

Senior property tax freeze rules posted on web site

BY CAROLE GRAVES
TML Communications Director

The Division of Property Tax Assessments has spent the past several weeks hammering out the rules and regulations for the newly-adopted property tax freeze for senior citizens. The program requirements are set to be filed with the Attorney General's office this week and will be posted on the State Comptroller's web site, www.comptroller.state.tn.us/pa/taxfreeze.

The Tennessee General Assembly approved the Property Tax Freeze Act, SB2 by Sen. Mark Norris / HB 1033 by Rep. John DeBerry, in the final days of the 2007 Legislative Session. The new law authorizes, but does not require, a municipality or county to enact a property tax relief program for eligible taxpayers.

The final version of the bill uses a median household income for each county to determine eligible requirements. The income limit is based on the weighted average of the median household income for age groups 65 to 74 and 75 and over who reside within the county as determined by the 2000 Census. Income limits will change annually to reflect the cost of living adjustment for social security recipients rounded to the nearest 10 dollars.

The general provisions of the Act are as follows:

- The tax freeze is a local option for counties and municipalities and adopted by ordinance or resolution.
- The amendment freezes the amount of property taxes on the principal place of residence for taxpayers 65 years of age or older.
- Taxes are frozen as of:
 1. the time the ordinance or resolution is adopted by the local government;
 2. the tax year in which the taxpayer turns 65 years old; or
 3. the tax year in which a taxpayer age 65 or over purchases their residence
- The legislature set an annual income limit for each county for persons to qualify.

The Act also specified that the Office of the Comptroller shall develop uniform definitions, application requirements, income verification procedures, and any other necessary policies or procedures. Any municipality or county that adopts a property tax relief program authorized under this legislation must conform to the requirements, policies, and procedures developed by the Comptroller.

"Many of the requirements and rules will mimic the State Tax Relief See **FREEZE** on Page 9

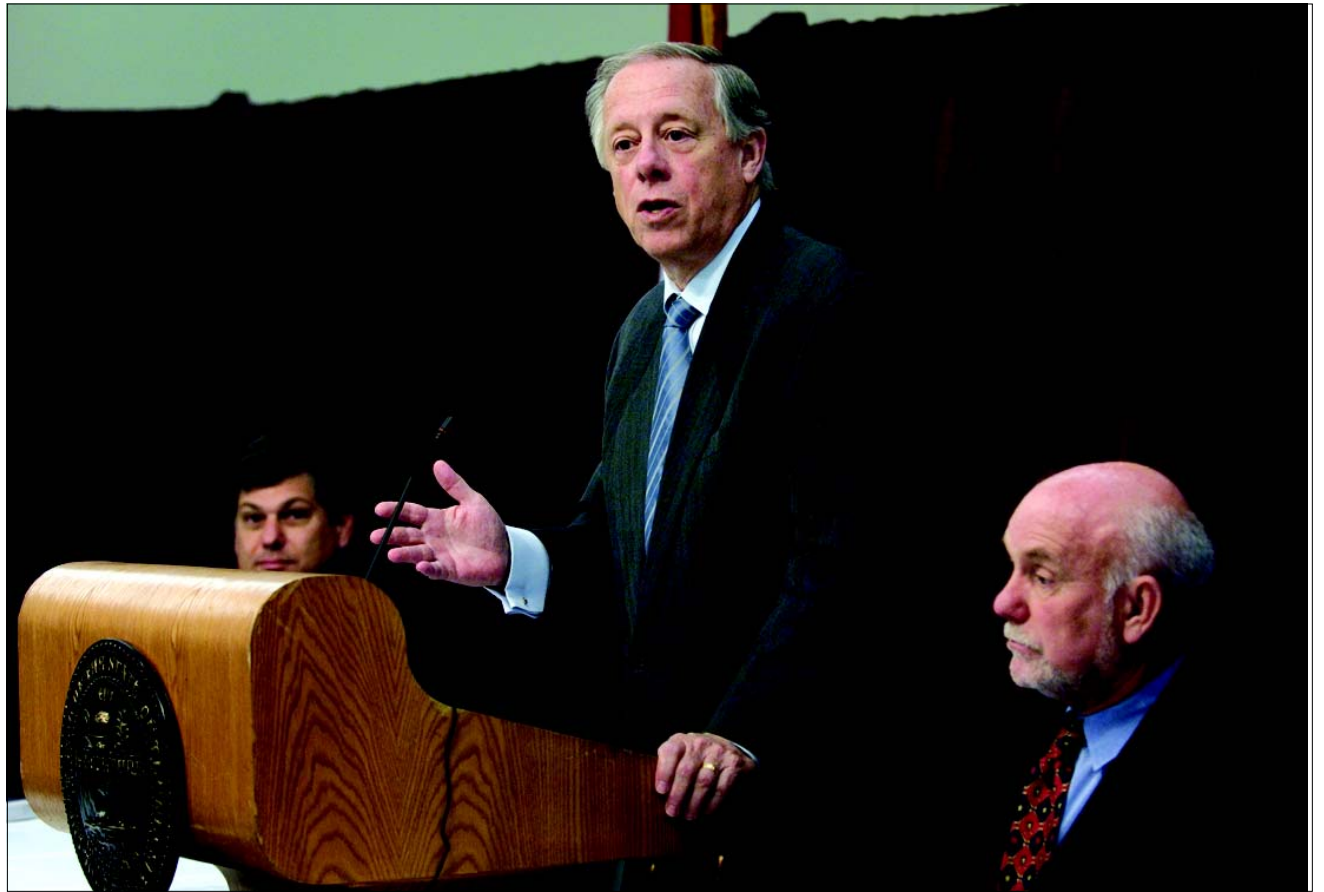


Photo courtesy of the State Photography Services

Gov. Phil Bredesen, flanked by Tennessee Economic & Community Development Commissioner Matt Kisber (left) and Agricultural Commissioner Ken Givens, addresses the first ever 2007 Governor's Biofuels Conference at Montgomery Bell State Park

Events mark state's role in biofuels production, use of alternative fuels

BY VICTORIA SOUTH
TML Communications Coordinator

Poised along the cusp of national leadership in alternative fuels development, Tennessee has the "clear advantage" in biomass production, Gov. Phil Bredesen remarked before an impressive gathering of state and national partners and alternative fuel enthusiasts during the first 2007 Governor's Conference on Biofuels at Montgomery Bell State Park.

"Tennessee is on the move in the alternative fuels marketplace," Bredesen said. "In addition to our businesses and government entities, the farms and working lands of our state are also seizing the opportunity to be a part of a renewable energy solution for our nation."

Revisiting the devastation of Hurricane Katrina and more than \$3-dollar-a-gallon gas prices, the governor said his appointed Alternative Fuels Working Group recognized a "national need to reduce dependence on foreign oil."

"This isn't a problem that is going away anytime soon. Because of the foresight of the people in this room today, Tennessee is already beginning to see results," said Bredesen.

The governor's remarks are parallel with his budget proposal allocating \$72 million toward biofuels projects anchored by a \$40 million switchgrass ethanol plant to be operated by the University of Tennessee Institute for Agriculture and Oak Ridge National Laboratory.

"Tennessee farmers have already demonstrated their ability to deliver corn and soybeans...now,

we need to find new ways for our agricultural community to play an even larger role in providing renewable forms of energy," Bredesen continued.

Downplaying corn-based ethanol products as a primary economic solution, the governor reemphasized the possibilities that new technologies and research will bring toward maximizing the state's leadership potential in farm-based fuels.

"At ORNL and UT, scientists have developed ethanol from switchgrass and wood products ... crops that can be grown virtually anywhere in Tennessee," said Bredesen, referring to cellulosic ethanol, more energy efficient than corn and produced from grassy and woody materials known as biomass.

"We have the right conditions, climate and resources to grow virtually unlimited quantities of biomass," Bredesen said. "We are a biomass state."

A diverse group of stakeholders from various sectors including farm-

ers, local government officials, researchers, and biofuels producers met recently with the Governor's Alternative Fuels Working Group at Ellington Agricultural Center to help identify impact issues and leverage points the state can address toward the promotion, production, and distribution of biofuels across the state. The group's final report and recommendations on alternative fuels should be complete by the end of September.

"I am buoyed by seeing our state get more involved in trying to find solutions that will help work toward trans fuels diversity," said Jonathan Overly, Executive Director of East Tennessee Clean Fuels Coalition. "Our wasteful ways in mis-using petroleum are catching up with us, and it is going to take far more than just federal government leadership to help remedy this problem. Action by state government, not to mention the citizens of this great country, is required."

See **BIOFUELS** on Page 2

Collective bargaining bill passes U.S. House

Earlier this month, the U.S. House of Representatives passed H.R. 980, which provides for collective bargaining for all state, city and county police officers, firefighters, and emergency medical technicians, by a vote of 314 - 97. The legislation requires cities to recognize duly elected unions as the exclusive representative of all covered employees and to enter into negotiations regarding salary and compensation that are to be memorialized in either an MOU (Memorandum of Understanding) or contract agreement. Under the bill, the negotiated terms and conditions are enforceable.

The Federal Labor Relations Authority (FLRA) would be respon-

sible for the oversight and the issuing of rules that would ensure that "first responders" have the right to form collective bargaining units and enter into collective bargaining agreements with their employers. The FLRA could issue compliance requirements for cities, and if the FLRA believed that the city did not comply, seek injunctive relief and resolution through the courts.

Identical legislation will have to be approved by the Senate and signed by President Bush before this bill becomes law. To date, no companion bill to H.R. 980 has been introduced in the Senate. However, given the House action, it is likely an See **UNIONS** on Page 6

Tennessee's next tax-free holiday slated for Aug. 3-5

Tennessee is again providing residents with a golden opportunity to save money when the state's next Sales Tax Holiday takes place the first weekend of August.

