

## Projections for state-shared taxes for Tennessee's municipalities

BY DICK PHEBUS  
MTAS Finance Consultant

The second session of the 105th Tennessee General Assembly adjourned on May 22, 2008.

Faced with substantial shortfalls in revenues for both fiscal years ending June 30, 2008, and June 30, 2009, the general assembly made significant reductions to both years' original appropriations.

While these reductions impacted many state departments and state universities, the municipal share of the state-shared taxes were

largely unaffected except for revenue growth projections.

Based on these projections for FY 2009, municipalities are expected to receive approximately \$112.46 per capita for the fiscal year beginning July 1, 2008.

The following is a breakdown of what municipalities can expect to receive in FY 2009. For those cities that are in the process of adopting a budget or have already approved one, financial personnel should review this information to determine if adjustments to the budget document are necessary.

General Funds	Per Capita Amounts
State Sales Tax	\$72.22
State Beer Tax	\$0.56
Special Petroleum Products Tax (City Streets and Transportation Revenue)	\$2.16
Gross Receipts Tax (TVA in lieu of tax)	\$9.65
Total General Fund Revenue	\$84.59
State Street Aid Funds	
Gasoline and Motor Fuel Taxes	\$27.87
<b>Total Per Capita (General and State Street Aid Funds)</b>	<b>\$112.46</b>

Following are other changes to taxes and miscellaneous items:

- **Hall Income Tax:** The statewide projections indicate very little growth due to economic conditions. Individual city amounts will fluctuate. Due to recent market volatility it would be prudent to be somewhat conservative in estimating your city's revenue.
- **Corporate Excise Tax:** The statewide projections indicate little growth. This tax is based on bank profits and is distributed based on situs in lieu of intangible personal property taxes. Cities must levy a property tax

in order to receive revenue from this tax.

- **Mixed-Drink Tax:** The statewide projected increase is 4.5 percent.
- **Public Safety Salary Supplements:** HB 4219/SB 4213 was adopted by the General Assembly on the last day of the session. The public safety salary supplements for firefighters and police officers are to be funded at the same rate for FY 2009. Upon completion of certain training requirements police officers and firefighters are eligible for annual bonus salary supplements of \$600 each.

## What Cities Can Do About NIMBYism?

BY PATRICK SLEVIN

When people learn that I specialize in helping developers mitigate community opposition a.k.a. NIMBYism (Not-In-My-Back-Yard), they often ask two basic questions: 1). What is NIMBY? 2). How can it be prevented?

My technical answer to the first question would explain in detail that NIMBYism is comprised of a vocal minority defending the status quo against new development. These small groups of homeowners, comprised of maybe half dozen core residents rally their neighbors to lobby elected officials to vote against various projects. This visible opposition typically spreads misinformation via the community grapevine, causing great anxiety for neighbors and elected officials alike.

Although my explanation is technically true, it doesn't really capture the true essence of NIMBYism. Now when people ask me to explain NIMBYism, I simply tell them NIMBY is like a Jerry Springer episode. The vocal minority ambushes the developer at a public hearing, the media amplifies the conflict and the elected officials suffer the political fallout. It is also interesting to note that Mr. Springer is a former mayor himself.

There are hundreds of Jerry Springer episodes, as I now call them, happening every week in city halls across the country. It's a broken record. The developer is much like the unsuspecting guest on Mr. Springer's talk show. He is either oblivious to what is about to happen or intentionally indifferent. In either case, the stage is set for showcasing conflict for full public view and consumption.

In order to prevent NIMBYism, we need to understand how it begins. Typically, when a property is pur-



Patrick Slevin

chased, residents begin to speculate on its potential use and rumors begin. These rumors are often wrong or they misconstrue the facts. False rumors circulate quickly and NIMBYism rears its head, in many cases, before a land use application is even filed.

Traditionally, communications on land use applications rely upon bureaucratic notices and several public hearings. I would argue that the notice and hearing system does more to create community conflict than it does to mitigate it. I will give a few reasons:

- 1) Bureaucratic notices only add to misinformation with legal jargon and abysmal reach.
- 2) Public hearings begin much too late in the process. Opinions are formed well before.
- 3) Developers are not required under the system to conduct third-party outreach. They're focused on the legal path of the application process.

The common denominator throughout is ineffective communication that leads to a lack of information in the community. The legal process, which is the notice and hearing system, simply undermines See **NIMBY** on Page 8

## Host City Reception at FedEx Forum

Memphis is planning a grand event Sunday, June 22, to welcome municipal officials to the city as part of the 2008 Tennessee Municipal League Annual Conference.

Held at the city's new \$250 million arena, the FedEx Forum, the reception will offer, music, food, and an opportunity to tour this new state-of-the-art facility.

The FedExForum is the largest public building construction project in Memphis history. It is managed and operated by the Memphis Grizzlies of the NBA and is also used by the University of Memphis Tigers basketball team.

Following a recent trend in arena design, the FedExForum was See **FEDEX** on Page 9



The FedEx Forum, located on historic Beale Street, is the largest public building construction project in Memphis history.

## TCPR distributes open records request among state's cities, counties, schools

BY VICTORIA SOUTH  
TML Communications Coordinator

On the heels of changes to Tennessee's open records law, a blanket request appearing in every city, county and school across the state seeks to facilitate an informational lesson about governmental openness and accountability, according to the Tennessee Center for Policy Research (TCPR).

The request, distributed by TCPR by fax, e-mail, or snail mail relates to how many procurement cards (P-Cards) are maintained by the governmental entity and the names of the individuals authorized to use them.

Additionally, TCPR is requesting copies of monthly billing statements related to each card for Fiscal Year 2006-2007, with sensitive information such as account numbers obscured or made illegible. The request offers to pay duplication costs up to \$15.00.

"We've been contacted by about a dozen cities inquiring about the request and some of the county representatives have mentioned some counties have received a similar request from the same organization, but I had no idea that every single city, county and school system had been asked to provide this information," said Tennessee Municipal League Executive Director, Margaret Mahery.

"That's unusual," Mahery continues. "Occasionally, a newspaper

or television station will make a request of several of the larger cities, satellite cities or maybe cities within a particular geographic area, but I've been involved in local government for years and I am not aware of another time that all 347 cities in the state were sent the same request for information under the open records act."

"In the past, we've sent every single state department and cabinet requests for various budget information or e-mail records," said Drew Johnson, TCPR President. "We wanted to see if they were compliant or sometimes we suspected something, but with this, we don't suspect to find anything at all that would cost someone their job or get anyone into trouble. This is about local government being accountable about how it spends tax dollars and to make tax payers aware they can utilize records about local government."

Changes in the open records bill approved by the 2008 General Assembly requires governmental agencies to respond to records requests within seven business days of the request, provide an estimated time that the record will be made available, or provide a written reason for lawfully denying access to the record. Current law does not dictate a deadline for responding to requests.

"Most of the calls have been to make us aware of the request and asking whether we knew anything about the organization or whether

we knew of the reason for the specific request," said Mahery.

"Others wanted to make sure they were responding in accordance with their obligations under the law and we referred all of those questions to the MTAS legal consultants for response."

"We're advising cities to let the Policy Center know the information will be made available to them and ask if they need copies to be made and how to get the information to them," said Legal Consultant, Dennis Huffer, of the Municipal Technical Advisory Service.

"Also certain confidential information such as account numbers will need to be redacted, Huffer adds.

"The law requires all municipal records to be opened for personal inspection by any citizen of Tennessee during normal business hours, unless there is a law making the records confidential," Huffer continues.

"If the citizen wants to make copies, they may do so on the premises. Under current law, cities can charge reasonable fees to reimburse the tax payers for copying expenses."

"Now is as good a time as any to make constituents aware about how open government is," said Johnson, who said that once compiled, the report will appear online. "It will be in PDF format so citizen constituents can look and see how their money is spent."

## Risk Management Pool announces changes in city fireworks coverage

A number of the safety, licensing and permitting requirements for public fireworks displays have been changed by the state legislature over the past couple of years, thus changing the compliance program enforced by the Tennessee State Fire Marshal's Office.

In an effort to ensure public safety and to provide adequate underwriting guidance for cities and other TML Pool members, the TML Pool has instituted changes in how fireworks exposures are underwritten for public displays being conducted by member entities.

Current law outlines certain safety requirements for entities that wish to assemble and discharge "display" grade fireworks, formerly known as class "B" fireworks. Some of the current legal requirements are: compliance with NFPA 1123 & 1124; compliance with TCA Title 68, Chapter 104; specific training for the fireworks shooter, and securing a fireworks permit from the State Fire Marshal's Office.

Unfortunately, the current law does not place these same safety requirements on entities conducting fireworks displays with "consumer" grade fireworks, formerly known as class "C" fireworks. Under the TML Pool's new policy, coverage for public fireworks displays is no longer automatic.

The TML Pool now requires a satisfactorily completed and accepted Fireworks Application Checklist and Fireworks Safety Affidavit to secure coverage for public fireworks displays being conducted by governmental entities; regardless

of whether "consumer" or "display" grade fireworks are being used.

The Fireworks Application Checklist & Safety Affidavit are designed to essentially mirror the state Fireworks Permit requirements; that is, the governmental entity must follow the safety requirements of NFPA 1123 & 1124, and the regulations governing public safety as outlined in TCA Title 68, Chapter 104 and enforced by the Tennessee State Fire Marshal's Office. To secure liability coverage for the city's public fireworks display, these requirements must be followed even if a permit is not required by the State Fire Marshal's office.

Lastly, the local fire chief, police chief, and chief administrative officer (Mayor, City Manager, Executive Director, etc.) must sign the safety affidavit (attached to the checklist) attesting to the fact that the governmental entity is in compliance with the outlined safety precautions. Again, it should be understood that coverage will not be extended unless the conditions outlined in these documents are met.

It must also be noted that the TML Pool liability policy still provides no coverage for a fireworks display conducted by a contracted exhibitor or non-covered third party. Furthermore, anytime a fireworks



display is conducted by a contracted exhibitor or non-covered third party, it is strongly recommended that the city obtain a certificate of liability insurance naming the public entity as an additional insured from the contracted exhibitor.

The change in the fireworks coverage is effective July 1; it becomes applicable as members renew during the fund year. For example, any member that renews July 1 through July 4 will be governed by the new fireworks coverage and procedures if they have a fireworks display on July 4th. All other renewal dates will be governed by the July 1, 2002 policy edition that is part of the current insurance contract until their renewal date during the 2008-2009 fund year. If you have any questions, please don't hesitate to contact the TML Risk Management Pool, 800-624-9698.

# NEWS ACROSS TENNESSEE



## BY TML STAFF REPORTS

### CHATTANOOGA

If a natural disaster or terrorist attack hits Chattanooga, wiping out telephone lines and disrupting satellite phones, amateur radio enthusiasts will act as a lifeline among hospitals and the local health department, public health officials said. According to officials, a partnership between the Amateur Radio Emergency Service — also known as “ham radio” — and area health facilities will ensure that hospitals and public health facilities will be able to talk to each other if typical lines of communication are damaged. The radio service is a national group of licensed amateur radio operators who volunteer their services in case of a disaster. Many hospitals have already bought ham radios using Homeland Security money and security grants and the Amateur Radio Emergency Service will help train local volunteers to step in if an event like Hurricane Katrina happens.

### COLUMBIA / MAURY COUNTY

City council members are considering contributing \$40,000 for a downtown Bicentennial bell tower to ring in the 200th birthday of the city and county. A 50-foot bell tower proposed by the county would be located near the Memorial Building on West 7th Street. The total cost is estimated to be about \$160,000. The bell, discovered under a pile of rubble in 2006, rang each day at the county's first public school, Andrews School, from 1851-1962.

