

MTAS Municipal E-News

OCTOBER 2012 • ISSUE 41

CITY SPOTLIGHT: PETERSBURG

Lincoln/Marshall Counties

Incorporated in 1837

2012 Population: 544

Municipal Management Consultant

Dana.Deem@tennessee.edu

NEW PUBLICATIONS

Publications updated with the latest state and federal laws, new and revised acts, training resources and other significant material available for municipal employees. [READ](#)

CLASS LISTINGS AND INTERACTIVE TRAINING CALENDAR

Mark your calendar! MTAS training events and conferences are listed here along with information and how to register for upcoming training events on your Solution Point account. [READ](#)

RESEARCH/INFORMATION CENTER NEW MATERIALS

MTAS' Research and Information Center is always adding new materials to its collection. See what's new for this month. [READ](#)

PAST ISSUES OF THE MUNICIPAL E-NEWSLETTER

[READ](#)

FROM THE EXECUTIVE DIRECTOR

By Jim Thomas, Executive Director

As a city official, I know you find yourself busy with what seems to be a never-ending list of meetings to attend during the fall season – TCMA, TAMCAR, ICMA, IPMA, TnPRIMA and others. [READ](#)

MTAS DELIVERS “LEARNING TO INNOVATE: LESSONS FROM THE WRIGHT BROTHERS”

UT Municipal Technical Advisory Service (MTAS) Management Consultant Pat Hardy and MTAS retiree Sally Thierbach recently developed a new seminar on the subject of “Learning to Innovate: Lessons from the Wright Brothers – Principles of Innovation and Problem-Solving.” [READ](#)

CITY OF MEMPHIS PARTICIPATES IN CERTIFIED MUNICIPAL FINANCE OFFICER PROGRAM

By Kay Stegall, Finance and Accounting Program Manager

MTAS partnered with the City of Memphis and Memphis, Light, Gas and Water (MLG&W) and conducted a special cohort Certified Municipal Finance Officer program in Memphis. The cities of Bartlett, Germantown and Lakeland also participated. [READ](#)

VACANT PROPERTY REGISTRY ORDINANCES NOT ENFORCEABLE IN TENNESSEE

By Melissa Ashburn, Legal Consultant

Across the country, vacant properties cause problems for cities including reduced property values, increased criminal activity, blight and the general decline of neighborhoods and communities. [READ](#)

ROBERT’S RULES OF ORDER NEWLY REVISED: AMENDING THE MINUTES

By Margaret Norris, Municipal Management Consultant

Minutes have been covered in past articles (see Minute Taking from E-News March 2012, Issue no. 34 and Minute Acceptance April 2012, Issue no. 35). [READ](#)

From the Executive Director

By Jim Thomas, Executive Director



Jim Thomas

As a city official, I know you find yourself busy with what seems to be a never-ending list of meetings to attend during the fall season – TCMA, TAMCAR, ICMA, IPMA, TnPRIMA and others. The same can be said for MTAS staff as we work to support those municipally-oriented association meetings. More than likely, we will be seeing each other frequently at those meetings over the next few months. I look forward to those visits.

As MTAS moves forward, we find ourselves busy addressing important staffing needs as we work to fill our assistant director and training program manager vacancies. Having served a while as assistant director, I am absolutely certain of the important role the person in this position serves. And with Gary Petree's departure as training manager, we are anxious to get the next "right" person in that position. As our customers, you tell us frequently the importance of our training function, and we are committed to make the best possible product available to you. Gary laid some excellent groundwork and we will build on it soon with the new manager.

Your interest in MTAS is greatly appreciated. My job is to get the service you expect from us to you quickly, effectively and in a way that meets YOUR needs. I look forward to hearing from you when we do that ... and when we don't do that. Both of those share equally high importance to MTAS.

MTAS Delivers "Learning to Innovate: Lessons from the Wright Brothers"

UT Municipal Technical Advisory Service (MTAS) Management Consultant Pat Hardy and MTAS retiree Sally Thierbach recently developed a new seminar on the subject of "Learning to Innovate: Lessons from the Wright Brothers – Principles of Innovation and Problem-Solving."

