendered by the officers and employees to the inhabitants of the City;

- (c) Keep the City Council fully advised as to the condition and needs of the City;
- (d) Report to the City Council the condition of all property, real and personal, owned by the City and recommend repairs or replacements as needed;
- (e) Recommend to the City Council and suggest the priority for programs or projects involving public works or public improvements that should be undertaken by the City;
- (f) Recommend specific personnel positions, as may be required, for the needs and operations of the City, and propose personnel policies and procedures of the City Council;
- (g) Administer the day-to-day operations of the City, including, but not limited to, supervising employees;
- (h) Make recommendations for approval by the Mayor of any employee issues, including discipline and discharge, as well as make recommendations for the hiring of employees along with department heads;
- (i) Have a seat and a voice at all meetings of the Board but shall not have a vote;
- (j) Serve as the purchasing agent for the City;
- (k) Serve as the chief financial officer for the City;
- (l) Recommend to the Council ordinances, resolutions, or other actions to improve City operations;
- (m) Assist the Mayor with the preparation and implementation of the annual budget for all funds and departments and oversee departmental budget development;
- (n) Oversee property and liability insurance coverage for the City; and
- (o) Perform any other duties as set out by the Mayor and council that may be established by Ordinance.

Section 20B. CITY RECORDER. The City Council shall appoint or elect a City Recorder who shall have the following powers and duties:

(a) To keep and preserve the City seal and all official records not required by law or ordinance to be filed elsewhere;

(b) To attend all meetings of the Council and to maintain a journal showing the proceedings of such meetings, the members of the Council present and absent, each motion considered, the title of each resolution and ordinance considered, and the vote of each member of the Council on each question. This journal shall be open to the public during the City's regular office hours, subject to reasonable restrictions exercised by the City Recorder. The City Recorder may also appoint a designee in the City Recorder's absence for attendance at meetings;

(c) To prepare and certify copies of official records in the City Recorder's office. Fees for such services may be established by ordinance, to be deposited into the City treasury; and

(d) To prepare the agenda for City Council meetings in consultation with the Mayor, Council members, and department heads.

In addition to the powers and duties listed above, the City Council may, by ordinance, designate additional powers and duties of the City Recorder, including, but not limited to, the power to:

(a) To serve as finance director for the City;

(b) Serve as purchasing agent for the City;

(c) Serve as the City's Open Records Coordinator and manage the open records policy as such for any changes or updates;

(d) Work with Department heads and the City Attorney for the development of policy, procedure, and the City Code; and

(e) To perform such other duties as may be required by the Council or by the Mayor.

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

SECTION 3. 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 2.

Amendment No. 1 to HB1557

Crawford
Signature of Sponsor

AMEND

House Bill No. 1557*

by deleting Sections 2 and 3 and substituting instead:

SECTION 3. Section 8 of Chapter 121 of the Private Acts of 2004, as rewritten and amended by Chapter 84 of the Private Acts of 2014, and any other acts amendatory thereto, is amended by deleting the following language from subsection (d):

Elections shall be held on the first Saturday in December in every odd-numbered year. At the election held in December 2001, and every other odd-numbered year thereafter, one (1) Councilman shall be elected for each ward. At the election held in December 2003, and every other odd-numbered year thereafter, one (1) Councilman for each ward and the Mayor shall be elected. The terms of office of the Mayor and Councilmen shall begin at the first regularly scheduled meeting of the Council in January next following their election, and they shall serve for a term of four (4) years and until their successors are elected and qualified.

and substituting instead the following:

Elections shall be held every even-numbered year on the first Thursday in August. At the election held in August 2024, and every other even-numbered year thereafter, one (1) Councilman for each ward and the Mayor shall be elected. At the election held in August 2026, and every other even-numbered year thereafter, one (1) Councilman shall be elected for each ward. The terms of the Mayor and Councilmen shall begin at the first regularly scheduled meeting of

the Council in September next following their election, and they shall serve for a term of four (4) years and until their successors are elected and qualified.

SECTION 4. The terms of office of the incumbent mayor and councilmen on the effective date of this act are extended until their successors are elected and qualified as provided in Section 8 of the charter as amended by this act. If a vacancy occurs in any of such offices during the period such terms are extended, a qualified person shall be appointed to serve the remainder of the unexpired term in the manner provided in Section 13 of the charter.

SECTION 5. This act shall have no effect unless it is approved by a two-thirds (2/3) vote of the legislative body of Ashland City. Its approval or nonapproval 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.

Amendment No. 2 to HB1557

Littleton
Signature of Sponsor

AMEND Senate Bill No. 1557

House Bill No. 1557*

by deleting Sections 2 and 3 and substituting instead:

SECTION 2. Section 8 of Chapter 121 of the Private Acts of 2004, as rewritten and amended by Chapter 84 of the Private Acts of 2014, and any other acts amendatory thereto, is amended by deleting the following language from subsection (d):

Elections shall be held on the first Saturday in December in every odd-numbered year. At the election held in December 2001, and every other odd-numbered year thereafter, one (1) Councilman shall be elected for each ward. At the election held in December 2003, and every other odd-numbered year thereafter, one (1) Councilman for each ward and the Mayor shall be elected. The terms of office of the Mayor and Councilmen shall begin at the first regularly scheduled meeting of the Council in January next following their election, and they shall serve for a term of four (4) years and until their successors are elected and qualified.

and substituting instead the following:

Elections shall be held every even-numbered year on the first Thursday in August. At the election held in August 2024, and every other even-numbered year thereafter, one (1) Councilman for each ward and the Mayor shall be elected. At the election held in August 2026, and every other even-numbered year thereafter, one (1) Councilman shall be elected for each ward. The terms of the Mayor and Councilmen shall begin at the first regularly scheduled meeting of

the Council in September next following their election, and they shall serve for a term of four (4) years and until their successors are elected and qualified.

SECTION 3. The terms of office of the incumbent mayor and councilmen on the effective date of this act are extended until their successors are elected and qualified as provided in Section 8 of the charter as amended by this act. If a vacancy occurs in any of such offices during the period such terms are extended, a qualified person shall be appointed to serve the remainder of the unexpired term in the manner provided in Section 13 of the charter.

SECTION 4. This act shall have no effect unless it is approved by a two-thirds (2/3) vote of the legislative body of Ashland City. Its approval or nonapproval shall be proclaimed by the presiding officer of the legislative body and certified to the secretary of state.

SECTION 5. 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 4.