

term of four (4) years beginning with the 1992 election. The terms of office shall begin on the first Monday in December following the date of their election, and shall continue until the election and qualification of their successors. Provided, however, the persons elected at the first election following the adoption of this act shall commence office on the first Monday in December, 2014.

Four (4) councilmembers and a mayor shall be elected and each shall perform the duties of office as provided herein.

At the first election following the adoption of this act, the terms of the two (2) councilmembers receiving the highest number of votes shall be four (4) years and the terms of the remaining two (2) councilmembers shall be two (2) years. Thereafter, the terms of the councilmembers shall be four (4) years.

ARTICLE V: CITY COUNCIL

SECTION

1. Members required to be bonded.
2. Voter and residential requirements for council membership.
3. Items constituting disqualification for council membership.
4. Compensation of mayor and councilmembers.
5. Vested general powers of the council.
6. When council can exercise its powers.
7. Time and place of council meetings.
8. Special meetings; limitations on business discussed; public announcement.
9. Presiding member of the council.
10. Vacancy on council and how filled.
11. Appointment of mayor pro tem.
12. Vacancy in office of mayor and how filled.
13. A quorum; power of smaller number to compel attendance.
14. Council proceedings: how effectuated.
15. Council sessions.
16. Discharge of public officers.

Section 1. Members required to be bonded. Before entering upon the performance of the duties of his office, each of said councilmembers shall make a bond with a satisfactory corporate surety thereon, in the principal amount of five thousand dollars (\$5,000), payable to the City of Crossville, and conditioned upon the faithful performance of the duties of the office of city councilmembers. The premium on said bond shall be paid out of the city treasury as an expense of the city.

Section 2. Voter and residential requirements for council membership. Be it further enacted, that any qualified voter of the city, residing therein, shall be eligible for election to the office of councilmembers, provided that a failure to continue to reside in said city shall vacate his office.

Section 3. Items constituting disqualification for council membership. Be it further enacted, that no person shall become councilmember who shall have been

convicted of malfeasance in office, bribery, or other corrupt practice, or crime, or of violating Tennessee Code Annotated, Title 2, in reference to elections, and if any councilmember shall be so convicted he shall forfeit his office.

Section 4. Compensation of mayor and councilmembers. The salary of the mayor and of each councilmember shall be set in accordance with Tennessee Code Annotated, Section 5-5-107 for Cumberland County as classified in accordance with Tennessee Code Annotated, Section 8-24-101, et seq.

Section 5. Vested general powers of the council. Be it further enacted, that the legislative and all other powers except as otherwise provided by this charter are delegated to and vested in the City Council; and the City Council may by ordinance or resolution not inconsistent with this charter prescribe the manner in which any powers of the city shall be exercised, provide all means necessary or proper therefor, and do all things needful within or without the city or state to protect the rights of the city.

Section 6. When council can exercise its powers. Be it further enacted, that the council shall exercise its powers in session duly assembled, and no member or group of members thereof shall exercise or attempt to exercise the powers conferred upon the council, except through proceedings adopted at some regular or special session. Except for the purpose of inquiry, the council and its members shall deal with the administrative officers and employees solely through the manager. Neither the council nor any member thereof shall give orders to the manager's subordinates or otherwise interfere with managerial functions through such means as directing or requesting the appointment or removal of any of the manager's subordinates, or the making of particular purchases from, or contracts with, any specific organization.

Section 7. Time and place of council meetings. Be it further enacted, that the City Council shall, by ordinance, fix the time and place at which the regular meetings of said council shall be held, and until otherwise provided by ordinance, the regular meetings of the council shall be held at 2:00 P.M., on the first Thursday of each month.

Section 8. Special meetings; limitations on business discussed; public announcement. Be it further enacted, that whenever, in the opinion of the mayor, or of any two (2) councilmembers, the welfare of the city demands it, the mayor or any two (2) councilmembers may call special meetings upon not less than twenty four (24) hours written notice to each councilmember, served personally, left at his usual place of residence, or noticed by electronic means. Each call for a special meeting shall set forth the character of the business to be discussed at such meeting and no other business shall be considered at such meeting. The mayor or city manager shall cause at least one (1) announcement of any such specially called meeting to be broadcast over a local radio station during such twenty-four (24) hour period and posted on the city's web site.

Section 9. Presiding member of the council. Be it further enacted, that the mayor shall preside at all meetings of the City Council, except as herein otherwise provided.

Section 10. Vacancy on council and how filled. Be it further enacted:

(a) A vacancy shall exist if a council member:

(1) Resigns;

(2) Dies;

(3) Moves the member's residence from inside the corporate boundaries;

(4) Has been continuously disabled for a period of six (6) months so as to prevent the council member from discharging the duties of such office;

(5) Fails to attend sixty percent (60%) of regular council meetings in any period of six (6) consecutive months; or

(6) is convicted of malfeasance or misfeasance in office, a felony, a violation of the charter, or a violation of the election laws of the state.

(b) A vacancy shall be filled within sixty (60) days, by an affirmative vote of a majority of the remaining council members, the appointee to serve until the next regular city or county election, which is first held. If a tie vote by the council to fill a vacancy is unbroken for sixty (60) days, the mayor shall appoint a qualified person to fill the vacancy. No appointment to fill a vacancy shall be made within sixty (60) days prior to any regular city election.

