



TML legislative policy process underway

The TML policy process is underway for proposed legislative initiatives for the second session of the 109th General Assembly.

All proposed initiatives were to be submitted to TML by Oct. 1.

The TML Policy Committee will meet on Thursday, Oct. 15, to consider those initiatives submitted.

Any municipality who submitted a proposed legislative initiative must attend the meeting and present its initiative to the TML Policy Committee.

The TML Policy Committee is comprised of nine members: the eight elected district directors and the current 2nd vice president of the TML Board of Directors. The 2nd vice president serves as chairman and all nine members of the committee have voting privileges. The committee will meet to consider and rank only those legislative initiatives that have been fully completed

and presented to the committee for consideration.

All ideas are welcome and TML encourages member-municipalities to submit any initiative(s) of interest that benefits municipalities. Municipalities are reminded that only fully completed submissions will be considered. If a municipality submits a fully completed proposed initiative but is unable to send a representative to present the submission to the committee, then the committee will send that municipality's proposal to the TML Legislative Committee without recommendation.

The committee will rank all of the qualifying proposed initiatives in order of preference, as determined by a vote of the committee. The committee's final ranking of proposed initiatives will be submitted to the TML Legislative Committee for consideration. Final approval of each legislative initiative is voted on by the TML Board of Directors.

Progress still needed on E-fairness legislation

BY PRIYA GHOSH AHOLA
National League of Cities

As Congress returns to its work, NLC continues to press for progress on e-fairness. Since Congressman Jason Chaffetz (R-UT) introduced the Remote Transactions Parity Act (RTPA, HR 2775) this summer, hundreds of city advocates have called on their representatives to cosponsor this bill.

Besides the hundreds of city officials who have taken action in support of the legislation, the Arkansas Municipal League, the Colorado Municipal League, the Georgia Municipal Association, the Illinois Municipal League, the Michigan Municipal League, the Mississippi Municipal League, the Nevada League of Cities and Municipalities, the Oklahoma Municipal League, the Tennessee Municipal League, the Virginia Municipal League, and the Association of Washington Cities have also taken action to voice their congressional delegations.

Your collective action is having an impact. So far, a bipartisan group of nearly 50 have signed on as co-

sponsors to the legislation.

If enacted, the RTPA will give states and local governments the flexibility to require remote online retailers to collect the sales taxes that are already owed on remote purchases. Closing this online sales tax loophole would not only level the playing field between online sellers and Main Street brick and mortar ones who are required to collect the tax, it would also mean resources for local governments to fund much needed local services like infrastructure and public safety. It is estimated that this loophole costs states and local governments \$23 billion annually, which is why its passage is a top priority for NLC and cities.

If you haven't already, contact your House members and thank them for their support if they are already a co-sponsor, or urge them to cosponsor the bill if they have not. If you would like to send your representative an official letter from your city, you can download a sample letter to use. You can also view a current list of organizations who have endorsed the bill online.

Do your part to get e-fairness legislation passed this year!

Preview of Supreme Court fall term, cases to be heard with local government implications

BY LISA SORONEN
State and Local Legal Center

Last term, the Supreme Court decided on a number of important cases not favorable to local governments, most notably *Reed v. Town of Gilbert, Arizona* (2015), holding that strict scrutiny applies to content-based sign ordinances.

The October 2015 term is one to watch also, and not just because the Court has accepted numerous cases on controversial topics affecting local governments. Adding to the intrigue, many of the Court's decisions this term are likely to be discussed by the 2016 presidential candidates as the election heats up. Here is a preview of the most significant cases for local governments that the Court has agreed to consider so far.

Public Sector Collective Bargaining

In *Friedrichs v. California Teachers Association*, the Court will decide whether to overrule a nearly 40-year old precedent requiring public sector employees who don't join the union to pay their "fair share" of collective bargaining costs. More

than 20 states have enacted statutes authorizing "fair share."

In *Abood v. Detroit Board of Education* (1977), the Supreme Court held that the First Amendment does not prevent public employees who do not join the union from being required to pay their "fair share" of union dues for collective bargaining, contract administration, and grievance adjustment. The rationale is that the union may not discriminate between members and nonmembers in performing these functions. So, no free-riders are allowed.

In two recent cases, the Court's more conservative justices, including Justice Kennedy, have criticized *Abood*.

If the Court doesn't overrule *Abood*, it may instead rule that public employees may be allowed to opt-in rather than required to opt-out of paying "nonchargeable" union expenditures, in which case presumably fewer will opt-in.

"Fair share" and opt-out are foundational principles for public sector collective bargaining in the United States. Overturning either of them would mean a major change



It's that time of year again – Tennessee's fall festivals are awash with colorful pumpkins, corn mazes, and hayrides. It's estimated that agritourism contributes more than \$54 million annually into the state's economy. See Page 6 for a listing of upcoming Tennessee festivals. For a complete list of Tennessee events, visit www.tnvacation.com/calendar

Jackson receives national award for Smart Growth

BY KATE COIL
TML Communications Specialist

A downtown project has earned the city of Jackson a national award presented by the U.S. Department of Environmental Protection.

The Jackson Walk Project received the EPA's 2015 National Award for Smart Growth Achievement for corridor and neighborhood revitalization. The award is given annually for creative, sustainable initiatives that better protect the health and environment of our communities while strengthening local economies.

The city was recognized in a ceremony on Sept. 17 for the Jackson Walk Project, which began after powerful tornadoes struck downtown Jackson in 2003. The city used the disaster to develop a 20-acre mixed-use redevelopment district around a cleaned-up brown-field site. The area is now providing affordable homes, new businesses and a wellness center with an urgent care clinic to area residents.

Additionally, the project has increased property values, generated new tax revenues and brought in new jobs as more than 30 new businesses have opened in the area between 2012 and 2014. Jackson Mayor Jerry Gist said during the awards ceremony that the Jackson Walk Project was made possible through public-private partnership.

"We're thankful that you notice the results of economic and com-



Jackson Mayor Jerry Gist addresses the crowd after accepting the EPA Smart Growth Achievement Award on behalf of the city.

munity development that has been thoughtfully planned in an attempt to curb urban sprawl and conditions of environmental blight," he said. "The ongoing public-private partnerships within downtown Jackson are resulting in a driving and meaningful ways to promote energy initiatives and enhance sustainability efforts, while continuing to make strides in greening the city of Jackson."

Gist said organizations including Healthy Community, LLC, Crocker Construction Co., West Tennessee Healthcare, the Community Redevelopment Agency, Academia such as Lane College and the University of Memphis at Lambuth, and the city of Jackson with support from the municipal utility division – Jackson Energy Authority all participated in the project. Citizens and community stakeholders were also a vital part of the development of the project, he said.

"As a Smart Growth project, the local community is strengthened by thoughtful planning for re-

talization of existing communities while preserving critical greenspace and environmental areas," he said. "We have created a variety of safe, transportation choices – where the neighborhood is now bikeable or walkable with access to public transit – and Mixed Land Use with a range of housing and business opportunities. We've created a sense of place. We've developed a model that can be replicated in other neighborhoods."

Smart Growth Communities like Jackson set an important example for other municipalities nationwide, EPA Administrator Gina McCarthy said.

"As part of our commitment to help communities grow in ways that protect the environment and support local goals, EPA is pleased to recognize the winners of this year's National Award for Smart Growth Achievement," McCarthy said. "The smart growth strategies behind this year's award winners are making a visible difference in their commu-

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Transportation Coalition

of Tennessee

FACT: Did you know that there are 93,251 miles of roads in Tennessee?

See COURTS on Page 7

NEWS ACROSS TENNESSEE



CHATTANOOGA

The city of Chattanooga will be partnering with Hamilton County officials to upgrade the police firing range at Moccasin Bend. The city and county will spend up to \$300,000 for upgrades, including installation of a 30-position target system, a 90-foot running man target system and bringing a portable building to the site. The facility will also have a force-on-force non-ballistic scenario-based training environment, a training lab and have upgrades to its speaker and sound system. The upgraded firing range will serve the Chattanooga Police Department, Hamilton County Sheriff's Department and also other area law enforcement agencies.

