

## City Spotlight: Lawrenceburg



Lawrenceburg is mixed with small town friendliness and big city bustle. Frontiersman David Crockett called Lawrence County home. The immigration of an Amish community added another dimension to our culture. Lawrenceburg is the birthplace of southern Gospel music. Famous residents include former United States Senator Fred Thompson and the late Michael Jeter. Experience a neighborly community where citizens and officials work together for continuous growth and prosperity.

Date of Incorporation:  
1825

Population:  
10,428

County:  
Lawrence

Grand Division:  
Middle Tennessee

Municipal Management Consultant  
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## From the Director

*Steve Thompson, MTAS Executive Director*

We have a lot going on as we continue our work consulting, training and conducting research for municipal issues in Tennessee. This newsletter covers just a few of the many efforts underway.



*Steve Thompson*

As difficult as it is to lose great people like Gary West, Melanie Purcell, Gail Cook and Dick Phebus, it's also exciting to add great people to the staff. Certainly some of the exciting changes at MTAS include the following:

- In August, Dennis Wolf of Germantown joined us as a fire and emergency services consultant. We are pleased to have Dennis join us.
- In November, Jim Thomas, city manager of Goodlettsville, will join MTAS as the assistant director. We had a very competitive field of great candidates, and Jim brings great experience and an outstanding background to the agency. This is highlighted in greater detail later in this newsletter.
- Kay Stegall is leading the team to interview and recruit new financial consultants. We hope to have additional announcements soon.

The IPS Public Service Internship Program is going great guns. Over the summer, 11 interns from seven campuses were placed with communities and agencies across the state. For the fall, we have placed 10 interns from five schools. The program is improving every day. We expect more interns next semester, so let us know if you have a specific project in mind. Most of our interns are available only in the larger metro areas unless we can develop a way to cover and provide travel. However, if you have a project in mind or funding available, let us know, and we will try to find a student match. Program funding is always an issue, and we'll be discussing a development plan for this over the next few months.

In addition to new staff, we are constantly working to update and improve consulting services. In the past month, we have completed a number of studies and projects involving strategic planning, stormwater projects, human resource consulting and assistance, new and updated codes, legal advice and studies, and much more. We're also expanding the Research and Information Center's holdings of electronic studies and research from North Carolina, Virginia and other states across the country.

Thank you for the services that you deliver to the residents of this state. You should find that the services of MTAS continue to improve and change to support your good work.

## Jim Thomas to Join MTAS as Assistant Director

In November, Jim Thomas will join MTAS as the assistant director. Jim has served on the MTAS Advisory Board for several years, so we are very familiar with his work and with his commitment to public service. He has served as both assistant city manager and city manager in Goodlettsville since 1999.

The Chattanooga native received his bachelor's and master's degrees from the University of Tennessee, Knoxville. He served as president of the UT National Alumni Association in 1991 and has filled other roles in the association since 1988. He has been a member of the Tennessee Municipal League since 1998, the Tennessee City Management Association since 1998 and the International City/County Management Association since 1999.



Jim Thomas

We welcome Jim to MTAS and look forward to many fruitful years together serving the cities and towns of Tennessee.



### Parliamentary Procedure: *Robert's Rules of Order*–

### *The motions to reconsider, rescind and amend something previously adopted*

Margaret Norris, Municipal Management Consultant

What do you do when you change your mind about a vote? Is there such a thing as a do-over in municipal government? Can things be taken back? The answer, according to *Robert's Rules of Order Newly Revised 10<sup>th</sup> Edition* is yes, in certain circumstances.

The motion to reconsider “enables a majority in an assembly, within a limited time and without notice, to bring back for further consideration a motion which has already been voted on. The purpose of reconsidering a vote is to permit correction of hasty, ill-advised or erroneous action, or to take into account added information or a changed situation that has developed since the taking of the vote” (§ 37, p. 304). However, there are some rules that go along with this. Only someone who voted on the winning side is allowed to make the motion to reconsider, and the motion can only be made at the same meeting where the original vote was taken. Items that cannot be reconsidered include when something has already started as a result of the vote; things that have been done that cannot be undone; and when dealing with a contract and the parties have already been notified.

