



## Morristown City Council Agenda Item Summary

**Date:** November 18, 2025

**Agenda Item:** Adopt a resolution requesting the General Assembly of the State of Tennessee to amend the Private Act charter of the City of Morristown.

**Prepared By:** Andrew Ellard

**Subject:** Resolution Requesting Charter Introduction

**Background:** The Charter was last amended in 2024 in response to a new (2023) state statute that brought Morristown's city council election format into conflict with the new state law. That change shifted to a more traditional ward-based election system for four of the council seats.

**Findings/Current Activity:**

Recognizing that voters in Morristown had long had the benefit of voting for all of its council members, regardless of the ward boundaries, the City Council considered options to return to a system that would allow such a format. The proposed charter amendment does just that – eliminating ward boundaries and ward-specific elections in favor of all at-large seats. The proposed amendment has no impact on the length of terms existing Council members (and Mayor) are currently serving.

**Financial Impact:**

The resolution has no financial impact. The proposed election system change has the potential to avoid periodic costs that may be associated with redistricting to balance geographic boundaries.

**Action options/Recommendations:**

City Council consideration.

**Attachment:** Resolution and document showing proposed edits.

**RESOLUTION NO. \_\_\_\_\_**

**BEING A RESOLUTION OF THE CITY OF MORRISTOWN, REQUESTING THE GENERAL ASSEMBLY OF THE STATE OF TENNESSEE TO AMEND THE PRIVATE ACT CHARTER OF THE CITY OF MORRISTOWN**

**WHEREAS**, the Tennessee General Assembly passed legislation during the 2023 session that became Public Chapter No. 391, which prohibits members of local governing bodies to be elected through an election procedure that requires candidates to be nominated from a district and elected at large;

**WHEREAS**, the City's Charter was properly amended in 2024 in a manner that addressed the concern of Public Chapter No. 391 and brought the entire document current with modern statutes and made other modifications;

**WHEREAS**, the 2024 Charter amendment adopted a more traditional ward-based election system;

**WHEREAS**, the City Council of Morristown recognizes that prior to 2024, voters in the City of Morristown long enjoyed the benefits of voting for and electing all of its elected officials;

**WHEREAS**, the City Council desires for its Charter to be amended to establish an election system enabling all voters to participate in the election of all City Council positions while still complying with Public Chapter No. 391; and

**WHEREAS**, the interest of the City of Morristown, Tennessee will be served if the Charter of the City is so amended;

**NOW THEREFORE, BE IT RESOLVED** by the Mayor and Council of Morristown, Tennessee, that the Honorable Senator Steve Southerland and the Honorable Representative Rick Eldridge are hereby requested to introduce the following act to the General Assembly of the State of Tennessee:

AN ACT to amend the charter of the City of Morristown, Tennessee, being Chapter 103 of the Private Acts of Tennessee for 1903 and all acts amendatory thereto:

BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF TENNESSEE:

SECTION 1. The "Charter of the City of Morristown, Tennessee," being Chapter 103 of the Private Acts of Tennessee for 1903 and all acts amendatory thereto, is amended by deleting the content of Sections 2 and 3 of Article I and replacing them with the following:

Sec. 2. City council.

There shall be a city council, which shall consist of a mayor and six (6) council members, who shall be elected by the qualified voters of the city to serve for a term of four (4) years, and until their successors are elected and qualified.

No person shall be elected to the council unless they are at least twenty-one (21) years of age by the election date, or to the office of mayor unless they are at least twenty-one (21) years of age by the election date, and whether council or mayor, shall be a citizen of the State of Tennessee, and a bona fide resident of the city for at least one (1) year immediately preceding the election date. The six (6) council member positions shall be filled by six (6) distinct elections and shall be voted for and elected by all voters of the city. The six (6) council member positions shall be identified as Council Seats 1, 2, 3, 4, 5, and 6. The

mayoral position shall be designated as a separate position that is likewise voted for and elected by all voters of the city.

Any person elected to the city council who removes from the city shall thereby vacate his office.

Before entering upon the duties of office, the mayor and council members shall take an oath to faithfully demean themselves in office, and perform the duties thereof. All vacancies in the council, including the office of mayor, shall be filled by a vote of a majority of the remaining members thereof, to serve until the next city election for members of council.

### Sec. 3. Biennial elections; qualifications of electors; qualifications and duties of mayor.

Beginning in the year 2024, the terms of all sitting council members and mayor shall be extended such that council members previously representing the first ward and the third ward, having last been elected in May of 2021 and the at-large member last elected in May of 2021, may remain in their capacities until their successors are elected and seated, said elections to be held the first Tuesday following the first Monday in November of 2026, and that the mayor and council members previously representing the second ward and the fourth ward, having last been elected in May of 2023 and the at-large member last elected in May of 2023, may remain in their capacities until their successors are elected and seated, said elections to be held the first Tuesday following the first Monday in November of 2028.

The council members previously representing the first ward, the third ward, and the at-large member, having last been elected in May of 2021 shall hereafter be identified as the members holding Council Seats 1, 2, and 3, respectively.

The council members previously representing the second ward, the fourth ward, and the at-large member, having last been elected in May of 2023 shall hereafter be identified as the members holding Council Seats 4, 5, and 6, respectively.