### ETOWAH

The city swimming pool in Etowah may stay closed this summer. City Manager Andy Hyatt said costly repairs needed at the 40-year-old facility may force the city to have to wait to build a pool at the new community center planned to open next year. Two pool companies have refused to give the town a firm quote on repair costs for the existing pool at the corner of Sixth Street and Louisiana Avenue because of potential problems with aging pipes and filters. Costs could range from \$6,000 to \$10,000. Etowah isn't the only city struggling to offer a place to swim. Even with swimmers paying a few dollars in admission to take a dip, many municipal recreation officials say it's impossible to make a profit.

### MEMPHIS/SHELBY CO

Thousands of Shelby County seniors will get relief from future tax increases under a plan formally signed by Mayor A.C. Wharton. Wharton greeted taxpayers at the Goodwill Seniors Center as he announced the county will join other taxing entities in freezing tax rates at 2008 levels for eligible homeowners. The news was welcomed by older Shelby County residents who say their pensions and social security checks don't keep pace with the soaring cost of gas, food, and healthcare. To be eligible for the tax freeze, homeowners must be 65 or older and have a total income of \$32,590 a year or less. The freeze should cover about 60 percent of residents in that age bracket.

### MURFREESBORO

Murfreesboro remains in the run-

ning for a new Bridgestone Firestone technical center, which would bring more than 600 engineering, science and technician jobs to the city. Company officials announced they have narrowed the list for the new center to Akron, OH., where the facility is currently located, and Murfreesboro. Jobs at the center will pay \$60,000 to \$70,000 a year. Once a decision has been made, construction on the center would begin in 2010, and the facility would open in 2011. Company officials said they do not know when the decision will be made, but the final recommendation must be approved by the Board of Directors of Bridgestone Americas and the Bridgestone Corporation.

### NASHVILLE

Metro Nashville will reduce its vehicle fleet by 10 percent and make other changes to try to gain ground in an ongoing battle against the high price of gas. The elimination of 400 vehicles should save the government more than \$1.4 million a year, according to the mayor's office. Other strategies include: Reducing the number of vehicles taken home by employees; Buying smaller, more fuel-efficient vehicles, including hybrids, when it's time to replace old ones; and requiring employees to turn off their engines rather than leaving them idling during brief stops.

### NASHVILLE

Nashville has submitted a bid to host the NCAA Women's Final Four between 2012 and 2016. The bid was turned in by the Ohio Valley Conference, based in suburban Brentwood, and the Nashville Sports Council. The groups offered to hold the event for one year between 2012 and 2016 at the Sommet Center, also home of the NHL's Nashville Predators. Local officials said the NCAA expected 13 bids, with the winner chosen in November.

### KNOXVILLE

The University of Tennessee is proposing to cut three academic programs to address a \$21.1 million budget shortfall. More than \$11 million will be cut from the Knoxville campus, which will include the phase-out or elimination of three programs: the Department of Audiology and Speech Pathology, the Industrial and Organizational Psychology graduate program and a minor dance concentration. The cuts will require approval by the UT Board of Trustees. In addition, the Knoxville campus eliminated 44 unfilled faculty and staff positions. Budgets at UT's other campuses have also experienced cutbacks. UT Chattanooga's reduction reached \$2.6 million, UT Martin totaled \$1.9 million and the UT Health Science Center \$2.6 million.

### OAKRIDGE

Oak Ridge National Laboratory's stockpile of uranium could be used for research and medicine instead of being discarded, according to a report from the U.S. Department of Energy's inspector general. The majority of the department's uranium-233, left over from U.S. nuclear test programs that began six decades ago, is being stored at Oak Ridge National Laboratory and Idaho National Laboratory and

Scoville, Idaho. The report calls the stockpile a national resource and urges the department to reconsider its current plan to dispose of the material. The report says radioisotopes actinium-225 and bismuth-213, produced from the uranium, are widely used for cancer treatment and that Oak Ridge's stockpile could be used to treat about 6,000 patients annually.

### SEYMOUR

Telesensors in Knoxville and Phenotype Screening in Seymour are receiving sponsorship from the Tennessee office of the Japan External Trade Organization to exhibit their products at the upcoming Japanese Analytical Instruments Manufacturers Association Show. The annual trade show is September 3-5 at Makuhari Messe, Chiba, Japan.

### SMYRNA

A controversy between Smyrna and the U.S. Army Corps of Engineers over water drawn from J. Percy Priest Lake has ended. The two recently agreed on how much the town must pay to draw water from J. Percy Priest Lake — \$2.35 million — for the rights to permanent storage space at the lake. That will allow the town to increase the amount of water it takes, from just under 12 million gallons a day to up to 18.3 million gallons. The town will also pay about \$17,000 for annual operating and maintenance expenses. Mayor Bob Spivey estimates that the settlement saved the taxpayers \$750,000. In the 1960s, the Corps dammed the Stones River to create the lake, which serves as Smyrna's source of drinking water.

### SPRINGFIELD

Tobacco and beef production will be the focus of field day June 26 at the University of Tennessee Highland Rim Research and Education Center. Bioenergy crops and fruit, vegetable and forage production will also be discussed. Tours will be conducted from 7:30 a.m. through 1 p.m. with UT experts and others on hand to explore topics related to tobacco production; in particular, new plant protection tools for tobacco. Producers will learn new uses of current plant protection materials and newly developed insecticides. Producers will also have the opportunity to interact with researchers and learn how they can integrate new technologies into their own operations.

### SPRING HILL

The deadline for GM factory workers to take a company-wide buyout has passed, but neither union nor GM officials will say how many will do so at the Spring Hill plant. Workers there had until May 22 to decide whether to break ties with the company. GM spokesman Dan Flores doesn't expect the automaker to release details until mid June. Despite lacking specific numbers, GM announced last week that more than a quarter of its 74 thousand UAW workers will leave the company by July 1 with the majority of the departing workers taking early retirement. Others accepted the lump sum buyout.



Boone Lake and several connecting streams located in the Johnson City area are much cleaner these days thanks to the efforts of more than 400 volunteers who collected 25.5 tons of trash during the ninth annual Boone Lake Cleanup held May 17. In addition, 1.5 tons of tires with rims and approximately 1.5 tons of miscellaneous items such as metal, wood and Styrofoam were collected.



## PEOPLE



### BY TML STAFF REPORTS

The Tennessee Valley Authority has named **Melissa Morgan** new general manager for TVA Economic Development Business Resources in Nashville. Morgan will oversee TVA's economic growth efforts in job creation and capital investment in the TVA service territory focusing on the support of existing businesses and industries, retail recruitment, minority and women owned businesses and business incubation. Morgan joined TVA in 2003 recently serving as economic development senior project manager coordinating TVA's activities in Kentucky.



Morgan

The duo will serve three-year terms on the board.

### Susan Bunch,

assistant commissioner of Teaching and Learning for the Tennessee Department of Education, will be retiring at the end of this month. Bunch has worked in education for more than 30 years and whose supervision includes statewide curriculum standards, provision of curriculum materials, professional growth, and programs geared to serve at-risk and academically gifted students.



Bunch

**Betty "Sue" Teague** has been hired as Dyersburg's new Human Resources Director. Teague formerly of Bekaert Steel Wire Corp., brings more than 20 years experience to the city.

The Senate has broken an impasse to confirm **Bishop William Graves'** reappointment to the Tennessee Valley Authority board of directors. The board nomination had been held up over concerns that the panel was not bipartisan enough. The only Democrat on the board retired last month after a nine-year term.

**Mary Elizabeth Harber**, Bells city recorder for 21 years, passed away June 1.

**Charles Tucker** has been appointed as Whitwell's new city manager. Tucker was previously city manager during the 1980's and took over the position as interim city manager following the resignation of Jim Troyer in February.

**Gordon Bonnyman**, executive director of the Tennessee Justice Center, was given the Economic Justice Award by the National Center for Law and Economic Justice in New York. The organization cited Bonnyman's efforts to secure and defend the TennCare health benefits for hundreds of thousands of low-income Tennesseans through litigation and policy advocacy."

**David Scobey**, who had a reputation as the tough but fair vice mayor of Nashville for nearly a quarter-century, died May 11 at Baptist Hospital after a brief illness. He was 85. A charter member of the Metro Council, Scobey served as Nashville's elected vice mayor from 1971 until 1995 under four mayors. In addition, Scobey was an SEC football referee for 25 years. He was inducted into the Tennessee Secondary School Athletic Association's Hall of Fame in 1994.



Scobey

**Linda O'Neal**, longtime executive director of the Tennessee Commission on Children and Youth, has received the 2008 A.L. Carlisle Child Advocacy Award. The award, presented by the Coalition for Juvenile Justice in Washington, D.C., is intended for those that have served as champions for young people. O'Neal has served as director of the Tennessee Commission on Children and Youth for 20 years.

The Dyersburg City Board reappointed **David Taylor** and **Walt Bradshaw** to the Tourism Economic Development Commission.

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# TML 69th Annual Conference

## June 22-24

### Memphis Cook Convention Center

#### SUNDAY, JUNE 22

**6:30 – 9:30 am** *Mud Island Park*  
**5K Walk / Run**

**9:30 - 4:30 pm** *NW / SW Hall*  
**Registration** *Ballroom Level, CCC*

**9:30 - 4:30 pm** *NW / SW Hall*  
**Exhibit Hall Open**

**10 – 10:45 am** *NW / SW Hall*  
**First Vendor Workshop:** Employee Benefit Specialists *ID Theft, Data Breach, and the Law - Are You At Risk?*  
 Presenters: John Smyth & Jack Bufkin

New federal regulations have burst upon the scene regarding the protection of personal data in the workplace. Breaches can result in fines, civil lawsuits and class action lawsuits. Find out steps you can take to help mitigate the damages of this explosive problem.

**10:45 – Noon**  
**Jazz Brunch** *Music by Prime Cut*

**12 - 1:30 pm** *L2, Lobby Level*  
**TCMA Lunch Meeting** *CCC*

**12 – 1 pm** *NW / SW Hall*  
**Second Vendor Workshop:** Sensus Metering Systems  
 Presenter: Roger Brookshire, Manager Technical Sales

Sensus has introduced a new commercial water meter to the market, the OMNI meter, designed to enhance utility revenue while making operations more efficient. This presentation will address how new measuring technology improves meter performance and operations; the benefits of the new all-Electronic Register; and the versatility that this meter provides as related to installation flexibility.

**1:15 – 2 pm** *NW / SW Hall*  
**Third Vendor Workshop:** Utility Service Co., Inc. *Managing Potable Water Quality*  
 Presenter: Randy Moore, Vice Pres. Market Development

Water quality begins to degrade immediately once it enters the distribution system and begins to age within the storage facilities. This presentation will review recent AWWA-RF data on mixing, or lack thereof, within water storage tanks and discuss water quality management options.

**1:45 - 3:15 pm** *L7, Lobby Level*  
**Workshop I**  
 New Fuel Purchasing Program  
 Speaker: TML Staff

As fuel costs approach the \$4 mark, state lawmakers set into place a program allowing local governments to better manage their fleets. Similar to what is offered in the private sector, this program has the potential to help cities better manage fuel costs and provide greater budget certainty. This workshop will provide details on the new legislation and will discuss the results of staff research.

**3:30 – 5 pm** *South Hall,*  
**Opening General Session**  
 Presiding: Tommy Green, Alamo Mayor, TML President  
 Presentations of Colors: Memphis Fire Department  
 National Anthem: The Memphis Peace Makers  
 Welcome: Memphis Mayor Willie Herenton  
 Awards: TCMA Excellence in Governance Award  
 TCAPWA Murphy Snoderly Award

Keynote Speaker: Carol Coletta  
*CityVitals: The Formula for Success*



Carol Coletta

City leaders seeking success in the new economy should stop paying attention to ubiquitous city rankings and start focusing their attentions on four dimensions of success: talent, innovation, connections, and distinctiveness. Carol Coletta will discuss how cities need to develop their own unique formula that addresses these four dimensions of success. By assessing their city's performance on each of these dimensions, cities can plot strategies to build on strengths and offset weaknesses.