Part of an initiative to assist families with school-age children with back-to-school necessities, the initial sales-tax holiday last August saved Tennesseans \$15 million, according to the state Department of Revenue. Tennessee projects the same amount of savings this year, between 9.25 to 9.75 percent in taxes depending on the county where the

items are purchased.

This year, art supplies have been added to the list of items available tax-free. Clay and glazes, paints and brushes, watercolors and sketch and drawing pads all will be tax-exempt along with hundreds of other items beginning at 12:01 a.m. Aug. 3 until 11:59 p.m. Aug. 5.

Clothing and school supplies with a price of \$100 or less per item and computers with a price of \$1,500 or less per item are exempt from sales taxes during the tax holiday weekend.



City halls were the featured theme for the 2007 TML Risk Management Pool photo contest. Town Engineer Shane McNeill snapped this winning shot of the Thompson's Station Town Hall. Other photo contest winners are featured on Page 2.

2006 Responsible Vendor Act governs beer sales

BY JOSH JONES
MTAS Legal Consultant

Historically, municipal beer boards have exercised significant regulatory power over local retailers of beer for off-premises consumption. Our state legislature has for years granted municipalities the authority to either prohibit or allow and regulate the sale of beer within their borders. With the passage of last year's Responsible Vendor Act, some of the regulatory powers of beer boards will be narrowed. The act, which creates a voluntary program for retail vendors, took effect July 1, 2007.

Currently, cities that opt to allow the sale of beer within their borders may create a beer board and subsequently prescribe regulatory measures not conflicting with state law. Among these is the authority of local beer boards to revoke a retail vendor's license upon the first offense of sale to a minor. In fact, a municipal beer board may revoke or suspend a license or alternatively impose a civil penalty not exceeding \$1,500 for each offense. T.C.A. § 57-5-108 (2) (A). The licensee then has seven days to pay the civil fine before suspension or revocation is imposed. Such sanctions can be quite severe for a vendor, serving as a deterrent to those who might consider the sale of beer to a minor.

The Responsible Vendor program requires participating vendors to comply with employee training requirements, universal customer identification, and mandatory signage. In exchange for complying with the program, certified vendors will receive reduced punishments

for illegal sales to minors. Once certified, participating vendors are not subject to permit revocation or suspension upon an initial violation.

Instead they are subject to only a civil penalty not exceeding \$1,000 per offense of sale to a minor or other offense. Permanent revocation will not be allowable absent two violations within a 12-month period. T.C.A. § 57-5-108 (a) (1) (C).

Nonparticipating vendors will face increased civil penalties. A noncompliant vendor guilty of sale to a minor will be subject to suspension or revocation or a civil penalty not to exceed \$2,500. T.C.A. § 57-5-108 (a). Municipal beer boards also may revoke the license of a nonparticipating vendor for a first offense. These discrepancies in punishment will serve as a major incentive for retail vendors to become certified.

Under the Responsible Vendor Act, participating vendors agree to submit all new clerks to a training program within 61 days of hire. The training, which must be approved by the Alcoholic Beverage Commission (ABC), must cover the sale of beer for off-premises consumption, methods of recognizing and dealing with minors who attempt to buy beer, and procedures for refusing to sell beer to minors. Participating vendors pay an initial \$35 fee per clerk and an annual fee ranging from \$35 to \$250 based upon the number of certified clerks who participate.

The vendor provides ABC with the names and identifying information for each new clerk, allowing ABC to keep a list of all certified clerks in Tennessee. If a certified clerk is determined to have made an See **VENDOR** on Page 9

TML Risk Management Pool's photo contest features city hall theme



Dianne Borum, Belle Meade court clerk, was awarded second place for the photo of the Belle Meade City Hall decorated for the Christmas Holiday season.



Shane McNeill (left) receives the first place prize of a 30GB iPod for his photo of the Thompson's Station Town Hall. Presenting is Chester Darden, Middle Tennessee loss control consultant.



Wade Hooper, public works director, was awarded third place for the photo of the Fairview City Hall at sunset.

The TML Risk Management Pool would like to congratulate the winners of its Community Photo Contest. This year's theme featured city and town halls. Determining the best photo of the group was certainly a difficult task for the committee, as the Pool received some truly wonderful photos.

Winners were announced at the June TML Pool Party during the TML Conference.

First place — Shane McNeill, town engineer for the photo of the Thompson's Station's Town Hall. McNeill is the winner of the 30GB iPod.

Second place — Dianne Borum, court clerk for the photo of the Belle Meade City Hall. Borum is the winner of the 2GB iPod.

Third place — Wade Hooper, public works director for the photo of the Fairview City Hall. Hooper is the winner of the 1GB iPod.

Three Honorable Mention awards went to Debbie Wright, city recorder for Big Sandy, Linda Holder, community development director for the city of Paris, and Jessica Morgan, city recorder for the city of Sweetwater.

This event will be held annually each spring. A sincere thank you to all Pool members that participated and sent in their fine photos.

Events mark Tennessee's top biofuels role

BIOFUELS from Page 1

During the conference, Tennessee Economic and Community Development Commissioner Matt Kisber and Agriculture Commissioner Ken Givens announced three oilseed crushing plant loan recipients as part of the \$1million Feedstock Processing Demonstration Loan program designed to increase the income of the state's farmers and improve production of alternative fuel feedstock.

The recipients are: Tennessee Soy Products, Inc., McMinnville; Freedom Biofuels, Inc., Madison; and Nu-Oil, LLC, Counce, Tennessee.

"Tennessee's economic growth and our standard of living are tied to energy production," said Kisber. "Helping these companies encourages job growth and research development, especially in rural areas."

"By attracting investment in soybean crushing facilities, we can help create local markets for an important agricultural product, make Tennessee farmers more competitive and bring more jobs to rural

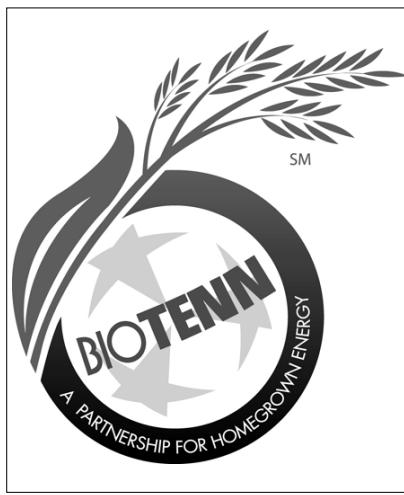
areas," added Givens.

The governor's biofuels conference preceded Tennessee's first ever Biofuels Day, June 28, where Bredeesen kicked off the state's latest advertising campaign, BioTENN, at Daily's fueling station on South Hartman Drive in Lebanon. The initiative is designed to raise the visibility of biofuels across the state with logos appearing on biofuel pumps across Tennessee.

Currently, only five of the state's 32 retail biofuels stations offer both E85 (ethanol) and B20 (biodiesel). A list of currently operating biofuels stations can be viewed at www.tennessee.gov/tdot/news.

"Bio-TENN will help both Tennesseans and visitors to our state identify those stations which have E85 and biodiesel available," said Bredeesen.

In addition, the governor announced three Green Island Corridor Grant recipients receiving a total of \$76,700. The South Willow Exxon in Cookeville will be awarded \$49,151 and offer both E85 and B20 as well the Quick Mart



No.14 in Columbia, awarded grants of \$24,349. A grant totaling \$3,200 will go to the Appco No.19 located in Sullivan County to help convert existing tanks to B20.

Funded in part by \$1.5 million in state funds, the Green Island grant program helps support independent station owners while providing public access to biofuel stations no more than 100 miles apart along Tennessee's interstates and major highways.

STATE BRIEFS

BY TISH WOMACK
TML Research Analyst

Tennessee became the first state to require all purchasers of beer to be carded, regardless of age when the law passed by the General Assembly went into effect July 1. See story on page 1.

Federal transportation funds of more than \$18 million to Tennessee have been cut that will mean postponement of some projects. Since

December 2005, the state has lost \$171.4 million in federal funds that have been diverted to the Iraq war by Congress.

The EPA will be holding a series of web trainings for local governments on the ENERGY STAR Challenge, a national call-to-action to improve the energy efficiency of America's commercial and industrial buildings by 10 percent or more.

To register, visit <http://energystar.webex.com/>.

NATIONAL BRIEFS

BY TISH WOMACK

A survey by the U.S. Conference of Mayors reported that cities in 36 states are making efforts to become "green" by using alternative fuels in their fleet vehicles as well as installing energy-efficient traffic lights and street lights. Three quarters of the 134 responding cities are buying hybrid vehicles or using biofuels.

The bald eagle, our national symbol, was removed from the Endangered Species list during a ceremony

at the Jefferson Memorial. The bird population, pegged at 417 nesting pairs in the lower 48 states some 40 years ago, is now numbering almost 10,000 pairs.

USA Today reported that nearly one-third of the Homeland Security grants approved by Congress have not been spent by police and emergency workers. Of the \$16.04 billion in grant money, almost \$5 billion has not been used since fiscal years 2002 to 2007.

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Annexation is fiscal fate

BY DAVID RUSK

In the Age of Sprawl, a city's ability to defend its market share of its region's growth through annexation is vital for its social, economic, and fiscal health.

Elastic cities that can expand their boundaries through annexation (like Tennessee's cities) are relatively healthy cities.

Inelastic cities that are trapped within decades-old, even centuries-old city limits (like New York's, New Jersey's, or Pennsylvania's cities) are almost always cities in trouble.

In fact, a city's municipal bond rating is highly dependent on its ability to annex new growth. The table below analyzes the record of 185 cities in metropolitan areas of 250,000 or more residents from 1950 to 2000.

Thirteen cities had Aaa ("blue chip") bond ratings in 2002. Collectively, they expanded their city limits almost five-fold through annexation (not shown) and "captured" 57 per-

cent of the population growth of their surrounding county. At the other end of the spectrum, the four cities with Ba ("junk bond") ratings could not expand their city limits at all (or just a bit). Their population loses "contributed" 61 percent of their counties' population growth.