The two recently presented the eight-hour seminar for the first time to the city of Bristol staff at its annual retreat.

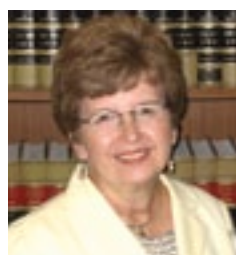
All of this was done in conjunction with Solutions Consultant Dwaine Raper and Executive Director Paul Jennings of the UT Center for Industrial Services (CIS). Raper assisted with writing the seminar, and both Raper and Jennings helped facilitate the Bristol session.

"This was a very effective cooperative effort between our two agencies, and the overwhelmingly positive scores and comments on the evaluations reflected this," said MTAS Executive Director Jim Thomas.

The staff involved anticipate using the seminar with a number of other groups and have developed modules that can be tailored to a specific need or a specific time frame, anywhere from two to eight hours.



Pat Hardy



Sally Thierbach



Dwaine Raper



Dr. Paul Jennings

City of Memphis Participates in Certified Municipal Finance Officer Program

By Kay Stegall, Finance and Accounting Program Manager

MTAS partnered with the City of Memphis and Memphis, Light, Gas and Water (MLG&W) and conducted a special cohort Certified Municipal Finance Officer program in Memphis. The cities of Bartlett, Germantown and Lakeland also participated. The first cohort group completed the last of 11 classes recently. Thirteen individuals successfully completed the program requirements and are now eligible for certification by the Comptroller of the Treasury.



Kay Stegall

Rowland McElrath, finance director for the city of Memphis, was a graduate of the first group of CMFOs. McElrath encouraged other finance officials to enroll in the program, and MTAS agreed to conduct a special cohort group to accommodate the city of Memphis. The group consisted of deputy finance directors, a chief financial officer, a controller, budget directors, certified public accountants and individuals with diverse backgrounds and experience. The group was so impressed with the depth of the CMFO program, it has requested that MTAS conduct another cohort class starting immediately. The first class was scheduled for September. This group has already reached maximum capacity for our training room with 30 participants. The city of Memphis doubled the number of its participants for this second cohort group.

This note from James Stokes, deputy director of finance for the city of Memphis, provides a perspective from the city itself on the value of the class.

"We want to express our sincere thanks for allowing the MTAS organization to administer the on-site program at the City of Memphis. This accelerated program allowed us to have eight of our senior finance professionals participate in this very rewarding program. We look forward to our trip to Nashville early next year to receive our certificates. In the meantime, we are completing our applications for certification.

This program aligns with one of our mayor's four priorities "Advance a culture of excellence in government." And just so that you know how much we believe this program contributes to our ability to align with the mayor's priority, beginning in September, we have a group of just over 25 city of Memphis finance professionals ready to begin the next accelerated program — Memphis Cohort II.

And, let me also take this opportunity to thank Kay Stegall for her willingness to consider the vision of a Memphis Cohort Group I and II and making it a reality. She, along with her team of professionals, was outstanding in every way as they guided us to our goal of becoming Certified Municipal Finance Officers."

MTAS is very pleased that Memphis and MLG&W have recognized the benefits of the CMFO program. We are excited to provide services to Memphis and continue our partnership for another year.

MTAS Online Courses

MTAS is offering a wide array of courses that you can take at your desk – no travel required. Here are some of the courses available:

- Choosing the Best Applicant
- Leadership and Change
- Listening Essentials
- Making Difficult Decisions
- Understanding Organizational Ethics

How long is each course? Each course includes self-tests to check understanding as you progress.

[CLICK HERE](#) for these courses and a complete listing of other MTAS courses. Then scroll down to the "Open Records" class. Click on the link for the class. You will be able to register from there.

Vacant Property Registry Ordinances Not Enforceable in Tennessee

By Melissa Ashburn, Legal Consultant

Across the country, vacant properties cause problems for cities including reduced property values, increased criminal activity, blight and the general decline of neighborhoods and communities. These problems increase the need for city services such as code enforcement and greater need for police response. In some states, cities are adopting ordinances requiring vacant property owners to register with the city and pay an annual fee. The purpose is to have an owner identified to accept service of process of citations for code violations existing on the property, as well as collecting a fee to assist in covering the expenses caused by the property being vacant.