ETOWAH

The revitalization of downtown Etowah has brought a new whiskey distillery to the community. Kevin Caruthers announced plans to open the Hillborn Distillery in town to sell and manufacture high-end whiskey and liqueurs. The distillery will be located at 610 and 612 Tennessee Avenue with a glass window allowing visitors to see the production process with a walk-in retail shop on the other side of the business. The distillery will also distribute products to other stores. Caruthers said he hopes to open the distillery within six months as federal permits must be acquired.

FRANKLIN

A mural designed by students from Franklin and Williamson County during the first annual Kids Arts Festival of Tennessee is now on display in Franklin at the Pinkerton Park under the footbridge. The mural was created from the work of 13 students and then transferred to the wall by MTSU Art Education students onto two 4-foot-by-8-foot pieces of plywood. The plywood was then cut into six inch squares for kids to paint during the June festival.

GOODLETTSVILLE

The city of Goodlettsville's Fire Department has been awarded a \$231,710 grant from the U.S. Department of Homeland Security's Assistance to Firefighters Grant Program (AFC). The grant allows fire departments to address firefighter safety issues by financing tools such as training, support of operations and state-of-the-art equipment. The Goodlettsville Fire Department will be using the funds to purchase self-contained breathing apparatuses as well as an air compressor and cascade system with a carbon monoxide detector to refill containers.

HENDERSONVILLE

Smith Travel Research is expanding its corporate headquarters in Hendersonville, adding 125 new jobs and creating a new 35,000-square-foot facility on the company's campus located at East Main Street. STR, Inc. gathers hotel performance data from more than 51,000 hotels located in more than 160 countries. The new building is expected to be complete in late 2016, and will feature individual offices, meeting rooms and office space.

KNOXVILLE

More than 1,200 homes in Knoxville will see energy efficiency improvements as part of the recently-launched Knoxville Extreme Energy Makeover (KEEM) program. The project is funded by TVA, which granted Knoxville \$15 million through the TVA Smart Communities: Extreme Energy makeovers project, one of only two communities to receive grant funding. The project will build on existing weatherization programs that provide energy efficiency updates to income-eligible families and whole-home energy efficiency upgrades for eligible applicants. The improvements are designed to reduce electricity use in a home by 25 percent.

MT. PLEASANT

The city of Mt. Pleasant has unveiled a new website, web address and logo city officials are hoping will improve citizen engagement. The new site, MountPleasantTN.gov, and log were developed by Columbia's Local Government Corporation, a non-profit organization serving local governments with hardware, software and networking services. The website will allow city officials to make changes themselves instead of relying on services of an external web developer as well as link official social media accounts.

MURFREESBORO

After four months of construction on a runway extension and to improve lighting, the Murfreesboro Municipal Airport will reopen for daytime operations. There will be short periods of runway closures as the project finishes up. The improvements are being constructed by Atkins Engineering and contractor LoJac Enterprises and include a new LED airfield lighting system and improved signage and drainage to meet FAA standards for Stormwater runoff. The LED lighting system will have an immediate impact in reducing electrical expenses. The \$4.5 million project was financed through a combination of federal, state and local funds.

NASHVILLE

TriWest Healthcare Alliance officials will be investing \$1.2 million and create 250 jobs through the opening of a Nashville Operations Center, designed to serve the community healthcare needs of military veterans. A partner with the U.S. Department of Veterans Affairs, TriWest administers the VA's Patient-Centered Community Care (PC3) program and the Veterans Choice Program (VCP). The new Nashville Operations Center will allow the company to keep up with a significant increase in health care requests as more veterans become eligible for these programs. The company will also work with the Veterans Economic Communities Initiative to increase the number of education and employment opportunities for veterans and their families.

NASHVILLE

The city of Nashville has been ranked as one of the municipalities that has most recovered from the

Great Recession, according to a new survey conducted by WalletHub. The survey ranked Nashville 18th on its list of most recession-recovered cities. Nashville also ranked sixth for the biggest decrease in violent crime since the end of the recession, 11th in home price appreciation since the end of the recession and 18th in both the inflow of college-educated workers and labor-force participation rate. The study also ranked the unemployment rate, foreclosure rate, and ratio of part-time to full-time jobs in 150 cities across the nation.

PIGEON FORGE

A \$2.25 million biomass gasification plant will be constructed in Pigeon Forge. The new plant will be capable of cleanly converting more than 30 tons of composted material daily into thermal energy while also producing a valuable high-carbon biochar. The plant will be built by PHG Energy for Sevier Solid Waste, Inc. and will serve communities including Pigeon Forge, Sevierville, Gatlinburg and the Great Smoky Mountain's National Park. All of the municipal solid waste will be processed through the plant with 60 percent being made into compost.

SPRING HILL

A new proposal would convert 103 acres of land into a new town square for Spring Hill. The site of Highway 31, which includes the Tennessee Children's Home, would be developed into a \$155 million mixed-use city center with a new city hall and library as well as room for retail, office and residential space. The project would include 320,000-square-feet of office, retail and restaurant space with about 600 residential units built over a period of 10 years, according to developer Insight Properties. Three parking decks, two new traffic signals and a major thoroughfare plan are also included in the master plan. The Tennessee Children's Home would build new facilities on Doc Robinson Road in Spring Hill if the proposal goes forward.

UNION CITY

Institutional Casework Inc. announced it will be opening a new manufacturing facility in Union City, investing \$6.2 million and creating 200 new jobs in the area. The new facility will be located at 503 E. reel-foot Avenue and will house the manufacturing of ICI laboratory-grade painted steel casework and furniture, phenolic laboratory casework and work surfaces under the division name ICI Laboratory Products Division of Union City. The company started in West Tennessee in 2006 and builds laboratories and learning environments for K-12 schools, community colleges, universities and the pharmaceutical industry.

WHITE BLUFF

The town of White Bluff recently unveiled a new, locally-created art piece alongside Highway 70. The piece, titled "Serenity," was created by metal artist Eric Lankford and was purchased through a Tennessee Downtowns Program grant the town received in 2014. Additional funding was provided by White



Knoxville Vice Mayor Nick Pavlis and Mayor Madeline Rogero were joined by artists Alan Finch and Joe Babb for the unveiling of the sculpture "No Place Like Home." The one-ton marble sculpture is located in Mary Vestal Park and was created in 2003 as part of the Tennessee One Ton Show sculpture series. The marble was sculpted by Alan Finch in Bruce Bennett's former studio in the Vestal community, and the steel cradle encasing the sculpture was created by Joe Babb. The sculpture was donated to the city by Candora Properties at the initiative of David Witherspoon, president of the company. The marble sculpture is a fitting recognition of local history, as East Tennessee marble — particularly marble from South Knoxville — has been used throughout the country in prominent landmarks, earning Knoxville the title of "The Marble City."



Murfreesboro officials have broken ground on construction of the Sinking Creek Plant expansion. The treatment facility expansion will increase the Sinking Creek Plant capacity from the current 16 million gallons per day to 24 million gallons per day. The expansion is expected to be completed by 2018. This expansion is critical in ensuring the city maintains its strong socioeconomic position for the population and forecasted growth in Murfreesboro 2035.



Morristown officials held a grand opening celebration for the new Morristown Farmers Market on Sept. 19. Farmers, vendors, officials and residents were present to show off the new facility, which serves as a regional market and incubator for agricultural businesses.

Bluff businessman David Powell. Landscaping around the structure was completed by a local nonprofit

group, the Friends of White Bluff, Inc. The work is the first public art installation in the town.

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Dancing, singing safety officers send positive messages through videos

BY KATE COIL

TML Communications Specialist

The internet has the ability to make anyone an instant celebrity, and emergency service personnel in two Tennessee communities are using viral videos to send positive messages.