Just by looking at the chart, one can see that as you move down the bond rating scale, cities capture less and less of their counties' population growth. Why? Because, under their state laws, they have less and less ability to annex land.

By the time one reaches the A3 category (a relatively mediocre bond rating), cities have begun to lose population to new sub-divisions beyond their city limits.

Tennessee laws have relatively liberal provisions allowing cities to annex new development. In fact, in terms of the average land area of Tennessee's major cities and their rate of geographic growth over the past 50 years, Tennessee ranks as having the tenth most "elastic" cities, after Arizona, Oklahoma, Ne-



Photo by Victoria South

David Rusk has spoken and consulted in more than 100 metro areas, including Memphis, Nashville, and Chattanooga. This article summarizes his workshop presentation at TML's conference in Knoxville.

vada, Colorado, North Carolina, Texas, Kansas, Georgia, and New Mexico. As a group, their 113 major cities average just under Aa3 bond ratings - very good.

By contrast, the 107 totally "inelastic" cities in Connecticut, Pennsylvania, Rhode Island, New Jersey, Massachusetts, Maine, New Hampshire, New York, and Vermont averaged A3 bond ratings.

Very simply, cities that annex can borrow money more cheaply in the bond market than can cities that don't annex. That benefits their residents-taxpayers. Elastic cities can build needed facilities at lesser cost.

But it also benefits suburbanites outside the city, who use the cities' facilities - but don't pay for them. In fact, a study I did of Greenville, South Carolina showed that subur-

ban residents were only paying 45 cents (in sales taxes, fees, etc.) for every dollar of services they received from the city to which they commuted to work, to shop, or to go to the zoo, museum, or ballpark. So annexation is good. It holds down the cost of local government - and means that residents of the areas annexed (current or future) pay their fair share for the city's services and facilities they use.

BOND RATING GROUP	NUMBER OF CITIES	AVERAGE CAPTURE/CONTRIBUTE PERCENTAGE
Aaa	13	57%
Aa1	14	28%
Aa2	34	39%
Aa3	31	26%
A1	33	15%
A2	16	10%
A3	16	-28%
Baa1	11	-54%
Baa2	8	-37%
Baa3	5	-52%
Ba	4	-61%

Bartlett hosts NLC First Tier Suburbs Council



Sixteen members of the First Tier Suburbs Council Steering Committee of the National League of Cities were hosted by Bartlett Mayor Keith McDonald, chairman, in early June.

BY CHRISTY MCFARLAND AND ERIKA HAMILTON
Nation's Cities Weekly

The steering committee of the First Tier Suburbs (FTS) Council met June 6-8 in Bartlett, Tenn., a first tier suburb of Memphis, to discuss the economic sustainability of communities outside of central cities and inside the ring of developing suburbs and rural areas.

The steering committee, hosted by Mayor Keith McDonald, chair of the FTS Council, identified key challenges to economic sustainability in first tier suburbs. The group decided to focus the efforts of the FTS Council this year on strip mall redevelopment and infrastructure modernization.

These topics will be addressed at the FTS Council's meeting at the Congress of Cities in New Orleans in November.

During the meeting, Laura McConwell, mayor of Mission, Kan., told how her community approached redevelopment in the wake of a devastating flood.

Key principles of economic rede-

- velopment in Mission included:
- Develop a vision for the community that includes design guidelines to maintain the character of the community
 - Increase the attractiveness of commercial districts
 - Create a pedestrian and transit friendly community
 - Diversify revenue sources
 - Use sustainable practices
 - Diversify housing stock

While in Bartlett, the steering committee also had an opportunity to tour economic and community development activities underway in the city, including Bartlett's recently renovated historic district and the Bartlett Station Municipal Center, a retail and community center redevelopment initiative.

"Visiting each other's communities and sharing best practices helps us think anew about solutions to the problems we face. Economic blight does not have a silver bullet, but we can learn from each other and that's why we're here," said McDonald.

Another highlight of the tour was the Horton Gardens neighbor-

hood. Horton Gardens, once a poverty-stricken, drug infested neighborhood, has revitalized into a bustling community complete with renovated homes and new infrastructure. The steering committee was addressed by Horton resident Theresa Lockett, who moved back to the neighborhood and continues to facilitate the relationship between community residents and the city.

"We asked the city for some help with trash removal and once they saw the extent of the blight here, Mayor McDonald was eager to work with the community to make even more significant changes," said Lockett.

The redevelopment of Horton has not only restored vitality to that neighborhood, but has contributed to the economic stability of the entire city.

The FTS Council will meet during NLC's Congress of Cities conference in New Orleans, November 13-17. All are welcome to attend.

For more information, visit the FTS Council's website or contact Christy McFarland or Erika Hamilton at (202) 626-3000.

PEOPLE

BY TISH WOMACK

Lt. Gov. **Ron Ramsey** appointed state Sen. **Dewayne Bunch**, Cleveland, to the National Conference of State Legislatures' Environmental Management Legislative Roundtable. The Roundtable gives state legislators the opportunity to hear U.S. Department of Energy updates as well as share information with other state legislators.



Norris has hired **Eric Brackins** as city manager effective after Labor Day. Brackins, currently a budget analyst for Louisville, Ky., will replace interim City Manager **Darlene Buckner**.

Commended by the city council for 31 years of public service, Cleveland City Manager **Joe Cate** retired June 30. Assistant City Manager **Janice Casteel** became city manager as of July 1.



Springfield interim City Judge **Lisa Richter** was promoted to city judge.

Alcoa Mayor **Don Mull** was ap-

pointed to serve as vice-chair of the East Tennessee Development District (ETDD) Board of Directors for fiscal year 2007-08.



Mull

MTAS legal consultant, **Dennis Huffer** was elected Vice Chairman of Nashville's Rochelle Center board of directors. The nonprofit center provides services to disabled people.

Cleveland Mayor **Tom Rowland** has been re-appointed to TACIR to serve his as vice chairman.

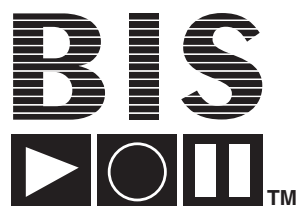


Rowland

Mt. Pleasant city officials appointed **Debbie McMullin** interim city manager to serve until a permanent replacement is hired.

Spring City hired **Robin Bolton** as city recorder to replace **Brenda Dodson** who was appointed the Rhea County administrator of elections.

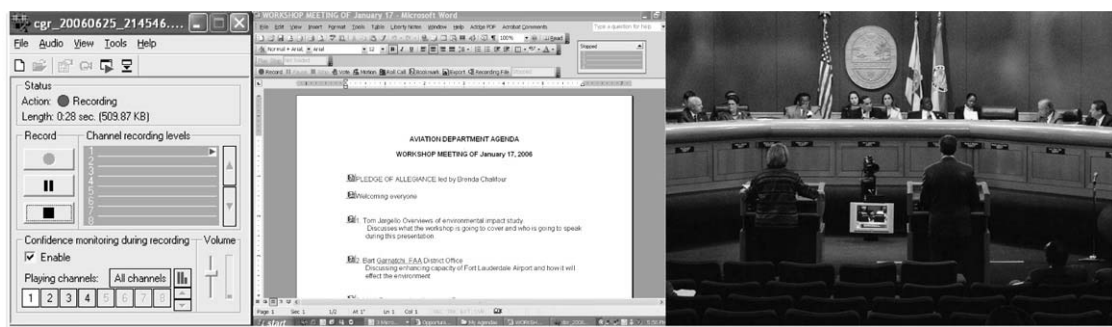
In a reorganization of Dyersburg departments, the position of public works director was eliminated leaving current Public Works Director **Freddie Krapf** without a job.



