TITLE 1

GENERAL ADMINISTRATION

CHAPTER 1

BOARD OF MAYOR AND ALDERMEN

SECTION

1-101. Time and place of regular meetings.
1-102. Election date.

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1 Charter references
   See the charter index, the charter itself and footnote references to the
   charter in the front of this code.
Municipal code references
   Building, plumbing, electrical and gas inspectors: title 12.
   Utilities: titles 18 and 19.

2 Charter references
   For charter provisions related to the board of mayor and aldermen, see
   Tennessee Code Annotated, title 6, chapter 3. For specific charter
   provisions related to the board of mayor and aldermen, see the
   following sections:
   City Administrator: § 6-4-101.
   Compensation: § 6-3-109.
   Duties of Mayor: § 6-3-106.
   Election of the board: § 6-3-101.
   Oath: § 6-3-105.
   Ordinance procedure
   Publication: § 6-2-101.
   Readings: § 6-2-102.
   Residence requirements: § 6-3-103.
   Vacancies in office: § 6-3-107.
   Vice-Mayor: § 6-3-107.
1-101. **Time and place of regular meetings.** Regular meetings of the board of mayor and aldermen shall be held at 7:00 P.M. on the first Thursday of each month at the Nolensville Hall, located at 7218 Nolensville Road; however, if this day falls on a holiday, or on a day observed as a holiday, the regular meeting shall be held at the same time and place on the next regular work day as determined by the board of mayor and aldermen. (Ord. #96-01, Oct. 1996, as amended by Ord. #97-01, Feb. 1997, and Ord. #16-14, Aug. 2016)

1-102. **Election date.** In accordance with Tennessee Code Annotated, § 6-3-104, town elections shall be held on the 1st Tuesday following the 1st Monday of November in even numbered years beginning in November 1998 or at the time of the general election in those even years as determined by the election commission.

Town officials elected or re-elected at November elections shall commence their new term of office and be sworn in at the first meeting of the board of mayor and alderman in January of the calendar year following the year in which said official is elected. (Ord. #96-05, Nov. 1996, as amended by Ord. #98-08, March 1998)

1-103. **Number of aldermen.** In accordance with the provisions of Tennessee Code Annotated, § 6-3-101, the number of aldermen is increased from two (2) to four (4).

The transition from two (2) aldermen to four (4) aldermen shall be accomplished as follows:

1. In the election to be held in November 2000;
   a. The successor to the alderman whose terms expires in November 2000 shall be elected for a two (2) year term of office, expiring November 2002 or until the successor is elected and qualified.
   b. The mayor to be elected in November 2000 shall be elected for a two (2) year term of office, expiring November 2002 or until the successor is elected and qualified.
   c. Two (2) additional aldermen shall be elected for a two (2) year term of office, expiring November 2002 or until their successors are elected and qualified.
2. In the election to be held in November 2002:
   a. The mayor shall be elected for a four (4) year term of office expiring in November 2006, or until the successor is elected and qualified.
   b. The two aldermen receiving highest number of votes shall be elected for four (4) year terms of office, which shall expire in November 2006, or until their successors are elected and qualified.
(c) The other two aldermen shall be elected for two (2) year terms of office, which shall expire in November 2004, or until their successors are elected and qualified.

(3) In the elections held in November 2004 and 2006 for the successors to the offices of mayor and alderman elected in November 2002, the terms of office shall be for four (4) years, or until their successors are elected and qualified. (Ord. #99-23, Oct. 1999)

1-104. Public records. (1) Procedures regarding access and inspection of public records:

(a) Consistent with the Public Records Act of the State of Tennessee, personnel of the Town of Nolensville shall provide full access and assistance in a timely and efficient manner to Tennessee residents who request access to public documents.

(b) Employees of the Town of Nolensville shall protect the integrity and the organization of public records with respect to the manner in which the records are inspected and copied. All inspections of records must be performed under the supervision of the records custodian or designee. All copying of public records must be performed by employees of the town, or, in the event that town personnel are unable to copy the records, by an entity or person designated by the records custodian.

(c) To prevent excessive disruptions of the work, essential functions and duties of employees of the Town of Nolensville persons requesting inspection and/or copying of public records shall complete a records request form to be furnished by the town. If the requesting party refuses to complete a request form, a town employee shall complete the form with the information provided by the requesting party. Persons requesting access to open public records shall describe the records with the specificity so that the records may be located and made available for public inspection or duplication, as provided in (b) above. All requests for public records shall be directed to the records custodian.

(d) When records are requested for inspection or copying, the records custodian has seven days to determine whether the city can retrieve the records requested and whether the requested records contain any confidential information, and the estimated charge for copying based upon the number of copies and amount of time required.

Within seven (7) days of a request for records the records custodian shall:

(i) Produce the records requested.

(ii) Deny the records in writing, giving explanation for denial; or,
(iii) In the case of voluminous requests, provide the requestor, in writing, with an estimated time frame for production and an estimation of duplication costs.

