

**TITLE 1**

**GENERAL ADMINISTRATION<sup>1</sup>**

**CHAPTER**

1. BOARD OF MAYOR AND ALDERMEN.
2. MAYOR.
3. CITY CLERK.
4. CITY MANAGER.
5. MILLINGTON SCHOOL BOARD.

**CHAPTER 1**

**BOARD OF MAYOR AND ALDERMEN<sup>2</sup>**

**SECTION**

- 1-101. Time of regular board meetings.
- 1-102. General rules of order.
- 1-103. Adoption of ordinances and amendments to city code.
- 1-104. Board-city manager relationship.

**1-101. Time of regular board meetings.** (1) Date and time of regular board meetings. Regular meetings of the board of mayor and aldermen shall be the second Monday in every month, at 6:00 P.M. If the second Monday of a month falls on a day observed by the city as a legal holiday, then the regular meeting of the board for that month shall be held on the first day thereafter that is not observed as a legal holiday.

(2) Place of regular meetings. Regular meetings of the board shall be held at city hall, except that upon public notice published in a newspaper of general circulation in the city not less than two (2) weeks prior to the date of a regular meeting and otherwise given in accordance with the city's normal procedure for giving notice of regular meetings, regular meetings of the board

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<sup>1</sup>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.

Fire department: title 7.

Utilities: titles 18 and 19.

Wastewater treatment: title 18.

Zoning: title 14.

<sup>2</sup>Charter references

Board as legislative body, etc.: § 7.01.

Compensation, meetings of board, etc.: § 10.01.

may be held at another location in the city.

(3) Adjournment for lack of quorum. Any regular meeting at which a quorum is not present may be adjourned by announcement at such meeting to a stated time, date and place, provided that notice of the time, date and place of the adjourned meeting shall be given in the same manner as notice of such meetings is regularly given and shall be published in a newspaper of general circulation in the City of Millington. (1981 Code, § 1-101, as replaced by Ord. #2005-2, April 2005, amended by Ord. #2009-13, June 2009, and Ord. #2013-20, Nov. 2013, and replaced by Ord. #2017-7-, June 2017)

**1-102. General rules of order.** The rules of order and parliamentary procedure contained in Robert's Rules of Order, Newly Revised, shall govern the transaction of business by and before the board of mayor and aldermen at its meetings in all cases to which they are applicable and in which they are not inconsistent with provisions of the charter or this code. (1981 Code, § 1-102, modified, as replaced by Ord. #2017-7, June 2017)

**1-103. Adoption of ordinances and amendments to city code.** Adoption of an ordinance shall be required for all matters required by state law, including setting of budgets and the property tax rate and adoption of any amendment to the city code. Prior to adoption of an ordinance, notice of a public hearing shall be published in a newspaper of general circulation in the City of Millington and the public hearing held by the board. Ordinances shall be passed on two (2) different days at a regular, adjourned or called meeting of the board. Ordinances shall be effective upon their final passage unless by its terms the effective date is deferred. (as added by Ord. #2017-7, June 2017)

**1-104. Board-city manager relationship.** The city manager shall be responsible to the board for the administration of all units of city government under the city manager's jurisdiction and for carrying out policies adopted by the board. Except for the purposes of inquiry, the board shall deal with the administrative officers and employees solely through the city manager. The board shall not give orders to the city manager's subordinates or otherwise interfere with managerial functions through such means as directing or requesting the appointment or removal of any of the city manager's subordinates, or the making of particular purchases from, or contracts with any specific organization. (as added by Ord. #2017-7, June 2017)

## CHAPTER 2

### MAYOR<sup>1</sup>

#### SECTION

- 1-201. Duties of the mayor.
- 1-202. Execute city's contracts.
- 1-203--1-204. Deleted.

