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ORDINANCE 92-2

ORDINANCE TO AMEND EMERGENCY ORDINANCE

AN ORDINANCE TO AMEND EMERGENCY ORDINANCE NO. 52-1 AS PASSED AND APPROVED BY THE MAYOR AND BOARD OF COMMISSIONERS ON APRIL 9, 1952 BEING AN EMERGENCY ORDINANCE DECLARING THE POLICY AND PURPOSE OF THE CITY OF BELLE MEADE TO EXTEND THE BENEFITS OF THE SYSTEM OF FEDERAL OLD AGE SURVIVORS DISABILITY HOSPITAL INSURANCE TO INCLUDE EMPLOYEES AND OFFICIALS THEREOF AND AUTHORIZING AND DIRECTING THE MAYOR TO EXECUTE NECESSARY AGREEMENTS AND AMENDMENTS THERETO FOR COVERAGE IN SAID FEDERAL SYSTEM OF THOSE EMPLOYEES AND OFFICIALS NOT EXCLUDED BY SAID EMERGENCY ORDINANCE. THIS ORDINANCE IS FOR THE PURPOSE OF AMENDING SAID EMERGENCY ORDINANCE SO AS TO EXCLUDE THEREFROM ANY AUTHORITY TO MAKE ANY AGREEMENT WITH RESPECT TO EMERGENCY EMPLOYEES, PART-TIME POSITIONS, FEE-BASIS POSITIONS AND ELECTIVE OFFICIALS ENGAGED IN RENDERING LEGISLATIVE AND JUDICIAL SERVICES, AND TO DIRECT THE MAYOR TO EXECUTE AN AMENDMENT TO THE SOCIAL SECURITY AGREEMENT PROVIDING COVERAGE FOR EMPLOYEES RENDERING SERVICES IN PART-TIME POSITIONS, EFFECTIVE JANUARY 1, 1988

WHEREAS, by emergency Ordinance No. 52-1, as passed and approved by the Mayor and Board of Commissioners of the City of Belle Meade, Tennessee, on April 9, 1952, the Mayor was authorized and directed to execute an agreement with the Director of Old Age and Survivors Insurance Agency, State of Tennessee, for coverage of employees and officials of said City, except those employees and officials covered by a retirement system and those employees and officials rendering services in fee-basis positions, and those not covered under Federal-State laws and regulations. and

WHEREAS, NOTWITHSTANDING, the absence of authority in said emergency Ordinance, the Social Security Agreement also provided for the exclusion of emergency, part-time fee-basis employees and elective officials engaged in rendering legislative and judicial services, as classifications of employees and officials of said City, and

WHEREAS, it was the true intent of said Mayor and Board of Commissioners of said City to exclude from said emergency ordinance any authority to make any agreement with respect to said classifications of employees and officials, such classifications being omitted therefrom, and

WHEREAS, it is now the desire of said City to amend said emergency Ordinance so as to exclude therefrom any authority to make any agreement with respect to emergency, part-time, fee-basis employees, and elective officials rendering legislative and judicial services, and to direct the Mayor to amend the Social Security Agreement so as to extend the benefits of the Federal System to include the services of employees in part-time positions effective January 1, 1988, as reports have been filed and contributions have been paid in the mistaken belief that such services were covered under the Agreement and, for which no refund has been made.

NOW, THEREFORE BE IT ORDAINED BY THE CITY OF BELLE MEADE, TENNESSEE:

1. Section 6 of emergency Ordinance No. 52-1 as passed and approved by the Mayor and Board of Commissioners of the City of Belle Meade, Tennessee, April 9, 1952. is hereby stricken therefrom and in its place and stead the following paragraph is substituted as Section 6:

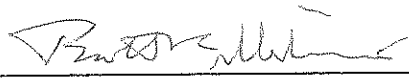
"There is hereby excluded from this Ordinance any authority to make any agreement with respect to emergency, part-time and fee-basis employees, and elective officials engaged in rendering legislative and judicial services, or any employee or official not authorized to be covered by applicable Federal or State laws or regulations. Further, acting under Section 2, of said emergency ordinance, the Mayor is hereby directed to amend the Social Security Agreement so as to extend the benefits of the System of Federal Old Age, Survivors, Disability Hospital Insurance to include the services of employees in part-time positions as of January 1, 1988.

This does not apply to services performed after July 1, 1991 that are covered under the Section 210 (a)(7)(F) of the Social Security Act.

BE IT FURTHER ORDAINED BY THE MAYOR AND BOARD OF COMMISSIONERS OF THE CITY OF BELLE MEADE, TENNESSEE, That this Ordinance shall be in full force from and after its passage and approval, the welfare of the City requiring it.

Passed and approved the 15<sup>th</sup> day of April, 1992

Passed on first reading  
2/19/92

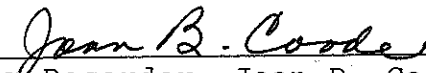
  
\_\_\_\_\_  
Mayor, T. Scott Fillebrown  
City of Belle Meade, Tennessee

Passed on second reading  
3/25/92

Passed on third reading  
4/15/92

Certificate:

I hereby certify that the above is a true and correct copy of Ordinance No. \_\_\_\_\_ passed and approved the 15<sup>th</sup> day of April, 1992, and that it is now in full force and effect.

  
\_\_\_\_\_  
City Recorder, Joan B. Coode