



Board of Commissioners
Regular Meeting Minutes
Thursday, April 16, 2026, 5:30 PM
City Hall, Lakeland, Tennessee 38002

I. CALL TO ORDER BY MAYOR:

The meeting was called to order by Mayor Roman 5:30 p.m. on Thursday, April 16, 2026.

II. INVOCATION:

The invocation was offered by Mayor Roman.

III. PLEDGE:

The Pledge to the Flag was led by Mayor Roman.

IV. ROLL CALL BY RECORDER:

Commissioner Jim Atkinson	Present
Commissioner Derek Johnston	Present
Commissioner Connie McCarter	Present
Vice Mayor Michele Dial	Present
Mayor Josh Roman	Present

Staff personnel in attendance were City Manager Emily Harrell, City Attorney Will Patterson, Finance Director Sue Matthews and City Recorder Rebecca Hume.

V. PUBLIC HEARING:

1. **Ordinance Second and Final Reading** - amending Lakeland's Municipal Code regarding the square footage requirement for retail food stores. *Sponsored by Mayor Roman*

Commissioner McCarter motioned to approve moving Regular Agenda Item #7 under VII Reports from Committees James Lewellen, MTAS Consultant presentation. After further clarification from Commissioner McCarter and confirmation from City Attorney Will Patterson that moving the Item out of the Regular Agenda Item section is acceptable, this motion was seconded by Commissioner Atkinson. There being no objections, Regular Agenda Item #7 was moved under Forms of Government presentation.

VI. TREASURER'S REPORT:

1. Fiscal year to date through March 31, 2026

Finance Director Sue Matthews offered this report.

VII. REPORTS FROM COMMITTEES, MEMBERS OF THE BOARD OF COMMISSIONERS & OTHER OFFICERS:

Sheriff's Report

Sgt. Malone with the Shelby County Sheriff's Office offered this report.

Mayor Roman made comments.

Forms of Government - James Lewellen, *MTAS Consultant*

James Lewellen, MTAS Consultant, offered this presentation. Below are presentation notes provided by James Lewellen.

IMPORTANCE OF CHARTERS

Without a charter, a city does not exist.

The powers, authorities and capabilities of cities depend on the quality of the charter.

Municipal charters have been called a city's Birth Certificate.

Charters have also been called a city's Constitution.

Every charter has a specific list of powers and authorities being granted. To understand the importance of charter provisions, you must understand Dillion's Rule.

DILLION'S RULE

Private Act charters vary from city to city.

Municipal Corporations owe their origin to, and derive their powers from, the legislature. It breathes into them the breath of life, without which they cannot exist. As it created, so it may destroy. If it may destroy, it may abridge the controls... They are so to phrase it, the mere tenants at will of the legislature. Judge John F. Dillion - Iowa Supreme Court - 1868.

The question is not, “where does it say that we cannot do it?”

The question is “where does it say we can?”

TENNESSEE CHARTERS (345 cities)

Private Acts - 212 – Apply only to that city.

NO MORE PRIVATE ACT CHARTERS

Following a Constitutional Amendment in 1953 - all municipal charters are general law charters.

Cities no longer have the option to adopt a Private Act Charter.

The only option is one of the General Law Charter forms.

LAKELAND'S ONLY OPTION FOR A CHANGE IN CHARTER FORM IS THE MAYOR ALDERMANIC GENERAL LAW CHARTER OR THE MODIFIED CITY MANAGER-COUNCIL FORM.

TYPES OF CHARTERS

Private Acts - 212 – Apply only to that City

General Law - 116

Mayor Aldermanic - 67

Manager Commission - 47

Modified Manager Commission - 2 (Oak Ridge & Brentwood)

Home Rule - 14

Metro - 3

GENERAL LAW CHARTERS

Mayor Aldermanic

City Manager - Commission

Modified City Manager - Council

General Law Charters are found at TCA - Title 6, Chapter 1 - Chapter 23

Because they are general law - provisions in each charter form are the same for all cities with that type of charter.

MUNICIPAL POWERS IN GENERAL LAW CHARTERS

TCA 6-19-101 City Manager Commission Charter lists 34 powers and

authorities (with subsections).
TCA 6-2-201 Mayor Aldermanic Charter lists 33.

In a side by side comparison, they are almost identical.

For example number 3 in both is: Make special assessments for local improvements.

Number 4 is: Contract and be contracted with.

