

# VIRGINIA

TOWN & CITY

The magazine of the  
Virginia Municipal League

VOL. 52

NO. 1

JAN. / FEB. 2017

## 'If I were mayor'

Trey Mitchell of  
Lawrenceville is  
statewide winner  
of essay contest



**Inside:**  
Winning essays  
from all 8 regions



## How Secure Is Your Data?

A stolen or lost laptop. A phishing e-mail that exposes your organization to a cyber attack. It's more common than you think. Is your entity taking the appropriate measures to protect data?

VML Insurance Programs' (VMLIP) members with Cyber Coverage are protected from liability arising out of lost computer equipment, network security breaches and human errors.

In addition to liability losses, VMLIP members also have access to training and program development through YourCISO, an information security portal that provides:

- A security health check
- Personalized consulting
- The latest cyber security news and data
- Sample cyber security policies and templates
- Cyber security training and awareness materials; and much more.

To learn more about what VMLIP has to offer, visit: [www.vmlins.org](http://www.vmlins.org).



### On the cover

*Trey Mitchell of Lawrenceville is the statewide winner of the League’s “If I Were Mayor” essay contest. His essay and those of the regional winners can be found on pages 7-15.*

## Departments

- Discovering Virginia** ..... 2
- People**..... 3
- News & Notes**..... 5
- Professional Directory**..... 28

## Features



### Imbalance of power

Virginia is one of only 10 states that use the Dillon Rule. That means the powers of a local government must come from the Virginia Code or Constitution. So what can – and can’t – localities do on their own?

*By Michelle Gowdy*

Page 18



### Why some thrive and others fail

It’s more than luck when it comes to community revitalization. Successful community projects share some common characteristics that are worth understanding as you plan for the future.

*By Ed McMahon*

Page 21



### Let’s walk and talk

Local governments are taking big steps to promote healthier habits for their employees. These ideas will get your co-workers energized!

*By Susan DeFrancesco*

Page 20



### Municipal bonds – It’s your deal

When issuing municipal bonds, it’s important for government officials to keep in mind that it’s your deal. Know your rights and responsibilities.

*By Lynette Kelly*

Page 26

#### EXECUTIVE DIRECTOR

Kimberly A. Winn

#### EDITOR

Nancy Chafin

#### DESIGN EDITOR

Manuel Timbreza

#### ADVERTISING MANAGER

Leslie Amason

#### CIRCULATION MANAGER

Sherall W. Dementi

#### EXECUTIVE COMMITTEE

Robert K. Coiner (President), Gordonsville  
Patricia P. Woodbury (Vice President), Newport News  
Ron Rordam (Past President), Blacksburg

Anita James Price, Roanoke  
Gene Teague, Martinsville  
Laurie DiRocco, Vienna  
Christina Luman-Bailey, Hopewell  
Ophie Kier, Staunton  
Jill Carson, Pennington Gap  
A.D. “Chuckie” Reid, Farmville  
Willie Green, Galax  
Thomas R. Smigiel, Jr., Norfolk

**Virginia Town & City** (ISSN0042-6784) is the official magazine of the Virginia Municipal League. Published 10 times a year at 13 E. Franklin St., P.O. Box 12164, Richmond, VA 23241; 804/649-8471. E-mail: e-mail@vml.org. Reproduction or use of contents requires prior approval of the Virginia Municipal League and if granted must be accompanied by credit to *Virginia Town & City* and the Virginia Municipal League. Periodicals Postage paid at Richmond, VA. (USPS 661040) Subscription rates: members - \$8 per year, non-members - \$16 per year. Single copies - \$2 each. **Postmaster:** Send address changes to *Virginia Town & City*, P.O. Box 12164, Richmond, 23241-0164.

*Virginia Town & City is printed on recycled paper.*

Visit at [www.vml.org](http://www.vml.org)



# Engaging your Community: Lessons from Newport News

OVER THE PAST three years (can you believe it's been three years?), I have written about my travels around the state. It has been my hope that as my family *discovers* Virginia, we can encourage you to *rediscover* Virginia. I appreciate the many calls and emails about various locations that have been described in the column.

I am still going to be providing my personal travelogue as I visit your communities. There are still many great locations to share! However, I am going to be adding a new component. Each month will feature a different community and I will be talking with local officials about projects that are of interest to localities in general. So, in addition to providing you with a summary of great places to visit, I will hopefully be sharing ideas and helping communities with similar issues make connections.

I recently had the opportunity to visit the City of Newport News and talk with City Manager James Bourey along with Council Member and VML President Elect Dr. Patricia Woodbury. Did you know that 2017 marks the 100th birthday for jazz legend and Newport News native Ella Fitzgerald? The City has truly embraced this history and has developed a year of special events to commemorate the centennial birthday for "The First Lady of Jazz." The City kicked off events with a pop-up club which was dubbed "Ella's Place" and featured popular jazz music in a unique atmosphere.



**Newport News celebrated the centennial birthday of the "First Lady of Jazz" Ella Fitzgerald by opening a pop-up club called Ella's Place in a vacant space in City Center.**

What is particularly interesting about this pop-up club is the location. The City utilized vacant space in their City Center development. Individuals showed up in period clothing and the entertainment featured a number of well-known artists.

This inaugural event brought people to the City Center area created a win-win situation for the City. Anyone with a vacant space in downtown or other areas of your community could utilize the space for a "pop-up" event. There are a variety of different events throughout 2017 focused on Ella Fitzgerald and jazz music. Go to [www.downinggross.org](http://www.downinggross.org) for a listing of these events.



**Newport News One City Marathon**

I was so impressed by the way that Newport News is focusing on the engagement of their community.

An event that really highlights this effort is the "One City Marathon." The City of Newport News is 26 miles long with neighborhoods throughout sometimes feeling disconnected and separated from one another.

In order to foster pride in a unified community and promote wellness, the City started the One City Marathon in 2015. This year will mark the third year that participants run from end to end of the city. In addition to the marathoners, community groups participate by sponsoring drink stations or just cheering the runners along the route. The whole event concludes with the "One City, One Celebration" at the Victory Arch, the point of embarkation for United States military, particularly in World War I. For more information on this unique community event, go to [www.onecitymarathon.com](http://www.onecitymarathon.com).

Finally, my thanks to Mr. Bourey and Dr. Woodbury for taking the time to talk with me. I look forward to visiting your fine community in the future.

