

ORDINANCE 23-15

AN ORDINANCE TO AMEND TITLE 2, BY AMENDING BOARD APPOINTMENTS

WHEREAS, the Council of the City of Lewisburg desires to have more input in the appointment to various boards.

WHEREAS, the City of Lewisburg City Council desires to have the ability to approve the Mayoral appointments to various boards and deems it to be in the City's best interest.

BE IT ORDNANIED BY THE CITY OF LEWISBURG THAT:

1. **Title 2, Chapters 1-4, of the Municipal Code be amended as follows by deleting them in the entirety and substituting with them as follows:**

TITLE 2

BOARDS AND COMMISSIONS, ETC.

CHAPTER

1. COMMUNITY DEVELOPMENT BOARD.
2. ELECTRIC POWER BOARD.
3. NATURAL GAS BOARD.
4. WATER AND SEWER BOARD.
5. MISCELANEOUS BOARDS

CHAPTER 1

COMMUNITY DEVELOPMENT BOARD

SECTION

- 2-101. Created.
2-102. Composition.
2-103. Purposes.

2-101. Created. There is hereby created the Community Development Board. (Ord. #97-16, Oct. 1997)

2-102. Composition. The board shall have nine (9) members who shall be either residents of or own property in the corporate limits of the city. The mayor shall appoint board members for terms of three (3) years, subject to confirmation by a majority vote of the Council within 45 days. If the council fails to confirm or reject an appointee within that time, the appointee shall be deemed confirmed. The requirement for confirmation or rejection of board members shall begin on the effective date of this Ordinance. All current members of the Board shall remain in full force and effect until the end of their term unless they resign, commit malfeasance, or are convicted of a felony. For the initial appointment to the board:

- (1) Three (3) members shall be appointed for terms to expire 6/30/1999;
- (2) Three (3) members for terms to expire 6/30/2000; and
- (3) Three (3) members for terms to expire 6/30/2001. (Ord. #97-16, Oct. 1997)

2-103. Purposes. The board's purposes are:

- (1) To evaluate and report community needs to the City Council;
- (2) To promote retail trade, professional services, and educational, cultural and leisure activities and programs;
- (3) To enhance the living standards in the city;
- (4) To promote revitalization of the Lewisburg Square;
- (5) To represent the city in connection with civic activities and programs of the chamber of commerce, civic clubs and Main Street;
- (6) To provide program assistance to those seeking financial aid for improvement of properties in the city;
- (7) To assist in coordination of civic affairs;
- (8) To act as a liaison for property owners in obtaining grants or loans from state and federal governments. (Ord. #97-16, Oct. 1997)

CHAPTER 2

ELECTRIC POWER BOARD

SECTION

2-201. Electric power board.

2-201. Electric power board. A board to be known as the Lewisburg Electric Power Board is hereby created and shall have three (3) members who shall be appointed and organized in accordance with Tennessee Code Annotated, title 7, chapter 52. As stated in Tennessee Code Annotated, § 7-52-107, such appointments shall be made with the "consent of the governing body of the municipality." Therefore, appointments are subject to confirmation by a majority vote of the council within 45 days. If the council fails to confirm or reject an appointee within that time, an appointment shall be deemed confirmed. The requirement for confirmation or rejection of board members shall begin on the effective date of this Ordinance. All current members of the Board shall remain in full force and effect until the end of their term unless they resign, commit malfeasance, or are convicted of a felony. The electric power board shall in all respects be subject to and governed and controlled by the provisions of Tennessee Code Annotated, title 7, chapter 52. (1985 Code, § 13-201)

CHAPTER 3

NATURAL GAS BOARD

SECTION

2-301. Natural gas board.

2-301. Natural gas board. A board to be known as the Lewisburg Natural Gas Board is hereby created and shall have three (3) members who shall be appointed, confirmed, and organized in accordance with State and Federal Law. The requirement for confirmation or rejection of board members shall begin on the effective date of this Ordinance. All current members of the Board shall remain in full force and effect until the end of their term unless they resign, commit malfeasance, or are convicted of a felony. Said board shall have the same powers and duties with respect to the city's gas system, as the electric power board has with respect to the city's electric system.

