

ORDINANCE NO. 48

AN ORDINANCE PROVIDING FOR COMPENSATION FOR THE MAYOR
AND BOARD OF ALDERMEN OF THE CITY OF MOUNT CARMEL, AND
SETTING THE AMOUNT THEREOF.

BE IT ORDAINED AND ENACTED by the Board of Mayor and
Aldermen of the City of Mount Carmel, of the County of Hawkins, of the
State of Tennessee:

SECTION 1: That the mayor and members of the Board of Aldermen
of the City of Mount Carmel shall be compensated as follows:

- a. Mayor: The Mayor shall be paid \$15.00 for each meeting of the Mayor and Board of Aldermen which he attends, whether a regularly scheduled meeting or a special called meeting.
- b. Aldermen: Each alderman shall be paid \$10.00 for each meeting of the Mayor and Board of Aldermen which he attends, whether a regularly scheduled meeting or a special called meeting.

SECTION 2: This compensation shall be paid quarterly, or at such
other times as the Mayor and Board of Aldermen shall by proper resolution
decide.

SECTION 3: This compensation shall be paid beginning with the first
meeting of the Mayor and Board of Aldermen after the City Elections are
held and new members sworn, in October, 1974, which meeting is after the
expiration of the terms of office of all of the members of the present Board
of Mayor and Aldermen.

SECTION 4: That all Ordinances or parts of Ordinances conflicting
with the provisions of this Ordinance are hereby repealed insofar as the
same affect this Ordinance.

SECTION 5: Should any part of this Ordinance be held invalid by a
court of competent jurisdiction, the remaining parts shall be severable and

shall continue to be in full force and effect.

SECTION 6: That this Ordinance shall take effect and be in full force from and after final passage, the public welfare requiring it.

PASSED FIRST READING August 9, 1973

PASSED SECOND READING September 13, 1973

PASSED THIRD READING October 11, 1973

Thomas E. Dean.
MAYOR

ATTEST:

Care M. Newland
CITY RECORDER

APPROVED AS TO CORRECTNESS AND FORM

D. Ross Gibson
CITY ATTORNEY

ORD 48

Passed 1st 2nd
reading } Sept
Aug. 9, 1973 } 13.
3rd final
Oct. 11

BAILEY AND GIBSON

LAW OFFICES

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CITIZENS BANK BLDG., CHURCH HILL, TENN. 37642 PHONE 357-6311

August 23, 1973

Honorable Tom Dean, Mayor
CITY OF MOUNT CARMEL
Mount Carmel, Tennessee

Dear Tom:

In regards to your question concerning compensation of the Mayor and Board of Aldermen for each meeting attended, my research reveals the following:

Code Section, TC6-214 - compensation of officers - The compensation of all officers shall be fixed by ordinance before their election, and not increased nor diminished during the term for which any officer may be elected or appointed.

By definition of the TCA the officers of a municipality ~~are~~ the Mayor and Board of Aldermen, and such other officers as are necessary for the proper administration of municipal affairs. This of course includes the Recorder and Treasurer of the City of Mount Carmel.

Therefore, it will be necessary for you to pass an ordinance which must be read on three (3) separate days and passed on a third reading by a majority of the entire board and published in newspaper. This ordinance must provide that the compensation set shall become payable to each officer only after he has been elected, or re-elected after the effective date of the ordinance. In other words, each of the present council members must run for re-election and be elected before they can begin to receive compensation for attending the meetings. However, the new council members who are elected in the forthcoming election can begin to receive compensation immediately after their election.

This would seem to be somewhat unfair and might cause some hard feelings among the members who have one (1) year remaining upon their term, so I would suggest that the ordinance provide that the

Tom Dean
August 23, 1973
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compensation will begin to be paid only after the swearing in of the officers following the election which will be held in 1974.

We will be happy to prepare this ordinance for you should you so direct.

Cordially yours,

A handwritten signature in black ink, appearing to read "G. Reece Gibson". The signature is stylized with a large, looped "G" and a cursive "Reece Gibson".

G. Reece Gibson

GRG:pl