The motion to rescind is a little different. It does not have the time limits on it that the motion to reconsider does and anyone can make the motion. Robert's defines

this motion as: “the motion by which a previous action or order can be canceled or countermanded. The effect of Rescind is to strike out an entire main motion, resolution, rule, bylaw, section or paragraph that has been adopted at some previous time” (§ 35, p. 294). This is pretty straightforward, but the rules go on to say that this motion applies to anything “which has continuing force and effect and which was made or created at any time or times as the result of the adoption of one or more main motions” (§ 35, p. 294). Approval of this motion requires a two-thirds vote unless members have been given previous notice that the vote was coming.

The motion to amend something previously adopted is very similar to the motion to rescind with its rules. Robert's defines this motion as: “the motion that can be used if it is desired to change only a part of the text, or to substitute a different version” (§ 35, p. 294).

Just like the motion to reconsider, the motions to rescind and to amend something previously adopted cannot be done if the resulting action is impossible to undo. One difference is that if a resignation has been accepted, it cannot be rescinded or amended if the person was present or was notified.

## Crossville Releases Results of Sustainability Initiative Report

*Warren Nevad, Municipal Management Consultant*

The city of Crossville's sustainability effort began in 2008 with the Crossville Energy and Sustainability Initiative, which was a partnership between the mayor's office and the Planning Department of the University of Tennessee, Knoxville. In a series of workshops held over three months, community stakeholders examined ways to mitigate the high costs of energy while improving air quality and promoting energy independence. Results of these workshops produced a sustainability plan that contained 143 ideas and recommendations to educate the community and to become a more sustainable community.

The report led to the development of the annual Sustainability Fair held in April at the Cumberland County Community Complex. Every fifth grade student in the county was bussed to the site to see demonstrations of new technology and to learn common-sense strategies to reduce energy consumption. The city has also replaced traffic signals with LED lights, reducing energy consumption of its 37 signalized intersections by 84 percent.

The city is also producing bio-diesel fuel made from used vegetable cooking oil. Through that program, the city is producing 250 to 300 gallons of biodiesel fuel a week to replace diesel fuel the city was purchasing. Production of the biodiesel also diverts grease from the wastewater system which results in less clogged lines and reduced labor overtime costs. [CLICK HERE](#) to read the report.

## City of Franklin Rewards Sustainability Practices for Local Businesses

*Warren Nevad, Municipal Management Consultant*

The Franklin Live Green Partnership is a collaborative effort of businesses that promote sustainable operations in the workplace. The program is open to all businesses in Franklin on a volunteer basis, regardless of type or size, as long as they implement resource conservation measures and demonstrate a culture of sustainability in their everyday practices. This innovative program provides a ratings system to award points for their actions. The following five categories are based upon the number of points earned by the sustainable actions of a business:

1) Partner	(20-39 Points)	4) Gold	(120-159 Points)
2) Bronze	(40-79 Points)	5) Platinum	(160+)
3) Silver	(80-119 Points)		

The steps businesses can take vary in their degree of difficulty. For the low-hanging fruit, the "Awareness and Basics" focuses on simple tasks such as printing double-sided documents (5 points); signing up for the "Green Tips" e-mail alerts (5 points); asking whether customers need a bag (5 points); and a customer discount for those who walk or ride a bike (10 points).

"Waste Reduction" action items include composting and using biodegradable materials for carry-out containers. Business owners interested in conserving water can do things as simple as no longer using bottled water to installing a green roof or rain barrel to collect rainwater runoff.

Similarly, there is a range of activities for conserving energy — from switching to LED lighting to getting an energy audit to seeking LEED certification. For other green actions, the program offers flexibility to business owners who want to submit alternative measures for consideration.

The city reports that more than 160 businesses have signed up so far. Business owners receive a sticker to place in their front windows that indicates their level of achievement. [CLICK HERE](#) to read about the live green partners program.

## Tennessee Municipal Benchmarking Project Gets Underway for FY2011 Data Collection/Analysis

On August 23, representatives from the 10 cities participating in the Tennessee Municipal Benchmarking Project (TMBP) gathered in Franklin at the Eastern Flank Battlefield Park at the Carnton Plantation to kick off the FY2011 project.

The meeting was coordinated by the UT Municipal Technical Advisory Service (MTAS) with the generous assistance of staff from Franklin. The meeting covered the highlights of the FY2010 report, timeline for the FY2011 process that begins with the August meeting, and the review of data definitions to ensure consistency in data collection and comparisons.

