

TITLE 1

GENERAL ADMINISTRATION¹

CHAPTER

1. BOARD OF MAYOR AND ALDERMEN.
2. TOWN ADMINISTRATOR.
3. CODE OF ETHICS.
4. USE OF TOWN'S LOGO AND LETTERHEAD.

¹Charter references

See the charter index, the charter itself and footnote references to the charter in the front of this code.

Municipal code references

Building code: title 12.

Fire code: title 7.

Wastewater treatment: title 18.

Zoning: title 14.

CHAPTER 1

BOARD OF MAYOR AND ALDERMEN¹

SECTION

- 1-101. Time and place of regular meetings.
- 1-102. General rules of order.
- 1-103. Notice of meetings.

1-101. Time and place of regular meetings. Regular meetings of the board of mayor and aldermen of the Town of Thompson's Station, Tennessee, shall be held at 7:00 P.M. on the second Tuesday of each month, except for the months of July and December (in which there shall be no regularly scheduled meetings), and in the month of November when the regular meeting would occur on election day, in which case the meeting will be held on the first Tuesday in November. However, if this day falls on a holiday, or a day observed as a holiday, the regular meeting shall be held at the same time and place on the next regular work day. All regular meeting shall be held in the Thompson's Station Community Center at 1555 Thompson's Station Road West, Thompson's Station, Tennessee, 37179. (Ord. #07-8, Sept. 2007, as replaced by Ord. #2017-002, March 2017 ***Ch2_8-2-21***)

1-102. General rules of order. All meetings of the mayor and board of aldermen shall be governed by the procedure known as Robert's Rules of Order, Newly Revised. (Ord. #90-3, Jan. 1991)

¹Charter 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.

1-103. Notice of meetings. (1) The town recorder shall be responsible for giving adequate public notice of all meetings of governmental bodies of the town as set forth herein.

(2) The town recorder shall publish notice of all regular meetings of the governmental bodies of the town on the town's website at least seven (7) days prior to the regular meeting. The town recorder shall also publish annually notice of all regular meetings of the board of mayor and aldermen in a newspaper of general circulation within the town.

(3) The town recorder shall post notices of the date, time, purpose, and place of all special called meetings of the governmental bodies of the town as soon as reasonably possible after such meeting is called. At a minimum, the recorder shall post the notice of a special called meeting on the town's website at least forty-eight (48) hours before such meeting. Whenever possible, notice of special called meetings shall be published in a newspaper of general circulation before such meeting. The town recorder shall also make a reasonable effort to provide the local media of the time, place, and purpose of such meeting.

(4) Notices of all regular and special called meetings shall also be posted at town hall, the Thompson's Station Post Office, and the town park. (Ord. #08-21, Nov. 2008)

CHAPTER 2

TOWN ADMINISTRATOR¹

SECTION

1-201. Office of town administrator created.

1-202. Town administrator to serve under control of board.

1-203. Duties of town administrator.

1-201. Office of town administrator created. There is here and now created as an officer of government the position of town administrator for the Town of Thompson's Station, Tennessee. (Ord. #005-001, Feb. 2005)

1-202. Town administrator to serve under control of board. The town administrator shall act and serve under the control and direction of the mayor and board of aldermen, hereinafter referred to as the "board." (Ord. #05-001, Feb. 2005)

1-203. Duties of town administrator. The town administrator is responsible for the efficient management and operation of the affairs of the town in accordance with state law, town ordinances and such directives, regulations, and policies as the board of mayor and aldermen may from time-to-time adopt. The specific duties and responsibilities of the town administrator are as follows:

- (1) Day-to-day operation of the town. The town administrator shall:
 - Ensure all property, real and personal, owned by the municipality is well maintained;
 - Ensure that all state, county and local ordinances and regulations are followed within the town limits;
 - Ensure a well run system of sewers;
 - Ensure stormwater quality through a comprehensive stormwater management program;
 - Manage the efficient operation of the town office;
 - Identify and, where feasible, implement new and more efficient methods of operations for town departments; and
 - Performs 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:

¹Charter reference

Town administrator: § 6-4-101.