**6 – 8 pm**  
**Host City Reception at the FedEx Forum**  
 Buses to depart for the Forum from Main and Exchange Street. Buses will run continuously from 5:45 – 8:15 p.m. Trolleys will run every 15 minutes.

#### MONDAY, JUNE 23

**7:30 – 8:15 am** *Grand Lobby Foyer*  
**Continental Breakfast** *CCC*

**8 am - 5 pm** *Lobby Level, L13*  
**TMAA Meeting** *CCC*

**8:30 – 9 am** *Lobby Level*  
**District Meetings**

District 1 *L3, CCC*  
 Jane Myron, Vice Mayor, Johnson City  
 District 2 *L4, CCC*  
 Kay Senter, Vice Mayor, Morristown  
 District 3 *L5, CCC*  
 Linda Bennett, Council Chair, Chattanooga  
 District 4 *L6, CCC*  
 Tommy Pedigo, Mayor, Sparta  
 District 5 *L10, CCC*  
 Ken Wilber, Mayor, Portland  
 District 6 *L11, CCC*  
 Ed Craig, City Manager, Shelbyville

District 7 *L7, CCC*  
 Charles Rahm, Councilmember, Jackson  
 District 8 *L12, CCC*  
 Keith McDonald, Mayor, Bartlett

**9:15 – 10 am**  
**Concurrent Workshops** *Ballroom Level*  
**Workshop 2** *Ballroom C, CCC*  
*Transportation Funding*  
 Speakers:  
 Joyce Rose, Subcommittee on Highways & Transit Committee on Transportation & Infrastructure, U.S. House Staff, Tennessee Department of Transportation

The Highway Trust Fund, financed by federal gasoline taxes and redistributed to cities and towns through the states, is not keeping up with demand; estimates indicate that it will fall \$4.3 billion short of the authorized spending level in 2009. Providing reliable, affordable transportation to all citizens requires careful planning and the active participation of local elected officials working cooperatively with all levels of government. This workshop will provide important information on the status of federal and state transportation dollars and any proposed changes to funds that flow to local governments.

**Workshop 3** *Ballroom D, CCC*  
 Leadership Training for Elected Officials  
*Does Your Main Street Reflect Your Values?*  
 Speaker: Gary Minor, 21st Century Leadership Institute

Your city is a place to work, live, and visit. But do your constituents see the same values reflected in your city? This session will explore the need to have a common vision for your city, and how to get that point across using stories and examples to explain what is unique about your city or town.

**Workshop 4** *Ballroom E, CCC*  
*Urban Forestry & Tree City USA*  
 Speakers: Patrick Haller, urban forester  
 Bruce Webster, urban forester  
 State of Tennessee Division of Forestry

This session outlines the benefits and components of a municipal urban forestry program and how it transcends public works, parks and utilities departments. Features include: starting a program in your community; roles of staff and tree boards; identification of community stakeholders; technical assistance; and best management plans.

**Workshop 5** *Lobby Level, L7*  
*ADA Legal Issues in the Right-of-Way*  
 Speaker: Mark Macy, Nashville Asst. Public Works Dir.

This session will discuss Nashville's \$22 million lesson learned in U.S. District Court; its settlement with the Department of Justice; and Metro's Right-of-way Transition Plan. The workshop will also provide information on how to create accessible streets.

**10:15 – 11 am**  
**Concurrent Workshops** *Ballroom Level*  
**Workshop 6** *Ballroom C, CCC*  
*Growth Management Panel*  
 Moderator: Mike Tallent, MTAS Interim Director  
 Panelists: Rick Emmett, Urban Growth Manager, Knoxville  
 Dan Hawk, Community Development Administrator  
 Tenn. Dept. of Economic Development  
 Bridget Jones, Executive Director, Cumberland Region  
 Tomorrow  
 Patrick Slevin, Principle, Slevin Public Relations

How does a city know when it's time to grow? Is there such a thing as bad growth? Is it possible for a city to continue to protect and promote a community's quality of life and maintain a healthy and divergent economy and tax base following enactment of PC 1101 and the designation of urban growth boundaries, the imposition and threat of legislation imposing additional limitations on annexations, and the emergence of citizens groups organizing to oppose any growth? This panel presentation will address some of the key issues that cities are grappling with when planning for future growth.

**Workshop 7** *Ballroom D, CCC*  
 Leadership Training for Professional Staff  
*Is City Employment a Job or is it an Adventure?*  
 Speaker: Gary Minor, 21st Century Leadership Institute

As the workforce changes so does city employment. The younger workforce is not looking for a safe job until retirement; they are looking for adventure and educational experiences. Are you coping effectively with the next generation of employees? This session will explore the changing face of employment and share strategies for improving productivity and effectiveness on the job.

**Workshop 8** *Ballroom E, CCC*  
 Media Relations  
 Speaker: Jonathan Walters, Senior Correspondent, *Governing Magazine*

Too many public officials regularly struggle when it comes to dealing with the media. This session will be a primer on some simple tactics that public officials can employ to make their interaction with reporters more positive.

**Workshop 9** *Lobby Level, L7*  
*Current Stormwater Developments in Tennessee*  
 Speaker: John Charlson  
 MTAS Public Works Consultant

This stormwater presentation covers the latest developments concerning the new permit annual reporting, erosion prevention and sediment control, inspector certification, post construction stormwater controls, new best management practices, and qualified local programs.

**12:30 – 1:30 pm** *NW / SW Hall*  
**Buffet Lunch**

**2:15 – 3:15 pm** *Lobby Level*  
**Concurrent Workshops** *L3, CCC*  
**Workshop 10**  
*How to Overcome NIMBY (Not In My Back Yard) Opposition on Public Projects*  
 Speaker: Patrick Slevin



Patrick Slevin

Getting a project approved and completed can be an expensive undertaking, and NIMBYism only compounds the costs with delays, concessions, and lawsuits. Most elected officials have experienced the public hearings or council meetings, where community activists have packed the chambers with angry citizens while members of the media delight in writing the David vs. Goliath stories. This workshop will offer city officials tips for overcoming community opposition through a proactive, consensus-building approach.

**Workshop 11** *L7, CCC*  
*Disaster Training: Lessons learned from Jackson*  
 Speakers: Jerry Gist, Jackson Mayor  
 David Dockery, Union University President  
 Jane Waldrop, TEMA West TN Regional Director

The road to recovery from February's trail of tornadoes has been a long, hard one. For the Jackson-Madison County region, it means rebuilding again for the third time in only five years since the last devastating storm ripped through the area. Come hear firsthand accounts from the community's leaders and the lessons they learned.

**Workshop 12** *L5, CCC*  
*Economic Vitality through Performance Measurement*  
 Speakers: Jonathan Walters, Senior Correspondent, *Governing Magazine* & author, *Measuring Up*  
 Charles Lee, board member, Tennessee Center for Performance Excellence

Performance measurement can be a powerful tool for local governments and the citizens they serve. Through an evaluation process, governments learn how to determine their strengths and weaknesses, target resources, make their operations more efficient, and implement strategic plans that in the end help improve the overall quality of life in the community.

**3:30 – 4:30 pm** *Lobby Level*  
**Concurrent Workshops** *L3, CCC*  
**Workshop 13**  
*Open Records & the Role of the Open Records Counsel*  
 Speaker: Elisha Hodge, Open Records Specialist, Tennessee Office of Open Records Counsel

During the 2008 legislative session, the Tennessee General Assembly approved changes to the state's Open Records law and created by statute the Office of Open Records Counsel. This workshop will focus on the changes in the law and the role of the new Open Records specialist.

**Workshop 14** *L7, CCC*  
*Collective Bargaining*  
 Speakers: David Denholm, Public Service Research Foundation  
 Tom Beehan, Oak Ridge Mayor  
 Paul Boyer, Columbia City Manager

Congress is considering legislation that would force municipalities to enter into collective bargaining arrangements with public safety employees. This workshop will feature an update on the federal legislation, as well as provide firsthand information from city officials that have worked in cities where they were required to bargain with unions.

**Workshop 15** *L5, CCC*  
*Development through Private-Public Partnerships*  
 Speakers: Tim Bolding, Director, United Housing  
 Ralph Perrey, Fannie Mae

Community partners can be priceless to a city's re-development project, helping to turn blight and decay into thriving neighborhoods that spur new development. This workshop will focus on various programs that are available to cities for housing and development projects.

**Workshop 16** *L13 -14, CCC*  
*Kirkwood City Council Shooting*  
 Speaker: John Hessel, City Attorney



John Hessel

John Hessel provides a riveting account of the events leading up to and the attack inside the City Council Chambers in Kirkwood, Missouri. In February, a gunman killed two police officers, two council members and the public works director, and seriously injured the the mayor.

**6:30 – 11 pm** *Ballroom CDE*  
**TML Risk Management** *Ballroom Level*  
**Pool Party**

#### TUESDAY, JUNE 24

**8 – 11 am** *South Hall, Lower Level*  
**Second General Session**

Awards Breakfast  
 Presiding: Tom Beehan, Oak Ridge Mayor  
 TML First Vice President  
 TML Achievement Awards  
 Keynote Speaker: Abraham Lincoln



Annual Awards  
 Stand by Your Spouse Award  
 City Manager of the Year  
 Mayor of the Year

Installation of 2008-2009 TML Board of Directors

# TML presents the annual 2008 Achievement Awards

## Jonesborough: Excellence in Governance

Developing a successful city takes initiative and organization, knowledge and communication, tenacity and vision, and most of all outstanding leadership.

Jonesborough has proven it has all the right elements thanks to its outstanding leadership and administrative team who have helped shape a progressive future for the city, while retaining the town's historical identity.

Under Jonesborough's exceptional leadership, a significant infrastructure crisis has been resolved, key partnerships developed, revenue increased, and millions of dollars of infrastructure improvements completed, which is extraordinary for a community with a population of less than 5,000.

In honor of this continued success and the impressive leadership of Jonesborough, TML will present the town with the Excellence in Governance Award.

In 2006, Jonesborough prevented a major flood that would have resulted in significant damage to businesses and residents. For generations, the community had been unable to fix this problem, but under

the leadership of Mayor Tobie Bledsoe and Administrator Bob Browning, the situation was finally solved in 2005. Developing a key partnership with the Corps of Engineers and the Farmers' Home Administration, "flood reduction" infrastructure was developed alleviating the problem.

Jonesborough also tackled a difficult water delivery problem by installing a new water intake system, replacing key high-volume lines and constructing a three million gallon water reservoir.

"The town's mayor has a unique ability to communicate with every type of resident and business owner, and to facilitate community interactions that pull people together to accomplish difficult goals," said Pat Hardy, MTAS Municipal Management Consultant.

"When an excellent mayor works with a quality board of aldermen, coupled with a top-notch administrative team, their accomplishments demonstrate what great leadership can accomplish."

A majority of Jonesborough's elected officials have completed at least one level of the MTAS Elected



The town of Jonesborough sponsors a summer "Music on the Square" program which provides live music on the streets each Friday through October. The event attracts nearly 1,000 attendees each week.

Official's Academy.

As one of the second communities in the nation to be designated a "Preserve America Community" by the White House, the town sponsors the annual "Jonesborough Days" festival, a 3-day event attracting more than 50,000 attendees annually and designated as one of the top 25 events in the Southeast United States.

Other key partnerships formed

within the arts community garnered a major infrastructure grant from the *Preserve America Foundation* toward a "master interpretation plan" in order to build on and further develop the town's historic storytelling traditions.

During the summer, the town sponsors "Music on the Square" which provides live music in the streets each Friday through October attracting nearly 1,000 people a day.

