

BOARD OF MAYOR AND ALDERMEN

August 5, 2013

A special called meeting of the Board of Mayor and Aldermen was held on August 5, 2013 at 5:00 p.m. in the Council Chambers of the Municipal Center.

Mayor Sharon Goldsworthy was present and presiding.

The following Aldermen were present: John Drinnon, Rocky Janda, Greg Marcom, and Forrest Owens. Alderman Palazzolo was absent. Staff present: Patrick Lawton, Debra Wiles, George Brogdon, Stacey Ewell, Eric Plumley and Dotty Johnson.

Call to Order

Mayor Sharon Goldsworthy called the meeting to order at 5:00 p.m.

Ordinance 2013-8 – An Ordinance to Revoke Ordinance 2012-11 – An Ordinance Establishing a Municipal School Board for the City of Germantown – First Reading

City Administrator Patrick Lawton explained in 2012, the Board adopted Ordinance 2012-11 authorizing the creation of a municipal school board for the City of Germantown. That action was ruled unconstitutional by a federal judge in November 2012. Therefore, the Board must now consider Ordinance 2013-8 that revokes this previous action by the Board. The Board was asked to set August 19, 2013, for the third reading and as the public hearing date to consider this ordinance.

Motion by Mr. Marcom, seconded by Mr. Drinnon, to approve on first reading Ordinance 2013-8, an ordinance to revoke Ordinance 2012-11, and set August 19, 2013 as the public hearing date.

ROLL CALL: Marcom–yes, Drinnon–yes, Owens –yes, Janda–yes. Motion approved.

Ordinance 2013-9 – An Ordinance Establishing a Municipal School Board for the City of Germantown – First Reading

Mr. Lawton stated the Board and City administration have been working diligently toward the establishment of a municipal school district for the past several years. On July 16, 2013, the residents of the City of Germantown voted overwhelmingly to create this district. The results have now been certified by the Shelby County Election Commission. The next action before the Board is consideration of the ordinance that establishes our school board.

This ordinance is consistent with state law and the State Board of Education rules and regulation. This action can only be initiated by the Board of Mayor and Aldermen.

Some of the highlights of the ordinance that establishes our school board:

- School Board will consist of 5 members elected from the municipality of the City of Germantown. The positions will be “at large”.
- Must be 18 years of age at the time of the election.
- No member of the governing body of the City will be eligible for election as a member of the municipal school board.
- Section 6 outlines the five positions. Because the five positions will be on staggered terms, they will eventually get to a four-year term. Positions 1, 3 and 5 will be three-year terms and position 2 and 4 will be one-year term to get on the continuous cycle.

We will be requesting the Shelby County Election Commission to set the election date for November 7, 2013. The members will take office the first day of the first month following certification of the results of the election results.

The ordinance also establishes the compensation for the chairperson and board.

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In response to a question from Alderman Janda regarding the one-year term, Mr. Lawton stated this was done in order to get the Board onto a four-year cycle. The one-year and three-year terms was to get them in the normal election cycle.

City Attorney Eric Plumley stated he would look into the question “if no one ran for a one-year term how they would be appointed?” Presently, if there was a vacancy, the Board of Mayor and Aldermen would appoint someone to serve. He was not sure how the vacancy would be filled but he would look into it.

Motion by Mr. Owens, seconded by Mr. Drinnon, to approve on first reading, Ordinance 2013-9 – An ordinance to add to Chapter 2, a new Article IX – Schools, to the Code of Ordinance of the City of Germantown to establish a municipal school board, to set August 19 as the public hearing date, and to submit the election of the members of the municipal school board to the qualified voters of the City of Germantown on November 7, 2013 or an election to be held on some other appropriate date.

ROLL CALL: Marcom–yes, Drinnon–yes, Owens –yes, Janda–yes. Motion approved.

ADJOURNMENT

There being no further business to be brought before the Board, the meeting was adjourned.

Sharon Goldsworthy, Mayor

Dotty Johnson, City Clerk/Recorder