The TMBP is a city-driven endeavor to benchmark service areas of police, fire, refuse collection and disposal, recycling, employment benefits, human resources, finance services, code enforcement, building inspection, and planning and zoning. Performance and cost measures are collected for these service areas. In the annual report, historical trends are provided for police, fire and refuse as data has been collected on these services from the beginning of the project. Each participating city is also compared to averages for selected service benchmarks in the areas of fire, police, refuse and employment benefits.

This is the 10th year of the TMBP, and some enhancements are in the works for the project this year such as the availability of a comprehensive user manual for participants that defines all performance

and costs measures collected for the project. Another new development will be the use of online meeting technology for participants to meet as needed to discuss

data collected which is an important part of the process. An online interface for participants to input data and retrieve reports will be explored as well and a complete reformatting of the annual report is also among the improvements planned for this year. Sarah Young, a doctoral candidate in the political science department at UT Knoxville will be the intern for the fall 2011 semester working on the TMBP. Nurgul Aitalieva will continue her assistance to the program even though her

official internship has concluded. Nurgul was integral to the completion of the FY2010 Annual Report.

Staff support for the project at MTAS is as follows: Frances Adams-O'Brien and Rick Whitehead are the project coordinators. Sharon Rollins, Rex Barton, Ron Darden, Al Major, Dennis Wolf, Bonnie Jones and Richard Stokes serve as service area experts for the project. Faculty support for the project is provided by Dr. David Folz, professor and faculty associate in the department of political science at Howard Baker Jr. Center for Public Policy.

MTAS will facilitate the efforts of the participating cities as they work to improve services to their communities: Athens, Bartlett, Brentwood, Chattanooga, Cleveland, Collierville, Franklin, Germantown, Kingsport and Morristown.



*MTAS staff meet with representatives from the 10 cities participating in the Tennessee Municipal Benchmarking Project in Franklin.*



## Johnson City Achieves Tennessee Law Enforcement Certification

Alice Grunau, TLEA Program Manager  
 Congratulations to the Johnson City Police Department for becoming the 10<sup>th</sup> agency to achieve accreditation in the Tennessee Law Enforcement Accreditation (TLEA) program! We are pleased to recognize Chief John Lowry and Accreditation Manager Lou Nelson along with the hardworking men and women of the Johnson City Police Department who put in the time and effort it takes to meet the standards in the program – job well done!



Rex Barton, center, presents Chief John Lowry and Accreditation Manager Lou Nelson with a TLEA Award.

The charter, founding agencies in TLEA, are the McMinnville and the Bristol Police departments. They were the first departments to undertake the task of becoming state accredited and achieved accreditation in June of 2010.

Since that time, the following agencies have attained accreditation: Dyersburg Police Department, Morristown Police Department, Sevierville Police Department, Gatlinburg Police Department, Vanderbilt University Police Department, Springfield Police Department and Knoxville Police Department.

## Continuing Education for Certified Municipal Finance Officers

Gary Petree, Training Program Manager  
 To maintain certification, a certified municipal finance officer (CMFO) shall earn at least 24 hours of continuing education units. All continuing education is to be categorized in two broad categories: Financial (F) and Other (O). Each year, at least 16 hours of CEUs obtained must be in the F category, and no more than eight hours of the required 24 may be in the O category.

For your consideration, MTAS offers the Ethics in Government session for CMFO continuing education in the O category. Four-hour sessions are scheduled in Franklin on October 26, Jackson on October 27 and Knoxville on December 13.

MTAS also offers a Municipal Management Academy Level I schedule in Columbia beginning October 20. If accepted as continuing education for the CMFO, these sessions should be recognized in the O category.

Please note that the Tennessee Comptroller's Office has final determination of continuing education credits for Certified Municipal Finance Officers.

Additional resources:

CMFO Fact Sheet [CLICK HERE](#)

GFOA. Meeting Your Training Needs and CPE Requirements. September – December 2011. [CLICK HERE](#)

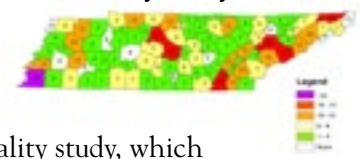
## USFA Releases New Report on Civilian Fire Fatalities

The U.S. Fire Administration's (USFA) new report on civilian fire fatalities in residential buildings highlights that: 91 percent of all civilian fatalities in residential building fires involve burns and smoke inhalation; smoking was the leading cause of deadly residential fires; and 55 percent of civilian fire deaths occur in bedrooms.

