

City of Winchester
Administrative Review
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Preface

Purpose of the Review

The purpose of this report is to review the administrative structure, adequacy of staff and operating efficiency at department levels and to ensure that the city has the best administrative structure and staffing level to provide effective and efficient services at a reasonable cost for the future. While the report does review some operating procedures, it is not, however, intended as an operating review of city departments.

Scope of the Review

MTAS interviewed the mayor, city clerk (administrator), finance supervisor, police chief, fire chief, public works director, recreation director, building inspector and the swim plex director. The city charter and annual audit report were reviewed as well as the MTAS prepared Comprehensive Management Review completed in June of 2004. In reviewing staffing level needs, MTAS surveyed similar sized cities in Middle Tennessee.

Comprehensive Management Review

In 2004, MTAS conducted a Comprehensive Management Review (CMR) analyzing the city's operations, identifying issues and problems and recommending ways to improve the overall operation of city government. Although the Review was not widely distributed, many of the recommendations have been implemented. This Administrative review, while addressing some of the issues and recommendations in the CMR, will not address all the operating recommendations outlined in the report. MTAS recommends that the CMR be redistributed to council members and department directors and that serious consideration be given to implementing a reasonable number of the recommendations, especially those that require little or no expenditures.

Introduction

Our review indicates that the city is well managed and has capable department directors and staff. The police, fire, public works, sanitation, recreation and general government departments provide an excellent level of service and they are well directed. As with any organization in an ever changing environment, there is room for improvement and a need to plan for future service levels and administration.

Administrative Review

Municipal Charter

The municipal charter, a private act charter, is in need of updating to reflect state general law changes and outline a more effective and efficient administrative structure, which for the most part, has been in place for the past ten (10) years. MTAS recommends that the charter be reviewed with recommendations for needed amendments. MTAS provides charter reviews with recommended amendments free of charge to Tennessee cities.

Special Projects Coordinator

The Special Projects Coordinator currently reports to the city administrator, but is budgeted in the public works department. The city's ordinances need to be amended to reflect the current practice. MTAS recommends that the special projects coordinator report directly to the city administrator and that the city administrator have the authority to make staff assignments.

Fire Department

The city should be proud of the city's fire department with its Insurance Service Organization (ISO) rating of Grade 4. Operating at a Grade 4 level insures that homeowner and commercial fire insurance rates are substantially lower than rates paid in many Tennessee cities. MTAS thinks that the administrative structure of the fire department could be strengthened by having the fire chief function in his supervisory capacity and not pull a shift on the fire department. In most cities the fire chief responds to fires within the community whether on shift or not. At a fire the chief should be directing firefighters and not using a hose to put water on the fire. The fire department has an outstanding group of volunteer fire fighters who are nominally compensated. The city should look to increasing call out fees for volunteer fire fighters.

The city has a new fire station, a well trained and adequate staff. MTAS recommends that the city establish an equipment reserve for the replacement of fire fighting vehicles and equipment. Usually, these are large expenditures and require financial planning over a period of time for timely replacement. Good operating equipment is part of the equation for obtaining and maintaining an excellent ISO rating for the community, which is so beneficial to the community.

Banking Service

The city advertises and seeks bids for banking services from City of Winchester Banks and Financial Institutions. The city may want to advertise the services to include a requirement that the bank depository be within a reasonable distance from city hall, convenient for making

deposits, instead of requiring that the bank be located within the city. MTAS recommends that the city administrator, finance director, and the mayor (or the vice-mayor) serve as the investment committee and since the 2008 audit indicated that the city's return on over \$2 million invested was approximately 2.5%, the city investigate the use of the State Investment Pool as an alternative for investing idle funds. It is the opinion of MTAS that banking services should be purchased competitively in compliance with state purchasing laws.

Planning and Code Enforcement

During the past several years building, construction and planning activities have flourished in the city; however, due to more recent economic conditions activities have diminished. The building inspector currently issues approximately 2 permits per day and sends out approximately 4-5 notices daily. MTAS recommends that the city administrator be authorized to provide staff support from the general government staff. Many cities in Tennessee provide administrative support for the building official in this manner. The city clerk has the authority to appoint staff as provided in the municipal charter. The clerk also needs the authority to make staff assignments. This is really important, when operating with a small staff performing multiple tasks.