Melissa Ashburn

Unfortunately, there is no legislation in Tennessee giving cities the power to force vacant property owners to register or to pay a fee. Although cities may enforce ordinances requiring that lawns be mowed and property be maintained under model codes, they do not have authority to require registration by vacant property owners. Rather, Tennessee cities may only take action against these vacant property owners by levying liens for lot clean up or mowing, under ordinances adopted pursuant to T.C.A. § 6-54-113, or by taking action to force repairs or demolition under ordinances adopted pursuant to the Slum Clearance Act, T.C.A. § 13-21-101, et seq. Cities may also file condemnation lawsuits and obtain court orders to demolish structures in some situations.

It is not clear if the vacant property registration ordinances adopted by cities in other states will have the intended effect, as these ordinances are new and no city is yet reporting the results of enforcement efforts. It is also unclear if these ordinances will withstand legal challenge, as no legal action has yet worked its way through the court system and enforcement authority is questionable in many states. What is clear is that unless legislation is passed by the Tennessee General Assembly, expressly giving cities the authority to force vacant property owners to register and pay fees, such ordinances are not enforceable in our state.

Robert's Rules of Order Newly Revised: Amending the Minutes

By Margaret Norris, Municipal Management Consultant

Minutes have been covered in past articles (see Minute Taking from E-News March 2012, Issue no. 34 and Minute Acceptance April 2012, Issue no. 35). However, one element that was not covered was the act of changing the minutes in the minute book.



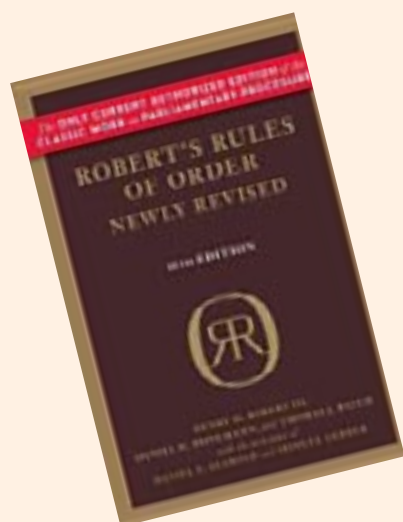
Margaret Norris

Robert's says this about correcting adopted minutes:

If the existence of an error or material omission in the minutes becomes reasonably established after their approval – even many years later – the minutes can then be corrected by means of the motion to *Amend Something Previously Adopted* (35), which requires a two-thirds vote, or a majority vote with notice, or the vote of a majority of the entire membership, or unanimous consent. (§ 48, p. 475)

Another instance where adopted minutes may need to be corrected is if a motion was repealed (also known as rescinded or annulled). In these cases, the “old” minutes do not need to be altered because the “new” minutes will reflect the changes; although my recommendation is to make a cross reference to the “new” minutes in the margin of the “old” minutes.

There is an exception, however and this is if the motion is made to *Rescind and Expunge from the Minutes* (which is rare and requires a majority vote of the entire governing body, not just those present). According to *Robert's* the recorder “draws a single line through or around the offending words in the minutes, and writes across them the words, ‘Rescinded and Ordered Expunged,’ with the date and his signature. In the recorded minutes the words that are expunged must not be blotted or cut out so that they cannot be read, since this would make it impossible to verify whether more was expunged than ordered. In any published record of the proceedings, the expunged material is omitted.” (§ 36, p. 310)



Benchmarking Project Is on the Web

TENNESSEE MUNICIPAL BENCHMARKING PROJECT

... and Other Good News!

By Frances Adams-O'Brien, Research and Information Center

As we celebrate the 10th anniversary of the Tennessee Municipal Benchmarking Project (TMBP), some important enhancements to the project are being put in place.



Frances Adams-O'Brien

First, as of September 13, the TMBP has a web presence. From the MTAS website, you can click on "View benchmarking project" to go to the page. The direct link is: <http://www.mtas.tennessee.edu/public/web.nsf/Web/Benchmark>

Basic information on the project is available as well as our contact information. The latest annual report is posted on the site as well as information on what a typical project cycle looks like for the participants.