**1-201. Duties of the mayor.** The mayor shall be the executive head of the city, responsible for the efficient and orderly administration of the affairs of the city and the enforcement of the ordinances of the city and the laws of the state within the city limits. The mayor shall have such powers and duties as are specified in the charter, as may be provided by ordinance not inconsistent with the charter and as are otherwise provided by law. It shall be the duty of the mayor to preside at all meetings of the board. The mayor shall make appointments to boards or commissions as authorized by state statute or ordinance. The mayor is hereby authorized to vote on any item before the board in the event of a tie vote of the members of the board in attendance. If the mayor disapproves any part or all of an ordinance or resolution, the mayor shall file this disapproval with the city clerk and shall deliver copies to the board with a written explanation for the disapproval. (1981 Code, § 1-201, as replaced by Ord. #2017-7, June 2017)

**1-202. Execute city's contracts.** The mayor shall execute contracts as authorized by the board of mayor and aldermen. (1981 Code, § 1-202, as replaced by Ord. #2017-7, June 2017)

**1-203.--1-204. Deleted.** (as deleted by Ord. #2017-7, June 2017)

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<sup>1</sup>Charter references  
Mayor's general powers and duties: § 10.02.

**CHAPTER 3**

**CITY CLERK**<sup>1</sup>

**SECTION**

1-301. Shall be bonded.

1-302. Shall keep minutes.

1-303. Shall be custodian of public records, bonds etc.

1-304. Shall provide and certify copies of records, papers, etc.

**1-301. Shall be bonded.** The city clerk will be bonded in the sum of fifty thousand dollars (\$50,000.00) before assuming the duties of said office. Bond may be an individual bond or blanket bond for city employees. (1981 Code, § 1-301, as replaced by Ord. #2017-7, June 2017)

**1-302. Shall keep minutes.** It shall be the duty of the city clerk to be present at all meetings of the board of mayor and aldermen, the planning commission and the board of zoning appeals and to prepare and maintain a full and accurate record of all business transacted by the same. (1981 Code, § 1-303, as replaced by Ord. #2017-7, June 2017)

**1-303. Shall be custodian of public records, bonds etc.** The city clerk shall have custody of and preserve in the city clerk's' office the city seal, the public records, ordinance books, minutes of the board, contracts, bonds, titles, deeds, certificates and papers, all official indemnity or security bonds, and all other bonds, oaths, and affirmations, and all other records, papers and documents not required by the charter or by ordinance to be deposited elsewhere. (as added by Ord. #2017-7, June 2017)

**1-304. Shall provide and certify copies of records, papers, etc.** The city clerk shall provide and, when required, certify copies of records, papers and documents in the city clerk's office. (as added by Ord. #2017-7, June 2017)

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<sup>1</sup>Charter reference

Election of city clerk and treasurer; duties: § 6.

## CHAPTER 4

### CITY MANAGER

#### SECTION

1-401. Duties of the city manager.

1-402. Issue purchase orders and execute contracts.

1-403.–1-411. Deleted.

**1-401. Duties of the city manager.** The city manager shall be directly responsible to the mayor and the board to exercise general administrative responsibilities assigned to him for the coordination and direction of the activities of the operating departments, including, but not limited to, preparation of official agenda for all meetings, preparation and administration of annual operating and capital improvement budgets, preparation of reports for the mayor and board, purchasing, investigation of citizens' complaints, application for grants and administration thereof, administration of personnel policies, including the selection and discipline of personnel. The city manager shall perform such other duties as may be described by ordinance. The city manager shall also maintain all necessary intergovernmental relationships and attend all meetings of the board. (as added by Ord. #2007-2, June 2007, and replaced by Ord. #2017-7, June 2017)

**1-402. Issue purchase orders and execute contracts.** The city manager, or an employee designated by him, shall act as city purchasing agent. The purchasing agent shall make all purchases and contracts for all departments and agencies of the city. The city manager may execute contracts as required for purchases or as authorized by the board of mayor and aldermen. (as added by Ord. #2007-2, June 2007, and replaced by Ord. #2017-7, June 2017)