And, Jonesborough's new water park continues to be successful, with the facility completely paying for itself including debt service and \$100,000 more in revenues than expenses.

Jonesborough officials have demonstrated that a community can shape the world through actions, leadership and commitment accomplishing almost anything.

## Johnson City Garners TML's first Green City Leadership Award



Johnson City recently constructed a green house allowing the city to grow its own plants at a significant savings. The project also encourages planting throughout the city.

Green cities are the future of the nation which places Johnson City well ahead of the pack in Tennessee.

For more than 15 years, Johnson City has been at the forefront of numerous environmental services

and award winning programs, a w a r d e d "Project of the Year" by the Environmental Protection Agency and earning the Governor's Environmental Stewardship Award for their "Gas to Energy" partnership program which removes 8,344 tons of methane gas and 20,617 tons of carbon dioxide from the environment each year.

Hoping to further their quest for alternative energy resources, the city is currently studying the use

of wind power to generate electricity for municipal facilities.

As an outstanding role model in environmental and energy conservation, the long term success and commitment of Johnson City is extraordinary and will be recognized with TML's Green City Leadership Award.

Beginning as early as 1990, Johnson City began their quest for a cleaner environment, implementing a first in the state curbside recycling program. Coupled with a yard-waste recycling service, Johnson City diverted 21,535 tons of waste from their municipal landfill this year alone. The landfill, *Iris Glen*, has been an environmentally sound model for 15 years, in both construction and technology.

As part of an aggressive plan to reduce municipal energy consumption, the city organized an Energy Committee made up of representatives from nearly every municipal department as well as the "Green Team" a diverse group of volunteer city employees.

Citizens are enjoying the convenience of the e-waste recycling program and the Household Waste and Spring Cleanup days that allow them

to dispose of waste items properly at central locations. The city also enjoys significant savings by growing their own plants and shrubbery in the municipal greenhouse, while the preservation and development of the natural environments within the city's park system has been supervised for 15 years by the Johnson City Park Naturalist. The community has been a proud Tree City USA designee for the past eight years.

As the first city in Northeast Tennessee to convert its fleet to biodiesel, Johnson City is also adding more hybrids to their city fleet, in addition to the four they already own and electric buses are utilized for its public transportation program.

Having recently contracted for an energy audit, Johnson City staff also does its part to contribute to the energy savings by turning off unused lights, opening or closing blinds in the winter and summer, using energy saving light bulbs, carpooling, and eliminating unnecessary vehicle idling.

All of these things add up to a genuine "green city," a designation Johnson City can be proud of.

## Norris: Excellence in Planning and Community Visioning

Norris seized the opportunity for a fresh beginning thanks to the forethought, and planning of its leaders and community involvement during a time of significant upheaval.

The loss of institutional knowledge and hectic pace following the retirements of the town's long-time city manager and city recorder could have been disastrous, instead, the mayor and city council got busy soliciting input from the community, pinpointing the big issues and crafting important goals and strategies for the future of the city

Acknowledging the concerns and ideas of its citizens, the city's mission and vision statement were crafted utilizing data gathered from a citizen's survey, and then strategies relating to the community's overall vision and goals were developed

In recognition of the city's initiative and dedication to success, Norris will be recognized with the TML Excellence in Planning and Community Visioning Award.

Armed with a plan of action and strategic goals, Norris is on track for a fine future.



Following the retirements of two key personnel, Norris administrators initiated new goals for the city.



Winchester's Downtown Revitalization Plan was built on transforming a nine-block area into a regional, commerce, and cultural destination.

## Winchester: Excellence in Downtown Revitalization

Seven years ago, Winchester embarked upon a strategic journey to transform their downtown area into a thriving center of commerce and culture, alive with new businesses and jobs, goods and services, protected property values and enrichment for the city, Franklin County and surrounding communities. The result is an aesthetically pleasing, pedestrian friendly downtown featuring loft apartments, entertainment, recreation, shopping, an amphitheatre, grocery stores, and fine restaurants.

In celebration of their success and continuing commitment, TML is presenting Winchester with the Excellence in Downtown Revitalization Award.

"The revitalization of the Winchester downtown area has been the dream for many merchants and citizens for more than 30 years," said Mayor Harrell. "Within the last few years, a renewed interest and focus on the downtown area resulted in the

City being awarded Phase I and Phase II TDOT enhancement grants. Then, last year Winchester was selected as one of six cities in the state to receive the Courthouse Revitalization Pilot Program where the city will receive all the state sales tax revenues within a nine-block area of downtown."

The plan's mission, to transform this nine-block area into a regional commerce and cultural destination, was built on facilitating local, county, regional and national resource relationships and became the focus of the entire community, particularly Winchester's Downtown Revitalization Committee, a volunteer, diversified group representing different segments of the downtown.

The group met regularly, assessing the physical, social and financial aspects of the area. The project captured the hearts of nearly every sector of the local civic and business community, whose generous donations of materials, land, time and

labor brought a park and amphitheatre to the area among other improvements. New anti-crime strategies, updated street and sidewalk ordinances, campaigns to promote downtown living, and special events coordinated to increase retail traffic were among the new initiatives the city developed to ensure the project's success.

Currently, the county government is working with the city to relocate the court system to a new location near the county jail to free up additional parking in the business district. And partnerships have been formed with entities such as the local media, the Tennessee Department of Tourist Development, the University of Tennessee Extension Service and others to promote development.

With a downtown to be proud of, Winchester invites visitors and locals alike to take a walk in the newly revitalized district and enjoy the finest of southern hospitality.

**TML Achievement Awards will be presented during the Annual Conference on Tuesday, June 24 at 8:30 am in South Hall of the Cook Convention Center in Memphis.**

## Kimball: Excellence in Fire Safety

Hard work, dedication, commitment, these attributes comprise the very core of the Kimball Fire Department, volunteers who are serious about continuously improving fire protection services in their community. For developing and tackling a strategic plan for improvement with impressive results and volunteering hundreds of volunteer hours to fire safety within the community and beyond, TML will present the city of Kimball and the KFD with the Excellence in Fire Safety Award.

On November 14, 2007, the town was hit by a devastating tornado wiping out several homes and destroying a nearby church. The KFD could have been overwhelmed assisting citizens and taking care of the town's needs, yet the department's constant quest for training and improvement allowed them to operate smoothly and efficiently during the disaster.

Already a great department, the KFD, with proud support and assistance by the city, have dedicated themselves to meeting additional challenges, utilizing a comprehensive plan developed by the Municipal Technical Advisory Service. Their efforts have paid off in several areas, resulting in an improved In-

urance Services Office (ISO) rating from a class 7 to class 5, saving the community \$311,169 a year in insurance costs. This is very significant since the annual fire department budget is only \$190,000.

At the fire hall, this group of 22 men and four women donate hundreds of hours on "stand by" time in the event of an emergency, and for several years has assisted other county fire departments, answering approximately 18-20 structure fires annually.

With a proactive stance concerning fire prevention, the KFD participate in community events, providing information and distributing fire prevention materials to citizens.

The department recently purchased air packs, hose, and other necessary equipment to meet national standards after obtaining their first Assistance to Firefighters Grant from FEMA in the amount of \$75,277.

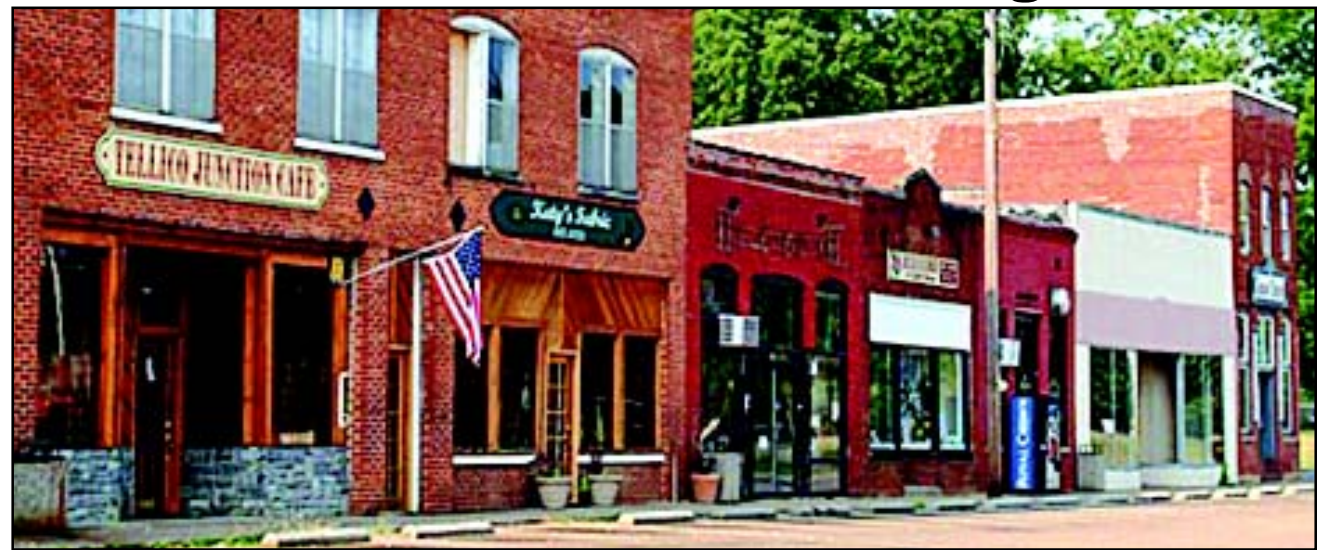
The KFD are thrilled to have more time to devote to professional training with the rehiring of two retired municipal employees who will assist them with maintenance work and record keeping.

The citizens of Kimball can rest safer in the hands of the Kimball Fire Department.



The Kimball Volunteer Fire Department is comprised of 20 firefighters and six support personnel. The department is noted as progressive for its size and outstanding for its commitment to the community.

## Englewood: Excellence in Financial Management



Englewood, established in 1870, was originally known as Tellico Junction. The town's governing body has an impressive record of managing municipal finances and providing continuous improvements.

Managing municipal finances can be one of the most challenging aspects of local government, yet Englewood has an impressive record of success achieving a 156 percent budget turnaround in 2007 without raising property taxes. The dramatic improvement is the result of four-year strategy employed by local officials to modernize and professionalize the town's operations and workforce, setting municipal policies and responding to important issues efficiently.

For assuming an active role in the future of their community, Englewood will be recognized with a TML Excellence in Financial Management Award.

Dramatic results often require dramatic actions. That was the case in Englewood where the town's expenses exceeded its revenues by \$167,429 in 2003. At that time, the city functioned with a commission form of government, placing commissioners directly in charge of departments regardless of qualifications or experience.

In an effort to streamline and modernize the town's management processes, and facilitate a comprehensive plan for the future, Englewood's governing body adopted a council/manager form of government, hiring a city manager.

With an increase in revenue and decrease in expenditures, in time, revenues begin to grow due to increasing property values, business activity, and strong revenue collections.

The town has also focused on constructive improvements, adding two new police cars, a fire truck, wastewater plant renovations, and improving the inflow and infiltration of the sewer lines. Englewood is currently in the process of applying for an improvement grant for town projects and the community's fire insurance rating has been reduced to a class 4 from a class 7 resulting in a

30-45 percent premium reduction for citizens.

Town employees now have a retirement plan and new personnel policies and the new municipal webpage will soon offer a convenient electronic payment feature. Most importantly, the town's general ledger and accounts receivable have been in balance for the last two years.

Improvements for the community coupled with excellent financial management opens the door for continuing progress in Englewood.



Two separate grants from the Tennessee Department of Transportation Aeronautics Division has made security fencing a reality at the Mark Anton Municipal Airport in Dayton.