(2) Fees for inspection and copying of public records. There is no charge assessed to a requester for inspecting a public record. Charges for physical copies of records, in accordance the Office of Open Records Counsel (OORC) schedule of reasonable charges, are as follows:

(a) Fifteen cents ($0.15) per copied page for black and white copies.
(b) Fifty cents ($0.50) per copy for colored copies.
(c) Fifteen cents ($0.15) per copy for accident reports.
(d) Maps, plats, electronic data, audio discs, video discs, and all other materials shall be duplicated at actual costs to the town.

(i) Requests requiring less than one (1) hour of municipal employee labor for research, retrieval and duplication are free to the requester. Labor in excess of one (1) hour may be charged by the town, in addition to the cost per copy, as provided in (2). The town may require payment in advance of producing voluminous records. Requests for copies of records may not be broken down to multiple requests for the same information in order to qualify for the first free hour. For a request requiring more than one (1) employee to complete, labor charges will be assessed based on the following formula:

In calculating the charge for labor, a department head shall determine the number of hours each employee spent producing a request. The department head shall then subtract the one (1) hour threshold from the number of hours the highest paid employee(s) spent producing the request. The department head will then multiply the total number of hours to be charged for the labor of each employee by that employee's hourly wage. Finally, the department head will add together the totals for all the employees involved in the request and that will be the total amount of labor that can be charged.

(ii) The police chief shall maintain in his or her office records of undercover investigators containing personally identifying information. All other personnel records of the police department shall be maintained in the office of the records custodian. Requests for personnel records, other than for undercover investigators, shall be made to the records custodian, who shall promptly notify the police chief of such request. The police chief shall make the final determination as to the release of the information requested. In the event that the police chief refuses to release the information, he shall provide a written explanation of the reasons for not releasing the information.
(iii) If the public records requested are frail due to age or other conditions and copying of the records will cause damage to the original records, the requesting party may be required to make an appointment for inspection. (Ord. #97-09, July 1997, as amended by Ord. #02-07, Nov. 2002, and Ord. #07-11, June 2007, and replaced by Ord. #09-07, June 2009)
CHAPTER 2

MAYOR

SECTION

1-201. Duties and responsibilities.

1-201. Duties and responsibilities. (1) The mayor:

(a) Shall be the chief executive officer of the municipality and shall preside at meetings of the board;
(b) Shall administer the day to day business of the town;
(c) Shall communicate any information needed, and recommend measures the mayor deems expedient to the board;
(d) (i) Shall make temporary appointments of any officer or department head in case of sickness, absence or other temporary disability.
   (ii) The board may confirm the mayor's appointment or otherwise appoint a person to fill the vacant office unless this duty has been delegated as authorized in the town charter.
(e) (i) May call special meetings of the board upon adequate notice to the board and adequate public notice;
   (ii) Shall state the matters to be considered at the special meeting and the action of the board shall be limited to those matters submitted;
(f) Shall countersign checks and drafts drawn upon the treasury by the treasurer and sign all contracts to which the municipality is a party.
(g) As a member of the board, may make motions and shall have a vote on all matters coming before the board;
(h) Shall make appointments to boards and commissions as authorized by law.

(2) The mayor shall also perform the following duties or may designate a department head or department heads to perform any of the following duties:

(a) Make recommendations to the board for improving the quality and quantity of public services to be rendered by the officers and employees to the residents of the town;

Charter references

For charter provisions related to the mayor, see Tennessee Code Annotated, title 6, chapter 3. For specific charter provisions related to the mayor, see the following sections:

Vacancies in office: § 6-3-107.
Vice-Mayor: § 6-3-107.
(b) Keep the board fully advised as to the conditions and needs of the town;
(c) Report to the board and suggest the priority of programs or projects involving public works or public improvements that should be undertaken by the town;
(d) Report to the board the condition of all property, real and personal, owned by the town and recommend repairs or replacements as needed;
(e) Recommend specific personnel positions, as may be required for the needs and operations of the town, and may propose personnel policies and procedures for approval of the board;
(f) Employ, promote, discipline, suspend and discharge all employees and department heads, in accordance with personnel policies and procedures, if any, adopted by the board;
(g) Act as purchasing agent for the municipality in the purchase of all materials, supplies and equipment for the proper conduct of the municipality's business; provided, that all purchases shall be made in accordance with policies, practices and procedures established by the board;
(h) Prepare and submit the annual budget and capital program to the board for their adoption by ordinance; and
(i) Such other duties as may be designated or required by the board. (Ord. #97-12, Aug. 1997)
CHAPTER 3

TOWN ADMINISTRATOR

SECTION

1-301. Duties of town administrator.
1-302. Appointment of town administrator.
1-304. Board not to interfere with appointments or removals.
1-305. Prior ordinances.
1-306. Severability.
1-307. Mayor as chief executive officer.