Travelogue: Finally, no column would be complete without telling you about the great places that we visit. My family joined Dr. Woodbury and her grandson Michael to visit two museums while we were in the area. The first was the Virginia War Museum which is administered by the City of Newport News. This museum covers military history from the American Revolution to our current global conflicts. The artifacts are well-presented and the breadth of the collection is impressive. Highlights include uniforms from Gen. Westmoreland and Sec. of State Colin Powell. There are artifacts from the World Trade Center, Dachau, the Berlin Wall, and Pearl Harbor. Check it out at [www.warmuseum.org](http://www.warmuseum.org).

We also were treated to a preview of the new American Revolution Museum at Yorktown. The museum will officially open in late March. In the location of the former Yorktown Victory Center, this museum takes you on an interactive walk through the Revolutionary War. With both artifacts and carefully designed films, visitors learn about the history leading up to, during, and following our war for independence. The outdoor portion of the museum will feature a colonial farm and military encampment. All three kids gave both museums a thumbs up, so you will not be disappointed in either. For more information about the American Revolution Museum, go to [www.historyisfun.org/yorktown-victory-center](http://www.historyisfun.org/yorktown-victory-center). 

## League welcomes Amason as conference and marketing coordinator



- Amason -

THE VIRGINIA MUNICIPAL LEAGUE has hired Leslie Amason as its Conference and Marketing Coordinator. In this role, Leslie will manage logistics for all VML meetings, trainings and the Annual Conference. She is also responsible for corporate engagement programs including the League's Municipal Business Associates.

"I'm honored to serve local government officials of Virginia," said Amason. "I look forward to building on VML's training and networking opportunities, enabling cities, towns and counties to share best practices and learn from one another."

Leslie began her career in 1984 as a Regional Human Resources Manager and Events Coordinator for MCI Telecommunications, a position she held for more than 17 years. She also worked at Ampa Events as the Senior Event Manager, handling corporate relations. Most recently, Leslie was the Development Manager for Distinguished Events for the American Cancer Society. She holds a bachelor's degree from Winthrop University and is a native of Richmond.

### Manassas promotes four fire officials

Four members of the City of Manassas Fire and Rescue Department have been sworn in to higher office.

Fire Marshal **James Hartnett** has more than 18 years experience in fire prevention. He is a certified Fire Inspector II, Fire Investigator II and a Law Enforcement Officer through the Virginia Department of Fire Programs.

Battalion Chief **Jerry Smith** has served in the City of Manassas Fire & Rescue Department for eight years and serves as a volunteer in the Great Falls community.

Captain **David Halman** began his career with the City of Manassas Fire & Rescue Department in 2001. He has served as a Firefighter/EMT, Master Technician, Lieutenant and now Captain.

Lieutenant **Robert Bettis** was hired into the City of Manassas Fire & Rescue system in 2008. Prior to his service with the City of Manassas, Bettis worked for the Martinsburg, WV Fire Department.

### Staunton taps Rhodes for Senior Planner



- Rhodes -

**Rodney Rhodes** has been named Senior Planner for the city of Staunton, succeeding Sharon Angle who retired in December after 29 years of service. Rhodes has a 26-year career in local government in Virginia. Most recently, he served as the zoning administrator for the city of Williamsburg for 10 years. Previously, Rhodes spent eight years in Mathews County as the Director of Planning and Zoning and Deputy County Administrator.

### Ashland selects Town Manager

Ashland's Town Council has named **Joshua Farrar** as Town Manager. Farrar has worked for the town of Ashland for the last ten years. He was previously Deputy Town Manager/Finance Director and the Assistant Town Manager prior to that. Before coming to Ashland, Farrar served as the Assistant to the City Administrator in Prairie Village, Kansas.

### Warrenton appoints Director of Planning & Community Development



- Schaeffer -

**Brandie Schaeffer** is the new Director of Planning & Community Development for the town of Warrenton. She was previously the principal of her planning consulting business and also served on the Town Planning Commission. Prior to that, she was Director of the Brick Industry Association and served as a planner in private law and engineering firms. Brandie is active in the Virginia Chapter of the American Planning Association (APA) as well as the national APA.

### Harrisonburg announces Deputy City Manager



- Banks -

**Ande Banks**, formerly Acting Deputy City Manager, will now be permanent in the position. Banks has served in the capacity of Assistant to the City Manager, Director of Special Projects and Grant Management. Banks has more than eight years of experience working for the federal government as a congressional district representative.

### Martinsville appoints Public Works Director



- Morris -

**Chris Morris** is the new Public Works Director for the City of Martinsville. Morris has been employed by the city since 1995, initially as the city's Projects/City Engineer and as the Assistant Public Works Director/City Engineer since 2013.

### Jennifer Baker becomes Vice Mayor of Herndon

Herndon Town Council has approved a resolution naming **Jennifer Baker** as Vice Mayor for the 2017-2018 term. A resident of Herndon since 2004, Baker



- Baker -

is serving her second term as Vice Mayor. She is a member of ArtsHerndon, the Optimist Club of Herndon, the Herndon Historical Society and Sister Cities International of the Herndon Area, Inc. Baker currently works as a Global Partner Manager at Tableau Software.

### Brown named Alexandria Police Chief



- Brown -

City Manager Mark Jinks has appointed **Michael Brown** as Chief of Police for Alexandria. Brown succeeds David Huchler, who has served as Acting Chief since Chief Earl Cook's retirement last year. Brown has nearly four decades of experience in law enforcement, safety oversight, and public policy. He rose through the ranks of the California Highway Patrol, starting as a police officer in Los Angeles in 1977 and culminating in his appointment as state commissioner from 2004 to 2008. From 2008 to 2009, Brown served as the Deputy Secretary for Public Safety for the State of California. Since 2010, Brown has served as Director of the Office of Impaired Driving and Occupant Protection at the NHTSA.

### Roanoke names Director of Parks and Rec



- Clark -

**Michael Clark** has been named Director of the Parks and Recreation Department for the City of Roanoke. Michael served in a variety of roles with Montgomery County Parks and Recreation from 2002 - 2007 and Roanoke Parks and Recreation from 2007 -2015. Most recently he was a project consultant for GreenPlay, LLC in Louisville, Colo. He holds an M.S. in recreation, park and sports leadership from Virginia Commonwealth University, and is a certified

Parks and Recreations Professional with the National Recreation and Parks Association.