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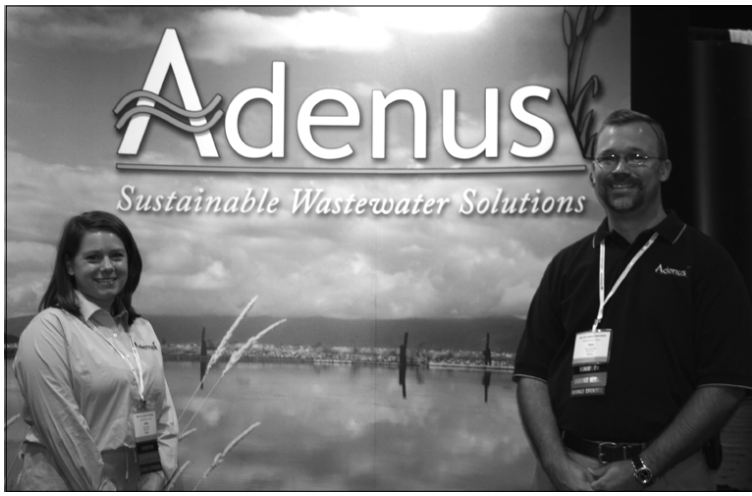
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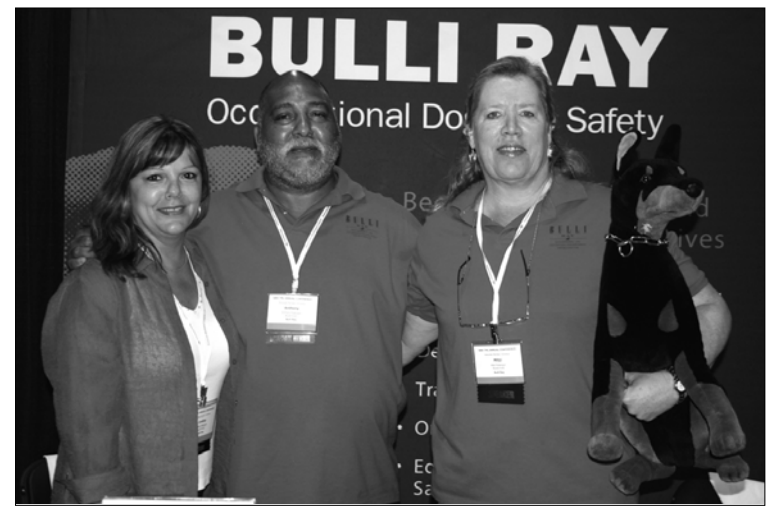
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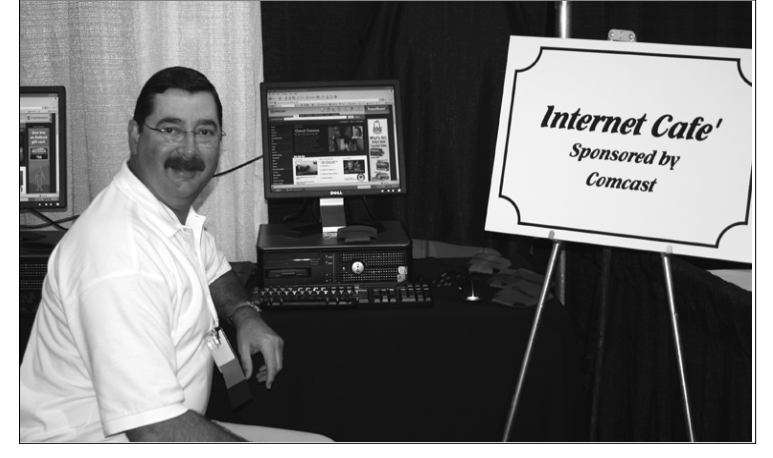
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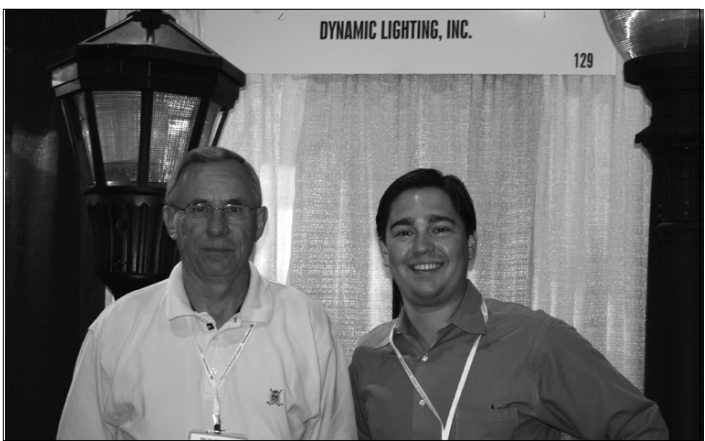
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Lifesigns



Miracle Recreation Equipment



Neel-Schaffer



Nestor Traffic Systems



Pavement Restoration Inc.



Progressive Innovations



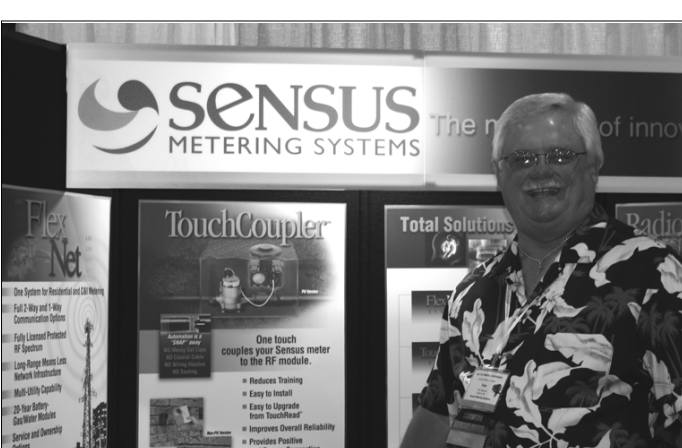
Rechargeable Battery Recycling Corp.



Regions Bank



Rush Truck Center



Sensus Metering



Temple, Inc.



Wilder Motor & Equipment Co. Inc.

2007 Public Acts that affect municipalities

BY DENNIS HUFFER
MTAS Legal Consultant

ALCOHOLIC BEVERAGES
Chapter No. 52 (SB 1187/HB 913). **Referendum on liquor-by-the-drink in Goodlettsville.** Amends T.C.A. § 57-4-103(a) to allow a referendum on liquor-by-the-drink in the Sumner County portion of Goodlettsville without affecting liquor-by-the-drink in the Davidson County portion of the city.
Effective date: April 24, 2007.

ALCOHOLIC BEVERAGES AND LAW ENFORCEMENT
Chapter No. 73 (SB 390/HB 1412). **Facial hair of males used in underage purchase stings.** Amends T.C.A. § 39-15-413(c)(1) to eliminate the prohibition on males used in underage alcoholic beverage sting operations having facial hair.
Effective date: May 3, 2007.

ANIMALS AND CRIMES AND CRIMINAL PROCEDURE
Chapter No. 70 (SB 2282/HB 2174). **Removal of electronic transmitter from dog.** Amends T.C.A. Title 39, Chapter 14, Part 2 to make it a Class B misdemeanor to remove an electronic or radio transmitting collar or microchip implant from a dog. If the dog is lost or killed because of the removal of the device, the offense becomes a Class A misdemeanor. Each offense is punishable by fine only, but upon conviction a person must be ordered by the court to pay restitution for a lost or killed dog.
Effective date: July 1, 2007.

BUILDING, UTILITY, AND HOUSING CODES
Chapter No. 89 (SB 464/HB 259). **New edition of electrical safety code.** Amends T.C.A. § 68-101-104 to adopt the August 1, 2006, edition of the American National Standard Electrical Safety Code as the state's official electrical safety code.
Effective date: January 1, 2008.

BUSINESS REGULATION
Chapter No. 54 (SB 1726/HB 735). **Limited licensed plumbers – exception.** Amends T.C.A. §§ 62-6-402 and 404 to exempt from licensing under the limited licensed plumber law any person who does general maintenance work (installing home appliances and making minor repairs when the labor cost is \$500 or less) within a residence.
Effective date: April 24, 2007.

U.S. House approves union bill

UNIONS from Page 1

identical bill will be introduced in the Senate. Speculation is that Sen. Gregg (R- NH) and Sen. Kennedy (D – MA) have indicated an interest in introducing the Senate companion.

In the interim, TML strongly encourages city officials to express their views on this legislation to Sens. Lamar Alexander and Bob Corker. (See contact information listed on page 6.)

It has long been the position of TML and the National League of Cities that the federal or state government should not undermine municipal autonomy with respect to making fundamental employment decisions by mandating specific working conditions, including collective bargaining.

In light of the labor protections provided by state laws, labor agreements, city government civil service system and municipal personnel procedures, TML and NLC oppose federal legislation that would single out a class of municipal employees for additional protections like those proposed in H.R. 980.

Senator Lamar Alexander
United States Senate
455 Dirksen Senate Office Building
Washington, DC 20510
Phone: (202) 224-4944
Fax: (202) 228-3398
Legislative Director:
David Morgenstern
E-mail: david_morgenstern@alexander.senate.gov

Senator Bob Corker
United States Senate
455 Dirksen Senate Office Bldg
SD-185
Washington, DC 20510
Phone: (202) 224-3344
Fax: (202) 228-0566
Legislative Director:
Paul Palagyi
E-mail: paul_palagyi@corker.senate.gov

Chapter No. 64 (SB 928/HB 349). **Minimum age to buy common fireworks.** Amends T.C.A. § 68-104-112(a)(1) to increase the minimum age to buy Class C common fireworks from 10 to 16. Persons aged 16 or 17 who wish to buy these fireworks must show the retailer a state-issued photo ID or be accompanied by an adult.

Amends § 68-104-114 to make a sale to an underage person a Class C misdemeanor punishable by a fine of up to \$100 for a first offense, up to \$250 for a second offense, and up to \$500 for subsequent offenses. Specifically authorizes municipalities to adopt the offense of selling fireworks to an underage person by reference.
Effective date: July 1, 2007.

BUSINESS REGULATION
Chapter No. 227 (SB 1893/HB 1704). **Helicopter regulation.** Amends T.C.A. § 42-8-105 to make helicopter regulations apply to premier tourist resort cities in Sevier County.
Effective date: July 1, 2007.

Chapter No. 231 (SB 2201/HB 2256). **Blasting regulations revised.** Amends T.C.A. Title 68, Chapter 105, Part 1 to revise several provisions relative to blasters. Exempts from state blasting regulations law enforcement personnel carrying out official duties.
Effective date: January 1, 2008.

BUSINESS REGULATION AND TAXES – GENERAL
Chapter No. 172 (SB 1488/HB 1226). **Regulation of tax refund loan businesses.** Amends T.C.A. Title 62 to regulate businesses offering tax refund loans. Preempts local regulation.
Effective date: January 1, 2008.

CITY COURTS: HEALTH AND SANITATION
Chapter No. 248 (Sb 1624/HB 968). **Orders to remove junk vehicles.** Amends T.C.A. 55-5-122(a) to clarify that municipal courts may issue orders to remove vehicles from private property.
Effective date: May 24, 2007.

CITY MANAGER-COMMISSION CHARTER AND ELECTIONS
Chapter No. 44 (SB 1997/HB 872). **Change to November general election for Burlison and Gilt Edge.** Purports to amend T.C.A. § 6-20-102, part of the general law City Manager-Commission Charter, to enact a procedure for Burlison and Gilt Edge to change to the November general election by ordinance passed by a 2/3 vote.
Effective date: April 19, 2007.



Every year, Dennis Huffer summarizes new laws affecting municipalities that were passed during the session. He also conducts a workshop about them in conjunction with City University Municipal Administration Program.

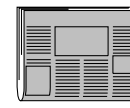
CONTRACTS
Chapter No. 201 (SB 1275/HB 1003). **Retainage – amount limited and interest required.** Amends T.C.A. § 66-11-144 to require retainage to be kept in an interest-bearing account and to limit amount of retainage to 5% of the amount of the contract. Requires the owner to release and pay all retainages to the prime contractor within 90 days after completion or after substantial completion of a project for which work is completed.