Property maintenance issues are of concern to many citizens and city officials. The 2004 CMR outlined recommended procedures for dealing with property maintenance issues. State laws have changed and in some instances have been strengthened since the CMR. MTAS recommends a review of the property maintenance regulations and procedures. MTAS can update the regulations and procedures at no cost to the city.

Employee Benefits

Approximately 80% of the cost of government services is for salaries and benefits. They represent a major expenditure for the city. In many instances, salaries and benefits are not in line with current markets and there is no realistic basis for determining the level of salaries and benefits. The city should strive to be reasonable in determining salary and benefit levels, but should not pay more than market rates. MTAS recommends that city employ a qualified consultant to develop a classification and pay plan for city employees. Such a plan can serve as a reasonable basis for salaries and benefits; enlisting other cities to participate in a study usually results in a lower cost for the survey and study.

Complaint Log

The city should maintain a central complaint log and register all complaints. Such a log can verify whether or not the city had constructive notice of a substandard facility, service or infrastructure. MTAS recommends that the city maintain a central complaint register and log.

Payroll

The city has three payroll frequencies. It pays some employees weekly, some bi-weekly and some monthly. MTAS recommends that the city pay employees either weekly or bi-weekly and the council on a monthly basis. There is no real need for three payroll frequencies.

Informal Meetings with Staff

It is beneficial for the department and division directors to have adequate access to the council to discuss issues and problems relating to the services that they provide. MTAS recommends that the council meet in informal sessions on a regular basis with department and division directors to discuss issues, problems, and proposals that effect operating departments and municipal services.

Fair Labor Standards Act Exempt and Non-Exempt Employees

Salaried employees functioning in a supervisory or professional capacity are generally exempt from the Fair Labor Standards Act and the city is not required to pay such employees for overtime. As exempt employees, the employee is paid his regular weekly salary whether he or she works 30 hours or 50 hours. If he or she works 10 hours over in one work period there is no deduction for working 10 hours less during the next work period. Exempt employees are not due compensatory time off for hours worked in excess of 40 hours. They are salaried. While the city is not required to pay exempt employees overtime, there is no prohibition against it. But, the city must treat all exempt employees in the same manner. If you pay any exempt employee overtime, you must pay them all. MTAS recommends that the city follow the FLSA guidelines for determining exempt employee status and not pay overtime or provide compensatory time off to exempt-salaried employees. MTAS can assist in classifying employees as exempt or non-exempt under the provisions of the Fair Labor Standards Act.

Employee Garnishments

The city has employee garnishment regulations outlined in the personnel policies. It is our opinion that the regulations relating to legal garnishments need to be strengthened. MTAS recommends that the city establish policies that require an employee with less than two years of service to be terminated upon the city receiving the second (or some other number) legal garnishment; that employees with over two years of service receiving a second garnishment have three-days (or some other number of days) to satisfy the garnishment or be terminated. Garnishments received prior to the adoption of this recommended policy should not be considered in the implementation of this policy.

Court Costs

Court costs, fines, litigation taxes, fingerprint fees, record and other court fees are sometimes confusing. MTAS recommends that the city review the calculation of court costs, litigation taxes and other fees, as well as fines. MTAS attorney's can provide this service for the city.

Police Department

The city's police department is well directed and efficient. The department has a carry-home policy for police vehicles similar to policies in many other cities. While the policy places the responsibility for upkeep and maintenance on the assigned officer, the policy serves as a crime deterrent in the officer's neighborhood and generally reduces the cost for operating and maintenance. Public officials often complain that the vehicles are driven outside the city and in some instances for several miles. The city could place a limit on the number of miles from the station for take home vehicles. There certainly are pros and cons associated with the use of police vehicles. With nearby cities competing for trained and certified officers, the city offers benefits to retain and recruit qualified officers. The department's take home vehicle policy is viewed as a benefit by some officers. MTAS recommends a vehicle use study for the police department. MTAS can provide a vehicle use study for the police department in reviewing the take home policy.

City Administrator

The city administrator has served the city well over the past 8 years. It is evidenced by her tenure, from talking with employees, elected officials and the city's excellent financial condition as noted in municipal audits. The duties of the city administrator and the mayor are not well defined in the charter. There is considerable overlapping of duties. The word city administrator is not mentioned in the charter or any administrative ordinances. The current mayor and the city administrator work well together. It is the opinion of MTAS that the duties of the mayor and the city administrator need to be clarified for the future. Although the current administrative procedures have worked well over the past 8 years, clarification of duties would not be a new experiment in governmental administration for the city of Winchester. MTAS recommends that the municipal charter be amended to better clarify the overlapping duties of the mayor and city clerk (administrator).