### Waynesboro names Director of Planning

Waynesboro's new Planning Director **Luke Juday** was most recently a transportation planner for the Thomas Jefferson Planning District Commission. Juday succeeds Michael Barnes, who served as the city's Director of

## Mover and Shakers

Do you know someone who's on the move? Send your announcements about new hires in local government, promotions, retirements, awards and honors to our editor at [nchafin@vml.org](mailto:nchafin@vml.org).

Planning since 2009. Prior to his work with the Thomas Jefferson Planning District Commission, Juday worked as a research analyst at the Weldon Cooper Center for Public Service.

# The New Way To Manage Fund Balances



VML/VACo's **Virginia Investment Pool** enables local governments to enjoy higher yields without putting fund balances out of reach in emergencies.

Developed by Virginia Treasurers and Investment Officers, VIP is a short-term investment pool, professionally managed and governed by participants.

For information on yields or to learn how to participate, visit our website at [valocalfinance.org](http://valocalfinance.org) or phone 804-648-0635.

VIP is rated "AAf/S1" by Standard & Poor's.



## City and JMU partner for championship parade



Harrisonburg Mayor Deanna Reed (far left), JMU President Jonathan Alger (center) and Football Coach Mike Houston (holding child) congratulate the football players and the entire Dukes community on winning the national championship.

THE CITY OF HARRISONBURG partnered with James Madison University (JMU) to host a parade in January to celebrate the JMU football team’s national championship. JMU’s football team and coaching staff, the Marching Royal Dukes, and the cheerleaders walked on Main Street to the court house steps where they were honored by local dignitaries and representatives from the university.

“We are so proud of the football team and our neighbor Dukes,” said Mayor Deanna Reed. “The JMU community is a part of us as a city and is a great asset and partner to the city. We are ecstatic that they have brought back a second football national championship to Harrisonburg.”

Residents, students, and supporters filled downtown with purple and gold. Businesses in downtown and throughout Harrisonburg also showed their support of the Dukes.

## Governor McAuliffe announces \$4 million in Community Development Block Grants

GOVERNOR TERRY McAULIFFE announced this month more than \$4 million in Community Development Block Grant (CDBG) funding for ten projects in nine Virginia localities. A diversity of projects addressed community economic development, water and sewer service, local innovation, and urgent needs.

Nearly three hundred non-metropolitan cities, counties, and towns are eligible for this program in Virginia.

Grant awards are made through a competitive process using objective scoring criteria developed in consultation with eligible localities.

Most CDBG projects, in accordance with federal law, principally benefit low- and moderate-income persons. Other projects are targeted for the prevention or elimination of slum and blighting conditions or in response to community development needs of a particular urgency.

Locality	Project Name	CDBG Award
Wythe County	Development of Progress Park	\$ 359,695
Town of Waverly	Community Economic Development Park	\$ 200,000
Buchanan County	Coon Branch Waterline Extension Project	\$ 387,500
Town of Exmore	Well and Water Treatment Facility	\$ 500,000
Floyd County	Blue Ridge Center for Chinese Medicine	\$ 200,000
Town of Dungannon	Revolving Loan Fund (DRLF) Program	\$ 100,000
Wise County	IDA Virginia Drone Innovation Project	\$ 300,000
Wise County	Workforce Development for Frontier Secure	\$ 200,000
Essex County	Housing Rehabilitation Project	\$ 875,000
Appomattox County	Tornado Recovery Project	\$ 879,760

## Charlottesville ranked 12th best-performing small city in U.S.

THE CITY OF CHARLOTTESVILLE has been ranked the 12th Best-Performing Small City in the U.S. by the Milken Institute in its 2016 index. The city jumped from #31 in 2015 to this year's #12 spot. Charlottesville is the highest ranked small city in Virginia on the index. Other small cities in Virginia that made the list included Lynchburg, Blacksburg, Harrisonburg and Winchester.

The Milken Institute uses a comprehensive, fact-based set of criteria to rank 200 large and 201 small metros across the United States. Outcomes like growth in employment, wages and technology output are heavily weighted. Metrics such as cost-of-living and quality-of-life conditions are deemed highly subjective and therefore not included, according to Milken.



## Danville art trail showcases eight new sculptures

VISITORS TO THE RIVER DISTRICT can enjoy new public art thanks to the second round of Danville Art Trail entries. Installed in January, the pieces will remain on display for 18 months.

“We believe these public art displays add value to our community by introducing new and interesting pieces on a rotating basis,” said Danville Parks and Recreation Department Director Bill Sgrinia. “We wanted to provide a cultural opportunity that is both free and accessible by all and to provide a unique opportunity for everyone to experience in their daily lives.”

The eight new pieces were selected from a field of 34 entries; six sculptures were chosen by a panel consisting of local art enthusiasts and two were selected by an on-line vote.

While installation, artist fees and maintenance of the trail costs \$20,000 every 18 months, financial contributions from Danville Regional Foundation, Riverview Rotary and the River District Association have reduced the city's cost to around \$6,000.



## Five local police agencies are tops for veterans

FIVE POLICE AGENCIES in Virginia are among the top 20 departments for military members and veterans nationwide, according to an annual list compiled by *Military Times*. The localities are Chesterfield County, Henrico County, Goochland County, Culpeper County and Newport News sheriff's offices.

The rankings are based on several factors, including the agencies' military recruiting efforts, policies for service members, rules for reservists and departmental culture.

Henrico police Sgt. Edward Ross told *Military Times* that his department's military and veteran recruits are typically “ahead of the curve” and immediately take on leadership roles. “They take what they've learned (in the military) and do it on a local level,” Ross said. “Their deployment is whatever shift they're working each day, and they're home each night.”

# Governor presents awards to eight winners of VML's 'If I were mayor' essay contest

**M**ORE THAN 1,200 essays were submitted by seventh graders across the state. Jerry "Trey" Mitchell III from Brunswick Academy in Lawrenceville is the statewide winner of VML's third annual "If I Were Mayor" essay contest. There are eight regional winners including Mitchell.

These insightful youngsters from throughout the Commonwealth met in Richmond January 25 to receive their awards from Governor Terry McAuliffe and VML President Bob Coiner, Mayor of Gordonsville.

The awards were presented at the Library of Virginia following the Governor's opening remarks to more than 200 local officials gathered for VML Day at the Capitol (see page 16).