- Make recommendations to the board for improving quality and quantity of public services to be rendered by the officers and employees to the inhabitants of the municipality;
- Keep board fully advised as to the conditions and needs of the municipality;
- Report to the board the condition of all property, real and personal, owned by the municipality and recommend repairs and replacement as needed;
- Recommend to the board and suggest priority of programs or projects involving public works or public improvements that should be undertaken by the municipality;
- 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 of the board; and
- 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:

- Recruit, hire, evaluate, direct, and, if necessary, discipline and fire town employees;
- Examine or cause to be examined the affairs or conduct of any department or employee under his/her control to ensure the proper performance of duties and shall have access to all town records, books or papers to properly perform this function;
- Establish and maintain effective working relationships with employees;
- Conduct regular staff meetings to review progress, accomplishments, budgets, strategies, and plans for the town;
- Facilitate and work within a "team oriented" environment, being both an effective team leader and team member;
- Support other staff in the development and implementation of goals, objectives, policies, or priorities;
- Train and supervise all staff including consultants; and
- Handles confidential information with tact and discretion.

(4) Interact effectively with diverse community members. The town administrator shall:

- Establish and maintain effective working relationships with town officials, the business community, the general public and state, regional and federal officials;
- Communicate effectively with the public and development community orally and in writing;

- Educate the public on town, county, and state ordinances, regulations, and plans;
- Communicate the town's position effectively in public forums and meetings;
- Works closely with the public receiving inquiries and complaints and attending to the resolution of same;
- Seek innovative solutions to problems while implementing town regulations and goals; and
- Participate in various local and regional groups. (Ord. #05-001, Feb. 2005, as replaced by Ord. #12-008, Sept. 2012)

CHAPTER 3

CODE OF ETHICS¹

SECTION

- 1-301. Applicability.
- 1-302. Definition of "personal interest."
- 1-303. Disclosure of personal interest by official with vote.
- 1-304. Disclosure of personal interest in non-voting matters.
- 1-305. Acceptance of gratuities, etc.
- 1-306. Use of information.
- 1-307. Use of municipal time, facilities, etc.
- 1-308. Use of position or authority.
- 1-309. Outside employment.

¹State statutes dictate many of the ethics provisions that apply to municipal officials and employees. For provisions relative to the following, see the Tennessee Code Annotated (T.C.A.) sections indicated:

Campaign finance: Tennessee Code Annotated, title 2, ch. 10.

Conflict of interests: Tennessee Code Annotated, §§ 6-54-107, 108; 12-4-101, 102.

Conflict of interests disclosure statements: Tennessee Code Annotated, § 8-50-501 and the following sections.

Consulting fee prohibition for elected municipal officials: Tennessee Code Annotated, §§ 2-10-122, 124.

Crimes involving public officials (bribery, soliciting unlawful compensation, buying and selling in regard to office): Tennessee Code Annotated, § 39-16-101 and the following sections.

Crimes of official misconduct, official oppression, misuse of official information: Tennessee Code Annotated, § 39-16-401 and the following sections.

Ouster law: Tennessee Code Annotated, § 8-47-101 and the following sections.

A brief synopsis of each of these laws appears in Appendix A of this municipal code.

1-310. Ethics complaints.

1-311. Violations and penalty.

1-301. Applicability. This chapter is the code of ethics for personnel of the municipality. It applies to all full-time and part-time elected or appointed officials and employees, whether compensated or not, including those of any separate board, commission, committee, authority, corporation, or other instrumentality appointed or created by the municipality. The words "municipal" and "municipality" include these separate entities. (Ord. #06-015, Dec. 2006)

1-302. Definition of "personal interest." (1) For purposes of §§ 1-303 and 1-304, "personal interest" means:

(a) Any financial, ownership, or employment interest in the subject of a vote by a municipal board not otherwise regulated by state statutes on conflicts of interests;

(b) Any financial, ownership, or employment interest in a matter to be regulated or supervised; or

(c) Any such financial, ownership, or employment interest of the official's or employee's spouse, parent(s), step parent(s), grandparent(s), sibling(s), child(ren), or step child(ren).

