

KLC Direct

A Kentucky League of Cities Publication

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April 2006

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FRONT PAGE NEWS

Session 2006 Summary: Good News for Cities

KLC and Kentucky cities experienced a tremendously successful legislative year concluding with a number of cost saving initiatives as well as other significant policy developments. Some of the most considerable contributions were those bills defeated or issues not brought forth due to our efforts. Those include a number of potentially harmful bills aimed directly at essential elements of home rule, like the ability of cities to regulate their own environment (SB 39). We begin by congratulating the City of Taylorsville who will move to a fifth class status following the enactment of HB 81 by Rep. Brad Montell (R-Shelbyville).

Following 18 months of extensive negotiations with the Kentucky Press Association, the new publications bill (HB 171) sponsored by Rep. Dennis Horlander (D-Shively) will result in an overall publications savings of at least 22 percent for cities. The bill allows reductions in the size and amount of required materials.

An amendment provided by Rep. Steve Nunn (R-Glasgow) in HB 55 will permit cities to set their own smoking policies for employees. In addition, cities will no longer be required to provide smoking facilities for employees, a significant saving for some communities.

A change in the Kentucky PRIDE program from Sen. Dan Kelly (R-Springfield) highlights the state's continued interest in the PRIDE program and environmental issues. SB 50 will extend PRIDE funds for recycling and home hazardous waste collection grants. Funds continue to be available for closing illegal dumps and litter abatement.

Cities defended a number of bills aimed at eminent domain during the session. New legislation amending eminent domain in HB 508 by Rep. Rob Wilkey (D-Scottsville) maintains the status quo for cities on the subject. The Kentucky Constitution and statutes provide citizens some of the most stringent property rights protections found anywhere in the nation. The bill simply codified Kentucky Supreme Court holdings in order to protect property owners from judicial activism.

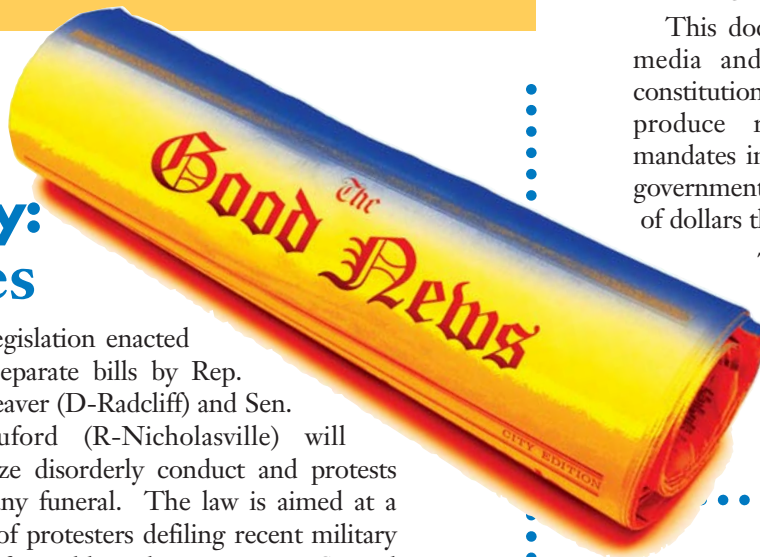
SB 155 makes a number of changes to the training and qualifications of law enforcement telecommunicators. Sponsored by Sen. Robert Stivers (R-Manchester), the statute brings the qualifications for telecommunicators in line with peace officers by requiring psychological suitability, polygraph and drug screenings. The training process will now be certified and supervised by the Kentucky Law Enforcement Council in lieu of the Justice Cabinet.

New legislation enacted in two separate bills by Rep. Mike Weaver (D-Radcliff) and Sen. Tom Buford (R-Nicholasville) will criminalize disorderly conduct and protests around any funeral. The law is aimed at a practice of protesters defiling recent military funerals for soldiers lost in Iraq. Several requirements and restrictions are placed around funeral and memorial service locations.

Amendments to code enforcement statutes by Rep. Arnold Simpson (D-Covington) in HB 126 will allow cities and counties to create joint code enforcement boards by way of interlocal agreement. A new law offered by Rep. Dennis Horlander (D-Shively) in HB 429 will require burial associations to get local legislative approval before condemning land for cemeteries. An amendment to the local occupational tax code by Rep. Carolyn Belcher (D-Owingsville) in HB 520 updates the law for the latest tax year and resolves a long-standing issue where the county tax credit is now applicable to cities that straddle county lines.