Section 11. Appointment of mayor pro tem. Be it further enacted, that at the first meeting of a new council, it shall choose from its membership a member to act in the absence, inability, or failure to act of the mayor, who shall act as mayor pro tem, and who shall have all the power herein granted to the mayor while so acting.

Section 12. Vacancy in office of mayor and how filled. Be it further enacted, that the mayor pro tem shall act as mayor during any temporary absence, inability, or failure to act of the mayor, and whenever a vacancy occurs in the office of mayor the mayor pro tem shall become mayor and hold office as such for the unexpired term.

Section 13. A quorum; power of smaller number to compel attendance. Be it further enacted, that a majority of all the members of the council shall constitute a quorum, but a smaller number may adjourn, from day to day or from time to time and may compel the attendance of the absentees in such manner and under such penalties as the council may provide.

Section 14. Council proceedings: how effectuated. Be it further enacted, that the council may determine the rules of its proceedings, subject to this charter, and may arrest and punish by fine or imprisonment, or both, any member or other person guilty of disorderly or contemptuous behavior in its presence. It shall have power and may delegate it to any committee, to subpoena witnesses, and order the production of books and papers relating to any subject within its jurisdiction; to call upon its own officers or the chief of police to execute its process, and to arrest and punish by fine or imprisonment, or both, any person refusing to obey such subpoena or order.

No fine for any one offense under this section shall exceed fifty dollars (\$50.00), or maximum allowable by law, nor shall any imprisonment for any one (1) offense exceed ten (10) days or maximum allowable by law, but each day's continuance in any refusal as aforesaid shall be a separate offense.

The presiding officer of the council or the chairman of any committee may administer oaths to witnesses. The Council shall keep a journal of its proceedings, and the yeas and nays on all questions shall be entered thereon.

Section 15. Council sessions. Be it further enacted, that all sessions of the council shall be public and subject to change of plan in case of emergency.

Section 16. Discharge of public officers. Be it further enacted, that the General Ouster Law, codified in Tennessee Code Annotated Sections 8-47-101 - 8-47-126, inclusive, of the Code of Tennessee, shall apply to and be in force as to the City Council, the mayor, and the city judge, and all such officers shall be subject to removal from office under the provisions of such law, and for violation thereof.

ARTICLE VI: ORDINANCES

SECTION

1. Ordaining clause.
2. Steps required to be taken before ordinances can take effect; emergency ordinances.
3. Signatures required; filing of ordinances.
4. Publication of ordinances.

Section 1. Ordaining clause. Be it further enacted, that all ordinances shall begin, "Be it ordained by the City of Crossville as Follows".

Section 2. Steps required to be taken before ordinances can take effect; emergency ordinances. Be it further enacted, that every ordinance shall be read three (3) different days in open session before its adoption.

An ordinance shall not take effect until fifteen (15) days after the first passage thereof, except in case of an emergency ordinance. An emergency ordinance may become effective upon the day of its final passage.

The unanimous vote of all members of the council present shall be required to pass an emergency ordinance.

No ordinance making a grant, renewal, or extension of a franchise or other special privilege shall ever be passed as an emergency ordinance. No ordinance shall be amended except by a new ordinance.

Section 3. Signatures required; filing of ordinances. Be it further enacted, that upon final passage of every ordinance and resolution, they shall be signed by the mayor or mayor pro tem, in the absence of the mayor, and shall thereupon be delivered to the city clerk whose duty it shall be to number and copy same in an ordinance book to be kept for that purpose, together with the signature of the mayor and councilmembers.

Section 4. Publication of ordinances. Be it further enacted, that all ordinances of a penal nature passed shall be published at least once in a newspaper of the city and on the City's official web site, and no such ordinance shall be in force until so published, and no other ordinance or resolution, except as herein expressly provided, shall be required to be published to be effective. Alternatively, if permitted by law, the ordinance may be posted on the City's official web site for fourteen (14) days before enactment.

ARTICLE VII: MAYOR

SECTION

1. Powers granted and duties imposed by the charter.
2. Powers granted and duties imposed by ordinances.
3. Shall receive legal process.

Section 1. Powers granted and duties imposed by the charter. Be it further enacted, that the Mayor shall preside at all meetings of the City Council and perform such other duties consistent with his office as may be imposed by it, and the Mayor shall have a seat, a voice, and a vote. The Mayor shall sign the journal of the council and all ordinances on their final passage, execute all deeds, bonds, and contracts made in the name of the city, and he may introduce ordinances in the City Council. Notwithstanding the foregoing, contracts of less than five thousand dollars (\$5,000) may be signed by the Mayor or City Manager.

Section 2. Powers granted and duties imposed by ordinances. Be it further enacted, that the mayor shall have power and it is hereby made his duty to perform all acts that may be required of him by any ordinance duly enacted by the City Council, not in conflict with any of the provisions of this charter.

Section 3. Shall receive legal process. Be it further enacted, that all legal process against the city shall be served upon the mayor, the city attorney, or city manager.