

**ORDINANCE 2012-01**

**TO BE ENTITLED, "AN ORDINANCE TO AMEND TITLE 1, CHAPTER 1, SECTION 102 OF THE FRANKLIN MUNICIPAL CODE RELATIVE TO THE ORDER OF BUSINESS OF MEETINGS OF THE BOARD OF MAYOR AND ALDERMEN"**

**WHEREAS**, the Franklin Municipal Code currently sets forth the order of business for the meetings of the Board of Mayor and Aldermen; and

**WHEREAS**, the City Recorder publishes agendas of each meeting, setting forth the items to be considered by the Board of Mayor and Aldermen, giving adequate notice to the public; and

**WHEREAS**, the Board of Mayor and Aldermen of the City of Franklin, Tennessee, believes it is in the best interest of the citizens of the City to update the existing code to provide that the agendas published by the City Recorder will set forth the order of business and items to be considered at each meeting.

**NOW, THEREFORE:**

**SECTION I: BE IT ORDAINED** BY THE BOARD OF MAYOR AND ALDERMEN OF THE CITY OF FRANKLIN, Tennessee, that Title 1, Chapter 1, Section 102 shall be deleted in its entirety and the following substituted in lieu thereof:

**CHAPTER 1. BOARD OF MAYOR AND ALDERMEN**

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**1-102. Order of Business – Agenda.**

At each meeting of the Board of Mayor and Aldermen of the City of Franklin, Tennessee, the order of business shall be set forth by an agenda, which shall be prepared by and published by the Office of the City Recorder.

**SECTION II. BE IT FINALLY ORDAINED** BY THE BOARD OF MAYOR AND ALDERMEN OF THE CITY OF FRANKLIN, Tennessee, that this Ordinance shall take effect from and after its passage on second and final reading, the public health, safety and welfare requiring it.

**ATTEST: CITY OF FRANKLIN, TENNESSEE**

BY: \_\_\_\_\_  
**ERIC S. STUCKEY**  
City Recorder/Administrator

BY: \_\_\_\_\_  
**DR. KEN MOORE**  
Mayor

PASSED FIRST READING

\_\_\_\_\_

PASSED SECOND READING

\_\_\_\_\_

**Sec. 1-102. - Order of business.**

At each meeting of the Board of Mayor and Aldermen of the City of Franklin, Tennessee, the following regular order of business shall be observed unless dispensed with by a majority vote of the members present:

- (1) Call to order by the mayor.
- (2) Determination of quorum.
- (3) Opportunity for members of the board of mayor and aldermen to make changes, corrections or revisions to the minutes of the last regular meeting of the board and to the minutes of any special meeting of the board held subsequent to the last regular meeting.
- (4) Approval of the minutes either as mailed out or as mailed out and changed, corrected or revised.
- (5) Grievances or statements from citizens.
- (6) Old business.
- (7) New business.
- (8) Reports from committees; members of the board of mayor and aldermen; and other officers.
- (9) Adjournment.

*(1976 Code, § 1-102)*




# MEMORANDUM

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January 10, 2012

TO: Board of Mayor and Aldermen

FROM: Eric S. Stuckey, City Administrator   
Kristen L. Corn, Staff Attorney

SUBJECT: Ordinance 2012-01, An Ordinance to Modify Section 1-102 of the Franklin Municipal Code Relative to Order of Business of the Board of Mayor and Aldermen Meetings

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## **Purpose**

The purpose of this memorandum is to provide the Board of Mayor and Aldermen (BOMA) with information regarding Ordinance 2012-01, An Ordinance to Modify Section 1-102 of the Franklin Municipal Code Relative to Order of Business of the Board of Mayor and Aldermen Meetings.

## **Background**

It has come to the attention of City staff that the agenda template that has been used for several years (at least 15 years) sets forth the Order of Business for Board of Mayor and Aldermen meetings with a slight variation from the Order of Business listed in our Municipal Code. The Code provides that citizen comments shall occur after the approval of the minutes; however, for many years, the Board's agendas have provided that citizens have an opportunity to comment or grieve prior to the approval of minutes. The Code currently provides that the Order of Business shall be as provided unless dispensed with by a majority vote of the members present. Although the slight variation in our agendas presents no legal problem, as the Board of Mayor and Aldermen have impliedly accepted them, City staff feels that the current Order of Business makes more sense, and wishes to continue following it.

Additionally, staff believes that given the preparation of an agenda for each meeting, it is unnecessary to set forth a particular Order of Business for meetings by Code. Agendas are prepared and published in accordance with the Open Meetings Act, giving ample time for both the Board and citizens to review and be familiar with the Order of Business for each meeting. Therefore, staff proposes replacing the current language of Section 1-102 with text providing that the Office of the City Recorder's will prepare an agenda setting forth the Order of Business for each meeting of the Board of Mayor and Aldermen.

## **Options**

The Board may adopt, modify or reject the proposed ordinance modifying Section 1-102 of the Franklin Municipal Code Relative to Order of Business of the Board of Mayor and Aldermen Meetings.

## **Financial Impact**

There is no fiscal impact associated with this item.

## **Recommendation**

Approval of Ordinance 2012-01 as presented is recommended.