The Chattanooga Fire Department has utilized humorous music videos to educate the public about safety issues. Videos of fire academy graduates parodying the BeeGees and MC Hammer have drawn both online fame and international attention to Chattanooga firefighters. Bruce Garner, public information director for the Chattanooga Fire Department, said the department began making videos as a way to liven up the graduation ceremony for new recruits.

"The first video we produced goes back to the 'Thriller' video we did back in 2011 for our graduation ceremony," Garner said. "In the video, we were showing the basics like putting out fires, extrication and medical training, then all of a sudden we surprised everyone by breaking into Michael Jackson's 'Thriller' dance."

The video ended up attracting a lot of attention, and the department looked to replicate its success.

"We got a lot of publicity for the Chattanooga Fire Department," Garner said. "So we decided the next time we do one, let's do something more educational and decided to promote hands-only CPR, which is promoted by the American Heart Association."

Garner said the department latched on to a campaign promoting the use of CPR in time with the Bee-Gee's song "Stayin' Alive."

"We utilized the song 'Stayin' Alive,' and it ended up going viral. It was cool because they had a chance to dance. It's funny to see firefighters dancing in turnout gear. At the same time, we were explaining how hands-only CPR works, and the timing is easy if you time it to 'Stayin' Alive.'"

Soon, that video was also earning the department national attention.

"We got a lot of positive comments from all over the country," Garner said. "Many wanted to use it in their training classes for CPR as an ice breaker or as training in the class. About a year later, we were contacted by a reporter who found out someone in Coon Rapids, Minn., saw the video. He then saw someone have a heart attack. He remembered what he had seen in the video, administered hands-only CPR and brought the guy back to life."

For the department's newest video, Garner tried his hand at writing rap lyrics to the tune of MC Hammer's "Can't Touch This."

"The lyrics are totally rewritten, which is a new experience for me to write rap lyrics tailored to a safety message," he said. "I had to find a firefighter who would be willing to do this in his own time and be the frontman. Firefighter Carl Ellis was not in the academy – he is a full-time firefighter – and he agreed to be my frontman. We recorded the song at a local radio station, KZ106, and then we had the recruits practice that as their PT during the academy. It just so happened that a recruit's wife was a choreographer, which worked out great."

Garner said the department chose some obvious safety hazards that present common problems as the focus of their latest project. The resulting video has allowed the department to educate viewers on common safety issues while simultaneously entertaining them.

"The thing is, you can produce all the documentaries and instructional videos you want, but most people are not going to watch them," Garner said. "They are just boring, and it's hard to get people's attention. You have to think outside the box a little bit and do something that catches their attention. While they are being entertained, they may accidentally learn something or be reminded of something related to safety. We are using sort of an unusual device of firefighters dancing in turnout gear, but the message is serious. The message is that you shouldn't be texting and driving, have that space heater next to your bed, or that a two-year-old girl shouldn't be walking off to the beach by herself."

The video is already getting positive feedback. Garner said the video has made the rounds in various fire department trade publications and comments on the video have come from as far away as Germany.

"One of the comments we got on Facebook was from a mom," he said. "She said her two-year-old child was walking around the house saying 'You can't touch this, you can't touch that' and pointing to stove and the household cleaners under the sink. We have already have some evidence that it was successful. It's very gratifying to hear that."

In addition to educating the public, Garner said there have been other positives that have come from the attention the department's videos have received.

"There are some residual benefits in terms of recruiting," he said. "It gets the fire department out there in an unusual way and in areas elsewhere in the country where people might not see the Chattanooga Fire Department. Like most young folks now, they get online and start Googling and will find us that way. It reaches people from all over the country and they are applying here."

Franklin's Dancing Cop

Viral video fame has also been garnered by Franklin Police Department Officer David Collins, also known as "The Dancing Cop." Videos posted by the department and local residents of Collins dancing in the streets during traffic direction became so popular they attracted the attention of local media outlets, and the story of Collins' popularity even found its way into *USA Today*.

Lt. Charles Warner, the public information officer for the Franklin Police Department, said Collins is the officer assigned to maintenance of the department's fleet of vehicles, and, like many other officers, takes extra duty jobs in the community. Collins often directs traffic for church services, the local farmers market and other big events.

Warner said he remembers the first time he saw Collins' traffic dance routine while directing traffic.

"I was going to one of my kid's soccer games, and he was working the traffic detail at the soccer fields," Warner said. "My kids said 'Daddy, look at that Franklin Police Officer.' I looked over and saw him. Here I am, I have been his colleague for years, and I couldn't help but smile. I grabbed a video, threw it on Vine and Twitter, and it took off like wildfire. If it can entertain a fellow police officer, it can definitely entertain and show the light-heartedness of what we do to the general public as well."

The video provides a way to both humanize police officers and help connect with the community, Warner said. One of the department's goals is to show residents sides of police work they can't always experience as well as put out information the public needs.

"It shows police officers in a very different light than people are used to seeing them in," he said. "It puts a smile on people's faces. In today's climate and culture, that is a very important thing to do. Our hopes were that others in the community would find it as intriguing, and it would help make the men and women who wear the badge real to the community that we serve in a different way. I think it has accomplished exactly that."

Officers themselves enjoy getting attention for something a little more lighthearted, Warner said.

"So much of what we do does not promote smiling and laughter by the nature of the business we are involved in," he said. "It involves a lot of serious stuff and a lot of sad stuff. To be able to incorporate smiles into something like this that we do is a benefit, not just to the community but to us as well. Police officers like to make people smile, but it's not possible to do as often as we like."

Social media is also a powerful tool for getting out information for the department. Twitter and other social networks allow officers to develop relationships with the public and interact with them on a daily basis. Warner said he feels it is important for people to feel comfortable interacting with the police via social networking.

"It's kind of a big conversation, in a way," he said. "We have almost 20,000 followers on Twitter, and the officers enjoy that because when was the last time you got 20,000 people to

attend a neighborhood watch meeting? It just doesn't happen. We are able to connect with all these people across our community in a way those followers are comfortable with."

Warner said he hopes the images and videos of Officer Collins have a positive effect not only on how people view officers in the Franklin area but the nation at large.

"Anytime police officers do something incredibly positive or find themselves in the midst of an unforeseeable controversy, it affects not just that agency and officer but everyone across the United States who wears a badge," Warner said. "Connecting with people in very real ways is a benefit to all police officers. It's a benefit when any officer invests the time to do that."



One of the Chattanooga Fire Department's first forays into Internet fame was this viral video set to the tune of "Stayin' Alive" by the BeeGees.



Chattanooga Fire Academy recruits perform in full turnout gear to the tune of the BeeGee's song "Stayin' Alive." The video provides viewers a lesson in how to perform hands-only CPR and helped one Minnesota resident save the life of a man having a heart attack.



Recruits from the Chattanooga Fire Academy's most recent graduating class demonstrate safety messages to the beat of MC Hammer's "Can't Touch This" in a recent video posted by the department. Spokesman Bruce Garner said the goal of the videos is to spread a memorable message.



Franklin Police Department Officer David Collins is well known for his dance routines while directing traffic. Videos of Collins directing traffic outside local events have been posted online by both civilians and the Franklin Police Department. The popularity of the videos led to Collins' story going nationwide when it was picked up by *USA Today*.



PEOPLE

Ella Dishman, city hall office manager and certified municipal finance officer for the town of Monterey, has been selected as the Clerk of the Year by the Tennessee Association of Municipal Clerks and Recorders. Dishman has been employed with the city for 17 years, beginning as an office assistant in 1994. TAMCAR honors one of its members as Clerk of the Year annually for exhibiting a high degree of professionalism on the job and for contributing to the goals and objectives of the organization to promote efficiency, economy and professionalism in the conduct of their official duties.