The numbering gets off track because in the Mayor Aldermanic Charter there was a special provision added at item 16 for any city with a population of at least 700 but not more than 705.

There is no appreciable difference, but that should be determined by your attorney.

SIMILARITIES OF STRUCTURE

ELECTIONS ARE HELD ON THE SAME SCHEDULE

MAYOR WOULD BE ELECTED AT LARGE

TERMS OF BOARD MEMBERS ARE 4 YEAR STAGGERED TERMS

QUALIFICATIONS FOR OFFICE AND VOTING ARE THE SAME

MAYOR'S ROLE AS A BOARD MEMBER IS THE SAME - has a vote in both

Other provisions such as finance and budget, personnel policies, ordinance adoption and meeting requirements are the same in both. The mechanics of town functions are the same.

TERM LIMITS WOULD GO AWAY - A SEPARATE REFERENDUM WOULD BE REQUIRED.

KEY DIFFERENCES

IN A MAYOR ALDERMANIC CHARTER

CITIES OVER 5,000 MUST HAVE AT LEAST TWO WARDS - TWO ALDERMEN WOULD BE ELECTED IN EACH WARD. (ADDITIONAL DISTRICTS COULD BE CREATED.)

Mayor would be elected at large.

The Board "may" hire a Town Administrator - responsibilities can be assigned by ordinance.

In the absence of a Town Administrator, the Mayor serves as the Chief Executive over the day-to-day operations with supervision over

employees.

The Recorder and all Department Heads are appointed by the Board and can only be terminated by majority vote of the Board

The City Manager hires and fires all employees including Department Heads.

ROLE AND AUTHORITY OF THE MAYOR IN BOTH FORMS:

Mayor presides over meetings, participates in all voting matters, and represents the city at public events.

Mayor serves as the primary spokesman. Represents the city at functions, interacts with other mayors, represents the city in matters before General Assembly, State offices, Governor and Federal officials.

Executes contracts and ordinances.

In the Mayor Alderman form the Mayor may make temporary appointments of Department Heads in case of an absence.

Has any other authority not assigned to Town Administrator.

Key Distinction: In the absence of a Town Administrator, the Mayor is the Chief Executive and is responsible for day-to-day operations.

ALDERMAN VERSUS COMMISSIONER

In both structures, the role and authority is essentially the same.

A Vice-Mayor is elected by the Board.

Both establish town policies, provide vision and direction, establish priorities, establish annual goals and is responsible for the overall culture of the organization and vision for the future.

Adopts the annual budget which establishes the number of personnel positions, pay and benefits, and level of funding in all departments,

Method of voting is the same; adoption of ordinances and resolutions are the same.

MAJORITY VOTE OF THE BOARD CARRIES THE DAY.

DIFFERENCES BETWEEN A TOWN ADMINISTRATOR AND CITY MANAGER

City Manager is over all city employees, including Department Heads.

Town Administrator is over all city employees except that Department Heads, and Recorder are appointed by the Board and can only be

terminated by majority vote of the Board.

Both are guided by and limited by policies established by the Board or Commission

KEY POINT

MUNICIPAL BUDGET LAW OF 1982

“All moneys received and expended by a municipality shall be included in a budget ordinance. Therefore, notwithstanding any other law, no municipality may expend any moneys regardless of their source, including moneys derived from bond and long-term note proceeds, federal, state or private grants or loans, or special assessments, except in accordance with a budget ordinance adopted under this section.”

Neither the City Manager nor the Town Administrator, or Mayor may expend funds except those properly allocated for the purpose of the expenditure in accordance with the annual budget adopted by majority vote of the Board.

The Board’s authority to approve the annual budget and to allocate funds for specific purposes is the ultimate authority over the affairs of the town.

In either form of government, the Board establishes policies by which the Town Administrator and City Manager must follow.

PROCESS TO ADOPT MAYOR ALDERMANIC CHARTER

33 ⅓ percent of registered voters petition to hold election.

A list of current registered voters must accompany the petition.

A description of the municipal boundaries must be included.

A cash bond equivalent to the cost of the election must be submitted with petition.

Election Commission has 20 days to certify the petition.

Election Commission must hold an election not less than 45 days nor more than 60 days after the petition is certified.

TCA 6-1-201

SURRENDER OF CHARTER ADOPTION OF NEW CHARTER

In order to adopt a new charter, the existing charter has to be surrendered.