CHAPTER 4

WATER AND SEWER BOARD

SECTION

- 2-401. Water and sewer board.
- 2-402. General duties of the water and sewer board; meetings.
- 2-403. Setting fees and charges; when notice to council required.
- 2-404. Remuneration of board members.

2-401. Water and sewer board. Pursuant to Tennessee Code Annotated, § 7-35-101, et. seq., there is hereby created a water and sewer board. The board shall consist of three (3) members who shall be appointed by the mayor, subject to confirmation by a majority vote of the council within 45 days. If the council fails to confirm or reject an appointee within that time, the appointee shall be deemed confirmed. The requirement for confirmation or rejection of board members shall begin on the effective date of this Ordinance. All current members of the Board shall remain in full force and effect until the end of their term unless they resign, commit malfeasance, or are convicted of a felony. One (1) member shall be a member of the city council whose term shall expire with his term of office, one (1) member shall be a resident of the City of Lewisburg and one (1) member may reside outside the corporate limits of the City of Lewisburg but shall reside within the area serviced by the water and sewer board. The two (2) non-council members shall be appointed to serve two (2) year terms to expire on June 30 of even and odd years, or until their successors are appointed and qualified. The mayor and city manager shall be non-voting ex officio members of the board and shall have the right to full participation in all meetings of the board. (1985 Code, § 13-101)

2-402. General duties of the water and sewer board; meetings. It shall be the duty of the water and sewer board to oversee the complete operation of the water and sewer department. The board shall meet at least once a month and as often as is necessary to perform its necessary functions. It shall keep records of all business transacted which records shall be open for inspection by the mayor, the city manager and each and every member of the city council. The board shall send to the members of city council and the mayor a monthly financial statement and any other statement(s) or plan(s) of action it deems of interest to the city council. (1985 Code, § 13-102, modified)

2-403. Setting fees and charges; when notice to council required. The board shall determine user and all other fees and charges necessary to operate the water and sewer department on a self-supporting basis as required by Tennessee Code Annotated, § 7-35-414. Whenever an adjustment in any fees and/or charges for water and/or sewage is voted by the board, the city council shall be given forty-five (45) days' notice of such adjustment and such adjustment shall require city council approval prior to becoming effective. The chairman of the board shall attend the first city council meeting after notice by the board to the city council of a proposed adjustment for the purpose of answering questions by the city council. (1985 Code, § 13-103, as replaced by Ord. #13-09, Dec. 2013)

2-404. Remuneration of board members. Each member of the board may be paid per month per meeting attended.

2. In addition, Title 2, of the Municipal Code be amended as follows by adding Chapter 5 as follows:

5. OTHER MISCELLANEOUS BOARDS.

CHAPTER 5.

SECTION 5-101. MISCELANEOUS BOARDS

5-101. MISCELANEOUS BOARDS. All other miscellaneous boards except the Planning Commission with members subject to appointment by the mayor shall be subject to

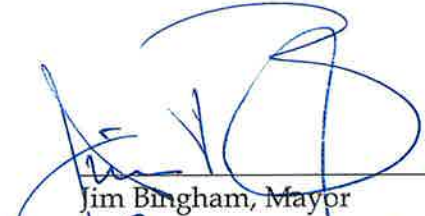
confirmation by a majority vote of the council within 45 days. If the council fails to confirm or reject an appointee within that time, the appointee shall be deemed confirmed. The requirement for confirmation or rejection of board members shall begin on the effective date of this Ordinance. All current members of the Board shall remain in full force and effect until the end of their term unless they resign, commit malfeasance, or are convicted of a felony. Appointment to the planning commission shall continue to be done in accordance with Title 14 Chapter 1 of the Lewisburg Municipal Code, state, and Federal law.

BE IT FURTHER ORDAINED that this Ordinance shall take effect 15 days from and after its passage on Second and final reading, the municipal welfare requiring it.


Passed 1st reading: April 11, 2023

Passed 2nd and final reading: May 9, 2023

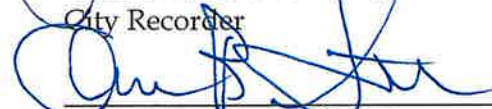
Public Hearing: May 9, 2023



 Jim Bingham, Mayor



 Attest: Pamela R. Davis,
 City Recorder



 Approved as to legality and form:
 Quinn Brandon Stewart, City Attorney