This act also amends T.C.A. §§ 66-34-203, 204, and 303, part of the Prompt Pay Act, to limit retainage to 5% of the amount of the contract.
Effective date: July 1, 2007.

CRIMES AND CRIMINAL PROCEDURE
Chapter No. 46 (SB 127/HB 1404). **Escape for civil offense.** Amends T.C.A. § 39-16-605 to make it a Class A misdemeanor for a person lawfully confined in a penal institution for a civil offense to escape.
Effective date: July 1, 2007.

Chapter No. 56 (SB 1963/HB 1730). **Automated victim notification system eliminated.** Repeals T.C.A. § 40-38-118, which established an automated victim notification system.
Effective date: April 24, 2007.

Chapter No. 225 (SB 1196/HB 867). **DNA sample from violent felony arrestees.** Amends T.C.A. § 40-35-321 to require the arresting authority to take a biological sample from any person arrested for a violent felony for DNA analysis after a determination by a magistrate or grand jury that probable cause exists for the arrest but before release.
Effective date: January 1, 2008.



CLASSIFIED ADS

Advertising: \$9.25 per column inch. No charge to TML members. Send advertising to: TT&C Classified Ads, Mona Lawrence, 226 Capitol Blvd. Suite 710, Nashville TN 37219; e-mail: mlawrence@TML1.org; or fax: 615-255 4752.

BUDGET PRODUCTIVITY MANAGER

JOHNSON CITY. The city of Johnson City is currently accepting applications for the position of Budget Productivity Manager. The duties of this class involve responsibility for budget analysis and preparation as well as coordination of the annual productivity improvement process. Under the direction of the Assistant City Manager, the Budget Productivity Manager reviews all reports for appropriation from city departments and compares those requests with revenue anticipated for the fiscal year. This position monitors departmental expenditures on a quarterly basis and reports to the City Manager the expenditure trends of municipal departments. Work related to both budget and productivity improvement is performed with considerable independence in accordance with established guidelines and procedures established by both the Assistant City Manager and by city charter. Graduation from an accredited college or university with a degree in business, public administration or accounting and considerable experience in budget analysis and financial management; or any equivalent combination of experience and training that provides the required knowledge, skills and abilities. Masters degree in related field desirable. Post offer physical and drug screen required. Entry Rate of Pay: \$43,894.78 annually. Deadline for applying: Open until filled.

CHIEF OF POLICE

WHITE HOUSE. The city of White House, TN is accepting candidates until close of business August 31, 2007 for the position of Police Chief. BA in Criminal Justice or related field and extensive law enforcement experience with minimum 5 years experience in upper-level management required. Successful Candidate will perform complex administrative and protective service work in directing all activities of the Police Department. Must have the ability to lead a multi-functional department effectively and develop and maintain relationships with City officials and general public. Salary Range: \$42,374 – 59,323 DOE. Email resume and cover letter to jgrubbs@cityofwhitehouse.com or fax to 615-616-1058. EOE

CITY MANAGER

PARIS. The city of Paris, population 9,800, is seeking applicants for the position of city manager who will be responsible for the day-to-day operations and administration of a \$10+ million annual budget, and overall supervision of a workforce of 140 full-time employees. The successful applicant should possess a bachelor's degree in a related field, a master's degree in public administration is preferred, and a minimum of five years progressive experience in municipal government, preferably as a city manager of an assistant city manager. Equivalent educational qualifications or experience will be considered. Salary range: DOQ. Send resume to: David Travis, Mayor, City Manager Applicant, P.O. Box 970, Paris, TN 38242. EOE.

CONSTRUCTION INSPECTOR

LAKELAND. The city of Lakeland is seeking qualified candidates for the position of construction inspector whose responsibilities will include inspecting construction projects such as streets, sewers, drainage systems, curbs and gutters, sidewalks, etc. for compliance with all specifications; maintaining records; and preparing reports of construction and inspection activities. Substantial successful construction/construction inspection experience including street, curb and gutter construction experience required; ability to operate heavy equipment is a plus. Detailed job description available at www.lakelandtn.gov or call 901-867-2717. Excellent benefits are offered. Send resume or applications to: cityhall@lakelandtn.org or to City of Lakeland, 10001 Highway 70, Lakeland, TN 38014. EOE.

DEVELOPMENT DIRECTOR

COLLIERVILLE. The town of Collierville, population 45,000, is seeking qualified applicants for the position of development director who will report to the town administrator. Duties include managing all planning, engineering, and building services activities of the department of 43 employees. The position requires a bachelor's degree with major course work in business administration, supplemented by a master's degree in urban planning or a related field and 10 years of experience in community development administration. Any equivalent combination of education, training, and experience which provides the requisite knowledge, skills, and abilities will be considered. A valid driver's license is also required. Salary range: \$66,682-\$101,524 DOQ plus full benefits package. Send required application, obtained from the HR department, 500 Poplar View Parkway, Collierville, TN 38017 or at www.collierville.com to the HR department. Applications and resumes are subject to disclosure. Position open until filled. EOE.

ECONOMIC DEVELOPMENT RECRUITING CONSULTANT

DANDRIDGE. The town of Dandridge is accepting resumes for the position of Economic Development Recruiting Consultant until Aug. 31, 2007. This position will report to the Town Administrator and be responsible for coordinating economic development, marketing, and promotional activities aimed at enhancing the Town's tax base by attracting new development and investment. Other duties will include grant research, developing demographic and tourism packages, and coordination with the departments of the county, state and Chamber of Commerce. Compensation will be commensurate with experience. Send resume to include three references to: Town of Dandridge, Attn: Cathy Dixon, PO Box 249, Dandridge TN 37725.

PARKS AND RECREATION DIRECTOR

PORTLAND. The city of Portland is seeking qualified applicants for the position of parks and recreation director. The person hired must have graduated from a four year college with two years experience. Applications may be obtained from and submitted to the Human Resources department or receptionist at city hall, 100 S. Russell Street, Portland, TN 37148. Position opened until filled. EOE.

RECREATION PROGRAM COORDINATOR

GOODLETTSVILLE. The city of Goodlettsville is currently seeking qualified applicants for the position of recreation program coordinator. This position reports directly to the Superintendent of Recreation and will be responsible for planning, implementing and managing a variety of year-round recreation programs, facility's and special events. All applicants should have good written and verbal communication skills and general knowledge of recreation management practices. Candidates for this position should possess a Bachelors Degree in Recreation Administration or any other related field; have one year of professional recreation experience and/or any combination equivalent thereto. Salary will be dependent upon qualifications and experience (\$30,000.00), plus an above average benefits package. Interested parties should submit their resume with cover letter along with three (3) personal and three (3) professional references no later than **Aug 10, 2007** to: City of Goodlettsville, Human Resource Department, 105 South Main Street, Goodlettsville, TN 37072. Fax resume to 615-851-2212 or email humanresources@cityofgoodlettsville.org. To view a description of the position, benefits and information in Goodlettsville, please visit: www.cityofgoodlettsville.org.

SOFTWARE SUPPORT REPRESENTATIVE

LOCAL GOVERNMENT DATA PROCESSING CORP. Local Government Data Processing Corporation is seeking qualified applicants for the position of software support representative. The Software Support Rep must be a well-rounded individual who can easily multi-task and handle multiple ongoing projects while answering customer support calls. The ideal candidate must also be able to work with virtually any personality type and possess a "can do" attitude. Candidates need to have a good understanding of accounting principles and preferably some software support experience. Knowledge of Microsoft Excel and Word is also required. The primary focus of this position is to provide software support for accounting and related software for governmental entities across the Southeast. Prior knowledge with the LGC product line is preferred. Send resume to: Human Resources, 714 Armstrong Lane, Columbia, TN 38401 or email to bwwood@lgdpc.com. Phone: 931-381-1115. EOE.

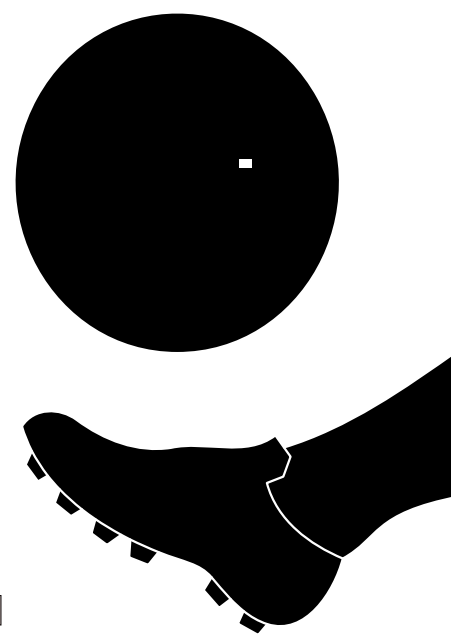
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TML Board members at work during the 2007 Annual Conference



Bob Kirk, Dyersburg alderman, and Tom Rowland, Cleveland mayor



Tommy Bragg, Murfreesboro mayor and immediate past president



Tommy Green, Alamo mayor and 2007-08 TML president



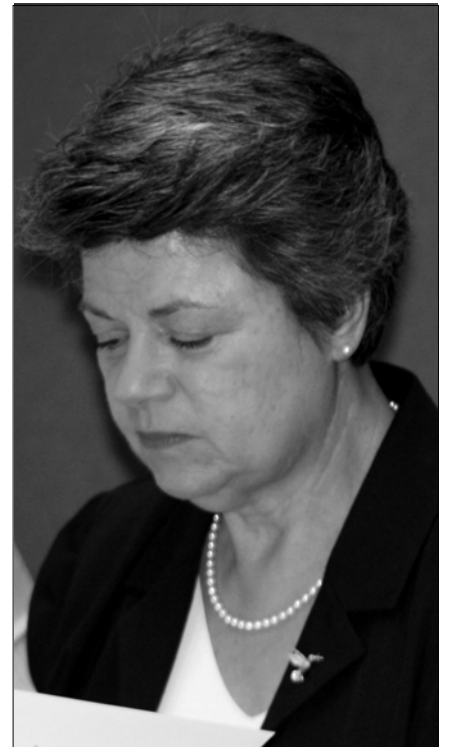
Avery Johnson, Cleveland vice mayor; Tommy Pedigo, Sparta mayor; and Paul Nutting, Springfield city manager



Bill Haslam, Knoxville mayor



Former Jackson Mayor Charles Farmer



Kay Senter, Morristown vice mayor



Dale Kelley, Huntingdon mayor



Royce Davenport, McMinnville mayor



Keith McDonald, Bartlett mayor



Charles "Bones" Seivers, TMBF president-CEO (right) and TML Attorney George Barrett in the foreground



John Proffitt, Athens mayor, and Don Mull, Alcoa mayor

NEWS ACROSS TENNESSEE



BY TISH WOMACK
TML Research Analyst

ALCOA/MARYVILLE

A traffic signal coordination and communication study, funded by the Congestion Mitigation and Air Quality program, indicated that they could see a combined savings of \$7.7 million in traffic delays, emissions reduction, and fuel consumption reductions at the 44 traffic intersections studied. An estimated time savings for travelers driving through the two cities was 11 minutes.