1-301. Duties of town administrator. The town administrator is responsible for the efficient management and operation of the affairs of the town in accordance with the state law and the municipal charter, town ordinances and such directives, regulations, and policies of the board of mayor and alderman (BOMA or the board) may from time-to-time adopt, subject to those provisions of the municipal charter which require the mayor to act and function as the chief executive officer of the town. The specific duties and responsibilities of the town administrator are as follows:

(1) Day-to-day operation of the town. The town administrator shall:
(a) Ensure all property, real and personal, owned by the municipality is well maintained;
(b) Ensure that all state, county and local ordinances and regulations are followed within the town limits;
(c) Ensure storm water quality through a comprehensive storm water management program;
(d) Manage the efficient operation of the town offices;
(e) Identify and where feasible, implement new and more efficient methods of operations for town departments; and
(f) Perform such other duties consistent with this office as may by vote of the BOMA be required.

(2) Reports and recommendations to board and committees. The town administrator shall:
(a) Make recommendations to the mayor and board for improving quality and quantity of public services to be rendered by the officers and employees to the inhabitants of the municipality;
(b) Keep the mayor and board fully advised as to the conditions and needs of the municipality;
(c) Report to the mayor and board the condition of all property, real and personal, owned by the municipality and recommend repairs and replacement as needed;
(d) Recommend to the mayor and board and suggest priority of programs or projects involving public works or public improvements that should be undertaken by the municipality;

(e) Recommend specific personnel positions, as may be required for the needs and operations of the municipality, and may propose personnel policies and procedures for approval by the board; and

(f) Consult and cooperate with the committees of the board in the administration of the town's affairs.

(3) **Manage town employees.** The town administrator shall:

(a) Recruit, hire, evaluate, direct, and, if necessary, discipline and terminate town employees subject to the provisions of § 1-301 in consultation with the mayor;

(b) Examine or cause to be examined the affairs or conduct of any department or employee under his/her control to insure the proper performance of duties and shall have access to all town records, books or papers to properly perform this function;

(c) Establish and maintain effective working relationships with employees;

(d) Conduct regular staff meetings to review progress, accomplishments, budgets, strategies and plans for the town;

(e) Facilitate and work within a "team oriented" environment, being both an effective team leader and team member;

(f) Support other staff in the development and implementation of goals, objectives, policies, or priorities;

(g) Train and supervise all staff including consultants; and

(h) Handle confidential information with tact and discretion;

(i) For the purposes of the chapter, the mayor shall be deemed to have delegated to the town administrator to perform the functions in subsection (3).

(4) **Interact effectively with governmental officials and community members.** The town administrator shall:

(a) Establish and maintain effective working relationships with town officials, the business community, the general public and state, regional and federal officials;

(b) Communicate effectively with the public and development community orally and in writing;

(c) Educate the public on town, county, and state ordinances, regulations, and plans;

(d) Communicate the town's position effectively in public forums and meetings;

(e) Work closely with the public receiving inquiries and complaints and attending to the resolution of same;

(f) Seek innovative solutions to problems while implementing town regulations and goals; and
(g) Participate in various local and regional groups. (as added by Ord. #13-14, April 2014)

1-302. **Appointment of town administrator.** The town administrator shall be appointed by majority vote of the board of mayor and aldermen for an indefinite term. The administrator shall be chosen by the board solely on the basis of executive and administrative qualifications with special reference to actual experience in or knowledge of accepted practices in respect to the duties of the office hereinafter set forth. No member of the board of mayor and aldermen shall receive such appointment neither during the term for which the member shall have been elected nor within one year after the expiration of the member's term. (as added by Ord. #13-14, April 2014)

1-303. **Removal of town administrator.** The board of mayor and aldermen may remove the town administrator at any time by a majority vote of its members. If requested by the town administrator, a public hearing shall be granted by the board within thirty (30) days following notice of removal. During the interim, the board may suspend the administrator from duty, but shall continue the administrator's salary and benefits until the final removal date. (as added by Ord. #13-14, April 2014)

1-304. **Board not to interfere with appointments or removals.** Subject to the provisions of § 1-301, neither the board of mayor and aldermen nor any of its members shall direct or request the hiring of any person to, or removal from, office by the town administrator or any of the administrator's subordinates or in any manner take part in the hiring or removal of officers and employees in the administrative services of the town. Except for the purpose of inquiry, the board and its members shall deal with the administration solely through the town administrator and neither the board nor any member thereof shall give orders to any subordinates of the town administrator, either publicly or privately. (as added by Ord. #13-14, April 2014)

1-305. **Prior ordinances.** Upon the effective date of the ordinance comprising this chapter, all prior ordinances and resolutions shall be repealed to the extent they are in conflict with this chapter. (as added by Ord. #13-14, April 2014)

1-306. **Severability.** It is expressly declared that the board of mayor and aldermen would have passed the other provision of this chapter irrespective of whether or not one or more provisions may be declared invalid. The provisions of this chapter shall be deemed severable and if any provisions of this chapter or the application thereof to any person or circumstances is held invalid, the remainder of the chapter and the application of such provision to other persons
or circumstances shall not be affected thereby. (as added by Ord. #13-14, April 2014)

1-307. **Mayor as chief executive officer.** Nothing herein shall be construed to reduce, void or vacate the duties of the mayor as the chief executive officer of the town as provided in § 1-301. In the event of a conflict between this chapter and § 1-301, the provisions of § 1-301 shall control. (as added by Ord. #13-14, April 2014)