

HOUSE BILL 1514

By Hurt

AN ACT to amend Chapter 128 of the Private Acts of 2006; and any other acts amendatory thereto, relative to the charter of the City of Ripley.

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

SECTION 1. Chapter 128 of the Acts of 2006, and any other acts amendatory thereto, is amended by deleting Section 4(a) in its entirety and substituting instead the following language:

(a) Subject to the provisions of Section 5, the election for Mayor and Aldermen under this Act shall be held on the first Thursday in August at the regular general election conducted by the Lauderdale County Election Commission. The term of office of the Mayor and Alderman currently serving shall be extended from April until their successors are elected and qualified. Said election shall be held by the same officer or officers who are authorized by the laws of the State of Tennessee to open and hold elections for members of the General Assembly. The person receiving the highest number of votes for Mayor shall be declared elected Mayor of said corporation, and shall also be one of the Aldermen, and the persons receiving the highest number of votes for Seat A and Seat B, respectively, from each of the three (3) voting wards shall be declared elected Aldermen. Said Mayor and Aldermen shall hold their offices until their successors are elected and qualified.

SECTION 2. Chapter 128 of the Acts of 2006, and any other acts amendatory thereto, is amended by deleting Section 4(b) in its entirety and substituting instead the following language:

(b) On the first Monday after each election is certified, the retiring Board of Mayor and Aldermen shall hold their last meeting, or as soon thereafter as possible, and pass all necessary resolutions and all such rules and regulations as may be necessary

to properly turn over to the incoming Mayor and Aldermen, and to secure the turning over of all books, papers, moneys, and property in their possession, or that of any of their officers, agents, or appointees, to the proper officers of the new administration. At said meeting the Mayor and Aldermen elect, or so many as are present, shall present their certificates of election and be sworn in before a judge of competent jurisdiction, which facts shall appear upon the minutes of the retiring Board, and then the term of the new Mayor and Aldermen shall begin. An officer-elect not presenting his certificate at said meeting may do so at the next regular or called meeting of the new Mayor and Aldermen and be sworn in.

SECTION 3. Chapter 128 of the Acts of 2006 and all other acts amendatory thereto, is amended by deleting Section 5 in its entirety and substituting instead the following language:

Section 5.

(a) The next election for Mayor and Aldermen shall be held on the first Thursday in August at the regular general election, and the Mayor and Aldermen elected at that time shall serve for a period of four (4) years. Thereafter an election shall be held every four (4) years on the first Thursday in August for the purpose of electing a Mayor and Aldermen to four (4) year terms.

(b) The elections shall be conducted by the county commissioners of elections under the general election laws of the state.

SECTION 4. Chapter 128 of the Acts of 2006, and any other acts amendatory thereto, is amended by deleting Section 6 in its entirety and substituting instead the following language:

Section 6. The City shall be organized into the departments of general government, police, fire, gas and water, electricity, parks and recreation, and public works. However, the Mayor and Aldermen may abolish any of those departments, may create new departments, and may combine, or consolidate or merge any present or future departments.

The Mayor and Aldermen shall appoint the heads of departments, and those heads of departments shall serve at the will and pleasure of the Board.

The Mayor and Aldermen may authorize the appointment of such employees to staff the departments as it deems necessary, and may prescribe their duties or delegate that function.

The employees of the various departments shall be appointed in accordance with the personnel policies and procedures adopted by the Mayor and Aldermen. The personnel policies shall provide the procedures for employment, promotion, discipline, suspension, and discharge of all employees.

Nothing in this charter shall be construed as granting a property interest to employees or department heads in their continued employment.

In addition to those officers and agents the Mayor and Aldermen are authorized elsewhere in the charter to appoint, the Mayor and Aldermen may also appoint such officers and agents as it deems necessary, and those additional officers and agents shall serve at the will and pleasure of the Mayor and Aldermen.

The Mayor and Aldermen shall fix the salary and wages of all officers and employees of the City.

The Mayor and Aldermen may appoint a city administrator who shall be under the control and direction of the Board. The city administrator shall report and be responsible to the Board.

The Board may, by ordinance, require the city administrator to perform any or all the following duties:

- (1) Administer the business of the municipality;
- (2) Make recommendations to the Board for improving the quality and quantity of public services to be rendered by the officers and employees to the inhabitants of the municipality;
- (3) Keep the Board fully advised as to the conditions and needs of the municipality;
- (4) Report to the Board the condition of all property, real and personal, owned by the municipality and recommend repairs or replacements as needed;

(5) Recommend to the Board and suggest the priority of programs or projects involving public works or public improvements that should be undertaken by the municipality;

(6) Recommend specific personnel positions, as may be required for the needs and operations of the municipality, and propose personnel policies and procedures for approval of the Board; and

(7) Perform such other duties as may from time to time be designated or required by the Board.

SECTION 5. Chapter 128 of the Acts of 2006, and any other acts amendatory thereto, is amended by deleting Section 11 in its entirety and substituting instead the following language:

Section 11. The City Court Clerk shall be appointed in accordance with the personnel policies and procedures adopted by the Mayor and Aldermen. The City Court Clerk shall maintain an accurate and detailed record and summary report of all financial transactions and affairs of the court. The record and report shall accurately reflect all disposed cases, assessments, collections, suspensions, waivers and transmittals of litigation taxes, court costs, forfeitures, fines, fees, and any other receipts and disbursements.

SECTION 6. Chapter 128 of the Acts of 2006, and any other acts amendatory thereto, is amended by deleting Section 22 in its entirety.

SECTION 7. Chapter 128 of the Acts of 2006, and any other acts amendatory thereto, is amended by deleting Section 29 in its entirety.

SECTION 8. If any provision of this act or the application thereof to any person or circumstance is held invalid, such invalidity shall not affect other provisions or applications of the act which can be given effect without the invalid provision or application, and to that end the provisions of this act are declared to be severable.

SECTION 9. 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 Ripley. Its approval or nonapproval shall be proclaimed by the presiding officer of the legislative body of the City of Ripley and certified to the secretary of state.

SECTION 10. 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 9.