A new law offered by Rep. Rob Wilkey (D-Scottsville) in HB 94 will exempt local governments from the state regulatory process for government owned and operated temporary or seasonal manufactured/mobile home parks, or recreational vehicle parks, including those connected with a festival lasting no longer than 30 days. A new definition added by Rep. Mike Denham (D-Maysville) in HB 78 will include tobacco warehouses in those properties eligible for economic development assistance/incentives for the purpose of restoring these properties to productive use. SB 56, sponsored by Sen. Dick Roeding (R-Lakeside Park), allows restaurant patrons to take home leftover wine.

At press time, the legislature was a mere three days from end. Three favorable local government bills remained poised for passage. HB 422, sponsored by Rep. Harry Moberly (D-Richmond), contains provisions that would permit local governments to enter tax increment financing (TIF) arrangements for development with the growth of local tax revenues. HB 437, sponsored by Rep. Arnold Simpson (D-Covington), would provide greater equality for city/county participation in a new local government merger process. HB 656, sponsored by Rep. Joe Barrows (D-Versailles), would provide additional E911 dollars for communities and add incentive dollars for communities who wish to merge public safety answering points (PSAP).



RESEARCH NEWS

KLC Research Report Out: Fiscal Pressures, Few Options have Kentucky's Cities "Under Siege"

During this year's general legislative session, KLC has used "Cities Under Siege," a report by the Kentucky League of Cities policy and research staff. It finds that city leaders in the state are being forced to make hard choices in what services they can continue to provide their citizens. The report reflects the fiscal pressures cities face, while pointing out that there are few options for increasing revenue.

This document is being used to educate the media and state legislators that Kentucky's constitution and state laws limit how cities can produce revenue, even though unfunded mandates imposed by both the state and federal governments can require cities to spend millions of dollars that they don't have.

To download a copy of this document to share with your local media or constituents, please visit the web site at www.klc.org.

LAW ABIDING

Budget Preparation Time

May is budget preparation time for Kentucky cities. Preparation of a budget proposal is the responsibility of the executive authority. In mayor-counsel cities, the executive authority is the mayor. In commission cities, the executive authority is the city commission. It is the responsibility of the city manager to prepare the proposal in cities with a manager form of government. The proposed budget, together with a budget message, must be submitted to the legislative body by the executive authority at least 30 days prior to July 1 - the beginning of the fiscal year.

It is the responsibility of the legislative body to adopt a budget ordinance appropriating moneys for the fiscal year. It may adopt the budget presented by the executive authority, or a revised budget prepared by the legislative body. The budget becomes effective when the ordinance, or a summary of the ordinance, is published in a newspaper pursuant to KRS 424.240.

All contracts, agreements, and obligations entered into that exceed existing budget appropriations are void. Any citizen of the city may sue to recoup moneys expended in violation of a budget ordinance.

Get On Board!

Governor Ernie Fletcher requests that KLC recommend members annually for several commissions and boards including:

- ◆ Early Childhood Development Authority
- ◆ Kentucky Transportation Center Advisory Board

If you would like to be considered for the following board positions, please download the short pdf application at www.klc.org (Adobe required) or contact KLC's **Tammy Lyons** at 800.876.4552, ext. 3741 or tl Lyons@klc.org.

CITY CHRONICLES

As the Legislative Session Ends, It's Time for You to Take a Bow



By the time you read this the legislative session will have been completed. I can safely say that all who were involved were happy to see the arrival of the daffodils, which herald spring like nothing else.

Once again, the democratic system worked to produce a session with all its usual attributes - a certain sense of chaos and craziness that somewhat resembles the proverbial mental picture of watching sausage being made.

But I'd have to say, for all those not involved in the process and for all the jokes we make about it, the legislative session is a whole lot better than that.

We have the privilege of working with some very fine public servants - both in the General Assembly and the Governor's office - during a very busy and difficult time. Legislators are always willing to sit and talk to any of us about the issues affecting cities. They especially appreciate the fact that we provide information on all sides of issues while still advocating for cities. As the old saying goes, as thin as you can slice baloney, there are always two sides!

Which brings me to a great lobbying team! The work during the session requires the attention of several of our staff with their varied expertise. From legal, policy and research to communications and to administration and actual lobbying, KLC has a dynamic team.

