

**ORDINANCE NUMBER 2003-1**

**AN ORDINANCE ESTABLISHING THE POSITION OF CHIEF  
ADMINISTRATIVE OFFICER FOR THE CITY OF STARKVILLE, MISSISSIPPI**

**WHEREAS**, Mississippi Code of 1972, §21-3-25 (Chief Administrative Officer) provides as follows:

(1) Any municipality operating under a 'Code Charter' as provided for in Chapter 3, Title 21, Mississippi Code of 1972, may through the mayor and board of aldermen, establish the position of chief administrative officer of the municipality.

(2) The establishment of the position of chief administrative officer shall be by ordinance, and shall require a two-thirds (2/3) vote of the mayor and board of aldermen. Any action taken by the governing authorities to establish such office shall not be adopted within ninety (90) days prior to any regular general election for the election of municipal officers. The chief administrative officer shall be a full time employee of the municipality and shall serve at the discretion of the mayor and board of aldermen. He shall receive such compensation as the mayor and board of aldermen may determine, and shall be chosen solely on the basis of experience and administrative qualifications. The chief administrative officer may hold one (1) or more appointive positions in the municipality. No person elected to the board of aldermen shall be eligible for the office of the chief administrative officer during the term for which such person was elected.

(3) The chief administrative officer shall have such administrative duties and functions as shall be delegated to him by the mayor and board of aldermen.

(4) Following the adoption of an ordinance pursuant to this section, the position of chief administrative officer shall not be established until after the next general municipal election, at which time the first chief administrative officer will be appointed.

(5) Members of the board of aldermen shall have no administrative powers or duties which are delegated by ordinance to the chief administrative officer." and,

**WHEREAS**, the Mayor and Board of Aldermen of the City of Starkville, Mississippi, have found and determined as a question of fact that said City of Starkville would benefit from the establishment of a chief administrative officer of said municipality who would be available for performance of such duties as would be lawfully delegated to him or her.

**NOW, THEREFORE, BE IT ORDAINED BY THE MAYOR AND BOARD OF ALDERMAN  
OF THE CITY OF STARKVILLE, MISSISSIPPI, AS FOLLOWS:**

Section 1. Under the provisions of Mississippi Code of 1972, Section 21-3-25, there shall be a chief administrative officer of the City of Starkville, Mississippi, who shall be a full-time employee of said City, shall be appointed by the mayor and board of aldermen of said City, and shall serve at the discretion of the mayor and board of aldermen, except, however, no such chief administrative officer shall be appointed by any mayor and board of aldermen having taken office prior to the 2005 general election of municipal officers.

Section 2. Said chief administrative officer shall have those duties and functions as shall be delegated to him by the Mayor and Board of Aldermen of said City, and members of the

Board of Aldermen shall have no administrative powers or duties which are so delegated to said Chief Administrative Officer.

Section 3. The chief administrative officer may hold one (1) or more other appointive positions in the municipality; however, no person elected to the board of aldermen shall be eligible for the office of chief administrative officer during the term for which such person was elected. Said chief administrative officer shall be chosen solely on the basis of experience and administrative qualifications.

Section 4. The chief administrative officer shall receive such compensation as the mayor and board of aldermen may determine.

Section 5. This ordinance shall be in force and effect from and after its passage as provided by law; except, however, the position of chief administrative officer shall not be established until after the next general municipal election, at which time, a chief administrative officer may be appointed by the then-sitting mayor and board of aldermen.

Section 6. Any ordinance of the City of Starkville, or any portion thereof, which is in conflict with the provisions of the foregoing ordinance, is hereby repealed only as to those provisions in conflict herewith.

Section 7. Should any section or clause of this ordinance be invalidated by operation of the legal process, all remaining sections and clauses not so invalidated shall remain in full force and effect.

The above ordinance, having first been reduced to writing and read and considered at a public meeting of the mayor and board of aldermen of the City of Starkville, Mississippi, there being a quorum of said mayor and board then and there present.

Upon the motion of Alderman P.C. McLaurin, Jr.; duly seconded by Alderman Roy A'. Perkins, that said ordinance be adopted, a roll call vote was taken which resulted as follows:

Alderman Sumner D. Davis, III	Voted: Yea
Alderman Frank M. Davis, Sr.	Voted: Yea
Alderman P.C. McLaurin Jr.	Voted: Yea
Alderman Lee Beck	Voted: Yea
Alderman Virgil Bolin	Voted: Nay
Alderman Roy A'. Perkins	Voted: Yea
Alderman Vic Zitta	Voted: Nay

The motion having received a two-thirds (2/3) majority vote of the board of aldermen, the mayor declared the ordinance passed, approved, and adopted on this the 3<sup>rd</sup> day of February, 2003.

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Mack Rutledge, Mayor

ATTEST:

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Vivian E. Collier, City Clerk