CHATTANOOGA

"Green Asphalt" will be used in a demonstration project by Chattanooga, Astec Industries, Inc., Tally Construction, and Southeastern Materials. It is a process that reclaims or recycles up to 50 percent of the existing asphalt then mixes it with new materials at temperatures lower than previously achievable, thus reducing greenhouse gas emissions.

CHATTANOOGA

Larger-than-life sculptures depicting bicyclists, birdwatchers and walkers by Chattanooga artist Jim Collins will be installed later this year along the city's Riverwalk to mark the nine miles of the trail.

CLEVELAND

The Southern Appalachian Air Attack Base, operated jointly by the National Park Service and the U.S. Forest Service, will be moved from the McGhee Tyson airport to a new facility in Chattanooga. The wild-fire-fighting airplanes will service a six-state area that includes parts of Alabama, East Tennessee, Georgia, part of Mississippi, North Carolina, and South Carolina.

FRANKLIN

A Department of Transportation grant of more than \$1 million will be put to use in a new three-mile system of walking and bike trails. The city will contribute 20 percent matching funds for the grant.

GALLATIN

Gallatin's Police Department has been ranked first in the nation for its child-safety seat program by the International Association of Chiefs of Police. An award was presented at a recent city council meeting.

JACKSON

The city's fire hydrants are sporting blue, green, orange, or red tops over silver bottoms in accordance with a new law passed by the General Assembly. The hydrants are to be color-coded by January according to the gallons of water per minute flow when hoses are attached.

KNOXVILLE

The University of Tennessee Law Enforcement Innovation Center has moved from Knoxville to Oak Ridge.

MCMINNVILLE

Police spent a week of training and practice using Segways and now patrol the city's streets on the two-wheeled electrically-powered vehicles.

MEMPHIS

The Memphis Convention and Visitors Bureau received the 2007 Successful Meetings Pinnacle Award by the Successful Meetings magazine. The bureau was named one of the top 25 convention and visitors bureau in the nation.

MEMPHIS

The Memphis Gas, Light and Water Division has a new command center with state-of-the-art equipment. The "war room" will be used in the event of weather or other types of disasters that knock out power.

MORRISTOWN

The city is about to add an old-world elegance to the crosswalks in the downtown area using a faux brick imprinting machine that heats the asphalt to a near-liquid state and then imprints a brick pattern on the hot pavement. The imprinted area will be painted to set it off from the street. If the downtown merchants are happy with the results, other pavement will be imprinted.

NASHVILLE/HERMITAGE

Deloitte & Touche, an international audit, tax, consulting and financial advisory provider, announced it will double its workforce to 2,000.

NASHVILLE

The Nashville Public Library's Website won the top award at the Library Public Relations Council's annual competition. Nashville won in the large-budget division for its site's design, clarity, ease of use, and content. The award was presented at the American Library Association's annual June conference.

NIOTA

Niota city officials are searching for ways to save the state's oldest standing train depot. Built in 1854, city offices occupy part of the building, but it no longer rents out the other parts because of deteriorating conditions. During the Civil War, the walls of the depot were breached to allow gunners to shoot from inside the building. The 2007-08 city budget includes \$33,000 to begin restoration and it is hoped that grants can be obtained to further the effort.

OAK RIDGE

Oak Ridge National Laboratory's "Jaguar" supercomputer is second only to California's Lawrence Livermore National Laboratory's IBM BlueGene/L supercomputer in performance at 101.7 teraflops (a teraflop equals a trillion calculations per second). Lawrence Livermore's has been clocked at 280.6 teraflops. The rankings were determined by the International Supercomputing Conference in Germany.

OAK RIDGE

The Oak Ridge National Laboratory (ORNL) is one of three sites in the U.S. to establish and operate a Department of Energy Bioenergy Research Centers. ONRL will receive \$125 million over the next five years to do research in cellulosic ethanol and other biofuel development.

OAK RIDGE

Boeing Inc. announced it will close out its facility in Oak Ridge ending a 25-year presence in Oak Ridge and move its airplane parts production to its Utah plant. More than 260 employees will be laid off beginning July.

ROGERSVILLE

A "zero interest" loan of \$336,000 from the state's Energy Division

will be used to enhance the energy efficiency of the Hale Springs Inn, once the oldest continuously run inn in the state. It is now being restored.

ROGERSVILLE

A Rural Development grant of \$10,000 will be used for a Main Street Development Plan for Rogersville that will include a marketing and promotion plan, a website for Main Street, brochures about activities available in the city and development plans for Main Street.

THOMPSON'S STATION

The city, in the process of creating a design review commission to guide the growth, took a field trip to four cities that have design review commissions to get examples of guidelines they might incorporate. The four cities that have commissions, rather than committees, are Bartlett, Collierville, Germantown, and Lakeland.

TULLAHOMA

City officials approved a \$17.1 million plan for Tullahoma Utilities Board to build a fiber optic network that will allow Tullahoma customers to purchase cable, Internet, and telephone services from TUB.

WARTRACE

The Wartrace jail, more than 100 years old, will get a new life thanks to a donation of \$5,000 from K&A Acrylic. The structure will be used to house Wartrace's vintage 1954 fire engine when the restoration is complete in September.



The city of Crossville recently closed a \$4.5 million loan with the Tennessee Municipal Bond Fund for a new soccer complex. Shown at the closing are Mayor J.H. Graham (center), City Recorder Sally Oglesby, and Joe Muscatello, TMBF Marketing Representative.

Responsible Vendor Act narrows beer boards authority

VENDOR from Page 1

illegal sale to a minor, the certification of that clerk becomes invalid, and the clerk may not apply for recertification for one year.

The Responsible Vendor Act is self-executing, became applicable statewide upon the July 1, 2007, effective date. Cities need to, via ordinance, amend their code's chapter

on beer sales to reflect the changes.

Further information can be found at the Alcoholic Beverages Commission Web site at www.tennessee.gov/abc/.

Additionally, if you have questions regarding this legislation or its enactment, please contact your MTAS management consultant.

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Bob Kirk (2004) Alderman, Dyersburg
Tom Rowland (2002) Mayor, Cleveland
Sam Sharpe (2001) Vice Mayor, Paris
Dan Speer (1997) Mayor, Pulaski
Charles Farmer (1995), Mayor, Jackson

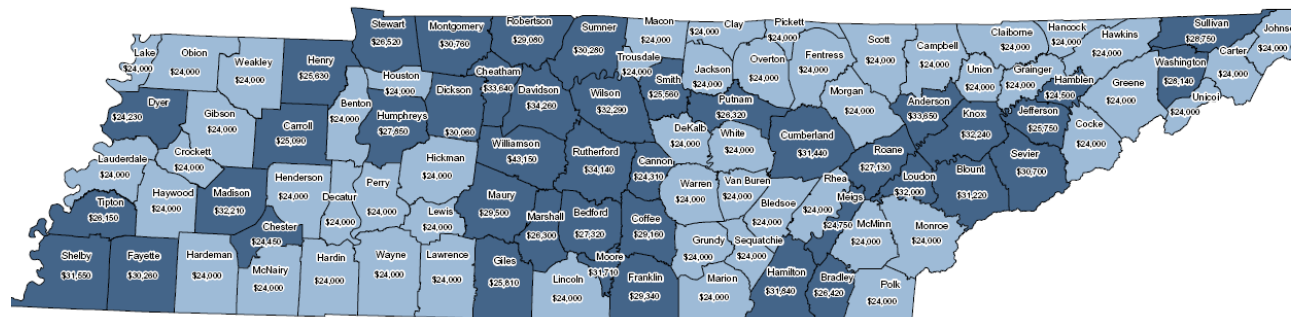
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**Property Tax Freeze
Income Limits by County
Tax Year 2007**



Income limits for the Property Tax Freeze are the weighted average of median household income by county for age groups 65 to 74 and 75 or over from the 2000 Census, adjusted by Social Security cost-of-living adjustments and rounded to the nearest ten dollars. The minimum income limit is equal to the \$24,000 Property Tax Relief program income limit. A list of the income limits for each county can be found at www.comptroller.state.tn.us/pa/TaxFreezeIncomeLimits2007List.pdf

Tax freeze rules posted on state web site

FREEZE from Page 1

Program," explains Tom Fleming, assistant to Comptroller for Assessments.

Should a local government adopt the new property tax freeze; residents will need to apply for the tax relief benefit through an electronic application process posted on the Comptroller's web page. Applicants will have to re-apply each year. And new income limits will be posted in January of each year to reflect the required cost-of-living

adjustments.

A current list of counties by eligible income limits can be found on the Comptroller's web page, along with other pertinent information about the tax freeze. Fleming said they will continue to update the web site with information on the new program.