Ella Dishman

for the Metro Nashville by recently-elected Mayor Megan Barry. Riebeling previously served as the finance director for the city after being appointed by Karl Dean in November 2007. Prior to that, Riebeling worked in public finance, investment banking, private legal practice, and newspaper reporting. He also served as an aide to former Nashville Mayor Richard Fulton and as Commissioner of the Tennessee Department of Economic and Community Development under Gov. Ned McWherter. Riebeling has a law degree from Vanderbilt University and an undergraduate degree in journalism from the University of Missouri.



Rich Riebeling

Mark Gibson has been named chief of police for the city of Cleveland after serving as interim chief for the community. A Cleveland native, Gibson started with the department in 1997 as a patrol officer and worked his way up to captain before being selected as interim chief last year. Gibson said his goals are to work on community relations and internal expectations. Gibson graduated from the FBI National Academy in Quantico, Va., in 2012, where he received training in advanced investigative management.



Mark Gibson

David Smith, longtime press secretary for Gov. Bill Haslam, has been selected as the director of communications for the governor's administration. As director of communications, Smith serves as the Haslam administration's top communications official. As an advisor and strategist to the governor, Cabinet, senior staff and state departments, Smith oversees internal and external communications and overall messaging for the administration. He began work with the Haslam campaign in 2010 as a press secretary after previously working as an information specialist with the University of Tennessee, a staff writer at the National Journal Group's Washington, D.C.-based *The Hotline*, and as a reporter for the *San Mateo Daily News* and *San Francisco Examiner*. A graduate of George Washington University, Smith lives in Nashville.



David Smith

Mark Macy has been named as the interim director of public works for Metro-Nashville. A veteran assistant director of engineering for Metro Public Works, Macy will be taking the helm from retiring director Randy Lovett. Under Macy's direction, the department and its Engineering Division received numerous honors, including American Public Works Association (APWA) 2010 Project of the Year award for management of the historic flood of 2010. Macy earned his civil engineering degree from Ohio University and is a registered professional engineer and land surveyor. He is an active member of both the American Public Works Association (APWA) and the Tennessee Chapter of the American Public Works Association (TCAPWA), having served as TCAPWA president in 2010.

Rich Riebeling has been appointed as the chief operating officer

Craig Stroop, an engineer with the Tullahoma Fire Department, has been chosen as the department's firefighter of the year. Stroop was selected by his fellow firefighters for the award for demonstrating outstanding service to the fire department and dedication to answering calls and working details. Stroop has been a career firefighter for five years and served seven years as a reserve firefighter.



Craig Stroop

Knoxville re-elects Mayor Madeline Rogero

Madeline Rogero has been elected to another term as mayor of Knoxville following a recent city primary election. She ran unopposed.

The incumbent mayor was first elected in 2011, and is the city's first female mayor.

Incumbent candidate George C. Wallace also ran unopposed for the one of three at-large seats on the city council, garnering 3,334 votes. A Knoxville-native, Wallace is the co-owner of the Caldwell Banker Wallace & Wallace, Realtors with his brother and a graduate for the University of Tennessee.

The primary also determined contenders in the races for three city council seats.

Incumbent Finbarr Saunders

was the top vote-getter for the City Council At-Large Seat C with 2,772 votes or 64 percent of the total and will face off against challenger Paul Bonovich for the seat in November.

Incumbent Councilman Marshall Stair and challenger Pete Drew were selected as candidates for the City Council At-Large Seat B. Stair received 3,194 votes or 78.53 percent of the vote in the primary election while Drew garnered 873 votes, roughly 21.4 percent of the vote.

Incumbent Mark Campen and Jennifer Mirtes will move on to the November election race for the City Council District 5 seat. Campen received 229 votes or 66.9 percent of the vote while Mirtes earned 113 votes, 33 percent of votes for the seat.



Mayor Madeline Rogero

Collierville Fire Department celebrates promotions



The Collierville Fire Department recently celebrated the promotions of five firefighters. Pictured from left to right are: Joe Casey promoted from driver to lieutenant; Sam Spires promoted from firefighter/paramedic to driver; Randy Shive promoted from firefighter/paramedic to driver; Glen Baurfind promoted from driver to lieutenant; and Dennis Hunsucker promoted from firefighter/paramedic to driver.

Lifelong learning, ongoing training and career development are practiced values in the Collierville Fire Department to ensure the safety of the community and Collierville firefighters.

UT Public Service Institute launches Certified Public Manager program

The UT Institute for Public Service's Naifeh Center for Effective Leadership is now accepting applications for the state's first Certified Public Manager (CPM) program, which will hold its first cohort of classes in January 2016.

The Tennessee CPM program is a project-based, 18-month series of courses for all levels of public service employees across the state. The program will host classes, each limited to 25 participants, in East, Middle and West Tennessee.

Program participants will be able to sharpen their personal and professional leadership styles and develop the knowledge and skills needed to manage and inspire positive change in their workplaces and communities. Participants will meet for a total of eight weekends over a period of 18 months. The competency-based instruction comprised of our modules will take place in class sessions and online exercises. After the modules, students will have six months to complete a guided capstone project before obtaining the public manager certification.

The Tennessee Certified Public Manager (CPM) program, which consists of 300 total hours of training, is designed in conformance with the requirements of the National Certified Public Manager® Consortium.

For more information on the Tennessee CPM program visit www.Naifeh.tennessee.edu or contact Dr. Gary Peevely at (865) 974-6628 or gpeevly@tennessee.edu

Jackson wins EPA award

JACKSON from Page 1
nities, and they provide models that can guide and inspire many others."

A new park on a formerly contaminated site along the Passaic River in Newark, N.J. took home this year's award for plazas, parks and public places while the award for built projects was given to a new mixed-use development in Hamilton, Ohio.

Award winners were chosen based on their effectiveness in creating sustainable communities; fostering equitable development among public, private, and nonprofit stakeholders; and serving as national models for environmentally and economically sustainable development.

EPA created the National Award for Smart Growth Achievement in 2002 to highlight exceptional approaches to development that protect the environment and public health, encourage economic vitality, and enhance quality of life. To date, more than 900 communities have applied for the award.

No loan is too large or too small



The town of Livingston closed a loan through the TMBF loan program in the amount of \$1.1 million for a capital outlay note to finance parks and recreational facilities.

The city of Jackson closed a variable rate loan through the TMBF loan program in the amount of \$17.4 million to finance its three-year capital improvement plan.



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Bolivar, McKenzie, and Sevierville receive Tennessee Main Street certifications

Three new communities are among the 28 municipalities across the state to earn the Tennessee Main Street certification, awarded by the Tennessee Department of Economic and Community Development.

Bolivar, McKenzie and Sevierville have been certified through the state's downtown revitalization program and accredited by the National Main Street Center, an affiliate of the National Trust for Historic Preservation. The Tennessee Department of Economic and Community Development serves as the statewide coordinating program for the National Main Street Center and provides training and services to Main Street communities.

Bolivar was selected, in part, because of its outstanding Courthouse Square revitalization efforts. The project has overseen the restoration, improvement and expansion of different historic buildings in downtown as well as the improvement of pedestrian pathways, street safety, landscaping and parks and even a new amphitheater for public events. The crown jewel of the project is the famed county courthouse, which was built in 1868.

McKenzie was honored for participating in TNECD's Tennessee Downtowns program and plans outlined for future downtown improvements. Curriculum for the program focuses on downtown revitalization and development projects with classes that teach citizens about comprehensive, sustainable downtown revitalization and historic preservation.

Sevierville was also honored for recent redevelopment projects downtown, which included live

musical performances downtown, new landscaping and a statue of native Dolly Parton. The plan also promotes local businesses and includes a historic walking tour of downtown. Tennessee Main Street Program Director Nancy Williams said the designation helps communities celebrate their uniqueness.

"Each of the three newly designated communities has unique assets, but, like the other 28 Tennessee Main Streets, they each have a downtown district that the communities treasure," Williams said. "Although new to Main Street, Bolivar has long been part of Courthouse Square revitalization efforts with outstanding natural and historic resources, and McKenzie is a successful graduate of TNECD's Tennessee Downtowns program with a plan for their future. Sevierville is widely recognized as one of the retail hubs of East Tennessee, but there is an historic side of Sevierville worthy of preservation."

