Municipal Government

MTAS ASSISTANCE IN
ORGANIZATION OF A NEW
MUNICIPAL GOVERNMENT

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A. Charter matters to check if municipality incorporated under Mayor-Aldermen General Law (Section references are to new Tennessee Code Annotated).

1. Have they received their charter from the Secretary of State? (6-115).

2. Has the charter been recorded by the County Clerk? (6-115 and 6-119).

3. Has each alderman lived at least one year in his ward? (6-128).

4. Which aldermen were elected for one year and which for two years? (6-127).

5. Were oaths of office made? (6-130).

6. Are oaths and charter on file? (6-130).

7. Point out that mayor is required to issue a financial statement to board of aldermen every three months, and it shall be "published" (which can be posted in a public place) (6-132). In addition, the treasurer is required to submit a report every regular meeting (6-204).

8. Mayor and treasurer shall sign checks, which checks have been authorized by recorder. Checks shall state the purpose of the expenditure (6-132).

9. Mayor has veto power, but must give reason in writing (6-132).

10. Does mayor approve every "law, ordinance, resolution or vote," as required? (6-132).

11. Maximum tax rate is 7½ mills on the dollar (i.e. 75¢ on each $100 assessed valuation) for municipalities of 5,000 population or under, unless special legislation authorizes a higher rate (6-208).

12. A budget is required before levying any taxes (6-209).

13. Ordinance procedure (6-212).

14. Publication of ordinances (6-213).

15. Compensation of officers (6-214).

16. City officials not to have a financial interest in city business (6-215, 6-226, 6-227).

17. Police authority extends one mile beyond city limits (6-609, 6-610).

18. Audits - of 1¢ share of gasoline tax - annually (54-406 through 54-410). Audits - of all other funds - at least biennially (6-801).

B. <u>Suggested Sample Ordinances to give City officials</u> (some of these appear in MTAS Sample Code)

1. Time of Board meetings.

2. Official Depository for city funds.

3. Fiscal Year.

4. Ordinance adopting privilege licenses.

5. Tax levy ordinance.

6. Appropriation ordinance.

7. MTAS Sample Code of Ordinances.

C. Other Matters to Discuss with City officials.

1. Expected yields, and times of receipt, of the four State-shared taxes:

   Gasoline Tax
   Sales Tax
   State Beer Tax
   Income Tax

2. Discuss need for city to notify beer wholesalers to remit wholesale beer tax to city (where applicable).

3. Point out necessity for accounting separately for receipt and expenditure of gasoline tax money, although this does not require a separate bank account.

4. Discuss clearing up bills relating to organizing the city government: election and publication costs, surveying and marking city boundaries, legal fees, etc.

5. Discuss keeping of a Minute Book. Suggest type of book.

6. Discuss keeping of an Ordinance and Resolution book (keep ordinances separate from resolutions). Suggest type of book.

7. Discuss making an inexpensive city map.

   (a) By enlarging a TVA or USGS topographic map (Details from Murphy Snoderly).

   (b) By printing from an aerial photograph (Details in Request File No. K-59 , Red Boiling Springs. NOTE: I find no record that you gave this request a number. Perhaps you counted it as part of Request No. 649, which was closed in July 1953).

8. Discuss municipal insurance coverage, Governmental vs. proprietary functions. (Refer to Technical Section articles by Snodgrass, Jan. 1953, and Hobday, Aug. 1955. See also letter by Meisenhelder to Town of Burns, dated July 16, 1953, Request No. 651).

9. Discuss official bonds (surety bonds). (Refer to above letter by Meisenhelder to Town of Burns, and also letter to Beersheba Springs, dated July 29, 1955, Request No. 1573).

10. Discuss problem of providing fire service outside city.

11. Discuss alternative ways of maintaining city streets: by city crews, or contracts with State, County, other cities, or private contractors.

12. Discuss the services of MTAS (leave brochures).

13. Discuss reasons for joining Tennessee Municipal League.

14. (NOTE: If talking to a community considering incorporation, refer to points in Meisenhelder's letter of July 7, 1955 to Jasper, Request No. 1553).

D. <u>Materials to leave with City officials</u> (if not previously left).

1. Business card of MTAS consultant.

2. MTAS brochures.

3. "How to Conduct a City Council Meeting."

4. "How You Can Use It – the 1¢ Street Aid Revenue."

5. Directory of Tennessee Municipal Officials.

6. Sample copy of Minutes.

7. MTAS sample Code of Ordinances.

8. Reprints on Municipal Insurance.

9. Copy of latest issue of <u>Tennessee Town and City</u>.