

ORDINANCE 2008- 2

AN ORDINANCE APPROVING CERTIFICATION TO THE CITY IN THE NEXT GENERAL ELECTION WHETHER TO INCREASE THE NUMBER OF COMMISSIONERS TO FIVE AND SETTING FORTH THE MANNER OF ELECTION OF ONE OR THREE COMMISSIONERS IN THE NEXT GENERAL ELECTION

BE IT ORDAINED BY THE CITY OF BELLE MEADE, as follows:

Section 1. Subject to approval by the voters pursuant to Section 2, the number of members of the board of commissioners of the City of Belle Meade is increased from three (3) to five (5).

Section 2. In accordance with Tennessee Code Annotated § 6-20-101, at the next Belle Meade City Election to be held on November 4, 2008, there shall be submitted in referendum to the people of Belle Meade the following question:

Should Ordinance No 2008-2 increasing the number of members of the board of commissioners of the City of Belle Meade from three (3) to five (5) be approved? Tennessee Code Annotated § 6-20-101 provides that the voters shall be entitled to vote on three (3) commissioners and at the same election vote on the approval of an ordinance authorizing the increase in the number of commissioners from three (3) to a total of five (5). If a majority of those voting to increase the number of commissioners shall be for approval, then the three (3) candidates for the board of commissioners receiving the highest number of votes shall be elected; provided, however, that if a majority of the those voting to increase the number of commissioners shall not be for approval, then the ordinance authorizing the increase in the number of commissioners shall be null and void and the results of the election shall be certified as though the election were for only one (1) commissioner. Tennessee Code Annotated § 6-20-101 provides that if a majority of those voting to increase the number of commissioners shall be for approval, then the two (2) candidates receiving the highest number of votes shall hold office for four (4) years, and the third candidate shall hold office for two (2) years, and the terms of all commissioners thereafter elected shall be for four (4) years, or until their successors are elected and qualified. Tennessee Code Annotated § 6-20-101 also provides that if a majority of those voting to increase the number of commissioners shall be for approval, then the ordinance authorizing the increase in the number of commissioners from three (3) to five (5) cannot be repealed or amended.

_____ Approve

_____ Disapprove

Section 3. To accomplish the referendum, the Davidson County Election Commission is requested to place the above listed question upon the ballot to be used within the City of Belle Meade at the Belle Meade City Election to be held on November 4, 2008.

Section 4. The Davidson County Election Commission is requested to place the following instructions on the ballot immediately before the names of the qualified candidates for

the office of commissioner to be filled at the Belle Meade City Election to be held on November 4, 2008:

Vote for three (3). If the referendum approving the increase in the number of commissioners from three (3) to five (5) is approved, then the three (3) commissioners receiving the highest number of votes shall be elected. If the referendum approving the increase in the number of commissioners from three (3) to five (5) is not approved, then the person receiving the highest number of votes shall be elected as the third of three commissioners.

Section 5. This Ordinance shall become effective fifteen days after its passage.

Passed on first reading:

March 26, 2008

Passed on Second Reading:

April 16, 2008

George Crook, Mayor

Linda Sim, City Recorder