## Dayton: Small City Progress

For a small city, big things are happening in Dayton. The city administration has taken tremendous strides to improve its service delivery in Parks & Recreation, Utilities, Economic & Community Development, and Airport Operations by obtaining grants and investing monies into the community thereby bettering the lives of its citizens.

Dayton's dedication and commitment toward economic and community progress will be recognized by TML with the Small City Progress Award.

Among the most recent projects, Dayton successfully participated in a \$1.7 million sewer line extension project to the Rhea County High School and Frazier school systems in Rhea County.

The city is also working on adding a new electric substation to better serve the existing customers in Dayton's Industrial Park at a cost of

\$2.8 million. There was also a municipal purchase of an additional 50 acres of land for the Industrial Park at a cost of \$625,000.

On the economical front, Dayton recruited a new Lowe's store and Walgreens will be a new neighbor as well. Two separate grants from the Tennessee Department of Transportation Aeronautics Division has made security fencing a reality at the Mark Anton Municipal Airport and the city is proud to have a full-time recreation director to oversee activities in Dayton's city parks.

Citizens are enjoying their six new tennis courts at the Delaware Avenue Recreation Complex and the new siding on the concession stand and press box at the Jim Barnes Youth Complex is impressive.

With commitment to community progress and quality of services, Dayton stands out as a giant among cities.

## Jasper: Excellence in Community Policing



Pictured left to right: Officer Doug Henderson, Chief Tim Graham, Mayor Billy Simpson, and Lt. Billy Mason represent the stellar Jasper Police Department.

For a small force, the eight-member Jasper Police Department packs a powerful punch having established tremendous respect and positive relations within their community.

With 131 combined years of service and experience in every area from accident reconstruction to child and sex crimes, this diverse group of law officers strive daily to provide the highest level of professionalism and quality of community service through training and continuing education, volunteerism and applying for and receiving grants to keep the cost of programs and equipment at a minimum.

For their continued involvement with the city and genuine concern about the lives they've pledged

to protect and serve, TML is proud to present the Jasper Police Department with the Excellence in Community Policing Award.

"The officers at the Jasper Police Department genuinely care about people and go above and beyond their duties both on and off duty to care for those citizens who are less fortunate or have been placed in difficult situations," said Warren Nevad, MTAS Municipal Management Consultant. "There are several officers that take their personal time to actively participate in events such as Christmas for Kids and Relay for Life benefiting the American Cancer Society."

The Jasper Police Department is to be commended for building community relationships built upon trust and unparalleled ethics.

## Ripley: Excellence in Economic Development

The new University of Tennessee at Martin Ripley Center housed within a \$2.5 million renovated shopping center, is just the beginning for Ripley, a community fully committed to continuing economic development.

The city has embarked upon an ambitious plan to renovate the entire downtown area, repairing and replacing streets, sidewalks and utilities, adding median landscaping and improving the facades of buildings.

For this substantial investment toward the city's economic success, Ripley will be recognized with the TML Excellence in Economic Development Award.

As one of six pilot Courthouse Square Revitalization Zone projects in the state, the long term financing for the Ripley Downtown renovations will be paid from proceeds of the sales and use tax generated in the Zone.

A TDOT grant of \$852,000 along with a \$6 million investment from the city will finance the project with construction to begin in August or September.

A thriving downtown area, the



Ripley plans a complete Downtown renovation around the new UT Martin Ripley Center, a boost to their economic development.

creation of jobs, shopping, education and entertainment in addition to the UTM Ripley Center, should

significantly improve the quality of life of Ripley's citizens for generations.



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## NLC to help expand Nashville high school options

BY ANDREW MOORE  
 and MARJORIE COHEN  
*Nation's Cities Weekly*

Striving to help cities reduce dropout rates and improve students' educational outcomes, NLC's Institute for Youth, Education, and Families (YEF Institute), along with its partners in the Alternative High School Initiative (AHSI) network, has selected the cities of Nashville, and Newark, N.J., to receive technical assistance in developing options and alternatives for students who struggle in traditional high school settings. The technical assistance initiative is supported by the Bill & Melinda Gates Foundation.

Through a highly competitive process, Nashville and Newark were selected to join Indianapolis in a leading edge cohort of cities that are launching "place-based partnerships" with the AHSI network to establish several new innovation-model high schools. The YEF Institute will work intensively to bring high-quality alternative school models, such as those of The Big Picture Company, Gateway to College, YouthBuild USA, Diploma Plus, Communities in Schools, the National Association of Street Schools and other AHSI network members, to Indianapolis, Nashville and Newark.

By adding new schools or significantly overhauling existing schools, all three cities seek to achieve the scale and breadth of options necessary to help each student prepare for college and career success, including struggling students,

those at risk of dropping out and those who may already be out of school.

Nashville Mayor Karl Dean heralded his city's selection in the May 13 "State of Metro" address.

"Education is my top priority," said Mayor Dean. "It's the top priority for the Metro Council. It's the governor's top priority. We have a community — from nonprofits, to the business sector, to the many universities that call Nashville home — ready to step up and make our schools a model of innovation and reform. Because of that community support, Nashville has been selected to partner with the National League of Cities' Institute for Youth, Education and Families and a consortium of youth development organizations to bring a network of high school alternatives to our school system."

"This process will allow local government and metro schools to work in cooperation with community groups to develop creative learning environments that allow students to succeed," said Nashville Vice Mayor Diane Neighbors, immediate past chair of NLC's Human Development Committee. "It has taken a lot of work by a lot of partners to get to this point and we look forward to the coming year."

Nashville recently launched a Big Picture school that emphasizes project-based learning, and plans to add several other high schools over the next two to three years.

"This partnership will bring additional smaller learning communities to our district, like the Big Picture School that started this year,"

said Mayor Dean. "It means we will be taking a positive step toward meeting more of our students' needs."

Partnerships in each city involve municipal leaders, school districts, community-based and intermediary organizations, post-secondary institutions and funders, along with the AHSI network organizations.

The AHSI Place-Based Partnership technical assistance initiative builds directly on the YEF Institute's prior work identifying the policy conditions needed for large-scale success of alternatives. Through the AHSI project, the YEF Institute will help these cities adapt AHSI models, facilitate and support the development of strong local partnerships, and identify opportunities for and barriers to the expansion of high school alternatives created by state, federal and school district policies.

The YEF Institute will also create tools and document processes for addressing the dropout crisis through the development of multiple pathways to graduation. As these three project cities become learning laboratories closely observed by the education field, the institute will draw lessons for other cities across the nation seeking to reduce high school dropout rates.

To learn more about city efforts to expand alternatives for high school, visit [www.nlc.org/iyef](http://www.nlc.org/iyef) to download the YEF Institute's Setting the Stage report, which outlines leadership keys for municipal leaders, or contact Marjorie Cohen at (202) 626-3052 or [cohen@nlc.org](mailto:cohen@nlc.org).



**July 3 - July 6: Libertyfest**  
 Lawrenceburg, includes kids activities; inflatable toys; water slide; contests; fireworks display; baseball game; music; and food. For more information, contact Anne Morrow at 931-762-7617.

**July 4: Franklin on the Fourth**  
 Historic Downtown Franklin. In its 12th year, the July 4th celebration includes: kids area, fireworks, food, crafters, and static displays.

**July 4: McMoresville July 4<sup>th</sup> Celebration**  
 Main Street. Parade, food, street dance, fireworks, children's games, yard sales, and various activities all day. For more information, call City Hall at 731-986-9440.

**July 5: Rockin' the Docks**  
 Lenoir City. Live bands, food, fireworks, and children's play area, on Fort Loudoun Lake. For more information, contact: Lenoir City Parks & Recreation 865-986-1223 or visit [www.lenoircitygov.com](http://www.lenoircitygov.com).

**July 26: 200<sup>th</sup> Birthday of Columbia Celebration**  
 Downtown Columbia Public Square from 3-9 p.m. Free. A fun-filled day filled with doses of Columbia history. Stroll the public square where each quadrant features 50-year era displays of the city's bicentennial including a Civil War encampment, antique cars, motorcycles and tractors, living history re-enactors, cultural exhibits, period clothing, period dances and music. Enjoy a spectacular fireworks display, live entertainment by local musicians, food, antiques and fine arts & crafts.

## TMBF Board of Directors to meet June 21 in Memphis

Notice is hereby given that the Board of Directors of the Tennessee Municipal Bond Fund will meet in regular public session on Saturday, June 21, 2008, at 11 a.m., at the Memphis Marriott in the Nashville Ballroom for the purpose of considering and transacting all business which may properly come before said board. Some members of the Board of Directors may participate in such meeting by telephonic means, which will be audible to any member of the public attending such meeting.

If reasonably possible, an agenda will be available on Thursday, June 19, 2008, at the offices of the Tennessee Municipal Bond Fund, 226 Capitol Boulevard, Suite 502, Nashville, Tennessee. Additional information concerning the above may be obtained from Tiffany Graham, at 615-255-1561.

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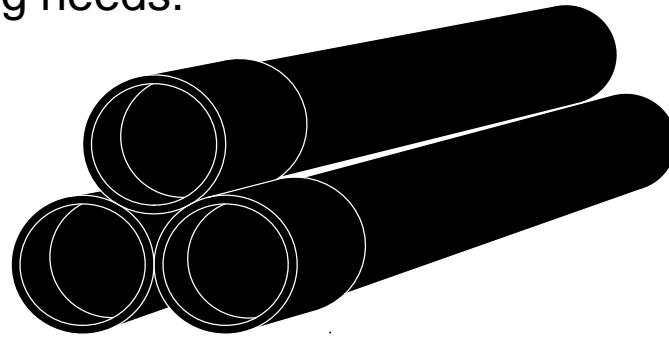


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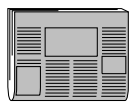


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### ACCOUNTANT

**BRENTWOOD.** The city is accepting applications for a newly created position of Accountant in the Finance Department. This position will be responsible for governmental accounting duties including: preparation of financial statements and related schedules; expense disbursement and revenue receipts. Bachelors Degree in accounting, finance or related field required; CPA designation preferred. A minimum of 3 years accounting and/or auditing experience required with governmental accounting experience preferred. Starting salary range is \$46K - \$53K depending on qualifications plus excellent benefits. Interested qualified candidates should send cover letter, resume and salary history by July 1 to: Human Resources, City of Brentwood, P. O. Box 788, Brentwood, TN 37024-0788

### CHIEF PLANNER

**COLLIERVILLE.** The town is seeking applications for the position of chief planner. This position performs responsible, complex professional work in a variety of current and long range planning studies. It requires a Bachelors degree in planning, landscape architecture or a closely related field supplemented by 6 years previous experience in a planning office at a professional level; or a Master's Degree in planning and 5 years experience; AICP certification may be substituted for one year of professional experience, or any equivalent combination of education, training and experience. Must possess and maintain a valid operators license. Salary range is \$46,437.000 - \$72,115.00 (DOQ) plus full benefits package. Applications may be obtained at the Human Resources Department, 500 Poplar View Parkway, Collierville, Tennessee, 38017, Mon- Fri. Applicants must fill out the official Town of Collierville application to be considered for this position. Applications and resumes are subject to disclosure. This position will remain open until filled. EOE

### CHIEF OF POLICE

**COLUMBIA.** The city is accepting applications for the position of Chief of Police. Reports to the city manager who implements council policies and directs the delivery of all municipal services. Desire bachelor's degree in criminal justice/law enforcement or related field; advanced degree or law enforcement training through FBI-NA/LEEDS/PERF/similar programs highly desirable. Ten years progressively responsible experience in police management and supervision; strong leadership abilities; visionary style; ability to form strong partnerships with the community. Candidates must be Tennessee POST certified within 1 year of appointment. Tennessee open records laws may cause release of candidate information at any stage in the process. Resumes accepted until June 30, 2008. Salary DOQ. Send resume and current salary information to Kate Collier, Personnel Director, 707 N. Main Street, Columbia, TN 38401; e-mail, kcollier@columbiatn.com. EOE.