The findings in the report coincide with the previously released Tennessee Fire Mortality study, which found that Tennessee has a serious fire problem, that residential fires are preventable and that working smoke alarms help prevent fire fatalities.

For a copy of the USFA report, [CLICK HERE](#). For a copy of the Tennessee Fire Mortality study, [CLICK HERE](#).

Number of Civilian Residential Fire Deaths by County (2002-2010)



# Athens' Public Library in the Wetlands

by Chris Ingram, Reprinted with permission from the *Tennessee Public Works Magazine*, September/October 2011

The city of Athens is blessed in many ways. Athens is governed by people with vision and a goal of increasing environmental health and awareness. The city also has an excellent public library that is popular with residents and is governed by a board of exceptional people. The E.G. Fisher Public Library happens to be on the banks of Oostanaula Creek, a stream which is currently on the state's impaired list because of siltation and bacteria.

The Oostanaula also has a tendency, from time to time, to cause significant flooding in downtown Athens.

It was quite a challenge – a prime property owned by a community-oriented organization, located adjacent to a flood-prone stream, and in a municipality that is focused on environmental health. What did we do in light of these and other factors? We offered to build the library a brand new swamp!

Wetland reclamation is a growing trend in America that aims to reverse some of the unintended, and occasionally catastrophic, results of a century of construction undertaken without planning or a useful knowledge of natural environmental processes. We realize that this six-acre site will not detain enough stormwater to prevent flooding in the downtown area, but we see it as a beginning and an outdoor classroom for generations to come.

The Athens Public Works Department was awarded a 319 Grant by the Environmental Protection Agency in 2009 for the purpose of restoring Oostanaula Creek. When one of our original projects was rejected, we quickly sought alternatives and pitched the idea of wetland restoration to the library board. Naturally, they were skeptical, and rightly so. Visions of soggy books, snakes and mosquitoes danced through their heads. However, with the help of a consulting firm, we were able to convey the positive and tangible results of our proposal, and the library board agreed to allow a new wetland to be constructed on the property.



*The Oostanaula Creek in Athens*

Using Public Works employees as the labor force, renting equipment and working hard for many hours, we were able to remake the site with a detention basin to hold and filter thousands of gallons of stormwater. We included a limestone glade because of existing site conditions and as an example of topology in the state. To satisfy the educational requirements of the grant, we added a walking trail that features five educational kiosks. The kiosks feature signage on the subjects of: The Wetlands, Birds and Butterflies of the Wetlands,

Natural Mosquito Control in the Wetlands, the Wetlands as Inspiration and the Limestone Glade. We planted only native trees, shrubs, wildflowers and grasses. We installed etched bronze plaques to identify many of the trees and shrubs. Fifteen of these plaques feature the artwork of local artists. We also built an amphitheater – probably unlike any other.

The library's amphitheater is more than a place to have a concert, re-enactment or play. The amphitheater is a completely pervious structure

and is practically its own detention basin. The bricks allow rainwater to infiltrate the rock sub-base of the seating and stage areas. The amphitheater will see much use in the library's various reading programs, and it will have no impact on Oostanaula Creek.

Before we built the wetlands at E.G. Fisher Public Library in Athens, the site was just another field of grass. The land was something to mow every two weeks that few ever noticed. The land had a monetary value, but little value to the community. Now, it is very much a community space. How do we in Athens value a piece of land? We value the sight of visitors walking the wetland trails. We value the Great Blue Herons who come to fish in the detention basin. We value schoolchildren who read the kiosk signs and become stewards of the environment. We value the memories of the music, literature and art, and we enjoy the amphitheater. Mostly, we value community – people choosing to live together and having an importance in each other's lives.

## Town of Farragut Participates in AmeriCorps Program

*Town of Farragut Staff*

For the first time in its history, the town of Farragut is participating in the AmeriCorps national service program. Often described as a “domestic Peace Corps,” AmeriCorps engages citizens in full-time service to their country through long-term service projects in communities around the nation. Joshua Cunningham, a Mount Holly, N.C., native who recently completed his first term of service with AmeriCorps, is the inaugural member of the town’s AmeriCorps Water Quality Assistant Program.