In addition to family members, many of the students were accompanied by their teachers and their hometown mayors. The regional winners are:

**Region 1:** Dillon McReynolds of Abingdon

**Region 2:** Andrew Middleton of Covington

**Region 3:** Sadie Dryden of Buena Vista

**Region 4:** Skyla Rain of South Boston

**Region 5:** Liv Scappa of Falls Church

**Region 6:** Maha Laiq of Warrenton

**Region 7:** Jerry "Trey" N. Mitchell III of Lawrenceville (statewide winner)

**Region 8:** Terrence Massenburg of Portsmouth

Each regional winner received a framed certificate and a check for \$150. The statewide winner was awarded \$250.

The eight winning essays are printed on the following pages.

The "If I Were Mayor" Essay Contest is a powerful tool to promote civics education in our schools by encouraging students to think about local government and envision an active role in it.

VML would like to thank the school division leaders, local government leaders – and especially the school teachers – who encouraged students to submit essays.

VML typically opens the "If I Were Mayor" call for entries in late October.



(L to R) Trey Mitchell, Terrence Massenburg, Skyla Rain, Governor Terry McAuliffe, Sadie Dryden, Liv Scappa, Andrew Middleton and Dillon McReynolds. Not pictured, Maha Laiq.

# Statewide & Region 7 Winner Jerry "Trey" Mitchell III

**Brunswick Academy  
Lawrenceville, Virginia**



## If I Were Mayor ...



*I will determine our budget, address economic issues, and allocate funding to meet the needs of our city, including funding for city maintenance.*

Trey Mitchell

A mayor has a very important job. If I were mayor, I would take my job seriously. As a community leader, I would oversee all aspects of our city to ensure prosperity and growth. Maintaining a balanced budget will be a top priority. I will make sure that our city spends money wisely and increases our revenue by promoting industry. I will manage our police department, fire department, as well as our transportation and housing departments. I will also make education a priority. I will participate in the events of our city to be an involved leader. I will foster a sense of mutual respect by maintaining open

communication with city council members as well as members of the community.

Upon being elected a mayor, I will conduct a meeting of all department heads to determine the strengths and weaknesses of our municipality. At this meeting, we will determine the required amount of manpower to make the departments run smoothly and continue to be productive. At our city council meeting, we will establish and prioritize our goals that will make our town a great place to live. I will meet with the members of our community to determine the concerns of our citizens. I will determine our budget, address economic issues, and allocate funding to meet the needs of our city, including funding for city maintenance. I will also promote the creation of jobs and industry for economic growth.

To ensure the safety of our citizens and our community, I plan to meet with essential persons in the police and fire departments. We will address the staffing needs and requirements, as well as equipment needs of each department. Maintaining adequate staff and ensuring proper equipment will assist in keeping the citizens of our town safe. I will encourage active involvement in community awareness activities and programs by public service employees. I will ask that they become more personally involved in our community to foster good relationships, and as a result, make our town safer.

The survival of our town is dependent upon maintaining economic growth and development. I will make this the top priority. I will promote our town to help persuade businesses to choose our town and help current businesses expand. The types of businesses that I will try to bring to our town include: restaurants, hotels, movie theaters, bowling alleys and amusement parks. When these businesses choose our town, all parties involved are winners. Our economy is perked, jobs are created, the housing industry will boom, and more people will choose our town. The result will be a cycle of increased growth, increased population and increased revenue.

If I were mayor, every citizen in our community would be my priority. Protecting our community, encouraging growth of our towns, ensuring excellent education programs for our youth, and prosperity and growth of our city are issues that will take precedence. Great times are ahead for our town!



**Governor McAuliffe, Trey Mitchell  
and Lawrenceville Mayor Bill  
Herrington.**

# Region 1 Winner Dillon McReynolds

**E.B. Stanley Middle School  
Abingdon, Virginia**



## If I Were Mayor ...



*Being mayor is an important job. You have to be selfless, thoughtful, and trustworthy.*

**Dillon McReynolds**

Being mayor is no walk in the park. You can't just do whatever you want at your will. You have to approve businesses, stoplights and many other important assessments. You have to worry about the budget and town income.

If I were mayor, I would turn my town around. I would work to pass ordinances to crack down on breaking the law. Building stores and other buildings so my citizens could save travel money for more important things like food or taxes would be one of my main goals as mayor. Lowering taxes to help out the less fortunate would also be something I would strive to do. These jobs would be my main causes to be mayor.

First I will discuss my plan to pass ordinances for the good of the town. I want to increase the fines for wrong-doing to help crack down on the people who break the law. I would work to install recycling bins in every neighborhood, and have a truck take the trash to a local recycling station every Saturday. I would also work to ban illegal alcohol and drugs by increasing the police force. To add to that, I would also work to keep restaurants from selling alcohol (except for bars, of course). That is my plan to use my ordinances for the best.

I would also work to build stores and other interesting places to help the citizens save travel money. My main idea would be to build a mall that has a little bit of everything, from athletic stores to clothing stores to restaurants. I would even work to install a movie theatre there, too! The citizens of the town could go there and stay local, instead of driving to the next city or town just to go to one store. I would also stress lots of new businesses to help create jobs and increase income. These are my main plans for construction to help out the town income and the citizens.

Lastly, I would work to lower taxes to help out the less fortunate and small business. I know I can't take away taxes, although it would be nice to have no taxes. I would increase the taxes for bigger businesses with large income, thus lowering the need for more money from smaller businesses. I would use that money to build a shelter for the homeless and repair destroyed homes. This would help keep the town running smoothly and peacefully. This idea would improve the community in ways that weren't ever thought of.

Being mayor is an important job. You have to be selfless, thoughtful, and trustworthy. I know I might not be best for the job. But still, I would be willing to tackle it.



**Governor McAuliffe, Dillon McReynolds and Abingdon Mayor Cathy Lowe.**

# Region 2 Winner Andrew Middleton

**Clifton Middle School  
Covington, Virginia**



## If I Were Mayor ...



*If I were mayor, I would invest in our future by improving our economy, education, and recreation.*

Andrew Middleton

John Quincy Adams once said, "If your actions inspire others to dream more, learn more, do more, and become more, you are a leader." This quote inspires me because it describes the type of mayor I would like to be. If I were mayor, I would invest in our future by improving our economy, education, and recreation.