### DEPUTY FIRE CHIEF

**JACKSON.** The city is accepting applications for the position of Deputy Fire Chief. Will serve as principal assistant to the chief in organizing, directing, supervising, disciplining and coordinating activities associated with the department, ensuring effective and efficient daily operational practices, firefighting techniques and procedures. Specific job duties include: supervising, directing, and evaluating fire prevention officers, training officers, and emergency medical services officer; handle employee concerns and problems; direct work; counsel; discipline and complete employee performance evaluations; direct personnel, apparatus, equipment and property of the department at emergency scenes, ensuring strict compliance with rules and regulations of the department, as designated by the fire chief; assist the chief in the development, implementations, and monitoring of operational and administrative procedures and policies; assist fire chief with the preparation and presentation of annual budgetary evaluations and related analysis to appropriate individuals; review the financial operations of the department and make recommendations on annual operating budget and

capital improvements. Associate's degree in Fire Science preferred, with a minimum of three years' experience as a Captain. Must have State of Tennessee or National certification as a Firefighter II, Fire Instructor, Fire Officer I and II. Must possess a minimum of medical First Responder's certification from a Department of Public Health. Generous benefit package; salary is \$61,000.00. EOE/M/F/V/D. Minorities are encouraged to apply. Job description on city web site: www.cityofjackson.net. Contact the City of Jackson, Personnel Department, 127 E. Main Street, Suite 303, Jackson, TN 38301; phone 731-425-8252; Fax: 731-425-8673.

### DIRECTOR OF ENGINEERING

**CROSSVILLE.** The City of Crossville is accepting applications for the position of Director of Engineering through the Tennessee River Valley Career Center located at 60 Ridley St. This position requires a degree in Civil Engineering or related field with 4 to 5 years of experience. This is a full time position with benefits, which include health, life, dental, disability, vacation and sick leave. A complete job description is available upon request. Salary range is a minimum of \$53,931.00 to a maximum of \$80,896.000, DOE. EOE.

### MUNICIPAL POLICE CHIEF

**ERWIN.** The town is accepting qualified applications for the position of Municipal Police Chief. This employee is responsible for the planning, organizing and directing of all activities of the Police Department, overseeing 10 full-time police officers and 1 full-time investigator. The employee is under the general supervision of the City Recorder and Mayor. Qualifications include: Graduation from an accredited high school or equivalent, preferably graduation from a college or university with major course experience in police administration or related field. Must possess a valid Tennessee driver's license. Must have five (5) years experience in law enforcement administration. Must be POST certified. Salary DOQ plus excellent benefits. Application is a public record. Send resumes, obtain application or receive more information from: Town of Erwin, P.O. Box 59 211 North Main Ave., Erwin, Tennessee 37650. Phone: 423-743-623. EOE

### POLICE CHIEF

**ETOWAH.** The city is accepting qualified applications for the position of Police Chief. This employee is responsible for the planning, organizing and directing of all activities of the Police Department, overseeing nine (9) full-time officers, one (1) detective and four (4) E911 Communications Dispatchers. The Chief is under the general supervision of the City Manager. Qualifications include graduation from an accredited high school or equivalent, bachelors' degree in a related field preferred. Must have eight (8) to ten (10) years experience in law enforcement including five (5) years supervisory experience, strong leadership abilities, and the ability to form strong partnerships with the community. Must be POST certified or able to obtain certification within one (1) year of employment and must possess a valid Tennessee driver's license. Interested parties must send a resume by July 7, 2008. EOE. Send resume and salary requirement to: City of Etowah, Margaret Cheek, Human Resources Director, 723 Ohio Avenue, Etowah, TN 37331.

### PUBLIC WORKS DIRECTOR

**MT. PLEASANT.** The city is seeking a qualified candidate to serve as Public Works Director. Currently, the Water Dept. and the Sewer Dept. are separate operating entities. We are seeking an individual who can combine these two functions into one department and effectively address the issues in front of us. Interested candidates should send a summary of qualifications to: Richard Goode, City Manager, 100 Public Square, Mt. Pleasant, TN 38474. The position will remain open until filled. EOE

### SEWER OPERATOR

**KINGSTON SPRINGS.** The town is accepting applications for a certified sewer operator for a natural/biological STEG/STEP system. Full-time position with benefits available or part-time position can be considered. Applications will be accepted through June 21, 2008 and can be obtained by calling City Hall at 615-952-2110 or coming to City Hall at 396 Spring Street, Kingston Springs, TN 37082. Please direct inquiries and questions to the City Manager, Laurie Cooper, at extension 15. EOE.

## Cities can take steps to neutralize NIMBYism

**NIMBY** from Page 1  
public participation.

More enlightened developers understand that proactive communications and education minimizes NIMBYism. They have seen how public outreach leads to productive dialogue, cooperation, inexpensive concessions, and most importantly, community goodwill. Unfortunately, 95 percent of the big developers out there are still focused on retaining a lawyer who is connected at city hall. This old practice is still the norm.

I believed as a former mayor and now a consultant that it's the developer's responsibility to inform the community. Cities do not have the resources to educate citizens. I often tell city officials to take more control over the process. If they like a project and feel it will certainly add to the character of the community, then they should strongly encourage the applicant to meet with community leaders and discuss the merits of the project.

However, this is not enough in most cases. The developer will make a token effort and once again look to the legal requirements. This is where the city of Glendale, Arizona, stands as an example of how to encourage useful land use communication to build community consensus.

The Glendale city leaders decided that they had enough conflict over growth. They recognized that

the developer had the most to gain from the project's approval, so it should be the developer who facilitates citizen participation. Therefore, the city instituted the "Good Neighbor Citizen Participation Plan," which is required by the city's Zoning and Subdivision ordinances.

The purpose of the Good Neighbor Plan "is to ensure that both developers and citizens have adequate opportunities early in the planning process to discuss, understand, and try to resolve neighborhood issues related to perceived impacts of the proposed project." (Good Neighbor Guideline & Resource Handbook).

According to the city's ordinance, the developer must prepare a written citizen participation plan, which is reviewed by a project planner at the city, he implements the plan and then he must file a report on what happened. The application cannot be filed without the citizen participation report.

In short, the city mandates and directs developers in managing community outreach. The program is somewhat controversial and not for every municipality, but it has successfully facilitated community consensus and goodwill. Jerry Springer episodes are less frequent and city meetings are more productive. Most importantly, the costs to the taxpayers are minimal.

I will be talking more about how cities can eradicate NIMBYism at

this year's Tennessee Municipal League's 69<sup>th</sup> Annual Conference in Memphis, June 21-24. At my workshop, *How to Overcome NIMBYism*, you will learn the secrets to neutralizing NIMBYism and what a city can do to strike a balance between new development and status quo interests.

*Patrick Slevin is a public relations consultant and speaker presenting over 12 years of experience in winning high profile, controversial public campaigns. Slevin, a former mayor of Safety Harbor, Fla., is founder of the Slevin Group, a public relations/public affairs firm headquartered in Tallahassee.*

### TML Board to Meet

Notice is hereby given that the Board of Directors of the Tennessee Municipal League will meet in regular public session on Saturday, June 21, 2008, at 3:00 p.m. at the Memphis Marriott in the Nashville Ballroom for the purpose of considering and transacting all business that may properly come before said board. If reasonably possible, an agenda will be available on Thursday, June 19, 2008, at the offices of the Tennessee Municipal League, 226 Capitol Blvd., Suite 710, Nashville. Additional information concerning the above may be obtained from Mona Lawrence at 615-255-6416.

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# STATE BRIEFS



## BY TML STAFF REPORTS

The Tennessee Board of Regents has won a 2008 CIO 100 award from CIO magazine, exemplifying the highest level of operational and strategic excellence in information technology. The board was recognized for its success in implementing the Banner administrative software system. The TBR system includes six universities, 13 two-year colleges and 26 technology centers, providing programs in 90 of Tennessee's 95 counties to more than 180,000 students.

Everyone convicted of drunken driving will have to serve at least 48 hours in jail under a measure Gov. Phil Bredesen signed into law. Before the change, DUI offenders less than 21 years of age had to spend at least 48 hours in jail. The new law also requires probation offices or the county official who administers the state litter removal grant, rather than sheriffs, to supervise litter removal performed as part of the punishment for committing DUI.

Last year, Tennessee experienced its biggest drop in traffic deaths in more than 15 years, with much of the decline coming in the Memphis area. The 1,210 fatalities represent a 6 percent decline from the 1,287 reported during 2006, according to figures released by the Governor's Highway Safety Office. The total was the lowest since 2003, when Tennessee had 1,193 traffic deaths. The highway safety office attributed the drop in part to stepped-up enforcement efforts and publicity campaigns such as "Booze It and Lose It" and "Click It or Ticket" promoting sober driving and seat-belt use. In addition, the highway safety office awards grants to law enforcement agencies to help pay overtime costs for officers involved in DUI patrols and other enforcement work.

The "Josh Osborne Law," adds starvation and dehydration to the list of child abuse charges designed to strengthen Tennessee's child abuse laws. Sponsors say it was motivated by the story of a Lebanon teenager who was starved and chained to his bed by his father and stepmother in 2004.

Tennessee could be home to more than 326,000 green jobs, according to a study released by a group that includes the National Resources Defense Council, the Sierra Club and United Steelworkers. Tennessee was among 12 states included in the study that examined how existing jobs and workers could fit into an economy focused on environmental sustainability and reducing the threat of climate change. The study focused on six areas of the economy: building retrofitting, mass transit, energy-efficient automobiles, wind power, solar power and cellulosic biofuels production. The report used 2005 U.S. Census data to estimate the number of workers in each of these occupations and their average wages and was compiled by economists at the Political Economy Research Institute at the University of Massachusetts at Amherst.

Tennessee's 2008 winter wheat production is forecast to be the largest wheat crop since 1982 and almost three times more than the amount produced last year, according to a recent survey conducted by USDA's National Agricultural Statistics Service, Tennessee Field Office. Yield is expected to average 58 bushels per acre, up 41 percent from a year earlier. Also, farmers boosted production as a reaction to record high prices last fall. Farmers planted 620,000 acres last fall, a 47 percent increase over the year before. Wheat producers expect to harvest 490,000 acres for grain, 230,000 more than a year ago. The remaining 130,000 acres, used as a cover crop, will be harvested for hay or silage or were abandoned due to flooding. U.S. production is forecast at 1.78 billion bushels, a 17 percent increase from 2007.

"Donate Life Tennessee," a new awareness campaign supported by the Tennessee Department of Safety, has registered over 1 million Tennesseans for organ and tissue donation. The campaign began in 2008, but picked up recognition during National Donate Life month in April. The campaign is taking place at TDOS Driver License Service Centers and County Clerk Offices.

The Tennessee Department of Safety participated in "Roadcheck 2008," a 72-hour commercial vehicle roadside inspection sponsored by the Commercial Vehicle Safety Alliance (CVSA). The goals of "Roadcheck 2008" are to increase commercial truck and bus safety and security and to reduce the number of crashes involving commercial trucks and motor vehicles. During the 72-hour period, state troopers conducted round-the-clock roadside inspections at all nine weigh stations along Tennessee highways conducting Level I inspections on all trucks stopped with added emphasis on safety belt usage, operating authority, insurance and CDL status checks of commercial vehicle drivers.

Tennessee made substantial improvements to the graduation rate compared to other Southern states, but some of its districts still rank at the bottom of the list, according to a report released by *Education Week*, an industry newspaper. Tennessee was ranked 40th in high school graduation rate in 2005, when the data was gathered. The state was one of three in the South to improve 5 percentage points or more, according to the study. The other two were Kentucky and Florida. Based on information from the same year, Metro Nashville Public Schools had some of the lowest graduation rates of any large district in the South.