To also create a unique and recognizable presence for the project we have created a wordmark to be used on all publications for TMBP. You can see the new wordmark on the TMBP webpage as well. All of these efforts are part of a plan to increase awareness of the project.

And to that end, we are very pleased to announce that the City of Knoxville has joined the TMBP project. After discussions with Deputy to the Mayor/Chief Operations Officer, Eddie Mannis and selected staff members, the staff and leadership of Knoxville have decided to join us in the TMBP. Russ Jensen, 311 Director for the City, will be Knoxville's point person.

TREEDC Receives Governor's Award on Environmental Leadership



The Tennessee Renewable Energy and Economic Development Council (TREEDC) won a governor's award on environmental and energy excellence for demonstrating exceptional leadership in 2011 by partnering with 75 cities and counties to facilitate the advancement of renewable energy and energy efficiency in Tennessee. Tennessee Tech University is a founding member of TREEDC and has hosted two renewable energy forums since July 2011.

TREEDC's biggest mark in 2011 was through its assistance to several small communities with solar and biodiesel development. As part of its efforts, TREEDC hosted six free clean energy forums across the state, reaching out to more than 500 citizens to learn more about the environmental and economic benefits of renewable energy. TREEDC's outreach is designed to plan and facilitate development of Tennessee's abundant natural renewable resources to spur sustainable economic development and to provide long term energy security to the citizens of Tennessee, extended to private businesses, local governments, farmers, energy and service providers, resource agencies and universities.

TREEDC Director/UT MTAS Consultant Warren Nevad expressed his appreciation for the dedicated work of Tennessee Tech in helping advance renewable energy and energy efficiency across the state. TREEDC is a statewide organization of city and county mayors, businesses and energy stakeholders promoting renewable energy with economic development.

The organization was formed in 2008 by MTAS, UT President Emeritus Johnson and four mayors in the Upper Cumberland region of Tennessee.

For more information, visit www.treedc.us.



Left to right: Emanuel Bailey, TREEDC board member; TREEDC President/Ducktown Mayor James Talley; Dennis Tennant, Tennessee Tech University Associate Director; Warren Nevad, UT MTAS/TREEDC Director; TREEDC Vice-President/Gainesboro Mayor John Fox; Deputy Governor Claude Ramsey; Dr. Edmund Ford, Jr. Memphis TREEDC Board Member; and Tennessee Tech University Vice President Dr. Susan Elkins.

Chattanooga Invests in Training Skills for Employees



By Gary Petree, Training Program Manager

Responding to a request from the city of Chattanooga Human Resource Manager, the MTAS training team designed, developed and delivered a Train the Trainer series for a group of 19 employees. Participating in five training sessions and four workshops over a period of three months, the employees acquired skills and knowledge necessary to establish and maintain an effective organizational training program.



Gary Petree

The training covered all aspects of the standard model for training programs: analysis and assessment of need for training, design, development, implementation and evaluation of training. Participants can use the skills and knowledge to develop training sessions within their departments as well as for the benefit of city-wide training efforts.

One important outcome for the project was the development of four training sessions on high priority topics for the organization: Selection and Recruitment; Family Medical Leave Act (FMLA) and the Health Insurance Portability and Accountability Act (HIPPA); Ethics; and the Americans with Disability Act and Injured on Duty. In small teams, participants designed, developed, implemented and evaluated a pilot session for each of the topics. The human resources staff provided advice and guidance in the development process, which enabled participants to incorporate provisions of the city code, policies and procedures into their lesson plans, thus ensuring the training sessions are as practical as possible for employees of the city of Chattanooga.

Many employers often rely on external consultants to provide training. The city now has a nucleus of key employees who provide an internal capacity for high quality training. Relying on this group to schedule and deliver training throughout the organization of 2,400 employees, the city can save the expense that can range from a conservative estimate of \$24,000 to as much as \$64,000 to have an outside source provide training on all four topics.

LOGITT Roundtable Coming to a Location Near You!