In order to improve our future, we have to have a stable economy. If I were to become mayor, I would listen to my people and spend money where it would benefit the most people. I would take their

concerns to our local representatives and stay after them to make sure they get done. I would encourage big and small businesses to locate here. This will also provide new job opportunities for people. I believe focusing on these economic issues is a good start on improving our economy.

Another important issue as your mayor is education. I would support the increase in technology in all grade levels. This would make school more interesting and productive. I would also support more breaks for students. Daily walks in each of their classes would help students to concentrate and decrease misbehavior. I would also let students use their cell phones at lunch and when their teachers allow them to. I think these improvements to student education would improve student success.

If I were mayor, I would invest more money to improve our recreational programs. I would keep basketball courts maintained so when the recreation league has people and kids play on them, they aren't too dusty to play on. I would also keep our baseball fields maintained so they are more fun to play on. I would add batting cages to all the fields in Covington so when people come to play – like travel teams – they will want to come back. This will keep more people in our county healthy because they will want to play sports.

In conclusion, I think if I were mayor, I could make the people in our county a lot happier. I would strive to make this a place where people enjoy living and where others want to come live, too. If I were mayor I would invest in our future by improving our economy, education and recreation.



**Governor McAuliffe, Andrew Middleton and Covington Mayor Thomas Sibold.**

# Region 3 Winner

## Sadie Dryden

**Parry McCluer Middle School  
Buena Vista, Virginia**



### If I Were Mayor ...



*This movie theater would be fun for families, provide jobs, and might even help with tourism.*

Sadie Dryden

Buena Vista is a small city surrounded by beautiful mountains. I love Buena Vista with all my heart, but it definitely needs some improvement. There are a lot of things I would like to bring back bigger and better. The projects I have come up with will achieve that goal. If I were mayor of Buena Vista, I would restore the school's baseball field, rehabilitate the skate ramps and tennis courts, and reopen the movie theater.

I have been considering what projects could improve this town. I understand that the baseball

field at Parry McCluer Middle School is not up to playing standards, and I think it is time to renovate it. To make that happen, I would assemble some volunteer groups to help restore it. I'm sure the local baseball and softball teams would be appreciative. It would also be fun for families to bond and spend time together. I believe that this may help children to be physically active and they may spend more time outside. I think it would benefit everyone.

Another idea I had is to rehabilitate the skate ramps and tennis courts at Glenn Maury Park. The tennis courts have weeds growing between the many cracks. There's also the skate ramps. They aren't very sturdy and they're infested with bees. I know that there are some Boy Scouts who would be happy to complete this for an Eagle Scout project. It would be a lot safer for the community.

I also know that Parry McCluer High School tennis team shares the Southern Virginia University (SVU) courts with their team. My mother is the coach of the tennis team at SVU, and sometimes it's hard to figure out what time each team will practice. The tennis courts at Glenn Maury Park would help with that situation. I have seen a lot of kids who ride their skateboards around town, and I'm sure they would be pleased to have satisfactory skate ramps.

My final idea is to reopen the movie theater. It has been out of business for several years now. Now we have to drive to the movie theater in Lexington. It doesn't sound too bad, but I miss being able to walk to the movies with family and friends. I would enlist some construction crews to put in a soundproof wall, as the movie theater is right next to the train tracks. Then the crews would do some interior work. This movie theater would be fun for families, provide jobs, and might even help with tourism. I don't mind going to Lexington too much, but I would much rather go to a movie theater in Buena Vista.

I believe all of these projects would greatly impact Buena Vista in the best way imaginable. All of the citizens and I love this city and want to make it superior. That is what I would do if I were mayor of Buena Vista.



**Governor McAuliffe and  
Sadie Dryden.**

# Region 4 Winner Skyla Rain

Halifax County Middle School  
South Boston, Virginia



## If I Were Mayor ...



*Instructors in training would make it easier for students to get the one-on-one time they need. It would also help people train for jobs in the field of education.*

Skyla Rain

South Boston is a great place to live, however, there are some things that can be changed. If I were mayor, I would change some things about the education system and also about the way we treat the environment. I would use my position as city leader to make needed, positive changes.

Our environment is so pretty. If we want to keep it that way, then we need to be more careful how we treat it. Under my administration, littering policies would be enforced. I would create more recycling boxes around the city to

ensure an increase in the amount of waste recycled. I would create more community service groups to help clean up the environment. I would also get more volunteers for community service groups. Each group would be assigned to a different issue in improving our beautiful environment.

As mayor, I would also look at our educational system and see what changes I could make on the city level to improve student performance. Adults are always saying how students need to take education seriously. I think that students need more one-on-one time. But how are we going to get the one-on-one time we need if our teachers are trying to help 24 more students? As mayor, I would allot funds to be used by our schools to hire I.I.T.s (instructors in training). Instructors in training would make it easier for students to get the one-on-one time they need. The teachers wouldn't be so stressed out trying to help everyone. It would also help people train for jobs in the field of education. With this in place, schools could be more challenging and offer a fun learning experience for students. The students would have better grades if they understood and enjoyed the lessons more. A better understanding leads to better grades, better schools, satisfied teachers and excited students. Better schools would draw more businesses and jobs to our city and this would mean more money coming in for other city projects and improvements.

As the mayor, I would try to relate to every person in the city. If we can work together and listen, this would make everything better for everyone and, as a team, we could make this a greater place to live.

A mayor is a very important job and I'm sure it is very stressful. It will take a lot of time and energy, but in the long run, it is definitely worth the sacrifices and time. As the mayor, I would work to make South Boston a great place to live and grow up.



Governor McAuliffe, Skyla Rain and South Boston Mayor Edward Owens.

# Region 5 Winner Liv Scappa

Mary Ellen Henderson Middle School  
Falls Church, Virginia



## If I Were Mayor ...



*Today's modern cities have adapted to meet the demand of their citizens to stay connected and to be at the forefront of technological advancements.*

Liv Scappa

Great cities are able to differentiate themselves by providing a way for their citizens to feel connected. Oftentimes, city and state funding overlook the importance of technological advancements for the betterment of their communities. The City of Falls Church provides a good foundation for what makes a great city. Today's modern cities have adapted to meet the demand of their citizens to stay connected and to be at the forefront of technological advancements.

There are a number of opportunities for us to step out and provide new and innovative solutions for things like transportation, new environmentally friendly energy sources, and cutting back on the demand for traditional means of our energy. HUD, DOT, EPA, and other agencies have made millions of dollars available in funding to support the implementation of projects that provide sustainable communities. Funding is available for a variety of uses including community planning, research, and capitol infrastructure investments.

