



City of Bartlett
A. Keith McDonald, Mayor

BOARD OF MAYOR AND ALDERMEN MEETING AGENDA

MONDAY, AUGUST 5, 2013 - BARTLETT CITY HALL - 6:30 PM

NEW BUSINESS

- I First Reading of Ordinance 13-10, an ordinance revoking previously enacted City of Bartlett Ordinance 12-08. (Ed McKenney, City Attorney)**

The public hearing to be set for August 22, 2013.

- 2 First Reading of Ordinance 13-11, an ordinance to add a new section to Chapter 7 of Title 20 of the Codified Ordinances of the City of Bartlett to establish a municipal school board and to submit the special election of the members of the Municipal School Board to the qualified voters of the City of Bartlett on November 7, 2013, or an election to be held on some other appropriate date. (Ed McKenney, City Attorney)**

The public hearing to be set for August 22, 2013.



Board of Mayor and Aldermen

6400 Stage Road
Bartlett, TN 38134

SCHEDULED

ORDINANCE (ID # 1034)

Meeting: 08/05/13 06:30 PM

Department: Legal

Category: Amendment

Prepared By: Stefanie McGee

Initiator: Ed McKenney

Sponsors:

DOC ID: 1034

Ordinance 13-10, an ordinance revoking previously enacted City of Bartlett Ordinance 12-08.

WHEREAS, The City of Bartlett enacted Ordinance 12-08 on May 29, 2012; and

WHEREAS, The Board of Mayor and Aldermen of the City of Bartlett has determined that Ordinance 12-08 should be revoked; and

WHEREAS, A public hearing before the Board of Mayor and Aldermen on this Ordinance was held on August 22, 2013, pursuant to notice thereof being published in a newspaper of general circulation within the City of Bartlett on August 7, 2013.

NOW, THEREFORE, BE IT ORDAINED BY THE BOARD OF MAYOR AND ALDERMEN FOR THE CITY OF BARTLETT, TENNESSEE, THAT:

Section 1. Ordinance 12-08, which was enacted by the Board of Mayor and Aldermen of the City of Bartlett on May 29, 2012, is hereby revoked.

Section 2. BE IT FURTHER ORDAINED that this ordinance shall take effect upon its passage on third and final reading, the health, safety and welfare of the citizens requiring it.

ADOPTED this 22nd day of August, 2013

First Reading: August 5, 2013

Second Reading: August 13, 2013

Third Reading: August 22, 2013

W. C. Pleasant, Register to the
Board of Mayor and Aldermen

A. Keith McDonald, Mayor

Stefanie McGee, City Clerk



Board of Mayor and Aldermen

6400 Stage Road
Bartlett, TN 38134

SCHEDULED

ORDINANCE (ID # 1035)

Meeting: 08/05/13 06:30 PM
Department: Legal
Category: Amendment
Prepared By: Stefanie McGee
Initiator: Ed McKenney
Sponsors:
DOC ID: 1035

Ordinance 13-11, an ordinance to add a new section to Chapter 7 of Title 20 of the Codified Ordinances of the City of Bartlett to establish a municipal school board and to submit the special election of the members of the Municipal School Board to the qualified voters of the City of Bartlett on November 7, 2013, or an election to be held on some other appropriate date.

- WHEREAS, Article II, § 2.02(26) of the Charter for City of Bartlett gives the City of Bartlett the specific right to establish public schools; and
- WHEREAS, The City of Bartlett enacted City of Bartlett Ordinance 13-06 on May 23, 2013 calling for a special referendum on the creation and funding of a municipal school system in the City of Bartlett to be held on July 16, 2013, or some other appropriate date; and
- WHEREAS, The question presented by the municipal special referendum on the creation and funding of a municipal school system was answered in the affirmative by a majority of the qualified voters of the City of Bartlett participating in the referendum, showing the people of the City of Bartlett have indicated their willingness to meet the standards of adequacy and funding requirements set forth by State Board of Education Rule 0520-1-8-.01 and Tennessee Code Annotated § 49-2-106(b)(3) and authorizing the creation of a municipal school system in the City of Bartlett; and
- WHEREAS, The Tennessee Legislature passed Public Chapter No.256 of the 2013 Public Acts to amend Title 49 relative to local educational agencies, including Tennessee Code Annotated § 49-2-127(b), which authorizes the governing body of a municipality to establish, by ordinance, a municipal board of education in compliance with Tennessee Code Annotated § 49-2-201; and
- WHEREAS, Tennessee Code Annotated § 49-2-127(b) provides that there shall be not less than three (3) nor more than eleven (11) members of the municipal board of education; and
- WHEREAS, Tennessee Code Annotated § 49-2-127(b) provides that the members of the municipal board of education shall be elected in the same manner, either from districts or at large, or a combination of both, used to elect the members of the governing body of the municipality; and
- WHEREAS, Tennessee Code Annotated § 49-2-127(b) provides that the governing body of

the municipality shall establish initial terms for members of the municipal board of education that vary in length, provided that all subsequently elected members, other than members to fill a vacancy, shall be elected to four-year terms; and