In addition to granting local governments the authority to freeze property taxes for senior citizens, the legislature also enhanced the State's Property Tax Relief Program for elderly low-income citizens, dis-

abled homeowners, and disabled veterans and widows of a disabled veteran.

The following changes will become effective for the tax year 2007:

- Elderly: income limit will increase to \$24,000.
- Disabled Veterans and Widow of a Disabled Veteran: program made applicable to those 100 percent disabled veterans with service-connected disabilities (instead of the more restrictive combat-related requirement).

**Municipal Administration Program
August Schedule**

Municipal Urban Forestry Workshops

The UT Municipal Advisory Service (MTAS) will conduct urban forestry workshops approved for Continuing Education Units (CEUs) at statewide locations in August.

MTAS and TUFCA have partnered to increase awareness of this topic in local government. Urban Forestry transcends Public Works, Parks and Utilities.

One of the goals is to educate municipal and tree board members and city employees in the basics of urban forestry. Discussions among participants will increase awareness of urban forestry issues.

Topics include the benefits of urban forestry, starting a program in your community, roles of tree boards and staff, identification of community stakeholders, technical assistance providers and best management practices.

The fee is \$25 for municipal officials and \$55 for all others.



For the 2007 Course Registration Form, call 865-974-0411.

Dates and locations		
Aug. 2	Knoxville	
Aug. 17	Collegedale	
Aug. 23	Franklin	
Aug. 24	Cookeville	
Aug. 28	Bartlett	
Aug. 29	Jackson	

Time
Public administration courses begin at 8:30 a.m. and conclude at 12:30 p.m.

Training Facilities
Bartlett Bartlett Performing Arts and Conference Center, 3663 Appling Road
Collegedale Collegedale City Hall,

4910 Swinyar Drive
Cookeville Town Center, One West First Street

Franklin Williamson County Exposition Center, 4215 Long Lane
Jackson West Tennessee Center for Agricultural Research, Extension, and Public Service, 605 Airways Boulevard

Knoxville University of Tennessee Conference Center, 600 Henley Street

To register for this municipal administration program class, please visit the MTAS web site at www.mtas.tennessee.edu or contact Sandy Selvage at sandy.selvage@tennessee.edu or 865.974.9833.

For program information, contact Kurt Frederick, MTAS Training Consultant, at 615.253.6385 or e-mail kurt.frederick@tennessee.edu. Fees are \$25 per person per class for municipal employees and \$50 per person per class for all other participants.



Let us know the particulars about your most important festivals at least six weeks in advance of the event. E-mail Gael Stahl at gstahl@TML1.org or fax to 615-255-4752.

Aug 4: The 12th Annual Jamestown Jamboree featuring Bluegrass music and old time square dancing begins at 1 p.m. at the Mark Twain Park located on Main Street. Contact: City Hall at 931-879-8815 or Keith Conatser at 931-879-7629.

Aug. 4: Walking Tall Classic Horse Show in Adamsville begins at 6:30 p.m. Contact: Jann Burks at jburks@cityofadamsville.com.

Aug. 17, 18, 24, 25, 31: Morning Glory Farm & Vineyard tours of the 30-acre farm and vineyard to learn the history of farming in the Galinburg area for the past 200 years. Contact: call 865-217-4082.

Aug. 25: Ardmore, Tenn. Ala. The 15th annual Crape Myrtle Festival from 9 a.m. to 3 p.m. with live entertainment, food and craft vendors, children's area and entertainment. For more information call: 256-423-7588.

Sept. 14-30: Smoky Mountain harvest Festival in Gatlinburg, Sevierville and Pigeon Forge. Call: 800-568-4748 for more information.



Sept. 5-7: the 16th Annual Urban Forestry Conference at the Memphis Hilton Hotel. For hotel information and to register visit www.buildinggreatcommunities.org.

Sept: 10-12: National Playground Safety Inspector Course and Exam, sponsored by Tennessee Recreation and Parks Association, the National Playground Safety Institute, Tennessee Municipal League Risk Management Pool, and the National Recreation and Parks Association. The course and exam will be held at Goodlettsville Parks and Recreation. Registration deadline: August 10. Fee: \$370 for course and \$100 for certification exam. Contact: 615-790-0041; Fax: 615-790-1008.

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TENNESSEE TOWN & CITY
(ISSN. No. 0040-3415) Publication No. 539420
— Official publication of the Tennessee Municipal League. **Publisher:** Margaret Mahery (mmahery@TML1.org); **Editor:** Gael Stahl (gstahl@TML1.org); **News briefs:** Carole Graves (cgraves@TML1.org); **Phone:** 615-255-6416. **Advertising:** Publisher reserves the right to reject any advertising deemed unacceptable. Fax classified ads to *TT&C*: Attention Mona Lawrence at 615-255-4752, or e-mail mlawrence@TML1.org. Fax advertising copy to *TT&C*: Attention Debbie Kluth at 615-255-4752, or e-mail to dkluth@TML1.org. Opinions expressed non League officials or staff do not necessarily reflect policies of TML. *Tennessee Town & City* is published, semi-monthly, 20 times per year at 226 Capitol Blvd., Suite 710, Nashville, TN 37219-1894. Periodicals postage paid at Nashville, TN. Subscription rates: \$6 per year to members, \$15 to nonmembers, \$1 a copy. **Postmaster:** Send changes of address to Tennessee Town & City, 226 Capitol Blvd., Suite 710, Nashville, TN 37219-1894.

TML VP Royce Davenport tells how city totally made over downtown

BY GAEL B. STAHL
Editor

Mayor Royce A. Davenport and his father Ulus have many things in common. However, when it comes to flying, they couldn't be more different. Ulus wouldn't board a plane while Royce extended his Army tour to six years just so he could fly.

Davenport says his father, a Depression era hardscrabble survivor, had a first cousin who married Earl Scruggs; and his mother, Atha "Virgie" (Jones) Davenport's first cousin was the father of Dottie West, a McMinnville native. Ironically, Royce Davenport, not a fan of county music, is second cousin to two country stars. He got to know Dottie at annual family reunions when he was young.

Ulus Davenport farmed, owned a small grocery store, owned several coin laundries, apartments, a used car business, and bought and sold real estate. Atha Davenport had a greenhouse of her own with a quarter of an acre attached that she worked by herself growing all kinds of vegetables and fruits, and harvested and canned the produce. She won dozens of ribbons at the county fair.

Ulus was a justice of the peace (now called county commissioner) with the legal right to conduct marriages and hold court. In 1957, he was elected McMinnville mayor and served one two-year term (1958-59) when, after decades of economic stagnation, the city's first wave of municipal development took place. Scared to death of airplanes, he nevertheless boarded a DC-3 and flew to Milwaukee to recruit John Oster (of Osterizer fame) to bring an appliance manufacturing plant to McMinnville. It's still there. It has employed from 200 to 1,100 over the last 40 years and is now making plans to expand again. During that time, a second manufacturer, Century Electric of St. Louis, also located in McMinnville. Its several hundred employees made small electric motors.

Davenport attended high school and college during the 1960s. After ROTC at UT-Knoxville (he graduated in 1969 midway through the Vietnam War) and went immediately into the U. S. Army. He was given orders to the Signal Corps and Ranger School, but when he said he'd rather learn to fly planes than jump out of them, he was allowed to swap those orders, and go to Army Flight School.

After graduation he was re-assigned to flight school as an avionics ground instructor at Fort Rucker, Alabama, before going to Vietnam for a year. He flew high priority missions assigned by the headquarters of U. S. Forces Commander General Abrams. One day he might dodge anti-aircraft missiles, fly through monsoon conditions, and then land at airport under mortar attack. The next day he might fly an Embassy Official to Bangkok and end up sunbathing at a beautiful motel the rest of the day before returning to Vietnam next morning.

He was always aware of his colleagues who fought in the jungle below while he was flying to Danang and getting shot at only occasionally. In 1973, he went to Lakehurst Naval Air Station in New Jersey (site of the Hindenburg dirigible disaster) for his final two and a half years. The unit flew unusual aircraft such as 30-year-old WWII C-47s (Navy R-4s) rigged out to be flying laboratories. They tested helicopters with window shades in front and the pilot sitting in the back flying by television. They tested an invisible helicopter designed to block off light reflecting on it by creating an equivalent light source to fill that space—a great theory, but it didn't work.

Back home in 1975, employers told him that as a former Army captain he was too qualified for their job openings, so he entered the MBA graduate program at Middle Tennessee State University on the GI Bill. Three months later he borrowed money to buy a coin-operated laundry, quit grad school and then borrowed more money to build a self-service car wash with eight bays. Two years later he bought another laundry. He co-owned/operated a 69-room motel/restaurant from 1978 to 1982. He bought his first commercial property as a partner with his older sister when he was too young to legally place his name on the deed.

Always active in his community, he was elected McMinnville mayor in 1985 and served two two-year terms. After a long break, he ran again in 2000 and 2004 and has



(The downtown park fountain) is round-shaped, about the size of a hotel room with water spouting everywhere.

served two four-year terms. During both terms, he has been active in the Tennessee Municipal League. Last year, TML members elected him third vice president. This year he was elected second vice president and is in line to become the president in 2009. He serves on the boards of Upper Cumberland Development District, Upper Cumberland Resources Agency, Tri-County Railroad Authority, McMinnville-Warren County Chamber of Commerce and Main Street McMinnville. He is an active member of First Baptist Church where he served 20 years as a deacon and is now a substitute Sunday school teacher and chairman of the Finance Committee.

Davenport has two grown children, Michelle and Rad, from his first marriage. He lives on West Main Street with his wife, Patti.

This discussion took place at Knoxville during the TML annual conference in June.

TT&C: What did you major in at UT-Knoxville?

RD: Originally came to UT to major in nuclear physics. It took me half a quarter of analytical calculus to realize that I didn't know what I was doing. I was on the wrong street. I switched to the College of Business and graduated with a degree in accounting. I had done well in high school and was vice president of the senior class, president of the band, and somehow got it in my mind that nuclear physics would be a neat thing to do. But I love my university degree and how it has contributed to my career and the quality of my life.