By Justin O'Hara, Information Technology Consultant

Local Government Information Technology in Tennessee (LOGITT) has started roundtable discussion sessions that will be held once every quarter in different sponsoring locations.



Justin O'Hara

On September 14, a roundtable was hosted by Rob Ogle, information technology (IT) director for the city of Pigeon Forge. It included representatives from Cleveland, Morristown, Pigeon Forge, Metro Nashville and Gatlinburg. In addition to a roundtable discussion about current IT issues important to the attendees, two vendors made presentations to the group. These vendors included Vendor Registry and NetApp.



Vendor Registry is a new organization that is creating a single repository for buyers and sellers to come together to streamline finding bidders for

perspective products and services. NetApp is a company that provides a class leading network storage solution. A session is scheduled November 2 in Memphis, and we are currently working to schedule a fall session in the Middle Tennessee area.

LOGITT is a joint city/county association targeted to lead IT personnel such as a CIO/ directors or IT team lead/supervisors in Tennessee. If you are interested in participating in a roundtable session or LOGITT, contact Justin O'Hara (justin.ohara@tennessee.edu) at (865) 974-0628 or Keith Durbin, Metro Nashville CIO, at (615) 862-6220. For additional information on LOGITT, you can also visit the website <http://www.LOGITT.org>.

MTAS Salary Survey Needs You!

The 2012 MTAS Salary Survey is now open for data entry. It is time to either update your city's salary data or input your city's data for the first time.

All Tennessee cities large and small are encouraged to participate in the MTAS annual salary survey. In today's economy, it is even more critical to ensure that your city is spending its compensation dollars wisely. Having current market information is the best way to know what jobs are worth and what the current trends are for budgets and salary range movement.

The MTAS salary survey information is compiled solely to assist you in guiding the effective management of your wage and salary administration program.

The more cities that provide data, the more useful the database will be to all.

If you have questions, contact your MTAS human resource consultants:

Richard Stokes (Nashville office) richard.stokes@tennessee.edu or (615) 532-6827

Bonnie Jones (Knoxville office) bonnie.jones@tennessee.edu or (865) 974-0411

Your city's contact for the salary survey information has been sent an e-mail invitation to submit data along with the login information. The database is available for data entry until December 3, 2012.

Mark Your Calendar!

TENNESSEE ENTREPRENEURSHIP AND SMALL BUSINESS DEVELOPMENT COURSE

Wednesday, November 7, 2012 1 – 5 p.m. (check in from noon to 1 p.m.)

Thursday, November 8, 2012 8:30 a.m. - 4:30 p.m.

Homewood Suites by Hilton, 706 Church Street, in downtown Nashville

Promoting entrepreneurship and small business development is a growing strategy for job creation and economic development in Tennessee communities. The University of Tennessee Center for Industrial Services (CIS) is offering the Tennessee Entrepreneurship and Small Business Development Course. The course is designed to help economic development practitioners, government leaders and others interested in economic development at state, regional and local levels understand the economic impact of small businesses on local and regional economies; identify needs of entrepreneurs and small businesses and available resources to assist them; and develop effective networks and strategies to support entrepreneurship and small business development.

What will I learn?

- Understand the economic impact of small businesses on local and regional economies.
- Identify needs of entrepreneurs and small businesses and available resources to assist them.
- Develop effective networks and strategies to support entrepreneurship and small business development.

How to Register?

Register at www.cis.tennessee.edu/edtraining.

Registration questions?

Contact Patty Wells at (615) 253-6371, or e-mail at patricia.wells@tennessee.edu.

For additional course information, visit www.cis.tennessee.edu/edtraining, or contact

Dr. Andre Temple, Course Director, at (731) 425-4740

or andre.temple@tennessee.edu.