There are a number of opportunities for us to step out and provide new and innovative solutions for things like transportation, new environmentally friendly energy sources, and cutting back on the demand for traditional means of our energy. HUD, DOT, EPA, and other agencies have made millions of dollars available in funding to support the implementation of projects that provide sustainable communities. Funding is available for a variety of uses including community planning, research, and capitol infrastructure investments.

Technological hubs around the world such as Dubai and Tokyo are emphasizing the rapidly changing needs of their citizens including things like free internet and solar powered buildings. As Mayor I would ensure we implement a new school of thought on presenting innovative, infrastructural changes to our city. Some ideas include, electric public transportation, solar powered pedestrian roadways, and solar powered markets.

Electric batteries for public transportation would be immensely less expensive than gas in the long run. Battery prices have dropped over 60 percent in the last six years. Also, electric transportation emits 40 to 60 percent less greenhouse gases than buses running on petroleum. We can implement electric transportation across our government and school systems, such as school buses, government vehicles, and police cars.

Looking at another technological powerhouse, Seoul, we see that solar powered bike paths have jolted the nation. It has attracted over 150,000 riders to produce energy. This concept can easily be implemented into Falls Church City's extensive bike paths. A miniscule stretch powered a home for a year! Just imagine what we can achieve in our small city! We could easily power our homes for years just by encouraging riding on our solar powered bike trails.

My final goal is to implement solar powered farmer's markets. Our city spends thousands of dollars supplying energy to vendors. It would be simple to carry out portable solar batteries. Every week our city holds a large farmer's market and if we carry out this concept, we could save thousands of dollars and potentially use that saved budget on other resources.

There are many good cities out there, but our citizens deserve the best. In order to give them that, we need to recognize the importance of the advancements in technology that are readily available to us by our local startups and software companies. We should explore transportation, finding new environmentally friendly energy supplies, and cut back on the demand for traditional energy sources. These advancements are possible as proven by other model cities. We just need the right leader to get us there.

There are a number of opportunities for us



Governor McAuliffe, Liv Scappa and Falls Church Mayor David Tarter.

# Region 6 Winner

## Maha Laiq

Taylor Middle School  
Warrenton, Virginia



### If I Were Mayor ...



*The Town of Hearts program interfaces with local businesses to identify their hiring needs by matching potential candidates and prepares the candidate through coaching and mentorship.*

Maha Laiq

My back is pressed against the cold hard metal bench while my exhausted bare feet are buried deeply in the brown rough mulch. I watch my headstrong sister persistently trying to reach the rock plastered on the wall possibly hoping that the rock will magically get powers and move towards her hand. She stretches out her tiny fingers a little more and finally gets a hold onto the rock. I focus my attention towards the equipment and notice that it's old and boring. In my

mind, I imagine a fun park that has new equipment with vibrant colors. I imagine a park with a song constantly being played on repeat. What song am I thinking of? Well the chorus of the children's laughter. I don't just stop there. I think about how I could approve the town of Warrenton in general.

If I were mayor I would work hard towards making Warrenton the best town in the United States to raise a family. Warrenton is a great town already, but I have a few ideas that could make it better. The town parks need an equipment upgrade to make them attractive for year-round activities. I would make facilities where families can spend quality fun time enjoying ice skating, working out, bowling, miniature golf and fishing. All parks and recreational facilities would be paid for by the residents of Warrenton. Non-residents wishing to use our parks would be charged a usage fee.

Businesses wishing to establish commerce in Warrenton would be offered benefits commensurate to the number of Warrenton residents they employ. Businesses would be encouraged through additional benefits for closing the gap by hiring disadvantaged residents. Low or no income residents would be required to meet a tough standard for benefits eligibility. The town administration will be held accountable to the highest standards for closing the gap.

Residents that have fallen into tough times or are homeless would be offered enrollment in the Town of Hearts program. This program would offer food, shelter, clothing and employment assistance. Once a resident is back on their feet, they would be required to payback the Town of Hearts program. The Town of Hearts program interfaces with local businesses to identify their hiring needs by matching potential candidates and prepares the candidate through coaching and mentorship.

Yes! This is what I would do if I were mayor! My eyes stare back at a dreadful monster who doesn't seem to leave me alone and somehow is everywhere. This monster wasn't like those old-fashioned monsters who had vicious snakes for hair, razor sharp black nails, and red piercing eyes that reflected pure malevolence. This monster was worse – its name was reality. Sadly, I had been daydreaming and now I was exposed to the dreadful world. It felt so real though and now, instead of mayor, I was just a girl in the seventh grade. Life was so unfair! On the bright side, at least I have a few ideas for my "If I Were Mayor" essay.

# Region 8 Winner Terrence Massenburg

**Churchland Middle School  
Portsmouth Virginia**



## If I Were Mayor ...



*The first thing I would do if I were mayor is help people recycle and reduce waste.*

**Terrence Massenburg**

If I were mayor there would be many things I would do to make the city of Portsmouth better. As mayor I would help people recycle and reduce waste. Another thing I would do as mayor is teach people how to become safer online. The third thing I would do as mayor is listen to the city's needs and wants.

The first thing I would do if I were mayor is help people recycle and reduce waste. The reason I would like to recycle is because most places are filled with waste and are contaminated. This is important because landfills are associated with pollution risk to soil, air and

water, odors and increased traffic from heavy trucks loaded with landfill-bound waste. In 2015, Virginia solid waste management facilities received and handled 15 million tons of waste.

The second thing I would do if I were mayor is teach people to become safer online. If you are safer online, then the number of child predators and cyberbullies will decrease because safety is my top priority. The reason I would like to decrease cyberbullying is because people are starting to kill themselves because of this and it's not just in Portsmouth. Child predators are a major concern to me because they lure children with puppies, candy, ice cream and kids are falling for it.

The third and final thing I would do as mayor is take time to listen to the city's needs and wants. Once every two weeks, we will have a town hall meeting to discuss your needs and wants. The reason for this is because not everyone gets to share their ideas so this is the place where you can. Everyone's comments will be heard even if you're homeless or poor.

