

Failed



ORDINANCE NO. 21-503
TOWN OF MOUNT CARMEL, TENNESSEE
AN ORDINANCE GRANTING THE BOARD OF MAYOR AND
ALDERMEN THE AUTHORITY TO APPROVE OR DISAPPROVE
CITY ADMINISTRATOR'S AND TOWN DEPARTMENT HEADS'
DECISIONS ON HIRING, TERMINATION, AND PERMANENT
POSITION CHANGES

WHEREAS, *Tennessee Code Annotated* § 6-3-106 gives the Mayor of the Town of Mount Carmel certain duties unless otherwise designated by the Board of Mayor and Aldermen; and

WHEREAS, the Board of Mayor and Aldermen of the Town of Mount Carmel modified this method of operation to provide for the administration of the Town's affairs by a full-time city administrator rather than by a part-time city administrator; and

WHEREAS, the position of City Administrator has already been created and codified in the Mount Carmel Code of Ordinances at Chapter 6, § 1-601; and

WHEREAS, the Board of Mayor and Aldermen, through Ordinance 17-463 delegated all delegable duties from *Tennessee Code Annotated* §§ 6-3-106 and 6-4-101 from the Mayor to the City Administrator; and

WHEREAS, one of the duties delegated to the City Administrator, codified at *Tennessee Code Annotated* § 6-3-106(b)(2)(A) is to "Employ, promote, discipline, suspend and discharge all employees and department heads, in accordance with personnel policies and procedures, if any, adopted by the board;" and

WHEREAS, the Board of Mayor and Aldermen desire to modify the present operation by providing the Board of Mayor and Aldermen the authority to review, approve, and/or disapprove of the City Administrator's – and by extension the recommendations and decisions of Town Department Heads' – regarding hiring employees, terminating employees, and permanently changing position's of employees; and

NOW, THEREFORE, BE IT ORDAINED BY THE BOARD OF MAYOR AND ALDERMEN OF THE TOWN OF MOUNT CARMEL, TENNESSEE AS FOLLOWS:

Section 1. The Board of Mayor and Aldermen shall be endowed with the following oversight over the duty of the City Administrator, provided to him by Ordinance 17-463, and codified at *Tennessee Code Annotated* §6-3-106(b)(2)(A);

Prior to the enactment of any decision(s) of the City Administrator to hire new employees, terminate current or future employees, or to permanently change the

position of any person employed within the Town by moving them from one department to another, the Board of Mayor and Aldermen shall have the opportunity to be provided the City Administrator's reasoning for making such personnel decision(s), and the Board of Mayor and Aldermen shall have the authority to either approve or disapprove of such decision(s).

Section 2. If any provision within this Ordinance is found to be in conflict with prior Ordinances, the contents of this Ordinance shall be deemed to control. Additionally, this Ordinance specifically overturns Ordinance No. 16-432 which granted the Board of Mayor and Aldermen, as well as the Town's department heads, the authority to employ, promote, discipline, suspend and discharge employees.

Section 3. This ordinance shall take effect upon passage, the law requiring it.

PAT STILWELL, Mayor

ATTEST:

MIKE HOUSEWRIGHT, City Recorder

APPROVED AS TO FORM:

JOHN E. PEVY, Town Attorney