NOVEMBER 2012						
SUN	MON	TUE	WED	THU	FRI	SAT
				1	2	3
4	5	6	7	8	9	10
11	12	13	14	15	16	17
18	19	20	21	22	23	24
25	26	27	28	29	30	

MTAS Training Calendar

OCTOBER 2012						
SUN	MON	TUE	WED	THU	FRI	SAT
	1	2	3	4	5	6
7	8	9	10	11	12	13
14	15	16	17	18	19	20
21	22	23	24	25	26	27
28	29	30	31			

NOVEMBER 2012						
SUN	MON	TUE	WED	THU	FRI	SAT
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4	5	6	7	8	9	10
11	12	13	14	15	16	17
18	19	20	21	22	23	24
25	26	27	28	29	30	

MUNICIPAL ADMINISTRATOR PROGRAM CLASSES

WAGE AND SALARY ADMINISTRATION

8:30 a.m. to 12:30 p.m.

- Oct. 9: Bartlett** Bartlett Station Municipal Center, 5868 Stage Road
- Oct. 11: Franklin** Williamson County Ag Expo Park, 4215 Long Lane
- Oct. 17: Jackson** West Tennessee Research & Education Ctr., 605 Airways Blvd.
- Oct. 18: Knoxville** UT Conference Ctr., 600 Henley St., 4th Floor
- Oct. 30: Collegedale** Collegedale City Hall, 4910 Swinyar Dr.

ETHICS

8:30 a.m. to 12:30 p.m.

- Oct. 10: Franklin** Williamson County Ag Expo Park, 4215 Long Lane
- Oct. 16: Bartlett** Bartlett Station Municipal Center, 5868 Stage Road
- Oct. 18: Jackson** West Tennessee Research & Education Ctr., 605 Airways Blvd.
- Oct. 24: Knoxville** UT Conference Ctr., 600 Henley St., 4th Floor
- Oct. 31: Collegedale** Collegedale City Hall, 4910 Swinyar Dr.

CODE ENFORCEMENT AND PROPERTY MAINTENANCE

8:30 a.m. to 12:30 p.m.

- Nov. 7: Franklin** Williamson County Ag Expo Park, 4215 Long Lane
- Nov. 8: Knoxville** UT Conference Ctr., 600 Henley St., 4th Floor
- Nov. 9: Collegedale** Collegedale City Hall, 4910 Swinyar Dr.
- Nov. 14: Jackson** West Tennessee Research & Education Ctr., 605 Airways Blvd.
- Nov. 15: Bartlett** Bartlett Station Municipal Center, 5868 Stage Road

[CLICK HERE](#) for information on these courses, as well as many others or to register. If you have any problems, contact the MTAS office at (865) 974-0411.

New MTAS Publications



▶ MTAS UTILITY MANUAL – UPDATED FOR 2012

Steve Wyatt, MTAS Utilities Operations Consultant, and Bill Young, General Manager, Harriman Utilities Board

The purpose of this manual is to provide cities with a better understanding of funding water and sewer utility operations and it has been updated for 2012. [READ](#)

▶ EMPLOYERS ASKING FOR SOCIAL MEDIA PASSWORDS

Bonnie Jones, MTAS Human Resource Consultant

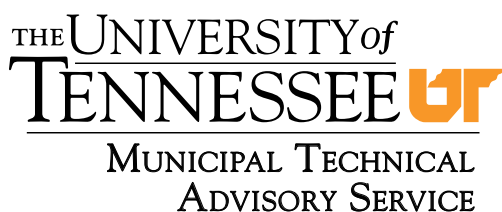
Improper use of social media information on applicants and employees may result in claims alleging discrimination, negligent hiring, violation of privacy, and open record conflicts. [READ](#)



▶ AMERICANS WITH DISABILITIES ACT (ADA): AN UPDATED EMPLOYER GUIDE FOR TENNESSEE MUNICIPALITIES

Bonnie Jones, MTAS Human Resources Consultant

This publication incorporates the MTAS 2011 Technical Bulletin, ADA Amendments Act of 2008 (ADAAA): Back to Basics; the focus is primarily on the employment and applicant accommodation process. [READ](#)



The Municipal E-News is produced by the Municipal Technical Advisory Service, an agency of the University of Tennessee Institute for Public Service, in an effort to meet the challenge of providing timely, valuable information and assistance to Tennessee cities to build better communities. The University of Tennessee is an EEO/AA/Title VI/Title IX/Section 504/ADA/ADEA institution in the provision of its education and employment programs and services. MTAS1726 • E4-1050-000-018-13