

November 11, 2015

City of Shelbyville Tennessee  
Mr. Jay R. Johnson  
City Manager  
201 N. Spring Street  
Shelbyville, Tennessee 37162

VIA ELECTRONIC MAIL

Dear Mr. Johnson:

Responsive to our recent discussion on handling vacancies on city boards and commissions, the following provision from the Bristol Code of Ordinances is provided for your consideration:

**Sec. 2-121. - Resignation by excessive absences.**

An appointed member of the various boards and commissions of the city who is absent from three consecutive meetings without providing good cause therefor may, upon the recommendation of the board or commission, be deemed by the city council to have resigned from such board or commission, and the city council may proceed to appoint his or her successor.

The following provision regarding board residency is also provided for your information:

**Sec. 2-122. - Membership to boards and commissions, residency required.**

Unless otherwise provided by statute, ordinance or resolution, to be eligible for membership to all boards, commissions and committees of the city, the individual shall be a resident of the city at time of appointment and shall maintain residency in the city during the term of office, or shall be deemed to have resigned the appointment.

The process used in Bristol was the staff liaison to the board (community development director for the planning commission, for example) would ask the board if they recommend that the absent board member be removed for missing three or more consecutive meetings which if they agreed, would be transmitted to the city manager. The city manager would then inform the council via written memo that member X has vacated his position from the planning commission and would advise the council that they would soon be asked to fill the vacancy in accordance with the formal appointment process. This process was used so as to not publicly embarrass the member by having the removal done at a meeting by a vote of council. The thought here was the person stepped-up to serve the community but for whatever reason, was unable to maintain the commitment. Since the person graciously agreed to volunteer his or her time in the first place – that seemed the best way to handle it without embarrassment. As you know, it is often difficult to find citizens willing to serve on city boards and commissions, and the negativity from a public removal could only add to that difficulty going forward. So with the council making the replacement appointment, they in effect “deemed” that the person had resigned without actually identifying the person by a public removal.

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I've attached the section from the Bristol Rules and Procedures of the City Council on board appointments for your information as well.

Please let me know if you have further questions regarding this matter.

Very truly yours,

A handwritten signature in blue ink, consisting of a series of loops and a long horizontal stroke extending to the right.

Jeffrey J. Broughton  
Municipal Management Consultant

# City of Bristol Tennessee

## Rules and Procedures of the City Council

### VI. Appointment of Citizens to Municipal Boards and Commissions

#### A. Notice of Opportunity for Appointment

The month before the normal expiration of a term of office or upon receipt of a resignation, the Manager shall notify Council members and the public through the news media that an appointment will be held to fill the Board or Commission vacancy at an upcoming Council meeting.

#### B. Filing Deadline

1. A person desiring to be a candidate for Council appointment to a board or commission shall submit a resume to the City Council at the office of the City Manager by the close of business on the Tuesday one week prior to the Council meeting at which the appointment is scheduled.
2. All resume and application material submitted from eligible candidates seeking appointment to a Board or Commission vacancy shall be distributed to the City Council upon receipt.
3. Unless otherwise provided by statute, ordinance or resolution, a person must be a resident of the city at time of appointment and shall maintain residency during the term of office, or shall have deemed to have resigned the appointment. [Code of Ordinances, Section 2-122]

#### A. Appointment Process

1. The City Manager shall include the application form, resume, or other material submitted by each eligible candidate in the agenda packet for the meeting at which the appointment is scheduled, along with a ballot that lists the names of all eligible candidates and offers the opportunity to abstain.
2. At the time requested by the Mayor, each Council Member will mark his ballot for up to as many appointments as are scheduled to be made, or for none altogether, and pass them to the City Manager to be publicly read and the vote therein recorded.
3. No citizen shall be appointed to serve on more than two (2) Boards and Commissions.

#### D. Notification of Appointment Results

Following appointment, appropriate letters shall be sent to all candidates and outgoing board members over the Mayor's signature and an updated roster shall be sent to City Council members and concerned City staff members.

#### E. June Appointments to be Delayed

All Board and Commission appointments that are scheduled to occur in the month of June will be delayed until the July meeting for formal action.

#### F. Background Checks

Local background checks of prospective board and commission members will be conducted by the City Manager in advance of scheduled appointments on an as-needed

basis. Any discrepancy identified that brings into question the suitability of a person to serve in a position will be brought to the attention of City Council prior to appointment action.

G. Removal of Members for Excessive Absences

Boards and Commission members who miss three (3) consecutive meetings without cause may be removed by the City Council. [Code of Ordinances, Section 2-121]

H. Boards and Commission Reception

A social reception for members of city boards and commissions will be scheduled annually in recognition of their service to the City of Bristol and to provide an informal gathering for City Council and Board Member to mingle and become better acquainted.