

RESOLUTION 2011-11

A RESOLUTION RESCINDING RESOLUTION 2011-06 AND AMENDING THE CHARTER TO PROVIDE FOR THE ELECTION OF AT-LARGE ALDERMEN BY POSITION

WHEREAS, the Charter of the City of Franklin, Tennessee, is incorporated by Chapter 126 of the Private Acts of Tennessee for 1967, as amended, of the General Assembly of the State of Tennessee; and

WHEREAS, Resolution 2011-06 provided for an amendment to the Charter of the City of Franklin, Tennessee to provide for the election of at-large aldermen by position; and

WHEREAS, the Board of Mayor and Aldermen desire to rescind Resolution 2011-06 and propose this Resolution; and

WHEREAS, the interest of the City of Franklin, Tennessee, will be served if the Charter of the City is further amended; and now, therefore;

BE IT RESOLVED BY THE BOARD OF MAYOR AND ALDERMEN OF THE CITY OF FRANKLIN, TENNESSEE THAT:

The Honorable Charles M. Sargent, Jr. and Jack Johnson are hereby requested to introduce the following Act to the General Assembly of the State of Tennessee:

AN ACT to amend the Charter of the City of Franklin, Tennessee, being Chapter 126 of the Private Acts of Tennessee for 1967, as amended:

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

Section 1. Article III shall be amended by adding a new Section 5 and renumbering the subsequent sections accordingly. Section 5 shall state:

Section 5. At-Large Aldermen.

There shall be four (4) at-large aldermanic positions known as positions A, B, C, and D. In filing for election, any candidate for at-large alderman shall select and designate the position being sought. With respect to each position, one (1) alderman shall be elected pursuant to Section 8 of this Article."

Section 2. This act shall become effective when it has been by approved by a majority of the number of qualified voters in a referendum held for the purpose of approval of the act at the next regularly scheduled election.

ADOPTED THIS 8th DAY OF February, 2011.

ATTEST:

By: Eric S. Stuckey
ERIC S. STUCKEY
City Administrator

CITY OF FRANKLIN, TENNESSEE

By: [Signature]
DR. KEN MOORE
Mayor



MEMORANDUM

February 8, 2011

TO: Board of Mayor and Aldermen

FROM: Eric Stuckey, City Administrator
Shauna R. Billingsley, City Attorney

SUBJECT: Resolution 2011-11 Rescinding Resolution 2011-06 and Amending the Charter to Provide for the Election of At-Large Aldermen by Position

Purpose and Background

On January 25, 2011 the Board of Mayor and Aldermen voted 4-3 to recommend to our State representatives Resolution 2011-06, which amended the Charter to allow for the election of at-large aldermen by position rather than by field. Our local delegation has typically required a two-thirds majority in order to bring a Charter change forward. Our representatives have indicated that they would take such a resolution with a vote of less than two-thirds majority if the resolution provided for ratification by referendum. Resolution 2011-11 deletes the option of ratifying by two-thirds vote of the Board and provides only for ratification by referendum.

There had been some interest on the Board in pursuing a referendum on this issue. Research has revealed that the only method through which the Board could seek a referendum is as the final approval of a City Charter amendment. If it is the desire of the Board to hold a referendum, an amended resolution clearly stating this desire would seem appropriate.

Financial Impact

There is no financial impact in adding a referendum to a regularly scheduled election, as this resolution provides. However, the referendum is required to be advertised in its entirety in local newspapers, which the Election Commission will do at the City's cost.

Recommendation

Staff feels that this decision rests solely with the Board, and therefore, makes no recommendation.