I particularly want to thank city officials who are making their voices heard at a volume higher than anything I have experienced before. As elected officials and city staff, you have been so responsive to our pleas for help. And it is evident that your voices have made a significant difference.

Finally, I want to say a special thanks to all the legislators and the Governor's staff who helped us out. I also want to thank them for their service. Like all of you, they are unsung heroes.

Being in the "business," they, like all of you, are naturally at the center of some of the most contentious issues that we face. With the natural (and blessed) messiness of democracy, those issues naturally divide us upon occasion.

Leadership is about bringing all those together. While not always finding consensus, leaders forge paths based on the positions for which they have been entrusted. Those positions are designed to benefit the majority while taking proper care of those on the margins. But to forge that path is difficult work.

We should pay proper respect to those who are willing to take on the task. After the dust settles, we will properly thank those who in particular stepped up to the plate to help us achieve our legislative goals for the year. In the meantime, please take a moment to thank your legislators for their work and encourage them to continue to follow the great work taking place in your city.

Sincerely,


Sylvia L. Lovely, KLC Executive Director/CEO

KLC Direct

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The voice of Kentucky cities.

KLC Direct is published monthly by the Kentucky League of Cities (KLC). KLC is a voluntary association of nearly 400 cities and provides a multitude of services to assist in improving local government. Please address any correspondence to KLC Direct, Kentucky League of Cities, 100 East Vine Street, Suite 800, Lexington, Kentucky 40507-3700. Phone (859) 977-3700 or 1-800-876-4552. Fax (859) 977-3703. www.klc.org.

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By providing pertinent information, the Kentucky League of Cities does not necessarily endorse the views, services, programs or initiatives described in the listed references or websites, nor is the Kentucky League of Cities responsible for any statements or material contained therein. This publication provides information and links as a service to readers for their consideration.

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CITY POSTCARD

A Look at the City of Nicholasville



Mayor: John Martin

Population: 19,680

Location: Jessamine County, 12 miles south of Lexington

Website: www.nicholasville.org

History: The City of Nicholasville was named for Colonel George Nicholas, who was one of the members of the committee chosen to write the Kentucky Constitution.

Camp Nelson National Cemetery is located five miles south of the city.

Calling All Mayors, Commissioners and Councilmembers!

LTC Survey Results

Nearly 200 KLC members completed a recent online Leadership Training Center Survey.

Survey respondents were as follows:

45% Appointed officials and other city staff (excluding city clerks, city managers and administrators)

23% Elected officials

20% City clerks

12% Others

To ensure a cross section of our customers, what's needed now is more information specifically from mayors, commissioners and councilmembers. We invite you to respond at www.klc.org.

Thanks in advance for your assistance. Watch for a full survey report in next month's *KLC Direct*. Your feedback will help our Leadership Training Center better serve you!

FEDERAL NEWS

2006 KLC Federal Advocacy Agenda

Representing the Kentucky delegation at the annual Congressional Cities Conference in Washington, D.C., several KLC members and staff worked with the National League of Cities on the following federal advocacy priorities in 2006:

Reaffirming KLC's strong commitment to CDBG and seeking the maximum possible funding while ensuring current entitlement cities are not reclassified as non-entitlement communities.

KLC opposes Senate-passed language (HR 4297) under tax cut reconciliation protections, which would hinder issuing pooled financing bonds. This bill would require at least a 50 percent commitment of the net funds prior to issuance.

KLC encourages expansion of broadband services while opposing national franchising attempts to ensure local control of public rights-of-way and franchise agreements.

In addition, KLC will continue to monitor action on three other legislative issues:

- ♦ **Brownfields** - Ensure adequate funding to remediate environmentally hazardous properties and to redevelop those areas
- ♦ **Homeland Security** - Ensure needed funding to equip and train first responders
- ♦ **Transportation** - Ensure adequate funding for Kentucky's roadways and transit systems

In addition to KLC Staff, participants in the Kentucky delegation included:

- ♦ **Ashland:** Mayor Stephen Gilmore, Commissioners Don Maxwell and Larry Brown, and City Manager William H. Fisher