The Main Street designation can have a positive economic impact on municipalities, according to Economic and Community Development Commissioner Randy Boyd. In 2014, certified Tennessee Main Street communities generated more than \$95 million of public/private investment and created 1,565 new jobs.

"We congratulate these communities for the efforts they are putting into revitalizing their downtown commercial districts," Boyd said. "The vitality of the downtown core reflects on the entire community and offers economic opportunity, and we look forward to working with these communities as they continue their hard work."

Bolivar, McKenzie and Sevierville will join the other communities

already participating in the program, including Bristol, Brownsville, Cleveland, Collierville, Columbia, Cookeville, Dandridge, Dayton, Dyersburg, Fayetteville, Franklin, Gallatin, Greeneville, Jackson, Jonesborough, Lebanon, Kingsport, Lawrenceburg, McMinnville, Murfreesboro, Morristown, Ripley, Rogersville, Sweetwater, Tiptonville, Savannah, Union City and Winchester.

Main Street designations are based upon successful applications submitted by the cities. The Tennessee Main Street Program application requires communities to illustrate a strong commitment to a Main Street Program from city/county govern-



ment, an adequate organizational budget, a commitment to hire staff, a strong historic preservation ethic, a collection of historic buildings and a walkable, historic commercial district.

Tennessee Main Street operates under the National Main Street Center, a program of the National Trust for Historic Preservation. For more information about program, visit www.tennesseebestmainstreet.org.



Bolivar received an award for its restoration of its town square and renovation of its downtown, pictured here.



McKenzie (above) received its Main Street designation for participating in TNECD's Tennessee Downtowns program, while Sevierville (right) was honored for its redevelopment projects downtown, including adding a statue of native Dolly Parton.

STATE BRIEFS



Three weeks after thousands of Tennessee Promise students arrived on campus for the first time, administrators across the state are getting a clearer picture of how many students actually followed through with the program and how dramatic their impact will be. Enrollment is up at many of the state's 13 community colleges, and almost all of them have seen sharp gains in the number of students enrolled with a full course load, a requirement of the full-tuition scholarship program. The 13 community colleges have seen a 6 percent jump in full-time students this year on average, according to a census taken on the 14th day of classes. At a number of schools, that number reaches even higher: Motlow State Community College has had full-time growth of almost 20 percent, to 3,541, while there was a 14 percent jump, to 5,373, at Volunteer State Community College. That number is significant, administrators say, because full-time students have a clearer path to success. Students who only take a class or two at a time are much more likely to drop out before they get a degree.

The Tennessee Department of Agriculture is now accepting grant proposals for projects that will help improve water quality and reduce or eliminate nonpoint source pollution. Nonpoint source pollution is soil, urban runoff, fertilizers, chemicals and other contaminants that degrade surface and groundwater quality. The Nonpoint Source Program was created in 1987 as part of the Clean Water Act and provides funding to states to stop nonpoint source pollution.

Local governments, regional agencies, public institutions, private nonprofit organizations and other state agencies are eligible to apply for those federal dollars administered by TDA's Water Resources office. Highest priority is given to projects that seek to make measurable improvements to waters impaired by nonpoint source pollution. The Tennessee Department of Environment and Conservation assesses water quality. The deadline for submitting grant proposals is Dec. 1. Proposals will be evaluated based on program goals and objectives, performance evaluation criteria and applicable EPA nonpoint source grant guidelines. Other priorities for funding include water quality related educational projects, projects that reduce urban runoff, and projects that aim to protect threatened waters. The FY 2016 Request for Proposals is posted online. For more information, contact Sam Marshall with TDA's Nonpoint Pollution Program at 615-837-5306 or sam.marshall@tn.gov.

Unemployment rates decreased in 93 of the state's 95 counties in August, according to recently released statistics from the Department of Labor and Workforce Development. Of the state's 95 counties, 94 had an unemployment rate of 10 percent or lower. Williamson County had the state's lowest unemployment rate at 4.1 percent, followed by Moore County with 4.4 percent. Davidson County had the third lowest unemployment rate with 4.5 percent and the lowest unemployment rate of the state's metropolitan areas. The Martin-Weakley County area saw the biggest decrease in unemployment over last year with a drop of 2.2 percent since August 2014.

The Overton County area had the biggest decrease in unemployment numbers over last month with the unemployment rate dropping 1.7 percent between July and August 2015. Tennessee's preliminary unemployment rate for August was 5.7 percent, unchanged from the previous month. The U.S. preliminary rate for August was 5.1 percent, down two tenths of one percentage point from July.

NATIONAL BRIEFS

The real estate market is projected to continue expanding at healthy and fairly steady levels for 2015 through 2017, according to a new three-year economic forecast from the Urban Land Institute (ULI) Center for Capital Markets and Real Estate. The latest ULI Real Estate Consensus Forecast, a semi-annual outlook, is based on a survey of 49 of the industry's top economists and analysts representing 36 of the country's leading real estate investment, advisory, and research firms and organizations. Compared to the previous forecast conducted in April 2015, the new Consensus Forecast is slightly less bullish on its outlook; however, it predicts three more years of favorable real estate conditions. The new survey forecasts real estate indicators to be better than their 20-year averages in 2015, with the exception of four indicators expected to be worse: the Consensus Forecast respondents predict that commercial property price growth, equity

REIT returns, NCREIF returns for the four major property types, retail availability rates, and single-family housing starts will be worse than their 20-year averages.

The bond market is pushing back expectations for the first Federal Reserve interest-rate increase in almost a decade until March 2016 at the earliest. Traders pared bets on a 2015 hike after the Labor Department said the nation gained 142,000 jobs last month, following an increase of 136,000 in August. The median forecast in a *Bloomberg News* survey of economists was for an addition of 201,000 jobs. Traders now say an increase by the Fed's in March is just slightly better than a coin flip, at 51 percent. While Fed Chair Janet Yellen said last week that she was among policy makers who considered a boost would likely be appropriate this year, the new data undermined investors' confidence in that stance and the Fed will have to wait until next year.

mostly to refunds of pre-paid taxes. All other taxes, taken as a group, had a negative growth of 0.38 percent but were \$6.0 million above the budgeted estimate for August.

"While we are encouraged by the August revenue numbers, we do have some concerns about global economic uncertainty, and what effect we might see in Tennessee from further decline in the European and Asian markets. It's important for us to maintain close controls on state spending and to carefully monitor our revenue trends."

August is the first month in the 2015-2016 fiscal year.

August collections were \$19.1 million more than the budgeted estimate. The general fund was over collected by \$10.6 million and the four other funds that share in state tax collections were over collected by \$8.5 million.

Sales tax collections were \$39.7 million more than the estimate for August. The August growth rate was positive 8.26 percent.

Franchise and excise taxes combined were \$26.6 million below the budgeted estimate of \$38.4 million, and the growth rate was negative 65.78 percent. Typically, August is a very small collection month for F&E taxes.

Gasoline and motor fuel collections increased by 5.95 percent from August of 2014, and were \$4.3 million above the budgeted estimate of \$70.3 million. Inheritance tax collections were \$0.2 million below the budgeted estimate.

Privilege tax collections were \$4.2 million more than the budgeted estimate of \$21.1 million. Business tax collections were \$1.0 million below the August estimate. Tobacco tax collections for the month were under collected by \$0.1 million.

All other taxes were under collected by a net of \$1.2 million.