TT&C: You followed in many of your father's footsteps?

RD: It was the natural thing with him having been in all those different businesses when I was growing up. I would help him take care of rental properties and worked in his grocery store at age nine. My Dad had a natural bent for small business though he never finished the seventh grade. He could sense the value of things and at Saturday real estate auctions, if he thought something was a good deal, he'd buy it. Most of the time, it was old rental housing. Sometimes, he'd buy a house for us to live in. He'd just come home and tell mother, "Well, I've bought a house; we're going to be moving." He was very conservative. While we had electricity, he didn't put central air or heat in until I was in college. We'd just heat one or two rooms in winter. A hardworking, honest guy, Dad wasn't a money grabber. He did the best he could with what he had and didn't begrudge anybody else doing better. He could be happy with what he could do.

TT&C: He did for others as mayor. Why did you run for office?

RD: I had been on the Chamber of Commerce Board of Directors and Transportation Committee. I was active in my church. We lost 1,500 jobs in 18 months when three garment factories were shut down or moved. We had double-digit unemployment. I had been the treasurer/secretary on election campaigns for other people. I felt we needed new direction in city government.

I asked a former longtime mayor what the job required, and then I tried to get four or five of our best people to run for mayor. They were people 10 to 15 years older than me who had been successful in business, and I offered to support them. They all said no. While eating supper with my first wife, I groused about how they made a bunch of money in this community, but didn't want to divote more time to further the community. Then it hit me. I was doing the same thing! I talked to my



TML is us. It's our group, and things can come up that hurt each of us individually as a city if we don't stay on guard and work on it together.

wife a bit and went back to the same men and asked them to support me. They all said yes.

TT&C: What is it like being mayor of McMinnville? Is it full-time?

RD: When you are elected mayor, you think that's what you are going to do, be mayor, the chairman of the board type thing. Well, you find out that you have to wear extra hats. You're also on the 911, Senior Citizens, Development, and Resources Agency boards. Until I took office I didn't know it was my responsibility to be on the Tri-County Railroad Authority Board of Directors. I've been on it 10 years and just recently became aware that we weren't really doing our job. I sort of castigated the other members. It's almost an obsession with me to try to get this Tri-County Railroad Authority Board working as it should be. It has not been and I'm one of those who has been derelict in our duties.

As mayor, you can find all kinds of things to do. You ask if it is a full-time job. Well, yes and no. I'm sure it's true of every mayor everywhere. It will take all the time you will give it, probably 24 hours seven days a week if you could stay awake that long. Those jobs can be absorbing. You make appearances representing the city here and there, talking to everybody that wants to talk to the mayor. Another part of it is working with the city administrator and with state government. It takes all your time.

Most cities like ours want the right person there but they don't want to pay for a full-timer. They want it to be a public service. I get paid \$30 a day, \$900 a month. Some small town mayors don't get paid anything, others get a few hundred dollars a year, still others \$20,000 a year and full-time mayors \$80,000-\$100,000 and more a year, and bigger cities even more than that. For a small city, I like the way we do it.

Our board members are there because they are interested in the community. They're not there to get paid much, if anything, an honorarium every month. That's about it. There are no benefits, no health insurance, or anything. We do it because we want to. We try to do the best for the community as long as we can stand it. That's what I do. I get carried away. I just take an interest and can't hold back—even to the detriment of my business.

TT&C: How has McMinnville changed since the 1980s?

RD: McMinnville is a real eye-opener now. We gave our downtown a complete makeover, ripped everything out of about five blocks except one tree. We took out grass, sidewalks, asphalt, parking signs, speed signs, and water meters and put it all back in new and did it right. Now, we have an underground stormwater system, new sidewalks, streets, grass, trees, flowers (in planters), and every utility is underground including electric wires, cable TV, and fiber optics.

It was a good project for a city of 13,000. We won the TML award for progress and won the Tennessee Public Works award for Project of the Year in 2006. We just won a development district recognition award, and when the Upper Cumberland Development District published its annual report last week, the front cover features our downtown.

TT&C: You obviously did more than just renew the landscape.

RD: We found a fountain that had been in the downtown park 100 years ago but removed in 1947. The person who had it donated it back to the city. Volunteers raised money to



Photos by Gael B. Stahl

When you are elected mayor, you think that's what you are going to do, be mayor, the chairman of the board type thing.

restore it so we could reinstall it. It's round-shaped, about the size of a hotel room with water spouting everywhere. Also restored and preserved is a six-foot statue of Hebe, the Greek goddess of youth and service. It was donated to the community by a league of women in the early 1900s. The fountain is unique in that a man or woman can walk up, bend over and sip the water. The water drains into a trough high enough off the ground for horses and cows to drink from. Then, it runs into a lower trough for dogs and cats to drink from. I've never seen anything like it. It was an early example of resource conservation.

Back in those days, farmers came to market every Saturday in their wagons. This gave their kids and wives a place to get water, but for their other needs, a well-to-do gentleman built a community place called the Magness Community House and Library so women and children had a place to get in out of the sun, use the restrooms, and socialize. We put in benches all over downtown and installed an antique-style street light system including new traffic lights with a cantilevered arm.

The restoration has stimulated a lot of renovation of downtown buildings by businesses and brought us some new businesses. The Chamber of Commerce remodeled its building and added an extension to more than double its space.

Two years earlier, we built a Farmers Market a block off Main Street. It is a 180-foot-long shed with a handsome green roof. Every Wednesday and Saturday morning, more than 20 farmers and merchants from Tennessee come in for about four hours to sell their produce.

We tied both projects together with a walkway, a landscaped curve that has a memorial along one side and steel arches over it. When you are on Main Street and look at it, it says "Farmers Market". When you walk through it and look back, it says "Main Street".

TT&C: Are citizens and visitors impressed with downtown?

RD: That's helped us a lot. Some people fuss and say, "Why doesn't the city do anything about economic development?" My answer is that we have. We've spent more money than anybody else has on economic development on downtown. For those people who don't understand that, it doesn't make any sense.

When we have prospects come looking for a location for their businesses, state officials and the Warren County economic development director don't take prospects to the industrial parks, first. They bring them downtown and drive them around, give them a feel as to whether they want to live and work in a modern, progressive community that looks nice with the flowers blooming and the fountain flowing. That sits well with them. Afterwards, they take them to the industrial parks. It's helping.

We are garnering a lot more attention and have all kinds of unexpected reports and articles evaluating us. The McMinnville-Warren County Chamber of Commerce has put a web cam up so you can click on their web site and see what's going on downtown in McMinnville in real time.

TT&C: You've talked of millions of dollars of municipal work. How do you afford it? Through a big property or sales taxes, or do you get a lot of grants?

RD: We got a major grant, about \$600,000 from the Appalachian Regional Commission as well as a grant from the state plus some smaller grants. A group sold memorial

plaques and bricks in the sidewalk to raise another \$125,000. The county put in \$140,000 to cover the cost of the work around the courthouse where we planted new grass and trees and installed an irrigation system for all of downtown.

Our property tax rate is just \$1.73 per \$100. Most of the sales tax goes to the county school system. We mostly manage with hard work and a lot of grants.

We added more than \$100,000 to a grant of \$389,000 to build an initial greenway.

We do a lot of work in-house. Our Public Works Department people are good. By repairing the dam they saved us \$200,000. For the downtown project, they tore everything out including sidewalks and the asphalt that contractors would have charged a lot to do for us.

We don't do anything too crazy. We watch our finances. If it gets too expensive, we pull back and go some other direction as we did with our plans for indoor-outdoor swimming pools.

TT&C: You say your eight municipal departments accomplish so many things they can't remember them. What kinds of things?

RD: Some other projects that come to mind are building a new \$2 million outdoor swimming pool, creating an Urban Forestry Department and hiring our first urban forester.

We built our first fire department substation, hired personnel, and bought new fire engines.

We refurbished and rebuilt Rocket Park, which is where our former outstanding Negro Leagues baseball team, the McMinnville Rockets played. We're extending the greenway half way around town along the Barren Fork River so that it will tie into Rocket Park.

River Front Park will tie into a walkway going all the way around to the other side of the city.

When our dam on the Barren Fork River had structural problems, our public works department fixed it for \$55,000. The contractor's estimate was more than \$200,000.

TT&C: What's next for McMinnville?

RD: We want to do Phase 2 of downtown project which will match Morford Street to Main Street and include three or four connecting streets so that anywhere you look you are going to see this new look. We received a grant of \$975,000 to cover part of what it's going to cost. McMinnville is the Nursery Capital of the World, but we also have a lot of manufacturing and small businesses, tool and die operations, and we're working on new businesses such as biofuel development. We're not standing still.

We're going to improve some other city services. We became aware two or three years ago that we had computers everywhere, different systems in different departments, but with nobody working with anybody else. We'll probably have an IT contractor or part-time employee who will get us into a system where we have the ability to network and share our information. That's one of our major goals. It will take a while.

TT&C: You gave time to TML back in the 1980s as I remember, as you do now.

RD: Yes, only a very few are still around from those days when I was involved in TML. I believe in TML and its purposes and want to be involved in it. I attended all the conferences then and now. I encourage aldermen to do the same thing. I didn't get any better responses than now, though we've had four or five on the last two boards to come to TML conferences and participate in the Elected Officials Academy. I feel good about it that some have finished Level 1. Most are busy with jobs or don't want to put the time in.

TML is a great opportunity for all the cities in the state and all cities should be involved in TML and MTAS. It amazes me that more cities aren't more actively involved since TML is us. It's our group, and things can come up that hurt each of us individually as a city if we don't stay on guard and work on it together. The AT&T bill this year would have been a problem to all cities in Tennessee as originally proposed. Only because of the ability of TML staff and elected officials who responded to the call to talk to their legislators were we able to reverse that. If that bill comes up again, it will likely be more favorable for cities due to TML's impact on it during the last session.