- ♦ **Bowling Green:** Mayor Elaine Walker
- ♦ **Covington:** Commissioner Jerry Bamberger
- ♦ **Erlanger:** Mayor Marc Otto and City Administrator Bill Schreyer
- ♦ **Fort Mitchell:** Mayor Tom Holoher
- ♦ **Henderson:** Mayor Henry Lackey
- ♦ **Jeffersontown:** City Clerk/Finance Director Jim Leidgen
- ♦ **Lexington:** Councilmembers George Brown and Jacques Wigginton
- ♦ **Lyndon:** Mayor Susan Barto
- ♦ **Louisville:** Councilmembers Dan Johnson and Kevin Kramer
- ♦ **Madisonville:** Mayor Karen L. Cunningham
- ♦ **Maysville:** Mayor David Cartmell
- ♦ **Mount Sterling:** Mayor Gary Williamson
- ♦ **Paducah:** Commissioner Robert A. Coleman
- ♦ **Pikeville:** City Manager Donovan Blackburn
- ♦ **Richmond:** Mayor Connie Lawson
- ♦ **Williamstown:** Mayor Glenn Caldwell
- ♦ **Winchester:** Mayor Dodd Dixon and Vice Mayor Joellen Reed

KLC supports needed funding of affordable housing projects, including the Section 8 Housing Choice Voucher, HOPE VII and Home Investment Partnership (HOME) programs.

FROM THE FIELD

Johnson Distinguished for Leadership



Anita L. Johnson, councilmember, City of Jeffersontown, represented Kentucky well as one of only 77 officials from around the nation recently honored by the National League of Cities (NLC).

Johnson received a "bronze certification" in recognition of leadership development

through the NLC Leadership Training Institute's Certificate of Leadership Program. The program focuses on five areas of leadership competency, communication, collaboration, catalyst (innovation) and cornerstone (basics of leadership).

"I take representing the people of my city very seriously," said Johnson. "The Leadership Training Institute programs really prepare you to better serve your constituents." Congratulations!

Louisville Received Highest Honor for Diversity Efforts

The National Black Caucus of Local Elected Officials (NBC-LEO), a constituency group of the National League of Cities, recently presented the City Cultural Diversity Awards to seven cities that exhibited quality and innovation in promoting cultural diversity. The awards were given out at this year's Congressional City Conference.

Louisville received the first place award for the Louisville Metro Office for International

Affairs which was created in response to the enormous growth of Louisville Metro's immigrant and refugee population and works to support and promote a vibrant, successful, interconnected, multicultural community through awareness, advocacy, and referrals. For details, contact Omar Ayyash, director, at 502-574-1432.

Preserve America Recognition

Kentucky communities were recently recognized by First Lady Laura Bush as Preserve America Communities including the Portland neighborhood in **Louisville** and Bell Court and Gratz Park in **Lexington** and the City of **Russellville**. Kentucky is also the

recipient of three Preserve America Grants totaling more than \$225,000.

The May 15 deadline was also announced for the second round of grant funding totaling \$1.5 million. For information and applications visit www.PreserveAmerica.gov.

SHOW ME THE MONEY

Prevent Gangs in Your Community

The U.S. Department of Justice offers funding to support training of police officers in identifying gang related issues and developing youth programs to negate gangs. Grant amounts vary.

Deadline: April 25, 2006

Information: Contact Akiva Liberman at Akiva.Liberman@usdoj.gov or 202.514.4919 or visit www.ncjrs.gov.

Preserve Your City Treasures

The National Endowment for the Humanities (NEH) is accepting applications for preservation assistance grants up to \$5,000 to preserve manuscripts, photographs, moving pictures, art, artifacts and historical objects.

Deadline: May 15, 2006

Information: 202.606.8570 or www.neh.gov

Superstar Golf Coming to Louisville

Valhalla to Host 2008 Ryder Cup, September 16 - 21

The 37th Ryder Cup will be contested September 16-21, 2008, at Valhalla Golf Club in Louisville.

Ryder Cup Valhalla Vital Stats:

- ♦ \$115 million- expected economic impact
- ♦ 210,000 spectators
- ♦ 250 companies will purchase corporate hospitality packages
- ♦ 26 hours of TV coverage on NBC and cable partners
- ♦ 545 million viewers in 177 different countries
- ♦ 1,500 worldwide media members in Louisville



FINANCE NEWS

Come On, Jump into the KLC Pool!

City of Richmond joins KLC to issue new \$50 Million Bond Pool.

KLC's most recent loan program, the Morehead Bond Pool, has been a tremendous success with nearly all of the available funds loaned to cities and utilities across the state. Therefore, in order to have an adequate reserve of low interest rate money available for our cities' financing needs, KLC is pleased to announce the launch of a new \$50 million tax-exempt bond pool.