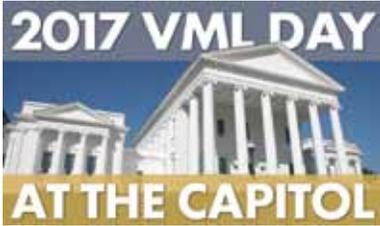
We can change the city and turn it into a better one if we work hard and contribute. Recycling and reducing waste is a good way to help your community. The decrease in cyber bullying and child predators is my top priority because parents need to know that their children are safe. Everyone's needs will be heard and you get to share your opinions. I would do my best to make sure this is the best city ever. And that's what I would do if I were mayor!



**Governor McAuliffe and  
Terrence Massenburg.**

# VML Day at the Capitol

MORE THAN 200 LOCAL OFFICIALS from throughout the state gathered in Richmond for VML Day at the Capitol on January 25. This annual event is a prime opportunity for local leaders to meet with their elected officials and share their concerns about how pending legislation will impact their localities. In addition to meeting with legislators in their offices, local leaders spent time with their



representatives at an evening reception at the Library of Virginia. More than 50 Delegates and Senators took the opportunity to speak informally with local leaders in their districts by attending the reception.

VML delivered a powerful lineup of speakers, beginning with keynote speaker Governor Terry McAuliffe, who also presented the “If I were

Mayor” Essay Contest awards to eight talented 7<sup>th</sup> graders from throughout Virginia. McAuliffe’s address was followed by presentations from experts on issues of concern for localities during this legislative session. Topics included: short term rentals (Airbnb); wireless infrastructure; stormwater; and broadband.

Gordonsville Mayor Bob Coiner, VML’s President, presided over the gathering. Blacksburg Mayor Ron Rordam and Suffolk Mayor Linda Johnson spoke about short-term rentals in their communities.

VML wishes to thank all of the participants – Senators, Delegates, presenters, essay winners, and local leaders who travelled to Richmond to make their voices heard.



**VML President Bob Coiner, Mayor of Gordonsville, introduced Governor Terry McAuliffe.**



**Senator Frank Ruff (L) catches up with his former intern Benn Zhang who is now a Williamsburg City Councilmember.**



**Norfolk Councilmember Andria McClellan (R) and Vice Mayor Mary Beth Connelly of Falls Church.**



**(L to R) Katrina Washington, National League of Cities; Hopewell Vice Mayor Jasmine Gore; Norfolk Councilmember Mamie Johnson; and Richmond Mayor Levar Stoney.**



**Lt. Governor Ralph Northam and Herndon Mayor Lisa Merkel.**



**Roanoke City Councilmember Raphael Ferris spoke about broadband issues for localities.**



# INSTITUTE FOR LOCAL OFFICIALS

KEY TRAINING FOR NEW & VETERAN OFFICIALS ALIKE

**March 3-4, 2017**

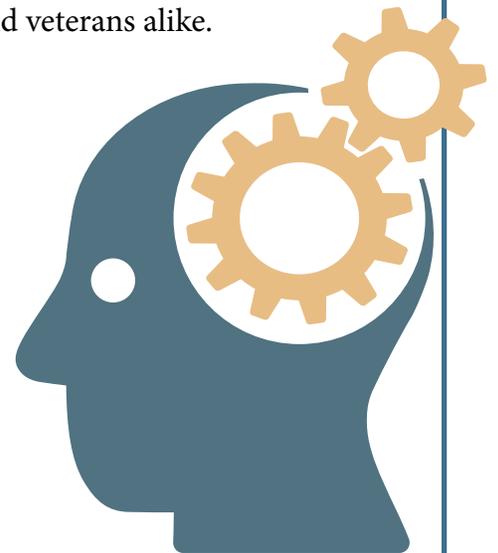
**Omni Richmond**

**100 South 12th St., Richmond, VA 23219**

This event replaces what was previously known as the Newly Elected Officials Conference and is open to newly elected officials and veterans alike.

## TOPICS

- **Comprehensive Planning**
- **Council / Manager Relations**
- **Basic Law Making / The Dillon Rule**
- **Budgeting**
- **Freedom of Information Act**
- **Conflicts of Interest Act**
- **Public officials' liability**



Attendees will earn 10 of the 40 hours required to achieve Level One (Local Government Basics) certification in the VML Leadership Academy.

Cost: \$175 for Members and \$75 for Guests.

Hotel accommodations are available at the group rate of \$132/single and \$142/double. The cut-off date for accepting reservations into this room block is Friday, February 17, 2017. Information on making your reservation can be found at [www.vml.org/institute-for-local-officials](http://www.vml.org/institute-for-local-officials).

For questions or more information, please contact Leslie Amason at (804) 523-8528 or [lamason@vml.org](mailto:lamason@vml.org).

# Imbalance of power

## What authority does a locality have in a Dillon rule state?

VIRGINIA LOCALITIES GET their authority to act from the Virginia State Constitution and various Virginia Code Sections. In the United States, typically states are either “home rule” or “Dillon rule.” Virginia is a Dillon rule state.

It is important to understand what both the home rule and Dillon rule are prior to delving into Virginia law.

The home rule is a transfer of power from the state to units of local government so that the local governments can self-govern. The goal is for local governments to have some freedom from state interference and an ability to act quickly to respond to local issues. Over 40 states consider themselves home rule states.

**If there is reasonable doubt about whether the legislative power exists, the doubt must be resolved against the local governing body. Be mindful when considering your scope of authority!**

Virginia is a Dillon rule state which means that the powers of localities must come from a specific state code provision or the Virginia State Constitution. The Dillon rule is frustrating in practice because, like a child, you feel like you are always being told “no!”

### History of the Dillon rule

John Forrest Dillon was a judge for the 7th Circuit (Iowa) in the late 1800’s. He held a strong distrust for local government and was quoted saying “those best fitted by their intelligence, business experience, capacity and moral character usually did not hold local office and the conduct of municipal affairs was generally unwise and extravagant.” Really?

Through Judge Dillon, the Dillon rule began and is currently recognized as the following:

The state legislature has complete control over municipal government except as limited by the state or federal constitution. Local governments powers only extend to three categories:

1. Those powers granted in express words;
2. Those powers necessarily implied or necessarily incident to the powers expressly granted; and



By Michelle Gowdy

3. Those powers absolutely essential to the declared objects and purposes of the corporation – not simply convenient, but indispensable.

The Dillon rule formed the basis of the decision in the case of *City of Winchester vs. Redmond (1896)*, which is the first case in Virginia which quoted its approval of the Dillon rule.