WHEREAS, Tennessee Code Annotated § 49-2-127(b) provides that the initial municipal school board shall take office on the first day of the first month following certification of the results of the election to select the members of the initial municipal board; and

WHEREAS, The City of Bartlett elects its governing body from the municipality at large under Article III, § I of the Charter for City of Bartlett; and

WHEREAS, The Board of Mayor and Aldermen has determined that the municipality is authorized by its charter to operate a municipal school system, and would possess a student population of sufficient size to comply with State requirements; and

WHEREAS, The Board of Mayor and Aldermen desires to establish a municipal school board to plan and manage the formation of a municipal school district as well as to manage and operate a municipal school district for the City of Bartlett to take effect at the beginning of the 2014-2015 school year or as soon thereafter as practical, such school district being deemed necessary to promote the education, health, safety, and morals of the residents of the City of Bartlett; and

WHEREAS, The Board of Mayor and Aldermen intends to enact an ordinance establishing a municipal school board for a municipal school district in the City of Bartlett and authorizing the election of school board members on November 7, 2013 or some other appropriate date and, further, establishing the number of school board members, manner of electing school board members, initial terms for school board members that vary in length, and compensation of school board members; and

WHEREAS, A public hearing before the Board of Mayor and Aldermen on this Ordinance was held on August 22, 2013, pursuant to notice thereof being published in a newspaper of general circulation within the City of Bartlett on August 7, 2013.

NOW, THEREFORE, BE IT ORDAINED BY THE BOARD OF MAYOR AND ALDERMEN FOR THE CITY OF BARTLETT, TENNESSEE, THAT:

Section 1. A municipal school board for the City of Bartlett shall be established in compliance with applicable State law.

Section 2. The municipal school board for the City of Bartlett shall consist of five (5) members to be elected from the municipality at large. The Board positions shall be designated as

positions one (1) through five (5). In filing for election, a candidate shall select and identify the position sought.

Section 3. In order to be eligible to be a member of the municipal school board for the City of Bartlett, one must be a citizen of the State of Tennessee, have achieved a high school diploma or GED, have attained the age of eighteen (18) years at the time of their election, be a resident and qualified voter of the City of Bartlett and have lived within the corporate limits of the City of Bartlett for a period of one (1) year immediately preceding the filing deadline for the election, and filed documentation satisfactory to the Shelby County Election Commission evidencing same, and must otherwise meet all other requirements of applicable State law at the time one seeks election.

Section 4. All elections for the municipal school board for the City of Bartlett shall be conducted on a non-partisan basis.

Section 5. No member of the governing body of the City of Bartlett shall be eligible for election as a member of the municipal school board for the City of Bartlett.

Section 6. The initial terms for members of the municipal school board for the City of Bartlett shall vary in length, provided that all subsequently elected members, other than members appointed to fill a vacancy, shall be elected to four-year terms, with members elected to even numbered positions for an initial term of one (1) year and members elected to odd numbered positions for an initial term of three (3) years, as follows:

POSITION 1: Initial three (3) year term

POSITION 2: Initial one (1) year term

POSITION 3: Initial three (3) year term

POSITION 4: Initial one (1) year term

POSITION 5: Initial three (3) year term

Section 7. Members of the municipal school board for the City of Bartlett may succeed themselves.

Section 8. Vacancies occurring on the municipal school board for the City of Bartlett shall be filled by the Board of Mayor and Aldermen by appointment of a person who would be eligible to serve as a member of the municipal school board, with such member to serve until a successor is elected and qualifies according to applicable law, the successor to be elected at the next general election for which candidates have sufficient time to qualify under applicable law.

Section 9. The initial municipal school board for the City of Bartlett shall take office on the first day of the first month following certification of the results of the election to select the members of the initial municipal board.

Section 10. Compensation for the chairperson of the municipal school board for the City of Bartlett shall be \$4,000.00 per annum and compensation for all other members of the municipal school board for the City of Bartlett shall be \$3,600.00 per annum. The Board of Education shall have the full right, power and authority to reimburse any elected board member for any reasonable out of pocket expenses incurred by said member in travel, or other reasonable expenses actually incurred by said member in serving the municipal school board in accordance with City policy.

Section 11. A municipal special election to select the members of the initial municipal school board of the City of Bartlett shall be held on November 7, 2013, or on another appropriate date.

Section 12. The City of Bartlett, in accordance with state law, shall file this ordinance with the Shelby County Election Commission with a request that the special election to select the members of the initial municipal school board of the City of Bartlett be held on November 7, 2013.

Section 13. If the Shelby County Election Commission cannot hold the special election to select the members of the initial municipal school board of the City of Bartlett on said November 7, 2013, the election shall be held on a date within the time prescribed by applicable State law.

Section 14. BE IT FURTHER ORDAINED that this ordinance shall take effect upon its passage on third and final reading, the health, safety and welfare of the citizens requiring it.

ADOPTED this 22nd day of August, 2013

First Reading: August 5, 2013

Second Reading: August 13, 2013

Third Reading: August 22, 2013

W. C. Pleasant, Register to the
Board of Mayor and Aldermen

A. Keith McDonald, Mayor

Stefanie McGee, City Clerk