Joshua, who holds a bachelor’s degree from Johnson and Wales University, will receive comprehensive training in stormwater management operations, including GIS mapping and stream analysis. He will also be responsible for the coordination of a variety of education and public engagement activities including the Farragut’s Adopt-A-Stream program.

“Josh will be charged with enhancing recruitment and retention of volunteers moving towards the long term goal of having members of the community adopting the entirety of Turkey Creek, the North Fork of Turkey Creek and Little Turkey Creek,” said Jason Scott, Farragut stormwater coordinator.

## New Stormwater Resources

**Model Stormwater Ordinance 2011: Written for the 2010 Small MS4 Permit and Construction General Permit Reissuance | [DOWNLOAD](#)**

*Sidney D. Hemsley, J.D. & John C. Chlarson P.E.*

The Model Stormwater Ordinance for 2011 was rewritten with the goal of compliance with the 2010 permits and is intended to be adapted for the local government’s specific requirements. Quantity and rate of flow issues for events above one inch with which local governments historically must deal are also addressed. The appendices are not intended for adoption; they include relevant information and model documents.

**2011 Tennessee Construction Stormwater Permit | [DOWNLOAD](#)**

## Planning Commission and Board of Zoning Appeals Training

MTAS can assist you in obtaining the required training under the Planning Commission and Board of Zoning Appeals Training and Continuing Education Act of 2002, which provides that each planning commissioner shall within one year of initial appointment, and each calendar year thereafter, attend a minimum of four hours of training and continuing education. Each full-time or contract professional planner or other administrative official whose duties include advising the planning commission shall, each calendar year, attend a minimum of eight hours of training and continuing education. A professional planner who is a member of the American Institute of Certified Planners (AICP) and who has obtained a current AICP certificate in Continuing Professional Development Program shall be exempt from this requirement. A professional planner who is a member of the AICP shall submit a copy of such member’s current certificate from the AICP program.

Planning and commission members and full-time contract professional planners shall certify by December 31 of each calendar year such individual’s attendance by a written statement filed with the secretary of such individual’s respective planning commission (approving authority of training). Each statement shall identify the date of each program attended, its subject matter, location, sponsors and the time spent in each program.

MTAS Municipal Administration Program (MAP) classes offer opportunities for planning commission and board of zoning appeals members to meet these training requirements, which can also be met through state association meetings, state agency training events and conferences.

Upcoming MTAS training opportunities include:  
**September: Stormwater Administrative Hearings Classes** (4 contact hours)  
**October: Retail Economic Development** (4 contact hours)  
**October: Ethics** (4 contact hours)

To register or for additional information, visit the MTAS website at [www.mtas.tennessee.edu](http://www.mtas.tennessee.edu) under the training tab or contact MTAS at (865) 974-0411.





## IMLA Presents Award to Karen Beyke

In a ceremony held September 13 at the Chicago Hilton in Chicago, the International Municipal Lawyers Association (IMLA) awarded the William I. Thornton, Jr. Faculty Award at the 76<sup>th</sup> Annual Conference to Karen Beyke of Franklin.

This award honors the memory of William I. Thornton, Jr. by recognizing a person dedicated to IMLA and to the practice of local government law, who has participated as a member of the IMLA faculty in helping local government attorneys learn about or reaffirm their knowledge of issues important to their practice of local government law. In addition to the traditional qualities of excellence in the practice of law, the award seeks to recognize a practitioner who has provided outstanding service to the public and who possesses an exemplary reputation in the legal community, the highest of ethical standards and who is devoted to mentoring young lawyers and educating lawyers in local government law.

This year, IMLA selected Karen Beyke as a recipient of this prestigious award. Karen is an MTAS consultant, providing curriculum development and instruction for training classes on administrative hearings. She also provides one-on-one and conference training for municipal court clerks. And, she is the main force behind IMLA's newly invigorated Code Enforcement Section.



*Karen Beyke*

Founded in 1935, IMLA is a nonprofit, nonpartisan organization consisting of approximately 3,000 local governments and attorneys throughout the United States and Canada.