Staffing Level Survey

City of Winchester Administrative Review

Prepared by Ron Darden, MTAS Management Consultant

	Winchester 7329 Population	Fayetteville 7006 Population	Manchester 9442 Population	
Full- time police officers	23	24	32	
Part-time police officers	0	0	3	
Full-time fire fighters	12	19	31	
Part-time fire fighters	0	11	6	
Full-time recreation emp.	4	6	11	
Part-time recreation emp.	30	0	68	
Full-time Public Works Emp.	21	22	22	
Full-time sanitation emp.	0	4	0	
Part-time sanit. Emp.	0	21	0	
Building inspectors	1	2	1	
Fire Inspector	0	0	1	may be counted as fireman
Court clerk	0	2	1	
Planning Staff	1	1	2	
Assistant city manager	0	0	0	
Assistant city admin	0	0	0	
Special Coordinators	1	0	0	
Board members	6	7	7	
Full-time central admin. staff	11	17	14	
Part-time central ad. staff	0	0	1	
Total employees FT and PT	110	136	200	
CAO is the mayor	yes	no	yes	
CAO is the manager	no	no	no	
COA is the administrator	yes	yes	no	
Water Service by city	no	no	yes	
Sewer	no	no	yes	
Natural gas	no	no	no	
Garbage service	no	yes	yes	Winchester contracts
Recycling	no	no	yes	cooperation with county

While MTAS only received two returned survey forms, the information indicates that the city is appropriately staffed.

Summary

According to municipal audits and our review of municipal administration, the city is in excellent financial condition, is well directed and adequately staffed in comparison to similar sized cities. Although the mayor has responsibility for and functions as chief executive officers, the approximate 8 year experiment with the city administrator concept has served the city well. The role of the city clerk (administrator) in the municipal charter needs to be reviewed and clarified. The position could better serve the city in a reporting relationship directly to the city council. To operate efficiently and effectively the administrator needs the authority to make staff assignments without council interference, especially when directing the administrative staff.

Summary of Recommendations

1. MTAS recommends that the CMR be redistributed to council members and department directors and that serious consideration be given to implementing a reasonable number of the recommendations, especially those that require little or no expenditures.
2. MTAS recommends that the charter be updated to reflect general law changes and current operating and administrative procedures.
3. MTAS recommends that the special projects coordinator report directly to the city administrator and that the city administrator have the authority to make staff assignments.
4. MTAS thinks that the administrative structure of the fire department could be strengthened by having the fire chief function in his supervisory capacity and not pull a shift on the fire department.
5. MTAS recommends that the city establish an equipment reserve for the replacement of fire fighting vehicles and equipment.
6. MTAS recommends that the city administrator, finance director, and the mayor (or the vice-mayor) serve as the investment committee and the city investigate the use of the State Investment Pool as an alternative for investing idle funds.
7. MTAS recommends that the city bid for banking services in accordance with purchasing regulations.
8. MTAS recommends that city administrator be authorized to provide staff support from the general government staff and make staff assignments.
9. MTAS recommends a review of the property maintenance regulations and procedures.

10. MTAS recommends that city employ a qualified consultant to develop a classification and pay plan for city employees.
11. MTAS recommends that the city maintain a central complaint register and log.
12. MTAS recommends that the city pay employees either weekly or bi-weekly and the council on a monthly basis.
13. MTAS recommends that the city follow the FLSA guidelines for determining exempt employee status and not pay overtime or provide compensatory time off to exempt-salaried employees.
14. MTAS recommends that the council meet in informal sessions on a regular basis with the city administrator, and department and division directors to discuss issues, problems, and proposals that effect operating departments and municipal services.
15. MTAS recommends that the city establish more strict employee garnishment policies.
16. MTAS recommends that the city review the calculation of court costs, litigation taxes and other fees, as well as fines.
17. MTAS recommends a vehicle use study for the police department. MTAS can provide the study at the city's request.
18. MTAS recommends that the municipal charter be amended to better clarify the overlapping duties of the mayor and city clerk (administrator).