The City of Richmond will issue the bonds on KLC's behalf and KLC would like to

thank Mayor Connie Lawson and the Richmond City Commission for its assistance with this important program that is known as the Richmond Bond Pool.

Cities and municipal agencies will have access to very low interest rate loans that could be used for the purchase of equipment, the construction of major capital projects or for the refinancing of outstanding debt.

For a free interest rate quote, call Nancy Wylie or Anthony Wright at 1-800-876-4552.

INSURANCE NEWS

After Katrina and Rita: What is the Effect on Property Insurance Pricing?

The hurricane devastation of 2005 will be felt in the insurance market for years. Katrina may be the largest insured event ever and Rita's devastation, while doing little damage on shore, may have been even more destructive offshore. Making predictions about where the market will go is always difficult.

After 9/11 we saw the hardest market (escalating prices) in living memory, but by 2003 the market was beginning to show signs of softening (decreasing prices). With the widespread hurricane destruction - much of it insured - any softening of the market has evaporated into an escalation of prices.

Virtually all major reinsurers utilize computer models to predict loss probabilities and in turn set prices and capacity of how much insurance to offer. Due to the magnitude of the Gulf coast losses, insurers will now be re-examining the validity of their models. The gulf crisis will spur models to become more accurate if insurers and reinsurers are to continue to write natural peril business.

Reinsurers are reluctant to offer policy limits at pre-Katrina levels in order to lessen their exposure to catastrophic loss. As such, direct insurers must now seek additional limits in order to meet their needs to provide sufficient cover for their primary layer of insurance. This layering of limits has increased costs in the market place and puts additional pressure on insurers to increase their risk.

What does this all mean to you? While Kentucky is in a better natural position concerning coastal wind exposure, the KLC



insurance pool has experienced a number of large weather-related losses. This coupled with the increased cost of labor and materials due to demand in the Gulf has driven up the cost of property reinsurance and the cost of direct insurance.

Fortunately, the Kentucky League of Cities Insurance Services (KLCIS) pool has a solid relationship with an A-rated reinsurer, allowing us to keep the cost of insurance from escalating more. With the pool having its first property rate increase in three years, we believe that KLCIS pool members continue to benefit from the relative good experience of the pool members overall and solid financial foundation of the trust.

Variables beyond anyone's control - such as time and natural events - will continue to drive insurance availability and future pricing. Our KLC insurance products and services are developed and modified specifically around your needs and we will continue to keep members apprised of the insurance market and how it impacts your city.

Questions about Kentucky League of Cities Insurance Services and how we can work with your city? Contact us at 1.800.876.4552.

CITY AWARDS

Are You a Livable Community?

If your city has a successful environmental management project, check out the International Awards for Livable Communities. The awards recognize innovative projects that demonstrate sustainability and environmental awareness

and encourage the maximum positive impact on the local environment.

Deadline: May 31, 2006

Information: www.livcomawards.com

MEET ME AT KLC



Welcome New Staff

Sarah Razor
Research Analyst
Joined KLC February 2006

Sarah can be reached at 800-876-4552, ext. 3761, or by email at srazor@klc.org.

NLC NEWS

Survey Shows Mounting City Concerns Over CDBG, Health Care Costs, Traffic and Affordable Housing

The National League of Cities (NLC) at its Congressional City Conference, released the annual *State of America's Cities* report. The publication notes that efforts to limit cities' abilities to levy telecommunication franchise fees, proposed cuts to the Community Development Block Grant (CDBG) program, and greater needs for food, shelter, heating, clothing and health care would pose significant problems for cities in the coming year. Other data of interest included:

- ◆ Nearly one in three city officials indicated that unless city tax rates and fees are increased, city service levels will decline.
- ◆ Traffic congestion tops the list (34%) when city officials are asked about which conditions deteriorated most in their communities during the past five years.
- ◆ City officials indicated that unfunded mandates and preemption of local authority are having a negative impact on the economic and fiscal health of their city.

State of America's Cities: The Annual Opinion Survey of Municipal Officials is an annual survey of municipal officials that has been conducted by the National League of Cities for the past 20 years. The survey results were taken from a random sample of local officials in January 2006 and has a +/- 4 percent accuracy ratio.

