

The Honorable Richard Hendrix, Mayor
City of Mount Pleasant
P.O. Box 426
Mount Pleasant, Tennessee 38474

Dear Mayor Hendrix

During our meeting last Thursday evening we discussed the differences between the manager-commission form of government and the modified manager-commission form of government. There are significant differences and the purpose of this letter is to highlight some of the differences for the benefit of the commission.

- The modified manager-commission form of government has 7 members. The manager-commission form has 3 to 5 members.
- Under the modified form eligibility to serve on the council requires 1 year of city residence prior to the election. The manager-commission eligibility is only being a registered voter within the city.
- The modified form provides for recall of council members and the mayor, while the manager-commission provides that the commission may vote to remove a member of the commission for serious offenses. Recall must be by a vote of 66 percent of the voters.
- The modified form requires that vacancies of the council shall be filled within 30 days. There is no such provision for the manager-commission form of government.
- The modified form provides that council members may be paid up to \$150 per month and the mayor \$200 per month. The mayor may receive an additional \$10 per month as a member of the council. The manager-commission form provides for the mayor to receive \$300 per month and the commissioners \$250 per month. There are provisions for the manager-commission form to increase commission pay based on certain population categories.
- The modified form provides for a personnel advisory board created by the council to advise the manager and council on personnel matters. Employees and officials are under a personnel merit system. The personnel advisory board may make recommendations to the council. If the personnel merit system policies are not followed by the manager, the advisory board may make a determination of appropriate action and the manager is bound by their decision. The manager-commission form provides that the city manager is in charge of staffing and personnel and any decisions are appealed to the city manager.

- Under the modified form the mayor and council may deal with employees only through the city manager. The office of any councilman shall become vacant upon conviction of violating these provisions upon conviction by a court of competent jurisdiction. The manager-commission form provides that the commission shall take no action except in a formal session of the commission.
- The modified form provides that the budget shall be presented by the manager to the council 90 days prior to the fiscal year. The manager-commission form provides that the manager shall present the budget by May 15 prior to the fiscal year.
- The management and control of the city school system is under an elected board who appoints the superintendent of schools. The superintendent manages and controls the school system under the policies of the board of education. Board members are elected for 4 year terms and are subject to recall. Recall must be approved by 66 percent of the voters. The manager-commission form provides that the city manager supervise and control the city school system, including the appointment of the superintendent. The commission may by ordinance transfer the management and control of the school system to a board of education.
- Under the modified form the council appoints the city attorney. The manager appoints the city attorney under the manager-commission form of government.
- The modified form provides that vacancies of the council shall be filled within 30 days by appointment by the council. The manager-commission form provides that the commission shall fill vacancies of the board until the next election.
- The modified form provides that the manager may formulate rules, regulations and procedures in compliance with board policies and file a copy of such with the city clerk. The manager-commission provisions are more general.
- The modified form provides that the city may repeal any Blue Laws by referendum.
- Under the modified form the city judge is elected for a 4 year term. The manager-commission form appoints the city judge who serves at the pleasure of the commission. If the judge resigns, dies, or is disabled for 3 months, the vacancy is filled by the council until the next election. The judge and any substitute judge must be an attorney. Officers and employees of the court are under the city merit system.
- The modified form provides that the rules of the planning commission must be approved by the council. The planning commission must submit a long-range capital improvement program 90 days prior to the fiscal year. The manager-commission form follows the provisions of state law in regard to planning commission rules and regulations.

- The modified form provides that franchises granted by the council are subject to a referendum upon the petition of 20 percent of the registered voters.
- Under the modified form, the manager serves at the pleasure of the council. Under the manager-commission form, the manager serves at the pleasure of the commission but cannot be discharged during the first 12 months of appointment except for serious violations of law.
- The modified form requires the submission of a finance/budget statement on a quarterly basis. The manager-commission form requires that the manager provide regular finance/budget statements.
- The modified form does not contain provisions for non- resident property owners to vote in city elections. The manager-commission form allows the commission by a 2/3 vote of the commission to allow non-resident property owners to vote in city elections in compliance with the provisions of state election laws.

Please let me know if you have questions or comments about the differences in the modified manager-commission form of government and the manager-commission form of government. There may be some minor difference that I did not highlight.

Respectfully Yours

Ron Darden
Municipal Management Consultant