State Law establishes process for surrendering a charter.

A petition of the voters and a local referendum election is required for the surrender of a charter in substantially the same manner and process as

the adoption of a new charter.

If the vote to surrender the existing charter fails, a new charter cannot be adopted. Even if the vote to adopt a new charter passes, it is null and void.

TCA 6-18-101

COST OF ELECTION

This is the language from the Manager Commission Charter - the cost of calling and holding such an election shall be borne by those petitioning therefor if such election does not result in a surrender. Should such election result in a surrender, the cost of the election shall be borne by the city.

TCA 6 -18 -108

WORST CASE SCENARIO

If the vote to surrender the Commission Charter passes, and the vote to approve the new charter fails, the city ceases to exist.

The County would be responsible for the liabilities and obligations of the city. The County has the authority to establish special assessment districts to collect funds to cover the debt and obligations of the city until all obligations are satisfied.

Following the defeat of an incorporation... no new petition for an election may be filed until after the expiration of four years.

IF MAJORITY VOTE TO ADOPT NEW CHARTER

Election Commission certifies the vote to the Secretary of State.

Within 62 days of the Certification of Election - the Election Commission shall hold an Election to elect new Mayor and Aldermen.

The surrender of the old charter and the effective date of the new charter does not take effect until a new board has been elected. Existing Board continues in the interim.

All assets, obligations and liabilities become those of the new municipality.

TIMING: COORDINATION OF ELECTIONS

The sequence of events required are provided for in State Law. But separate sections define how referendum votes are scheduled.

The submission of the initial petition begins the calendar for the process.

Within 20 days after receipt of the petition, the election commission must certify.

After petition is certified, the Referendum vote must be scheduled not less than 45 days nor more than 60 days. (also governed by TCA 2-3-204)

If the referendum passes, within 62 days the County Election Commission shall call an election to elect new officers. Existing officers continue to serve until the new officers are elected.

OTHER CONSIDERATIONS

Ordinances should be reviewed to adjust to new terms.

Policies such as HR Policies, purchasing procedures and all internal operating procedures must be reviewed.

Any existing Commission delegations granting authority, or establishing thresholds would need to be reviewed.

All materials that reference board members or City Manager would need to be updated.

Websites, signage, letterhead should be "cleansed" to reflect the new terminology.

Zoning Code and Ordinances would need to be amended.

With no objections, Mayor Roman gave residents the opportunity to make comments and pose questions to James Lewellen after his presentation.

Bob Green, 900 block of Scofield Drive, made comments regarding County Clerk.

Resident Richard Gonzales, 5000 block of Conifer View Lane, made comments.

Resident Jim McCarter, 3000 block of Stone Crest Circle, made comments.

Resident Jeff Roman, 5000 block of Conifer View Lane, made comments.

Resident Mike Cunningham, 9000 block of Pleasant Ridge Road, made comments.

Mayor Roman asked a follow-up question of Mike Cunningham.

Resident Charles Carroll, 3000 block of Creekwood Lane, made comments and asked for a summation of James Lewellen's presentation.

Resident David Loveland, 4000 block of Pine Hill Cove South, made comments.

Mayor Roman asked a follow-up question to David Loveland.

Resident Rommen Denkov , 9000 block of Rue Bienville Cove, made comments.

Resident Gene Torrey, 3000 block of Sea Ray Lane, made comments.

Resident Tim Joyce, 5000 block of Evergreen Creek, made comments.

7. **Discussion and Possible Action** - regarding changing Lakeland's form of government.

Each member of the board took turns asking and engaging in discussion with James Lewellen regarding his presentation and changing Lakeland's form of government.

Commissioners' Report

a. Municipal Planning/Design Review Commission - *Commissioner Atkinson*

Commissioner Atkinson offered this report.

b. Community Advisory Board - *Vice Mayor Dial*

Vice Mayor Dial offered this report.

c. Lakeland Board of Education - *Commissioner McCarter*

Commissioner McCarter offered this report.

Mayor's Report

a. Proclamation — establishing May 4 - 8, 2026, as Teacher Appreciation Week

Mayor Roman read from the Teacher Appreciation Week Proclamation.

b. Proclamation — establishing May 4, 2026, as Firefighter Appreciation Day

Mayor Roman read from the Firefighter Appreciation Proclamation.

c. Proclamation — establishing May 6 - 12, 2026, as National Nurses Week

Mayor Roman read from the National Nurses Week Proclamation.