A transition seating newly elected council members and/or mayor shall occur on the last Monday of November following elections, provided elections have been certified by that date. Otherwise, a transition seating newly elected council members and/or mayor shall occur on the next Monday following such certification.

The recipient of the most votes for any seat shall be determined to be the council member-elect (or mayor-elect). When two (2) or more candidates have an equal number of votes preventing a determination of the winner, the election for any undetermined seat(s) shall be decided by a majority vote(s) of the mayor and city council, excluding members whose seats are in dispute by virtue of the tie if that member is actively seeking reelection.

Every person entitled to vote for members of the General Assembly by the laws of the State and who shall have been a bona fide resident within the corporate limits for thirty (30) days next preceding the election shall be entitled to vote therein.

Nonresidents holding a freehold within the corporate limits of an assessed valuation of one hundred dollars (\$100.00) or other property subject to corporation taxes amounting to one hundred dollars (\$100.00) or over, shall be entitled to vote at said election. The election shall be held as now provided by the laws of the State of Tennessee for such elections.

No person shall be elected mayor who is not at the time of election at least twenty-one (21) years of age, a citizen of the State of Tennessee, and a bona fide resident of the city for at least one (1) year immediately preceding the election date. No council member whose term extends beyond the next mayoral election may qualify as a candidate for the office of mayor if such council member holds office as such thirty (30) days prior to the final day for qualification as a candidate for mayor.

Such council member shall not be disqualified from being appointed by the council to serve as a council member until the next city election for members of council and mayor, to fill the vacancy created by his or her resignation from office. The mayor may fill all vacancies occurring in any offices, except that of council member, until the same be filled by election. It shall be the duty of the mayor to preside at all meetings of the council; to see that all the ordinances of the city are duly enforced, respected and observed within the city; to take an oath of office before entering upon the duties of the same; and to call special sessions of the council when the mayor deems it expedient. The mayor shall be entitled to a vote upon all matters before the council the same as a council member, whether there be a tie or not, but shall not be entitled to vote as mayor and an additional vote as presiding officer.

SECTION 2. This act shall become effective when it has been approved by the Morristown City Council by a vote of not less than two-thirds of the entire membership of the governing body within sixty (60) days of its signing by the Governor of this state. The approval or non-approval of the act by the City Council shall be certified by the mayor to the Tennessee Secretary of State.

**WHEREUPON**, the Mayor declared the Resolution adopted, affixed a signature and the date thereto, and directed the same be recorded.

PASSED on the 18<sup>th</sup> day of November, 2025.

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Gary Chesney, Mayor

Attest:

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Andrew Ellard, City Administrator

## **Sec. 2. - City council.**

There shall be a city council, which shall consist of a mayor and six (6) council members, who shall be elected by the qualified voters of the city to serve for a term of four (4) years, and until their successors are elected and qualified.

No person shall be elected to the council unless they are at least twenty-one (21) years of age by the election date, or to the office of mayor unless they are at least twenty-one (21) years of age by the election date, and whether council or mayor, shall be a citizen of the State of Tennessee, and a bona fide resident of the city for at least one (1) year immediately preceding the election date. ~~One (1) council member shall be elected from each of the four (4) wards of the city, as said wards are modified by reapportionment, which reapportionment shall be accomplished by the governing body based upon the most recent federal census and shall thereafter be accomplished as required by law, and such council member shall be a resident of that ward, and two (2) council members and the mayor shall be elected at large and may reside in any city ward. The four (4) council members representing particular city wards shall be voted for and elected by the voters of their respective city wards, and the mayor and the two (2) at large council members shall be voted for and elected by the voters of all wards of the city. The six (6) council member positions shall be filled by six (6) distinct elections and shall be voted for and elected by all voters of the city. The six (6) council member positions shall be identified as Council Seats 1, 2, 3, 4, 5, and 6. The mayoral position shall be designated as a separate position that is likewise voted for and elected by all voters of the city.~~

Any person elected to the city council who removes from the city shall thereby vacate his or her office.

Before entering upon the duties of office, the mayor and council members shall take an oath to faithfully demean themselves in office, and perform the duties thereof. All vacancies in the council, including the office of mayor, shall be filled by a vote of a majority of the remaining members thereof, to serve until the next city election for members of council.

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Beginning in the year 2024, the terms of all sitting council members and mayor shall be extended such that council members previously representing the first ward and the third ward, having last been elected in May of 2021 and the at-large member last elected in May of 2021, may remain in their capacities until their successors are elected and seated, said elections to be held the first Tuesday following the first Monday in November of 2026, and that the mayor and council members previously

representing the second ward and the fourth ward, having last been elected in May of 2023 and the at-large member last elected in May of 2023, may remain in their capacities until their successors are elected and seated, said elections to be held the first Tuesday following the first Monday in November of 2028.

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Nonresidents holding a freehold within the corporate limits of an assessed valuation of one hundred dollars (\$100.00) or other property subject to corporation taxes amounting to one hundred dollars (\$100.00) or over, shall be entitled to vote at said election. The election shall be held as now provided by the laws of the State of Tennessee for such elections.

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