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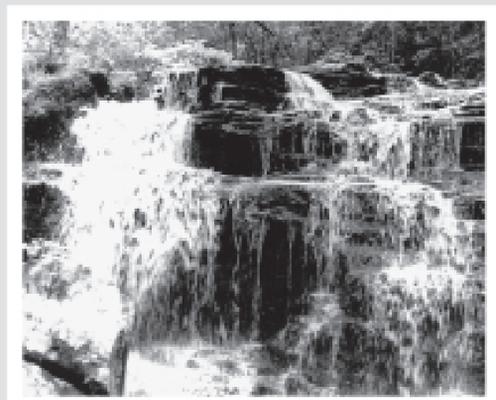
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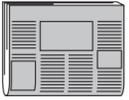
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ASSISTANT TO CITY RECORDER

WARTRACE. The town of Wartrace is accepting applications for a part-time position of assistant to city recorder. The position requires: Advanced knowledge of administrative and general office practices and procedures, word processing and spreadsheet software, and operation of standard office equipment. Possess an expert knowledge of business English composition, proof reading, spelling, punctuation, grammar and usage and the ability to follow complex, multi-person discussions, presentations, testimony, and keep accurate minutes and records. Ability to maintain confidentiality in performing functions of the job is a must. Two years experience as an executive assistant in a government office or two to four years in an administrative lead position is required. Possess a high school education or equivalent, supplemented by additional training and/or any combination of experience and training which demonstrates the knowledge, skills and abilities to perform the required duties. Possess a valid driver's license and ability to work nights and on Saturday when necessary. Drug screening and physical examination will be required prior to employment. Compensation shall be negotiable depending on experience and qualifications. A complete job description and application forms are available at the Wartrace Town Hall, 29 Main Street, P.O. Box 158, Wartrace, TN 37183, (931) 389-6144. Applications will be accepted until 4:00 P.M., Friday, Oct. 16, 2015. The town of Wartrace is an Equal Opportunity Employer.

CITY TREASURER

EAST RIDGE. The city of East Ridge is seeking a full time city treasurer/deputy city manager. The successful candidate should have a bachelor's degree in finance, public administration, business administration or similar discipline with at least 3 - 5 years experience in local government financial operations, administration, economic development, grant writing or a combination of education/experience. A master's degree will substitute for up to two years of the experience requirement. Duties to include, but not limited to, develop a capital improvement plan, financial plan, economic development plan, oversight of state and federal grant applications for the city of East Ridge; administering the terms and conditions associated with grants received. Prefer Certified Municipal Finance Officer certification. Salary DOQ. To apply please submit resume, cover letter and salary requirements not later than COB Friday, Oct. 23, 2015. Successful candidates selected for an interview will be requested to submit and complete a city employment application. Send resume and cover letter to Office of the City Manager, ATTN: Trish Perry, Human Resources Manager, 1517 Tombras Avenue, East Ridge, TN 37412 or tperry@eastridgetn.org. No phone calls please. The city of East Ridge is an Equal Opportunity Employer

COMMUNITY DEVELOPMENT DIRECTOR

BRISTOL. The city of Bristol, Tenn., is currently accepting applications for director of community development. Salary range is \$61,825 - \$95,175 DOQ, plus excellent benefits. Position answers to the city manager. Must be a proven manager with excellent communication and team-building skills. Responsible for all community development functions including planning, zoning, CDBG and other grant programs, code enforcement, GIS, and all departmental operations such as budgeting, policy development and goals development. Demonstrated success working with citizens, boards, businesses, etc. At least 6 years' experience in community development, 2 of which must be in a supervisory role. Master's degree in related field required. Go here to view the Position Profile: [http://www.mtas.tennessee.edu/web2012.nsf/CityAdminWeb/994D-233D57C243D785257E9E00471426/\\$FILE/Bristol+Director+of+Community+Development+profile+2015.pdf](http://www.mtas.tennessee.edu/web2012.nsf/CityAdminWeb/994D-233D57C243D785257E9E00471426/$FILE/Bristol+Director+of+Community+Development+profile+2015.pdf). Send confidential resume and application to City of Bristol Human Resources Department, P.O. Box 1189, Bristol, TN 37620. Phone: (423) 989-5501. Or email resume to: resume@bristoltn.org. Position open until filled. See website to download application and review a summary of benefits: www.bristoltn.org. EOE.

HEAD LIBRARIAN

EAST RIDGE. The city of East Ridge is accepting applications for the position of head librarian. Qualified applicants will have any combination of experience and training equivalent to a master's degree in Library Science from a college or university accredited by the American Library Association and/or 5 years experience working in a public institution or large organizational library; Must have considerable professional expertise in the library field, including supervisory and ad-

ministrative responsibilities and be able to demonstrate success in library operations, finance, community interface, leadership and strategic planning. The candidate must possess excellent interpersonal and communication skills; and the ability to represent the city to the community, staff, media and city management effectively. Resumes may be submitted electronically to tperry@eastridgetn.gov or mailed to Ms. Trish Perry Human Resources Manager City of East Ridge 1517 Tombras Avenue, East Ridge, TN 37412. Closing date Oct. 16, 2015. The City of East Ridge is an Equal Opportunity Employer.

FIRE CHIEF

GALLATIN. The city of Gallatin is seeking qualified applicants for the position of fire chief. Current salary range is \$85,651-\$129,038 with excellent benefits. Reporting to the mayor, and responsible to the city council, the chief plans, programs, directs, and evaluates the operation of the department. Minimum qualifications include any combination of education and experience equivalent to graduation from an accredited college or university with major course work in fire science, public administration or related areas. Must be willing to meet residency requirement to maintain their residence within the corporate limits or within two miles of the corporate limits, but in no event outside the boundaries of

Sumner County, Tennessee. Residency requirement does not apply until 90 days after appointment. For a more detailed description and to apply, please visit our website at www.gallatinonthemove.com and click on the employment tab at the top. Please submit a cover letter and resume with your online application. EOE.

PUBLIC WORKS DIRECTOR

COVINGTON. Organizes, directs, and coordinates the activities of the Public Works Department including refuse collection, street maintenance, fleet, parks & grounds maintenance, and water/sewer/stormwater/gas operations. Desired minimum qualifications: applicants will possess a bachelor's degree in engineering, public administration, or related field or any equivalent combination of related education and experience to perform the functions of the job. Applicants must also possess a minimum of 8 years administrative/supervisory experience in coordinating and directing the operations of a municipal public works department, including at least 6 years with utilities. Complete knowledge of financial principles, budget preparation, and execution, capital improvement planning, general ledgers and spreadsheets, and enterprise fund administration. Salary DOE. Excellent benefits. Vehicle provided. Deadline for

application is Oct. 23, 2015. Equal Opportunity Employer. Qualified persons should submit a resume of experience and qualifications, letter of interest, salary history, and four professional references to: Tiny Barton, Director of Personnel, City of Covington, 200 West Washington Ave. Covington, TN 38019.

STORMWATER MANAGER

WHITE HOUSE. The city of White House is currently accepting applications for the position of stormwater manager. This position is responsible for developing and maintaining the City's MS4 stormwater program. Under general supervision the employee is responsible for developing and managing the City's MS4 stormwater program. An employee in this class performs difficult professional work developing, administering, and implementing federal, state, and local stormwater requirements including developing and administering stormwater management plans, and developing and managing a public education and outreach program. Applications should be returned to the HR office located at 105 College Street or emailed to Human Resources at dthomas@cityofwhitehouse.com. Compensation Range: \$18.78 to \$22.88 per hour (\$39,062.40 to \$47,590.40 annually) DOE Application Deadline: Open Until Filled. EOE.



TENNESSEE FESTIVALS

Oct. 9 - 10: Lewisburg

13th Annual Goats, Music and More Festival at Rock Creek Park. Entertainment by Terri Clark and Little Texas. Annual gallop 5K, goat rodeo for the kids, fainting & boar goat shows, kids games & rides, music and so much more. www.goatsmusicandmore.com

Oct. 9 - 11: Nashville

Oktobefest. A Tennessee tradition since 1980, has grown to be the South's largest Fall Festival, drawing 100,000 people over the weekend of events in the heart of Nashville's unique Germantown neighborhood. The three day event features delicious food from Nashville's best restaurants, craft beer from local brewers, music stages throughout the festival, arts and craft vendors, a 5K race, pet parade and more!