HEALTHY COMMUNITIES

Get the Facts: Summits will Help Communities Prepare for a Pandemic

A reminder that a series of summits regarding a potential flu pandemic are scheduled around the state for local leaders through May. To see where they are in your area, go to the Kentucky Health and Family Services Cabinet website at www.chfs.ky.gov and look for the latest pandemic/bird flu information.

KLC will continue to share information on preparing for the possibility of a flu pandemic to community leaders as soon as we get it. To monitor the national scene, go to www.pandemicflu.gov.

Although Congress has approved \$3.8 billion, and President Bush has requested more money over the next three years, it will take three to five years to produce enough vaccines to respond to a nationwide outbreak. Sobering estimates indicate that between 3,000 and 7,000 deaths could result in Kentucky alone. Most of the money will be spent to increase supplies of anti-viral drugs and vaccines. Kentucky is receiving \$1.5 million to start preparing for the possibility of a pandemic. Watch for further information.

CALENDAR OF EVENTS

Educate, Celebrate, Participate

APRIL 2006

27-29 Southern Municipal Conference
Charleston, South Carolina

MAY 2006

4-6 NLC RISC Trustees Conference
Monterey, California

JUNE 2006

2-3 KLC Executive/Board of Directors Meeting
Morehead, Kentucky

Also, mark your calendar for two of KLC's most popular and valuable programs...coming to a city near you!

2006 Planning & Zoning Trainings
\$99, \$89 (KLCIS customers)
includes lunch and resource book
8:30 AM - 5:00 PM

Municipal Code Enforcement
\$79, \$69 (KLCIS customers)
1:00 PM - 4:00 PM

April 20 - Ashland
May 15 - Mt Sterling
June 19 - Edgewood
July 17 - London
July 19 - Princeton

May 22 - Mt. Sterling

Register at www.klc.org

For more information on these events, contact KLC Convention & Special Events Manager Arlene Nance at 1.800.876.4552 or email anance@klc.org.

We Want to Hear from You!

To submit a story or commentary for KLC *Direct* departments, please contact the KLC staff listed or go to www.klc.org. For overall feedback, contact Terri Johnson at 1-800-876-4552, ext. 3784, or tjohnson@klc.org.

LEADERSHIP ADVANTAGE

Education has Never Been Easier!

KLC "Virtual Connection" Training Schedule for April - June 2006

KLC's Virtual Connection is taking off! Launched in January 2006, the program saves time, travel and money. Learn from your own desk, or gather a group of staff to lunch and learn! All programs are approved for KLC Public Officials Essential Skills Institute (POESI) or Community Safety & Health certification credit.

Topic: Wage and Hour - Advanced

Date: Wednesday, April 12, 2006 (9:00 a.m. EDT)
Session Number: 686 627 999
Training Session Password: keeprecords

Topic: Road to Better Budget Preparation-Part 2

Date: Wednesday, April 12, 2006 (10:30 a.m. EDT)
Session Number: 689 706 698
Training Session Password: budgetprocess2

Topic: Insurance Answers

Date: Thursday, April 13, 2006 (9:00 a.m. EDT)
Session Number: 682 078 603
Training Session Password: protection

Topic: Capital Finance and Indebtedness

Date: Monday, April 24, 2006 (10:00 a.m. EDT)
Session Number: 686 304 609
Training Session Password: smartspender1

Topic: Insurance Answers

Date: Thursday, April 27, 2006 (2:00 p.m. EDT)
Session Number: 681 966 748
Training Session Password: protection

Topic: City Government Basics

(7 Sessions in the Series)
Date: Every Tuesday, from April 25 to June 6, 2006 (10:00 a.m. EDT)

Session Number: 681 772 623

Training Session Password: learntolead

Topic: Capital Finance and Indebtedness

Date: Monday, May 8, 2006 (2:00 p.m. EDT)
Session Number: 681 113 112
Training Session Password: smartspender2

Registration is required. The cost is \$39 for each 1 hour session. Visit <https://klc.webex.com/klc/k2/j.php?ED=87114962&UID=35301687> to register.

You may use a credit card or send an email request to kbutcher@klc.org to receive a coupon code. An invoice can be sent to you directly or if you have been authorized, to your city. An email message will be sent to confirm your registration and provide the information you need to join the session. To contact Karen Butcher, call 1-859-977-3711 or email kbutcher@klc.org.

KLC Direct is designed internally to save our members money.



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