(2) The words "employment interest" include a situation in which an official or employee or a designated family member is negotiating possible employment with a person or organization that is the subject of the vote or that is to be regulated or supervised.

(3) In any situation in which a personal interest is also a conflict of interest under state law, the provisions of the state law take precedence over the provisions of this chapter. (Ord. #06-015, Dec. 2006)

1-303. Disclosure of personal interest by official with vote. An official with the responsibility to vote on a measure shall disclose during the meeting at which the vote takes place, before the vote and so it appears in the minutes, any personal interest that affects or that would lead a reasonable person to infer that it affects the official's vote on the measure. In addition, the official may recuse himself¹ from voting on the measure. (Ord. #06-015, Dec. 2006)

1-304. Disclosure of personal interest in non-voting matters. An official or employee who must exercise discretion relative to any matter, other than casting a vote, and who has a personal interest in the matter that affects

¹Masculine pronouns include the feminine. Only masculine pronouns have been used for convenience and readability.

or that would lead a reasonable person to infer that it affects the exercise of the discretion shall disclose, before the exercise of the discretion when possible, the interest on a form provided by and filed with the recorder. In addition, the official or employee may, to the extent allowed by law, charter, ordinance, or policy, recuse himself from the exercise of discretion in the matter. (Ord. #06-015, Dec. 2006)

1-305. Acceptance of gratuities, etc. An official or employee may not accept, directly or indirectly, any money, gift, gratuity, or other consideration or favor of any kind from anyone other than the municipality:

(1) For the performance of an act, or refraining from performance of an act, that he would be expected to perform, or refrain from performing, in the regular course of his duties; or

(2) That might reasonably be interpreted as an attempt to influence his action, or reward him for past action, in executing municipal business. (Ord. #06-015, Dec. 2006)

1-306. Use of information. (1) An official or employee may not disclose any information obtained in his official capacity or position of employment that is made confidential under state or federal law except as authorized by law.

(2) An official or employee may not use or disclose information obtained in his official capacity or position of employment with the intent to result in financial gain for himself or any other person or entity. (Ord. #06-015, Dec. 2006)

1-307. Use of municipal time, facilities, etc. (1) An official or employee may not use or authorize the use of municipal time, facilities, equipment, or supplies for private gain or advantage to himself.

(2) An official or employee may not use or authorize the use of municipal time, facilities, equipment, or supplies for private gain or advantage to any private person or entity, except as authorized by legitimate contract or lease that is determined by the governing body to be in the best interests of the municipality.

(3) An official or employee of the town may not use or authorize the use of town property, including the town logo or letterhead, except for official town business or as authorized by the charter, ordinance, or by action of the board. (Ord. #06-015, Dec. 2006, as amended by Ord. #2018-013, Aug. 2018 *Ch2_8-2-21*)

1-308. Use of position or authority. (1) An official or employee may not make or attempt to make private purchases, for cash or otherwise, in the name of the municipality.

(2) An official or employee may not use or attempt to use his position to secure any privilege or exemption for himself or others that is not authorized

by the charter, general law, or ordinance or policy of the municipality. (Ord. #06-15, Dec. 2006)

1-309. Outside employment. An official or employee may not accept or continue any outside employment if the work unreasonably inhibits the performance of any affirmative duty of the municipal position or conflicts with any provision of the municipality's charter or any ordinance or policy. (Ord. #06-15, Dec. 2006)

1-310. Ethics complaints. (1) The town attorney is designated as the ethics officer of the municipality. Upon the written request of an official or employee potentially affected by a provision of this chapter, the town attorney may render an oral or written advisory ethics opinion based upon this chapter and other applicable law.