Gov. Bredesen has signed into law a measure to create a pilot program allowing voters to cast ballots at any of several centralized voting areas in the county in which they are registered, regardless of that voter's precinct. The pilot project will be limited to Knox County. It is among three East Tennessee counties that have received national

grants from the Pew Charitable Trusts to test such centers.

Mixed martial arts is one of the fastest growing spectator sports in America, and it recently earned one more fan — the state of Tennessee. The state Legislature approved the "Tennessee Athletic Commission Act of 2008" which creates a new governing body to legalize and regulate the previously unregulated mixed martial arts industry in Tennessee. Proponents say regulating mixed martial arts was a necessary step to lure large events, and the tens of millions of economic impact dollars that can come with them, to the state's arenas. Otherwise, promoters

would not organize fights in Tennessee.

Tennessee has been awarded nearly \$17 million in federal grants by the U.S. Department of Homeland Security to help improve communications. The Public Safety Grants are meant to upgrade responders' ability to communicate and coordinate during disasters. The state will receive \$5 in federal dollars for every \$1 it spends under the program.

The number of Tennessee homeowners facing foreclosure rose through the winter, but the state's foreclosure rate contin-

ued to lag behind the nation as a whole. Nearly 13,000 were in foreclosure at the end of March, up 4 percent from December, and an additional 60,000 were at least one month past due, according to the Mortgage Bankers Association. Compared with the rest of the state, however, Nashville-area residents are actually less likely to be in foreclosure, according to RealtyTrac, a California research firm. Even as the number of struggling homeowners rose in Tennessee, the state's fortunes were far better than the nation's as a whole. The number in foreclosure jumped nearly 20 percent from December to March, a time when homeowners normally catch up on their mortgage payments.

## NATIONAL BRIEFS



### BY TML STAFF REPORTS

A new survey shows boomers, born between 1946 and 1964, numbering about 76 million in the United States, are financially unprepared for a disabling injury or illness that forces them out of work for an extended period. The survey of 2,853 adults included 828 between the ages of 44 and 62. Social Security Administration data shows there is a 30 percent chance that a worker who is now 20 will suffer such an injury or illness during his working lifetime. Only 30 percent of workers in private industry have long-term disability insurance coverage, according to the U.S. Department of Labor. Baby boomers said they would be forced to tap into retirement savings if the primary wage earner became disabled and unable to work. Seventeen percent said they had no retirement savings. Significant debt burdens would mean hardship for most boomers if they lost their regular income. More than half have more than \$5,000 in non-mortgage debt, 25 percent have more than \$20,000 in debt and 9 percent have more than \$50,000 of non-mortgage-related debt.

More people are riding the nation's buses and trains, breaking records for the first quarter of the year. Transit operators expect the increase to be greater in the second quarter as gasoline prices soar. A report set for release today by the American Public Transportation Association (APTA) shows trips on public transit January-March rose 3 percent over the same period last year to 2.6 billion rides. Light rails saw the biggest jump, 10 percent to 110 million trips. Early figures for April, show ridership going even higher as gas hovers near \$4 a gallon, according to APTA president William Millar, with higher numbers in 2007 than in 50 years, and the trend continuing in 2008. Still, only 5 percent of workers commute by public transit, according to a U.S. Census survey in 2006.

Some states are trying to fill in a potentially deadly gap in health care for children by seeking proof of good dental health before they enter school. A recession and diminishing health care coverage can push dental care further down a family's list of priorities, where it may be seen mostly as a cosmetic issue, according to national dental associations. In poor urban and rural

areas nationwide, children often only get dental care when the pain and swelling are too much to bear, according to the president of the American Academy of Pediatric Dentistry. While tooth decay in all age groups for adults is declining, tooth decay in children is rising. The Centers for Disease Control and Prevention calls tooth decay one of the most chronic infectious diseases for children. All of this results in pain, abnormal chewing, malnutrition caused by avoiding the pain of chewing, and poor attendance, according to the federal agency.

In the three decades since deregulation, the nation's major airlines have operated with a simple strategy that bigger was better, and that the way to win the industry dog-

fight was to fly more planes on more routes to attract the most passengers. Now, with fuel prices almost double the level of a year ago, many big airlines have decided that less is more, and they are shrinking in a hurry. Continental was the latest carrier to announce cuts, saying that it would ground 67 planes. In all, airlines in the United States have announced plans since March to park more than 200 aircraft, from regional jets to big Boeing 747s, representing more than 10 percent of the major airlines' fleet. As they cut costs, they are also raising ticket prices and imposing new surcharges and fees to help offset soaring fuel costs. Air fares over all are up 16 percent this year, for coach tickets bought in advance, according to Harrell Associates, an industry consulting firm.

## Reception at FedEx Forum

FEDEX from Page 1 designed with a uniquely Memphis theme. With a location on the historic Beale Street and the fact that Memphis is the "Home of the Blues, Birthplace of Rock 'n' Roll" the theme of Memphis music was an obvious choice. To showcase the rich history of music and to demonstrate the continuing production and development of new music in Memphis, the areas of both the Plaza and Terrace concourses features the Blues and Rock 'n' Roll, a Gospel Zone, a unique Radio and Recording Zone, and Sun Studio Zone and the Memphis Music Today Zone features emerging artists in pop, rock, rap and hip-hop.

Working with the Urban Art Commission, the Fed-ExForum also features a public art project. Throughout the arena, guests can admire images of original art featuring regional artists whose work interprets music of the region. The art was selected by a committee of music and art appreciators. The theme continues in the naming of all concessions and restaurants. Even the restroom icons feature musical images.

Of course, the most authentic element of FedExForum's Memphis Music theme is the fact that the Smithsonian's Rock 'n' Soul Museum is located right on the arena grounds. The museum gives visitors an informative history of Memphis music and its role in the development of modern music. The Rock 'n'



Areas of both the Plaza and Terrace concourses reinforce the music theme.

Soul Museum also makes a unique venue for pre or post game receptions and can be offered to groups at special rates.

The Rock 'n' Soul Museum of Memphis is more than a museum of stage costumes and drumsticks. The importance of the museum and its Smithsonian exhibition lies in its story of social change and the many musicians and individuals who broke the barriers of segregation and of the racial and social prejudice that permeated society, thus creating the hip-swiveling explosion that became "America's music."

But it was more than a musical revolution; not only changing the sounds that came from our radio speakers, but also influencing the way we dress, the cars we drive, our movies, our television commercials, even our politics. The Rock 'n' Soul Museum of Memphis tells of more than the change in America's music; it tells of the music that forever changed the complexion of the world.

## Good Risk Management is just Good Management



Municipal parks and playgrounds can contribute to a community's overall quality of life. But they can also pose some safety hazards. Each year, emergency rooms treat more than 200,000 children ages 14 and under for playground-related injuries.

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# Ulysses Jones city worker, warrior for cities, citizens

BY GAEL STAHL

This year, House State and Local Government (S&LG) Committee Chairman Ulysses Jones has again been a standout General Assembly warhorse and watchdog about protecting the welfare of municipal employees and giving local governments effective tools to perform their municipal responsibilities.

The 105<sup>th</sup> General Assembly of 2007-2008 was another excellent example of how one man's diligence and vigilance just seems to be getting better after 23 years in the state legislature – 12 of them as chair of State & Local. This year, he was concerned about old and new cable companies providing services to all. He saw that changes in the open records bill kept governments and media on the same page about making government records available in timely fashion without exorbitant costs to taxpayers.

Ulysses Jones has been a municipal employee for 35 years and that's how long municipal matters have personally mattered for him. He grew up on the near north side of downtown Memphis in a close-knit, blue collar community where everyone knew each other's name, got along well. If he or his two brothers and sister had a problem (or were doing well) in school, a teacher would stop by and talk to his parents about it. From his father, a carpenter, and his mother, a homemaker and school traffic safety officer, the children learned to work to earn their bicycles and how to save and spend wisely.

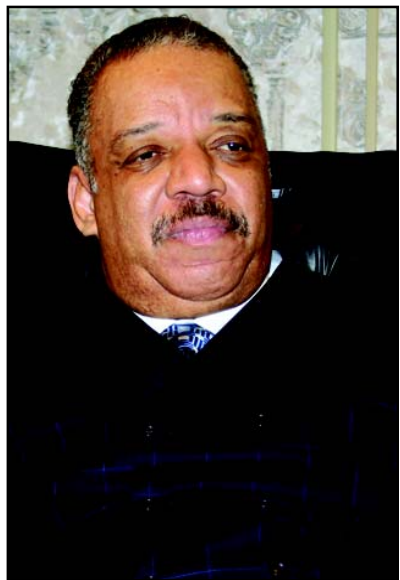
Jones was inspired to get active in the community in his teens by three role models, his grandmother, his uncle, and his minister. Grandmother Nichols was the family matriarch and official rebel on matters of segregation and equality. Her son, Uncle Haywood Nichols Jr., was a LeMoyné-Owen College graduate, a postal workers union leader in Memphis, a federal Equal Employment Opportunity Commission officer in Florida, a union representative for AFSCME in Florida, and now, at 77, still working for FEMA in disaster communities. Jones' minister was the redoubtable Benjamin Hooks, NAACP director and one of the first African Americans to serve on the Federal Communications Commission and as a judge on the 6<sup>th</sup> Circuit District in Memphis.

Jones, juiced by such powerful influences, was 14 years old and ready in 1965 when he became the youngest member elected to the County Community Action Agency that oversaw the spending of \$1 million of President Lyndon Johnson's Great Society Federal Urban Renewal program grants for inner-city council districts.

Jones' earliest jobs were selling newspapers and mowing lawns. After he graduated from North Side High School in 1970, he won one scholarship for football but decided to take another for track – at LeMoyné-Owen College. He worked a construction job at the same time and didn't finish the school year. In 1973, he began his career job with the Memphis Fire Department and later became a paramedic to enhance his firefighter role. He was in the right place at the right time as a firefighter/paramedic to be able to give three prominent Memphians their last rides. Elvis Presley was dead when he and his unit transported him from Graceland to the hospital. He also carried Elvis father, Vernon, on his last trip to the hospital where he later died from tachycardia problems. Elvis' grandmother was dead when they got to the hospital.

When Jones signed on, he found the Memphis Fire Department racially divided. The firefighters' union didn't pretend to represent its black firefighters, so Jones joined the Pioneer Black Firefighters. The Pioneers brought a class-action suit against the city because after the first 12 African Americans had been hired in 1952, no others were hired for 15 years and by 1975, none had been promoted since 1968 when Martin Luther King Jr. was killed during the garbage employees' strike for recognition. In 1977, Jones became president of the Pioneers that won a consent decree from the Department of Justice, which assured them of promotions if they tested well.

In 1973, Jones and his childhood sweetheart JoAnn Jones married and attended college together. Ulysses dropped out to work full-time. JoAnn earned a bachelor's degree and went to work for Legal



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Services. They later went their separate ways, and their son, Ulysses Jones III, now 31, is a firefighter. Jones also has a 15-year-old daughter, Victoria Olivia Jones.

Ulysses Jones ran unsuccessfully for the House in 1980 and 1982 attempting both times to unseat incumbent Rep. Harper Brewer. He was successful on his third try in 1984.

Besides becoming chairman of the State and Local Government Committee (S&LG) in 1997, Jones has served on Education since 1985. He is a member of the K-12; Calendar and Rules, Elections, State Government, and Local Government subcommittees. He's a member of the Joint Lottery Oversight Committee and the Joint Select Oversight Committee on Education, the Ethics Committee, the Open Records and Open Meetings Committee, and was co-author of state enterprise zone legislation and co-sponsor of the lottery legislation. Due to Speaker Jimmy Naifeh's confidence in him, he's already deep into a full schedule of summer study-committee meetings.