**1-403.–1-411. Deleted.** (as deleted by Ord. #2017-7, June 2017)

## CHAPTER 5

### MILLINGTON SCHOOL BOARD

#### SECTION

- 1-501. Creation.
- 1-502. Members.
- 1-503. Eligibility.
- 1-504. Nonpartisan election.
- 1-505. Non-eligibility.
- 1-506. Terms.
- 1-507. Re-election.
- 1-508. Vacancies in office.
- 1-509. Taking office.
- 1-510. Compensation.
- 1-511. Special election.
- 1-512. Date of special election.
- 1-513. Alternate date of special election.

**1-501. Creation.** A municipal school board for the City of Millington shall be established in compliance with applicable state law. (as added by Ord. #2012-11, May 2012, and replaced by Ord. #2013-17, Aug. 2013)

**1-502. Members.** The municipal school board for the City of Millington shall consist of seven (7) members to be elected from the municipality at large for positions one (1) through seven (7). (as added by Ord. #2012-11, May 2012, and replaced by Ord. #2013-17, Aug. 2013)

**1-503. Eligibility.** In order to be eligible to be a member of the municipal school board for the City of Millington, one must be a citizen of the State of Tennessee, have achieved a high school diploma or GED and filed documentation satisfactory to the Shelby County Election Commission evidencing same, have attained the age of eighteen (18) years at the time of their election, be a resident and qualified voter of the City of Millington, resided within the municipality for at least one (1) year preceding the election, and otherwise meet all other requirements of applicable state law at the time one seeks election. (as added by Ord. #2012-11, May 2012, and replaced by Ord. #2013-17, Aug. 2013 and Ord. #2013-17, Aug. 2013)

**1-504. Nonpartisan election.** All elections for the municipal school board for the City of Millington shall be conducted on a non-partisan basis. (as added by Ord. #2012-11, May 2012, and replaced by Ord. #2013-17, Aug. 2013)

**1-505. Non-eligibility.** No member of the governing body of the City of Millington shall be eligible for election as a member of the municipal school board for the City of Millington. (as added by Ord. #2012-11, May 2012, and replaced by Ord. #2013-17, Aug. 2013)

**1-506. Terms.** The initial terms for members of the municipal school board for the City of Millington shall vary in length, provided that all subsequently elected members, other than members appointed to fill a vacancy shall be elected to four (4) 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

Position 6: Initial one (1) year term

Position 7: Initial three (3) year term. (as added by Ord. #2012-11, May 2012, and replaced by Ord. #2013-17, Aug. 2013)

**1-507. Re-election.** Members of the municipal school board for the City of Millington may succeed themselves. (as added by Ord. #2013-17, Aug. 2013)

**1-508. Vacancies in office.** Vacancies occurring on the municipal school board for the City of Millington 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. (as added by Ord. #2013-17, Aug. 2013)

**1-509. Taking office.** The initial municipal school board for the City of Millington 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. (as added by Ord. #2013-17, Aug. 2013)

**1-510. Compensation.** Compensation for the chairperson of the municipal school board for the City of Millington shall be three thousand dollars (\$3,000.00) per annum and compensation for all other members of the municipal school board for the City of Millington shall be two thousand four hundred dollars (\$2,400.00) per annum. (as added by Ord. #2013-17, Aug. 2013)

**1-511. Special election.** A municipal special election to select the members of the initial municipal school board of the City of Millington shall be held on November 7, 2013, or on another appropriate date. (as added by Ord. #2013-17, Aug. 2013)

**1-512. Date of special election.** The City of Millington, 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 Millington be held on November 7, 2013. (as added by Ord. #2013-17, Aug. 2013)

**1-513. Alternate date of special election.** 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 Millington on said November 7, 2013, the election shall be held on a date within the time prescribed by applicable state law. (as added by Ord. #2013-17, Aug. 2013)