Oct. 9 - 11: Norris

36th Annual Tennessee Fall Homecoming. The three-day event is one of the nation's largest and most authentic music and folk festivals. Each day, all day, musicians perform on five rustic outdoor stages; filling the air with the sounds of traditional mountain, folk, Bluegrass, Gospel, old-time and Americana music throughout the grounds. The weekend includes demonstrations of pioneer skills, a large craft fair with authentic Appalachian artisans, and traditional Southern foods. For more information to: <http://museumofappalachia.org/events/tennessee-fall-homecoming-2015/about-homecoming>

Oct 17 - Fayetteville

Cruzin' Downtown Fayetteville Come travel back in time with the first ever Cruzin' Downtown Fayetteville event. Enjoy vintage & antique cars with sounds of the past through live music. 931-433-6154 www.fayettevillelincolncounty-chamber.com

Oct. 17: Greenville

BBQ & Bluegrass Festival Held from 10 a.m. to 6 p.m. on Depot Street and featuring two bluegrass shows at 2 p.m. and 7 p.m. Food, craft, and commercial vendors will line up along Depot Street, between Main and Irish streets. Kids activities are also planned. Sponsored by TEVET, LLC. For more information, search Facebook for "BBQ & Bluegrass," "Town of Greenville," or contact Amy Rose at 423-639-7105

Oct. 24: Lynchburg

Jack Daniel's World Championship Invitational Barbecue. Called the most prestigious barbecue competition in the world, award-winning teams will smoke and sear meats and compete for a substantial amount of prize money. Games include the country dog contest, butt bowling, cooking and grilling demonstrations, live music and a pie auction.

Oct 24: Spring Hill

Vines & Vintage Hosted by Rippavilla Plantation at 5700 Main St., a wine, antique and artisan market from Noon to 6 pm. Live music and food will also be available. For tickets visit www.rippavilla.org/vinesvintage.asp

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Numerous Supreme Court cases to be heard with local government implications

COURTS from Page 1
legislatures use total population, not total voting population data.

Asset Forfeiture

The question in *Luis v. United States** is whether not allowing a criminal defendant to use assets not traceable to a criminal offense to hire counsel of choice violates the Sixth Amendment right to counsel.

Local law enforcement often receive asset forfeitures related to drug crime.

This case comes on the heels of *Kaley v. United States* (2014) where the Supreme Court held 6-3 that defendants may not use frozen assets which are the fruits of criminal activities to pay for an attorney.

Luis argues that it is "inconceivable" that she may not use "her own legitimately-earned assets to retain counsel." The federal government responded that per her reasoning criminal defendants "could effectively deprive [their] victims of any opportunity for compensation simply by dissipating [their] ill-gotten gains."

The Eleventh Circuit ruled against Luis, who was indicted on charges related to \$45 million in Medicare fraud.

Local Governments Sued Out-of-State

In *Franchise Tax Board of California v. Hyatt** the Court will decide whether states must extend the same immunities that apply to them to foreign local governments (and states) sued in their state courts. Hyatt is important to local governments who are often sued out-of-state.

The Franchise Tax Board (FTB)

of California concluded that Gilbert Hyatt didn't relocate to Nevada when his tax returns indicated he did and assessed him \$10.5 million in taxes and interest. Hyatt sued FTB in Nevada for fraud among other claims.

In *Franchise Tax Board of California v. Hyatt* (2003) the Supreme Court held that the Constitution's Full Faith and Credit Clause does not require Nevada to offer FTB the full immunity that California law provides.

A Nevada jury ultimately awarded Hyatt nearly \$400 million in damages.

The Nevada Supreme Court refused to apply Nevada's statutory cap on damages to Hyatt's fraud claim, reasoning that Nevada has a policy interest in ensuring adequate redress for Nevada citizens that overrides providing FTB the statutory cap because California operates outside the control of Nevada.

Hyatt has also asked the Supreme Court to overrule *Nevada v. Hall* (1979), holding that a state may be sued in another states' courts without consent. If the Court overrules this case, the question of whether the immunities a state enjoys must be offered to a foreign local government (or state) will be moot.

Affirmative Action

For the second time the Court has agreed to decide whether the University of Texas at Austin's race-conscious admissions policy is unconstitutional in *Fisher v. University of Texas at Austin*.

Even though this case arises in the higher education context, the Supreme Court decides relatively few

affirmative action cases so all are of interest to local governments that use race as a factor in decision-making. Per Texas's Top Ten Percent Plan, the top ten percent of Texas high school graduates are automatically admitted to UT Austin, which fills about 80 percent of the class. Most other applicants are evaluated through a holistic review where race is one of a number of factors.

Abigail Fisher claims that using race in admissions is unnecessary because, in the year she applied, UT Austin admitted 21.5 percent minority students per the Top Ten Percent Plan.

The Supreme Court has held that the use of race in college admissions is constitutional if race is used to further the compelling government interest of diversity and is narrowly tailored.

In *Fisher I* the Court held that the Fifth Circuit, which upheld UT Austin's admissions policy, should not have deferred to UT Austin's argument that its use of race is narrowly tailored.

When the Fifth Circuit relooked at the plan again, it concluded that it is narrowly tailored. Only time will tell whether the Court agrees.

Conclusion

The Court's docket is only about half full right now. Interestingly, the Court hasn't accepted a Fourth Amendment or qualified immunity case yet — but no term would be complete without a few such cases. Of interest to the Court may be a case involving whether cell phone location data may be obtained without a warrant.

COMING UP

October 7 - 9

2015 Tennessee Governor's Conference On Hospitality & Tourism
Gaylord Opryland Resort and Convention Center, Nashville. For more information on the educational and professional development seminars that will be offered, schedule, speakers, registration, lodging, and the annual TnHTPAC Golf Tournament, visit www.tnhta.net and click on "2015 TN Governor's Conference."

Oct. 9

TMAA Land Use Seminar
Howard Office Building, Sonny West Conference Room, 2nd Avenue, Nashville. Topics to be discussed at the seminar include telecommunications towers, historic zoning, exclusionary zoning, religious land use, agricultural exemption, aesthetics, the Anti-SLAPP statute, takings, exactions, and writs of certiorari, among others. Registration and more information is available at TMAA's website, www.tmaa.us

October 13-14

TNECD 62nd Annual Governor's Conference on Economic and Community Development
Renaissance Hotel, Nashville. Register now for the 62nd Annual Governor's Conference. For more information or to register for the conference, please visit govcon.tnecd.com.

October 21-23

TCMA Fall Conference
DoubleTree Hotel, Chattanooga. A wide range of topics timely to the needs of TCMA members will be covered over 2 1/2 days, beginning at 9 a.m. on Oct. 21, and ending by 12 noon on Oct. 23. To reserve a room at the DoubleTree, call the hotel at 423-756-5150 and indicate the group name - TN City Managers Association. Or go online to www.chattanooga.doubletree.com. Rooms are also available at the Hampton Inn & Suites. Call 423-693-0500, or go to www.chattanoogadowntownsuites.hamptoninn.com

October 22 - 23

TGFOA Annual Conference
Embassy Suites, Murfreesboro. Topics to be presented: uniform guidance OMB; legislative update; social media; GASB update; economic outlook; and TN Comptroller's office uniform chart of accounts project update. Go to: <http://tngfoa.wildapricot.org>

November 4-7

NLC Congress of Cities
Music City Center, Nashville. Join city officials from all over the country for four days of networking, learning, thought-leadership, and of course some fun with friends and colleagues, old and new. To register: <https://registration.experientevent.com/showncl152/>

November 3 - 5

TCAPWA Conference
Chattanooga Convention Center. For additional information email mark-miller@charter.net

December 14-15

TREEDC 2nd Annual International Conference
Tenn Tech University, Cookeville. To register: https://epay.tntech.edu/C20205_ustores/web

UT-MTAS OCT / NOV MAP CLASSES

Cyber threat is one of the most serious economic and national security challenges we face as a nation. This course will include a discussion on the computer threats that can occur to municipalities, how they possibly happen, and minimum standards needed to reduce the threat of breaches to a computer network security. This class is designed for municipal managers - this is not a technical IT class.