**TT&C: Did the consent decree assuring promotions to African American who tested well bring about equity in black promotions?**

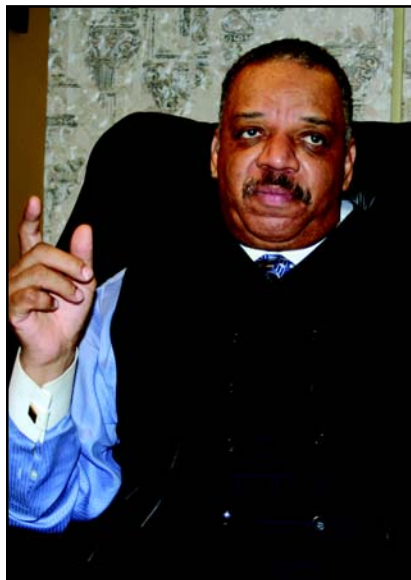
**UJ:** No, the promotions process was flawed in that the department spread the test for fire chief or lieutenant across a couple of weeks during which, we found out, test information was being shared with other members of the department by the union and some others. Over the last four years, we worked to persuade the fire department to give everybody the entire test on one day with the test to be prepared and administered by a group independent of the city and fire department. Since then, we found that African Americans competed well. In fact, we had some of the top scores on the tests for chief, lieutenant, and other areas. I am no longer a paramedic. I was promoted to battalion chief two months ago.

**TT&C: How did your northside community produce so many elected officials – many still in office?**

**UJ:** We were a group of young men banded together out of concern to do something to make sure our community wasn't forgotten at the local or state level. Several of those who ran for public office were elected. Ricky Peete served on the city council. Former Memphis Councilman Shep Wilburn is now a member of the Shelby County Election Commission. Reps. Joe Towns, Larry Miller, and I continue to serve in the House of Representatives. We have two Joe Browns. Judge Joe Brown is now famous on television. Councilman Joe Brown is on the Memphis Council. We're active in our community and grooming new young leaders to take our places.

**TT&C: When you were elected in 1984, what committees did you want to be on?**

**UJ:** Education, of course. And, I wanted to be on State and Local Government because as a city employee I wanted to find out how that committee affects our city and community. It didn't take long to find out its impact is great on all the local governments. I've been fortunate to be able to get some things through for my city and county, especially after 1996. That was when Harold Ford Sr. resigned his seat in Congress and S&LG Chair Rufus Jones resigned to run for that open seat. Harold Ford Jr. won it. I was able to persuade Speaker Naifeh that I could do the job as chair of State and Local, and I hope I've been successful.



*A student could fail one subject, make that class up with a 4.0 and still lose the scholarship for failing one class.*

**TT&C: How has your working style evolved as chair of S&LG?**

**UJ:** I'm proud of how my committee members work together on issues. For instance, those from rural areas clue me into non-urban issues and guide my research to find out how legislation affects other districts, specifically, how urban mayor issues affect rural mayor districts. I've found those bills can generally be put on the Consent Calendar without having to go through the committee. Folks think I bump their bills just to be bumping them, but in bumping those bills off the Calendar and on the Consent Calendar, we can get with Legal and go over these bills. We learn what impact a bill of a particular elected official affects people in other counties whose rights we might be taking away. That's how we've found some issues that we would have otherwise missed. Some bills would have impacted people's lives tremendously. One bill would have set the bar so high for doing a recall that people were not going to be able to recall their elected officials.

**TT&C: Over the years, you have been a sturdy advocate for Memphis and for municipal concerns that range across the Tennessee Municipal League spectrum. Which items do you want to start with, the AT&T cable bill?**

**UJ:** OK. What we had last year was AT&T wanting to be the first company to get a statewide cable franchise. My concern was the impact on local government. Till now, cable companies had to negotiate franchise fees and service requirements with each city and county. This bill allowed AT&T to bypass them. I wanted to make sure local governments were held harmless.

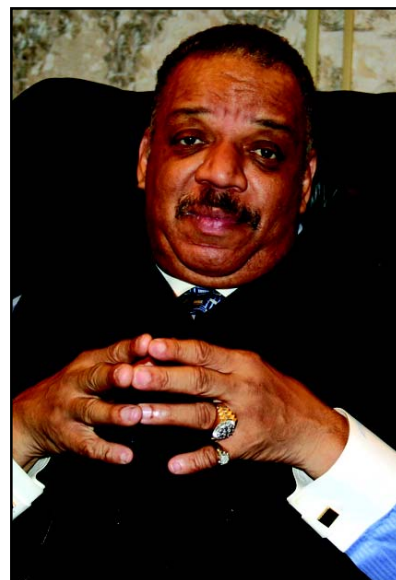
A major concern was about AT&T's fast access lines to the Internet. A lot of communities, including my communities, don't have that DSL service. Was AT&T going to provide service without cherry picking and red-lining throughout our African-American communities and the entire Memphis/ Shelby County metropolitan area? The minority component included AT&T having to at least report to the General Assembly as to what they are doing with regard to minority businesses and associations.

We worked on that for 16 long weeks, two or three times a week. I'm glad that this year the cable companies first sat down together to narrow the area of division. Then, we brought in state and local governments to work out their issues until they were satisfied. Last year, State and Local Government was so concerned that Speaker Naifeh set up a joint committee of Commerce and S&LG and after all the questioning that day, the sponsor of the AT&T bill withdrew it. Speaker Naifeh put me on the committee again this year.

**TT&C: What were your concerns with education this year?**

**UJ:** We had the BEP 2.0 and the renewing/expanding or sun-setting of the charter school legislation. I wanted to extend their sunset limits another 10 years. The committee decided on seven years and to allow grades K-3 to take more students. I had that bill that looked into an accountability study of the Comptroller's Office consulting with the Department of Education and Board of Education to promulgate charter school rules.

Last year, we passed the BEP 2.0 to fund the K-12 school system. The governor made me happy when he said he'd maintain and fully fund the BEP. That should relieve a lot of concern and tension local school systems had about their funding.



*We have been somewhat limited in our thinking on how to raise revenues. We missed a real big opportunity to bring gaming to this state.*

**TT&C: What was your preference in spending lottery reserves?**

**UJ:** I wanted to use more of the \$400 million reserve of lottery funds to lower the GPA of college students who have HOPE scholarships. Till now, you needed a 3.0 GPA or 21 on the ACT test to win a scholarship. To keep it, you had to maintain that average. Freshman year is the hardest time to maintain a college grade average. That first year can be an overwhelming struggle for kids. We found that more than half, from 50 percent to 65 percent of the students, lose their HOPE scholarship by their sophomore year. I wanted to lower the GPA requirement to 2.75 so more students could keep their scholarships.

A student might fail one subject, make that class up with a 4.0 and still lose the scholarship for failing one class. That's why we in the House wanted a 2.75 GPA all the way through. We also wanted to extend coverage beyond four years and looked at extending it to 120 hours per year for five years. That helps nontraditional students 23 or 25 years old go back to school and soldiers returning from serving in Iraq and Afghanistan. Personally, I would like to go beyond the 2.75 and make the GPA requirement of the university you're attending to be the standard we'd use.

**TT&C: You were vehement about how the compromise was being negotiated, and then were part of the House/Senate conference committee. What compromise did you come up?**

**UJ:** We reached an agreement the same day the conference committee was appointed to resolve the differences. As a result, a student with a 2.75 grade-point average after completing 72 hours of college credit work can continue receiving scholarship payments, provided he or she keeps a 3.0 average in individual subsequent semesters. Formerly, students whose cumulative GPA dropped below 3.0 after 24 credit hours lost their scholarships. We estimate that about 3,600 students who would have lost their \$4,000-per year HOPE scholarships will now keep them.

We also passed the provisions to allow students to remain on scholarship for up to five years. That allows 1,772 more nontraditional students who do not enter college quickly after high school graduation, to be eligible for scholarships. And, we made some military veterans of Iraq and Afghanistan eligible for \$1,000-per-semester grants from a program called "Helping Heroes." In all, we decided to provide lottery scholarships to nearly 12,000 more college students each year at a cost of \$28.1 million.

**TT&C: Do you think the lottery suffices as a revenue producer?**

**UJ:** We have been somewhat limited in our thinking on how to raise revenues. We missed a real big opportunity to bring gaming to this state. Especially to Memphis, which is next door to Mississippi's Tunica casinos. Gaming creates so many jobs and generates so much revenue. The only thing we've got raising revenue in this state right now is the lottery. The lottery that so many people and so many House members on the other side of the aisle were against. The lottery is what is giving kids an opportunity to go to college.

I wish we would look for another opportunity to expand into gaming. Tunica went from being the poorest county in the nation, to being one of the richest. In Memphis you hear a big sucking sound of dollars leaving for Tunica. We joke of setting up new airport billboards: "Welcome to Memphis, Gateway to

Tunica." Tunica is looking at building race tracks and amusement parks while Tennessee suffers on and says that's not what we want because it's immoral. I don't think gaming is immoral. Gaming is a choice.

On the Lottery Oversight Committee I've learned about the dollars, jobs, and businesses that the lottery has created in our state. We were adamant that a lot of their contracts include Tennessee businesses and that Tennessee money be spent on more Tennessee businesses. I can affirm that the Lottery Board has kept million-dollar contracts in Tennessee.

**TT&C: What do you do if and when next year's budget crunch proves worse than this year's?**

**UJ:** The budget process needs tweaking. It's a shame that we ride our budget on the backs of the poor and state employees. That's because our main source of revenue is the sales tax. I was against the half-cent cut in the sales tax last year. I said in those good times – just a year ago – that if something happens, we can't ask people to give back the half-cent we gave when times were flush. This year, we were \$450 million in the hole. I understand that half-cent represents \$150 million.

No way can the penny increase of the sales tax we got six years ago hold up much longer. We have to start looking at other areas to raise revenue. I'm going to be opposing any effort to raise the sales tax, because that is absolutely ridiculous. There are alternatives. People are going to have to stand up and say what those alternatives may be. Gaming is a good one.

**TT&C: Why are you always adamant about pay raises for state employees?**

**UJ:** If it weren't for state employees, we wouldn't be operating as well as we are today. They will never ever receive what they are due. They're not paid much so they need raises, not one-time bonuses like the small one we gave them this year. When we were told 2,000 state jobs would be cut to help balance the budget, we had no idea what the buy-out provisions were going to be like. Later, we learned that if not enough employees take the buy-out option, the state will wait until the legislature returns to start doing forced layoffs.

As with the sales tax, state employee wages never keep up with inflation because the economy grows faster than the sales tax that we use to pay employees. It's not right that our state employee raise is based on how well the economy is doing. We're penalizing them for the state's deficient revenue system in which the economy fares well at times then inevitably drops relative to sales tax revenues.

**TT&C: Any last thoughts?**

**UJ:** On the second last day of the session we passed changes in the Open Records Act giving governmental entities seven business days to either grant a records request, deny it, or tell the requestor how long it will take to provide the records. We created an Office of Open Records Counsel where a state's ombudsperson and staff can answer citizens' questions and issue advisory opinions on the law.

While people and the media have the right to get records, I was concerned about the process. One *Commercial Appeal* reporter had asked the city of Memphis to provide three years of emails of city council. It took 30 working days to redact the information. The reporter studied it for about 15 minutes, said it was not enough, got up, and left. That cost the citizens of Memphis almost \$10,000.

A television station wanted all state employees' names, addresses, salaries, and telephone numbers. The Department of Personnel spent about five weeks gathering that information at a cost of \$8,000-\$10,000.

The Associated Press reported how it is working now. A group requested e-mail records about a state auditor training week and was told it could either trust state employees to provide the records or pay \$3,201 for each day of correspondence requested. The Revenue spokeswoman said the Office for Information Resources sets the price. Media spokesman Frank Gibson agreed the requestor has a right to inspect the e-mails, but the agency also has a right to charge a reasonable fee for copies.