(2) (a) Except as otherwise provided in this subsection, the town attorney shall investigate any credible complaint against an appointed official or employee charging any violation of this chapter, or may undertake an investigation on his own initiative when he acquires information indicating a possible violation, and make recommendations for action to end or seek retribution for any activity that, in the attorney's judgment, constitutes a violation of this code of ethics.

(b) The town attorney may request the governing body to hire another attorney, individual, or entity to act as ethics officer when he has or will have a conflict of interests in a particular matter.

(c) When a complaint of a violation of any provision of this chapter is lodged against a member of the municipality's governing body, the governing body shall either determine that the complaint has merit, determine that the complaint does not have merit, or determine that the complaint has sufficient merit to warrant further investigation. If the governing body determines that a complaint warrants further investigation, it shall authorize an investigation by the town attorney or another individual or entity chosen by the governing body.

(3) The interpretation that a reasonable person in the circumstances would apply shall be used in interpreting and enforcing this code of ethics.

(4) When a violation of this code of ethics also constitutes a violation of a personnel policy, rule, or regulation or a civil service policy, rule, or regulation, the violation shall be dealt with as a violation of the personnel or civil service provisions rather than as a violation of this code of ethics. (Ord. #06-015, Dec. 2006)

1-311. Violations and penalty. An elected official or appointed member of a separate municipal board, commission, committee, authority, corporation, or other instrumentality who violates any provision of this chapter is subject to punishment as provided by the municipality's charter or other

applicable law, and in addition is subject to censure by the governing body. An appointed official or an employee who violates any provision of this chapter is subject to disciplinary action. (Ord. #06-015, Dec. 2006)

CHAPTER 4

USE OF TOWN'S LOGOS AND LETTERHEAD

SECTION

- 1-401. Town logo.
- 1-402. Town letterhead.
- 1-403. Political, personal and commercial use prohibited.
- 1-404. Service mark.
- 1-405. Violations and penalty.

1-401. Town logo. The town hereby adopts the following image or mark as the official logo of the Town of Thompson's Station. This logo shall be used by town officials and employees only in their official capacity and may not be used by others without the consent of the town.



In addition to the above logo, the provisions of this chapter shall also apply to any other town logos created at town expense for the promotion of the town and its services, department, and facilities. (as added by Ord. #2018-013, Aug. 2018 *Ch2_8-2-21*)

1-402. Town letterhead. The official letterhead of the town, which incorporates the town logo and includes the address and phone numbers of the town, implies town approval and authority when correspondence is sent on such letterhead. Town letterhead shall only be used by officials and employees acting in their official capacity on behalf of the town. Any unauthorized use of town letterhead (or of stationery that incorporates the town logo) by officials or employees shall be deemed an improper and illegal use of town property and a violation of town's code of ethics. (as added by Ord. #2018-013, Aug. 2018 *Ch2_8-2-21*)

1-403. Political, personal and commercial use prohibited. It shall be unlawful for any person or entity to use the town logo or letterhead as a part of or in connection with any political, personal or commercial purpose. Nothing herein shall be construed to prohibit a person or entity from copying or reproducing an authorized letter or other communication from the town that includes the town logo or letterhead. (as added by Ord. #2018-013, Aug. 2018 *Ch2_8-2-21*)

1-404. Service mark. The town logo is a service mark of the town and no persons or entities are authorized to use the town logo or a similar image or mark without the permission of the town. (as added by Ord. #2018-013, Aug. 2018 *Ch2_8-2-21*)

1-405. Violations and penalty. Any violations of this chapter may be punished by a penalty of up to fifty dollars (\$50.00) for each violation, with each day that a violation continues being a separate violation. The town's right to prosecute a violation under this section shall not affect its rights to pursue civil or injunctive relief or other remedies under federal or state law. (as added by Ord. #2018-013, Aug. 2018 *Ch2_8-2-21*)