## ■ NEW MTAS PUBLICATIONS

### Accommodating Nursing Mothers in the Workplace (2011)

*Bonnie Jones, Human Resource Consultant*  
This publication will guide you through state and federal laws that accommodate nursing mothers in the workplace. | [READ](#)

### Compressed Natural Gas for Tennessee Municipal Fleets: A Primer for Municipal Officials

*Warren Nevad, Municipal Management Consultant*  
This technical bulletin presents the economic and environmental benefits of compressed natural gas along with case studies and siting tips for compressed natural gas stations. | [READ](#)

### Inverviewing and the Law (2011)

*Richard Stokes, Human Resource Consultant*  
Congress provided federal legal enforcement for equal employment in the Civil Rights Act of 1964, with strengthening amendments added in 1972. Unlawful discrimination in the employment process also is enforced through the Age Discrimination in Employment Act and the Americans with Disabilities Act. | [READ](#)

### Water and Wastewater Management (2011)

*Steve Wyatt, Brett Ward, Utilities Consultants, Al Major, Finance and Accounting Consultant, and Bill Young, General Manager, Harriman Utility Board*  
The purpose of this manual is to provide a resource for both new and experienced water board members and municipal officials who have little or no formal training for the job. | [READ](#)

### Tennessee Public Acts 2011: Summaries of Interest to Municipal Officials

*Josh Jones, Legal Consultant*  
This publication summarizes the year's public acts that have the most significant impact on municipal operations. | [READ](#)



## MTAS Training Events and Conferences

### MUNICIPAL ADMINISTRATION PROGRAM

#### ■ Changing Employment Arena

This course will address the effects on employment of the recent American with Disabilities Act (ADA), Family Medical Leave Act (FMLA) amendments and the new Genetic Information Nondiscrimination Act (GINA) legislation. Other EEOC issues pertaining to retaliation and religious discrimination in the workplace as it relates to employment will also be addressed.

October 4	Knoxville
October 6	Jackson
October 12	Franklin

#### ■ Retail Economic Development

In today's competitive world to attract retail development, it is important that each city knows how to compete. This course focuses on the "basics" of how to attract retail business to your city. It provides numerous tips on how to maneuver in the world of retail development and to be competitive. To assist cities in preparing themselves for economic development, it also introduces a detailed economic assessment tool and provides assistance in its completion and use. This class will provide the participants information that will have immediate and long term benefits.

October 25	Knoxville
November 9	Jackson
November 29	Franklin

#### ■ Ethics

Most employees do not knowingly violate a law or policy. Instead, many ethical violations occur when an employee is faced with a difficult choice that requires the employee to balance competing interests where the right thing to do is not clear. This course uses scenarios to address the gray areas and provides participants practical skills for identifying and resolving these ethical dilemmas.

October 26	Franklin
October 27	Jackson
December 13	Knoxville

For more information on these classes, contact Elaine Morrisey at [elaine.morrisey@tennessee.edu](mailto:elaine.morrisey@tennessee.edu).

## Other Events

### MARK YOUR CALENDARS!

October 7	Tennessee Renewable Energy and Economic Development Council East Tennessee Forum, Vonore (To view the agenda, <a href="#">CLICK HERE</a> )
October 12-14	Tennessee Fire Chiefs Association Fall Quarterly Meeting, Kingsport
October 21	Tennessee Personnel Managers Association East Tennessee Membership Meeting
October 26-28	Tennessee City Managers Association Fall Conference, Kingsport
October 27-30	Tennessee Chapter of the American Public Works Association Annual Conference, Gatlinburg

## New Materials in the MTAS Research/Information Center

The MTAS Research and Information Center is always adding new materials to our collections, and we produce a list each month of those newly added materials. The list is posted to the front page of our website and can be sent to you upon request. Here are some highlights from the month of September 2011:

- **Germantown Fire Department Standard Operating Procedures** (e-document)
- **Your Next ISO Rating: Simple Solutions** (Larry Stevens) (e-document)
- **Maximize the Potential of Your Public Library: A Report on the Innovative Ways Public Libraries Are Addressing Community Priorities** (ICMA)
- **Calculating the Overtime Rate Under the FLSA** [*Public Safety Labor News*, Vol. 19, No. 8 (August 2011), 1, 4.]

[CLICK HERE](#) for other new items recently added.

