

SENATE BILL 2919

By Roberts

AN ACT to amend Chapter 174 of the Private Acts of 1925; as amended and rewritten by Chapter 33 of the Private Acts of 1973; Chapter 145 of the Private Acts of 1977; Chapter 302 of the Private Acts of 1980; Chapter 128 of the Private Acts of 1986; Chapter 160 of the Private Acts of 2000; and any other acts amendatory thereto, relative to the charter of the City of Dickson.

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

SECTION 1. Article II, Section 2.01 of Chapter 174 of the Private Acts of 1925, as amended and rewritten by Chapter 33 of the Private Acts of 1973, Chapter 128 of the Private Acts of 1986, Chapter 160 of the Private Acts of 2000, and any other acts amendatory thereto, is amended by deleting paragraph (b) and substituting the following:

Biennial elections shall be held on the second Thursday in September in each odd-numbered year to elect one (1) Councilperson from each of four (4) Wards for four-year terms beginning with the election in 2023. Effective with the election in September, 1987, and all succeeding elections the term of office for the Mayor shall be four (4) years. No formality shall invalidate such an election, providing it is conducted fairly and in substantial conformity with the requirements of this Charter and the general election laws of the state. Any elector who shall have been a resident of the City of Dickson for twelve (12) months immediately preceding the election shall be eligible to become a candidate for Mayor or Councilperson.

SECTION 2. Article II, Section 2.01 of Chapter 174 of the Private Acts of 1925, as amended and rewritten by Chapter 33 of the Private Acts of 1973, Chapter 145 of the Private Acts of 1977, Chapter 302 of the Private Acts of 1980, Chapter 160 of the Private Acts of 2000, and any other acts amendatory thereto, is amended by deleting paragraph (e) and substituting the following:

The salary of the Mayor is established as thirty percent (30%) of the Dickson County Mayor's salary plus any local supplements of the County Mayor as set by Tennessee Code Annotated, Section 8-24-102(b). The salary of each Member of the Council is established as seventeen and one-half (17-1/2%) percent of the Dickson County Mayor's salary plus any local supplements of the County Mayor as set by Tennessee Code Annotated, Section 8-24-102(b). The Mayor and Council members shall also be reimbursed for actual and necessary expenses incurred in the conduct of their official duties and shall be permitted to participate in the Tennessee Consolidated Retirement System (TCRS) and any other retirement plan offered by the City of Dickson to its employees for which they are qualified; according to the provisions contained in Tennessee Code Annotated, Section 8-35-226. Provided, however, these raises shall not become effective until October 1, 2001.

SECTION 3. Article II, Section 2.02 of Chapter 174 of the Private Acts of 1925, as amended and rewritten by Chapter 33 of the Private Acts of 1973, Chapter 160 of the Private Acts of 2000, and any other acts amendatory thereto, is amended by deleting paragraph (b) and substituting the following:

The Council shall meet regularly on the first Monday in each month at City of Dickson City Hall at a time to be set by the Council. In the event that any meeting date falls on a holiday, the Mayor shall reschedule the meeting at his/her discretion. The Council may meet in adjourned sessions, or special sessions, when called by the Mayor, or when requested in writing by four (4) members of the Council.

SECTION 4. Article II, Section 2.04 of Chapter 174 of the Private Acts of 1925, as amended and rewritten by Chapter 33 of the Private Acts of 1973, Chapter 160 of the Private Acts of 2000, and any other acts amendatory thereto, is amended by deleting the section and substituting the following:

The Mayor, at the first regular meeting following each biennial election, shall nominate from the Council membership a Vice Mayor candidate to be elected by a

majority of the Council members present to serve for a term of two (2) years. The Vice Mayor shall perform the duties of the Mayor during his absence or inability to act, and shall fill out any unexpired term in the office of Mayor, in which case a Member of the Council shall be selected by majority vote of the Council to serve the unexpired term as Vice Mayor.

SECTION 5. Article II, Section 2.07 of Chapter 174 of the Private Acts of 1925, as amended and rewritten by Chapter 33 of the Private Acts of 1973, Chapter 302 of the Private Acts of 1980, Chapter 160 of the Private Acts of 2000, and any other acts amendatory thereto, is amended by deleting paragraph (a) and substituting the following:

Any action of the Council having a regulatory or penal effect, awarding franchises, authorizing the borrowing of money, conveying or leasing or authorizing the conveyance or lease of any lands of the City, or required to be done by Ordinance under this Charter or the general laws of the state, shall be done only by Ordinance. All purchasing shall be done in accordance with State of Tennessee purchasing laws as they apply to municipalities.

Other actions of the Council may be accomplished by Resolutions or motions; Ordinances and Resolutions shall be in written form before introduced. The enacting clause of Ordinances shall be "BE IT ORDAINED BY THE COUNCIL OF THE CITY OF DICKSON, TENNESSEE,". No action of the Council shall be valid or binding unless approved by the affirmative vote of a majority of the Council members present. Any Ordinance which repeals or amends existing Ordinances shall set forth at length the sections or subsections repealed or as amended. Every Ordinance except an emergency Ordinance must be approved on two (2) readings, on two (2) separate days, and shall become effective immediately after final approval unless its terms provide a later effective date. Every Ordinance, including codes adopted by reference, shall be made available for inspection by the general public in person and/or by electronic means at least seventy-two (72) hours prior to the first reading; the second reading may be

referenced by title only except that any amended provisions shall be made available for inspection by the general public in person and/or by electronic means at least seventy-two (72) hours prior to second reading. Each Resolution shall be made available for inspection by the general public in person and/or by electronic means at least seventy-two (72) hours prior to the vote and shall become effective when adopted unless its terms provide otherwise.

To meet a public emergency affecting life, health or property, as determined by a majority of the Council present, an emergency Ordinance may be adopted on one (1) reading and become effective immediately, by the affirmative votes of a majority of the members of the Council present, if the Ordinance contains a full statement of the facts creating the emergency; but any emergency Ordinance shall be effective for only ninety (90) days. Franchises, contracts, levy of taxes, or special privileges shall not be passed as emergency Ordinances.

SECTION 6. Article III, Section 3.02 of Chapter 174 of the Private Acts of 1925, as amended and rewritten by Chapter 33 of the Private Acts of 1973, Chapter 160 of the Private Acts of 2000, and any other acts amendatory thereto, is amended by deleting the seventh paragraph and substituting the following:

All department heads of the City of Dickson are encouraged, but not required, to be residents of the City of Dickson and/or Dickson County.

SECTION 7. Article III, Section 3.04 of Chapter 174 of the Private Acts of 1925, as amended and rewritten by Chapter 33 of the Private Acts of 1973, Chapter 160 of the Private Acts of 2000, and any other acts amendatory thereto, is amended by deleting paragraph (e) and substituting the following:

Nothing herein shall prevent the Recorder from being the Tax Collector if the City Council should see fit to combine these offices, or to hold any other administrative position as determined to be beneficial for the operation of the City by the Mayor.

SECTION 8. Nothing in this act shall be construed to remove any incumbent from office or abridge the term of any incumbent prior to the end of the term for which the elected official was selected.

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 Dickson. Its approval or nonapproval shall be proclaimed by the presiding officer of the legislative body 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.