This class is intended to follow up and give a hands-on demonstration to the Cyber Security class. There will be a discussion and step-by-step demonstration of setting up and using a popular password management application as well as Google, Microsoft and Apple two-step verification. This class will have examples of phishing schemes and how to recognize and identify the emails. There will also be additional exercises to increase your IT knowledge. This class is intended for those without a formal IT background who need to understand how to secure the PCs in your organization.

To register for a course, go to www.mtas.tennessee.edu, or fax to 865-974-0423. Credit card payments must register online with the Solution Point System: <http://www.solutionpoint.tennessee.edu/MTAS> or by invoice. For registration assistance, call 865-974-0413. Or for more information, contact Kurt Frederick, training consultant, at 615-253-6385.

CYBER SECURITY CLASS

Target Audience: Managers, Supervisors, Records, CMFOs and others that are interested in cyber security

Credits: .4 CEU or 4 CPE/CMFO (Financial) (PA)

Dates/Locations/Times:

October 7 Collegedale 8:30 a.m. – 12:30 p.m. EST
October 8 Knoxville 8:30 a.m. – 12:30 p.m. EST
October 13 Nashville 8:30 a.m. – 12:30 p.m. CST
October 14 Jackson 8:30 a.m. – 12:30 p.m. CST

IT SECURITY WARRIOR

Prerequisite: Cyber Security Class
Target Audience: Managers, Supervisors, Records, CMFOs and others that are interested in cyber security

Credits: .4 CEU or 4 CPE/CMFO (Financial) (PA)

Dates/Locations/Times:

October 28 Collegedale 8:30 a.m. – 12:30 p.m. EST
October 29 Knoxville 8:30 a.m. – 12:30 p.m. EST
November 12 Jackson 8:30 a.m. – 12:30 p.m. CST
November 13 Nashville 8:30 a.m. – 12:30 p.m. CST

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Keynote Speaker:
Dr. Debby Turner Bell



Comedian:
Leanne Morgan

Trenton works to preserve the past while sustaining the future

BY VAUGHN CASSIDY
TDEC Office of Sustainable Practices

At the forefront of green living in West Tennessee, Trenton is a walkable and interesting city that is maintaining its vintage charm while embracing the challenges of the present.

The city hall proudly commemorates the lifework of one of Trenton's important early citizens through display of his collection of teapots – the largest in the world. Trenton's internationally acclaimed and well-touristed feature, the City Hall Trenton Teapot Museum, houses most of Dr. Frederick Freed's collection of 630 porcelain night light teapots collected over 43 years and across many countries.

"The most notable fact about those teapots," said district court judge and well-known community member Clayburn Peebles, "is that they aren't [just] teapots." The Trenton teapots are actually works of art called *veilleuse-thiéres*, which means nightlight teapot in French. They were popular from 1750 to 1860 (late Rococo to Victorian) and served as an early form of homeopathic remedy. The teapot portion of the *veilleuse-thiére* was filled with herbal tea. The tea was kept warm by a candle that sat in an attached stand beneath the teapot, also serving as a nightlight.

The courthouse pays homage to two other significant historical figures in Trenton's past — Davy Crockett and another member of the Freed family, Leo Freed. Davy Crockett served three terms in Congress while he lived in the county, and his service is commemorated with a dramatic memorial on the courthouse lawn. A fountain memorial, also on the courthouse lawn, honors Leo Freed, the patriarch of the very generous Freed family that gave so much to Trenton both before and after the Civil War.

The courthouse lawn is not the only attractive public outdoor space in Trenton. The Shady Acres Park and Arboretum, certified in 2013 by the National Wildlife Federation as a wildlife habitat, is also a Tennessee Division of Urban Forestry Level IV arboretum, which requires at least 120 different species of trees to be labeled.

The Tennessee Department of Environment and Conservation helped to fund Shady Acres. Gerald Parish, director of the Department's Recreation Educational Services, is impressed with Trenton's commitment to charm and character. "We helped Trenton fund a local park that is right off the courthouse square. That and so many other features like the arboretum and the historic features of downtown make this a great city to just come in and take a walk," said Parish.

A local chapter of the Tennessee Master Gardeners planted all of the trees with each one planted in honor or memory of various individuals. More than 32 acres and located in the middle of town, Shady Acres has a something-for-everyone — woods, ballfields, picnic sites and, of course, an arboretum with 150-plus species of trees.

The founder of the arboretum, Marlene Wilson, is also manager of the local Teapots 101 store, where you can buy all manner of items related to teapots, including even a *veilleuse-thiére* if you are lucky.

Like the Freed's before them, the Wilsons have invested their lives in the city of Trenton. In addition to founding the arboretum and Teapots 101, the Wilsons continue to invest in the city, opening a local restaurant, Rosato's Pizza, and purchasing several dilapidated properties around the courthouse square.

Bob Wilson, Marlene's husband, has found a passion in putting life back into the downtown through resurrecting these properties, many of which have historic value. He founded a real estate investment company to help fund his renovations called AVC Inc.

The Wilsons have uncovered some interesting history during building renovations.

Renovations at the old dairy warehouse at 200 North Church Street, for instance, have brought back some warm memories to a com-



The Trenton County Courthouse is the centerpiece — the revamped square.



Davy Crockett was a longtime resident of Gibson County and represented the county for three terms in U.S. House of Representatives.

munity member. Mr. Wilson purchased the building, had it inspected, and ascertained that the basic structure was still fairly solid. From there he pressure-washed the building façade.

The pressure wash revealed words and a phone number painted on the building: Gibson County Dairy, Phone #195. "Anybody can tell you if a building has a three digit phone number, that's pretty old!" said Wilson.

A local commercial painter, Chris Fisher, was brought in and he was shocked to discover that the original words were painted by the man that taught him how to paint. Fisher told the Wilsons, "I know who painted that! May I restore it?"

The building has since been restored for use as a modern warehouse but still displays, in fresh new paint, Gibson County Dairy #195.

Perhaps the most innovative new business in Trenton is a compressed natural gas station. The Gibson County Energy Complex, one of only 1,200 compressed natural gas stations in the entire country, opened this past May. "On Tuesday, July 14, we serviced our first public customer," said Pat Riley, general manager of the Gibson County Utility District and lifelong resident of Trenton.

The natural gas station draws people to Trenton that otherwise wouldn't have stopped. Connie Means of Sooner Publishing deliberately came through town on her way to her company's headquarters in Enid, Okla., because of the natural gas station. Her entire company drives vehicles that run on compressed natural gas. "This location was very important," Connie Means told Riley, "and it is one of the nicest stations I have ever been to and I have been to a lot of them." Means also said that it was impressive that a city as small as Trenton cared so much about fuel efficiency and local air quality, stating that she also was glad that she doesn't "have to drive to Memphis to fuel up anymore on [her] way through."

Anyone who wants to celebrate all that Trenton has to offer can take part in Trenton's annual Gibson County Fair, the state's oldest county fair which has been held for 160 years. Fair events include a number of vintage county fair contests from competing for the best baked pie to entering an equine into the mule and draft horse show. "We're an all-volunteer



One of the over 500 *veilleuse-thiéres*, or nightlight teapots, on display at the Trenton Teapot Museum. In addition to the year-round teapot museum, Trenton also has an annual world-renowned teapot festival held in May.



The historic Gibson County Dairy which is being renovated for use as a modern warehouse.

organization working to showcase all the good things in Gibson County," said Andy Zarecor, the current president of the non-profit organization, the Gibson County Fair.

Trenton's rich and remembered history provides a strong foundation for the city's charge into the future. Come visit and see for yourself!

Photos by Vaughn Cassidy, TDEC Office of Sustainable Practices, & Bryan Wilson, Trenton business owner

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