VIII. PUBLIC COMMENTS:

IX. SEWERAGE COMMISSION BUSINESS:

1. **Discussion** - regarding residential and commercial sewer rates

Mayor Roman moved to bring this item to the floor, seconded by Commissioner Atkinson.

City Manager Emily Harrell presented this item.

Discussion ensued.

X. CONSENT AGENDA:

XI. REGULAR AGENDA:

1. **Approval of previous meeting minutes** - March 19, 2026 Beer Board

Commissioner Atkinson moved to bring this item to the floor, seconded by Vice Mayor Dial.

Discussion ensued.

Commissioner McCarter advised of one correction to the March 19, 2026 Regular Meeting Minutes, Item II, Change Innovation to Invocation.

Mayor Roman made a motion to approve items I, March 19, 2026 Beer Board Regular Meeting Minutes, II, March 19, 2026 Board of Commissioners Regular Meeting Minutes and III, April 2, 2026 Board of Commissioners Regular Meeting Minutes together with the correction on item II of the March 19, 2026 Board of Commissioners Regular Meeting Minutes, Item II, Change Innovation to Invocation, with no objections and a voice vote, the items were moved to the floor as amended.

When the question was called the meeting minutes passed as amended, roll call vote, 4 in favor, 0 against, 1 abstain (4-0-1).

Yea: Commissioner Atkinson, Commissioner Johnston,
Commissioner McCarter, Vice Mayor Dial

Nay: None

Abstain: Mayor Roman

2. **Approval of Previous Meeting Minutes** - March 19, 2026 Board of Commissioners
For the record, Items I, II and III were approved together.
3. **Approval of Previous Meeting Minutes** - April 02, 2026 Board of Commissioners
For the record, Items I, II and III were approved together.
4. **Ordinance Second and Final Reading** - amending Lakeland's Municipal Code regarding the square footage requirement for retail food stores. *Sponsored by Mayor Roman*

Mayor Roman moved to bring this item to the floor, seconded by Commissioner McCarter.

City Attorney Will Patterson presented this item.

Discussion ensued.

When the question was called the ordinance passed as presented, roll call vote, 5 in favor, 0 against, 0 abstain (5-0-0).

Yea: Commissioner Atkinson, Commissioner Johnston, Commissioner McCarter, Vice Mayor Dial, Mayor Roman

Nay: None

Abstain: None

5. **Resolution** - approving the Calendar Year 2026 Proclamations for the City of Lakeland, Tennessee. *Sponsored by Commissioner McCarter*
Commissioner McCarter moved to bring this item to the floor, seconded by Mayor Roman.

Commissioner McCarter presented this item.

Discussion ensued.

Mayor Roman made a motion to amend the resolution to read, BE IT FURTHER RESOLVED that the City Manager may plan for events to observe the dates of appreciation as listed above, seconded by Commissioner Johnston. The item was moved to the floor.

When the question was called the motion to amend passed, roll call vote, 5 in favor, 0 against, 0 abstain (5-0-0).

Yea: Commissioner Atkinson, Commissioner Johnston,
Commissioner McCarter, Vice Mayor Dial, Mayor Roman

Nay: None

Abstain: None

When the question was called the amended resolution passed as amended, voice call vote, 5 in favor, 0 against, 0 abstain (5-0-0).

6. **Resolution** - authorizing the submittal of an application for the Safe Streets and Roads for All grant program through the U.S. Department of Transportation

Vice Mayor Dial moved to bring this item to the floor, seconded by Commissioner Atkinson.

City Manager Emily Harrell presented this item.

Discussion ensued.

Mayor Roman made comments.

Commissioner McCarter called for point of order.

Mayor Roman called Commissioner McCarter out of order.

When the question was called the resolution passed as presented, roll call vote, 5 in favor, 0 against, 0 abstain (5-0-0).

Yea: Commissioner Atkinson, Commissioner Johnston,
Commissioner McCarter, Vice Mayor Dial, Mayor Roman

Nay: None

Abstain: None

None.

XIII. ADJOURNMENT:

There being no other business on which to act, the meeting was adjourned without objection at 8:50 on Thursday, April 16, 2026.

These minutes were approved on May 7, 2026.

Josh Roman
Mayor

ATTEST:

Rebecca Hume
City Recorder