



**CLARKSVILLE CITY COUNCIL  
SPECIAL SESSION  
SEPTEMBER 26, 2013, 4:00 P.M.  
CITY COUNCIL CHAMBERS**

**AGENDA**

- 1) CALL TO ORDER
- 2) PRAYER AND PLEDGE OF ALLEGIANCE
- 3) ATTENDANCE
- 4) WARD VACANCY
  1. ORDINANCE 24-2013-14 (First Reading) Amending the Official Code pertaining to the filling of vacancies on the City Council other than the Mayor (*Mayor McMillan*)
- 5) ADJOURNMENT

AN ORDINANCE AMENDING THE OFFICIAL CODE PERTAINING TO THE FILLING OF VACANCIES ON THE CITY COUNCIL OTHER THAN THE MAYOR

*WHEREAS*, the City Council finds it to be in the best interest of the City of Clarksville to establish and codify a process for the filling of a vacancy occurring on the City Council, other than for the office of Mayor as addressed elsewhere.

*NOW, THEREFOR BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF CLARKSVILLE:*

1. That the Official Code of the City of Clarksville, Tennessee, Title 1 (Administration, Officers, and Personnel), Chapter 2 (City Council), Section 1-210 (Procedure to fill vacancy in office of city council), is hereby amended by deleting the current language of said section entirely and substituting therefore the following:

Section 1-210. Procedure to fill vacancy in office of City Council other than Mayor.

a. Candidates applying to fill a vacancy on the City Council, other than Mayor, shall be qualified in accordance with the Official Charter of the City of Clarksville and general state law.

b. The City Clerk shall publish notice of the vacancy, and within sixty (60) days of a vacancy occurring, all qualified applicants shall appear before the City Council at a regularly scheduled meeting to make known their intention to apply to fill the vacancy, and may make a brief statement to the City Council at such meeting concerning: the reasons for their desire to serve on the City Council, their background, education, training, employment, military service, volunteer work, and such other matters as may be appropriate to an evaluation of their application, and may answer questions from City Council members.

c. Within fourteen (14) days of the regularly scheduled meeting of the City Council at which applicants appear to make known their intention to apply for the vacancy, the Mayor, or Mayor Pro Tem in the absence of the Mayor, shall hold a special called meeting of the City Council for the purpose of appointing an applicant to fill the unexpired term of the City Council member whose office is vacant. Only those applicants who appeared at the previous regularly scheduled meeting and made known their intention to apply to fill the vacancy may be considered at the special called meeting for voting on the appointment.

d. During the special called meeting of the City Council, the following voting procedure shall be used to appoint an applicant to fill the unexpired term of the City Council member whose office is vacant:

(1) The appointed applicant shall be appointed only upon receiving a majority vote of the entire membership of the City Council.

(2) Each applicant's name shall be announced by the City Clerk, and thereafter each City Council member may vote for only one applicant by roll call voice vote by stating the name of the applicant they vote for. If any applicant receives a majority vote or more of the entire membership of the City Council, that applicant shall be approved and appointed to fill the vacancy for the unexpired term of the vacant member.

(3) If no applicant receives a majority vote or more of the entire membership of the City Council during the first vote, then a second round of voting shall commence following the same procedure set forth above. At the conclusion of the second round of voting, any applicant who receives a majority vote or more of the entire membership of the City Council shall be approved and appointed to fill the vacancy for the unexpired term of the vacant member.

(4) If no applicant receives a majority vote or more of the entire membership of the City Council during the second vote, then a third round of voting shall commence. During the third round of voting, the City Council shall not consider and no member of the City Council may vote for the applicant having the lowest vote total during the preceding vote.

(a) If after the second round of voting, two or more applicants are tied with the lowest vote totals from the preceding vote, then a separate run-off vote shall first be conducted, prior to the third round vote, between only the tied applicants with the lowest vote totals from the preceding second round vote, or between all applicants if all applicants received an equal number of votes. During this separate run-off vote, all City Council members may vote, but only for one of the tied applicants, except for the Mayor, or the Mayor Pro Tem in the absence of the Mayor, who shall not have a vote in the run-off vote. The applicant with the highest total number of votes in the run-off vote shall continue to the third round of voting for consideration by the City Council. In case of a tie vote during the run-off vote, the Mayor, or the Mayor Pro Tem in the absence of the Mayor, shall break the tie by selecting from among those tied which applicant shall continue to the third round of voting by the City Council.

(b) At the conclusion of the third round of voting, any applicant who receives a majority vote or more of the entire membership of the City Council shall be approved and appointed to fill the vacancy for the unexpired term of the vacant member.

(5) Subsequent voting rounds, to include run-off votes, if necessary, shall be conducted in accordance with the provisions above until such time as an applicant shall have received a majority vote of the entire membership of the City Council.

e. Upon approval and appointment by the City Council, the applicant shall immediately thereafter be sworn by the Mayor, or Mayor Pro Tem in the absence of the Mayor, and shall take their seat and hold office thereafter filling the unexpired term of the vacant member.

2. This ordinance shall be effective immediately upon passage by the City Council.

*FIRST READING:*

*SECOND READING:*

*EFFECTIVE DATE:*