“If there is reasonable doubt about whether the legislative power exists, the doubt must be resolved against the local governing body.” (*Sinclair vs. New Cingular Wireless, 2012*). Be mindful when considering your scope of authority!

The Virginia constitution expressly gives power to the General Assembly to pass laws, both general and special, to set forth the organization and powers of local government. There have been attempts to move toward the home rule in Virginia, but Virginia remains a Dillon rule state.

### A Classic Example

Practically speaking, this means that a locality cannot enact an ordinance without express authority from the State Code. For example, section 15.2-2829 of the Code of Virginia says the following:

If an ordinance is enacted by a locality in accordance with this chapter, it shall provide that it is unlawful for any person to smoke in any of the following places:

1. Common areas in an educational facility, including but not limited to, classrooms, hallways, auditoriums, and public meeting rooms;
2. School buses and public conveyances; and
3. Any of the places governed by § 15.2-2824 or 15.2-2825.”



Because localities would need express permission to prohibit smoking in outdoor areas, some municipalities instead post signs simply asking people to refrain from smoking near various facilities.

A locality could enact an ordinance prohibiting smoking in the common areas of the school, but what about at the football stadium or baseball stadium? Municipal attorneys may view this differently, but there is a fair interpretation that a locality cannot prohibit smoking in outdoor facilities. As a Dillon rule state, if the statute does not authorize the locality to take action, they cannot.

There are other code sections that deal with smoking, but as a result of needing express permission to prohibit smoking, some localities have taken to asking that people don't smoke near various facilities.

## So what CAN localities do?

The Virginia Code is the “go to” guide for what authority localities have. Title 15.2 is directly related to local governments and should be the place to begin your search for what things localities have authorization to regulate. Examples of things in 15.2 are: authority to handle wastewater, authority to regulate zoning and authority to create positions in management of your locality.

Title 2.2 is another very important section because it deals with the Freedom of Information Act and the Conflict of Interests Act. The last sections to note are Title 22.1 relating to education and Title 58 which authorizes taxation.

Upon locating a section of the Constitution or Code that is relevant to what you would like to regulate, there is a two-part analysis that should be conducted.

### Step 1: Determining whether the local governing body is enabled to act

Remembering that “there is no presumption that an ordinance is valid; if the General Assembly has not authorized a particular act, it is void.” (*Sinclair*) This is a difficult step because inevitably the Code may not specify the exact thing that you want to accomplish and, like the smoking example above which seems to make common sense, the authority is not there.

Furthermore, if a locality enacted a smoking prohibition at parks – it would be void. Proceed with caution when there is not express authority and ask your attorney to review case law, etc. for support on your position.

### Step 2: If you have the authority, is the power properly executed?

If the locality is enabled to act and the manner of enforcement is specified, then no other manner of enforcement can be used. Below is an example of this – these are procurement violations which are only punishable as a misdemeanor or as provided by section 18.2-12.

### Example: Procurement Violations

Any violation of section 15.2-1238 or section 15.2-1239 shall be a misdemeanor and shall be punishable as provided by section 18.2-12 of the state code.

However, when the manner of enforcement is not outlined, a reasonable method of enforcement must be selected. The rule is known as the reasonable selection of method rule. (*Advanced Towing Company, LLC vs. Fairfax County Board of Supervisors*, 2010.)

For example, in the case of *Logie v. Town of Front Royal*, the town enacted an ordinance to enforce the uniform statewide property maintenance code. The enabling state statutes allowed for fines and misdemeanors to be used to enforce the code. When the town enacted its ordinance, it added a provision that allowed the town to discontinue electric service if violations occurred. Mr. Logie sued arguing that this was a violation of the Dillon rule because the state statute did not allow for the termination of electric service. “In this case, the General Assembly has specified how violations of the Property Maintenance Code may be enforced in the penalty provisions in the enabling legislation by prosecution as misdemeanors and the imposition of civil fines...and these provisions do not include the power to terminate utility service to the property,” according to Logie. The town therefore had abused its authority because of the Dillon rule.

Again, proceed with caution when there is not express authority and ask your attorney to review case law, etc. for support on your position.

Keep in mind that if it doesn't say that you can do it – you probably cannot!

**About the author:** *Michelle Gowdy is General Counsel for the Virginia Municipal League.*

### By the Numbers

**40**

states use Home Rule

**10**

states use Dillon Rule

#### Home Rule

Power is transferred from the state to units of local government so that the local governments can self-govern.

#### Dillon Rule

Powers of localities must come from a specific state code provision or the Virginia State Constitution.



# To your office health

## Cities and towns aim for a healthy workforce

EVERY CITY WANTS a healthy workforce. It reduces health care costs, increases productivity, and improves morale. Recognizing that healthy people work in healthy places, municipalities are examining their workplace policies and practices and making changes that will promote healthy environments for their employees.

Many cities and towns are adopting workplace wellness policies and practices to create environments where making healthy choices is easy for their staff members.

Two early steps toward building a healthy workplace are to:

### 1. Appoint wellness leaders

You'll need some champions of the cause in the form of a wellness committee or wellness leader. These are employees who are passionate about wellness and can serve as role models to others.

If you form a committee, ensure that the committee is representative of the workforce by including people from a variety of departments and work schedules. Consider including an executive; representatives from HR, Parks & Rec, Benefits, and Marketing; and someone with a health/wellness background.

### 2. Adopt Nutrition and Physical Activity Policies

These may include:

**Health Meeting Policy** – Policies typically encourage breaks at meetings to stand, stretch and move and serving healthy food options such as water, fruit and other healthy snacks. For meetings that include one or two people, a “walking meeting” can be productive and provide an opportunity to be active during the work day.

**Active Stairwell Policy** – Municipalities can set standards for stairwell safety and encouraging stair use. Efforts to encourage use of the stairs include: sprucing up the stairwell with colorful paint, good lighting and artwork and creating promotional materials, including point-of-decision posters at elevators.

**Healthy Vending Policy** – The goal of a healthy vending policy is to provide healthier food options to municipal

employees and residents by making snacks that meet nutrition standards available in vending machines in municipally owned and operated locations. The healthy vending policy provides the food nutrition criteria for the healthy snacks and beverages and typically requires that a certain percentage of the snacks in the vending machine meet the criteria.

## What Are Walking Meetings?

They are real meetings that take place while walking. They are an opportunity for employees to be physically active while completing work. Walking meetings are a good way for leaders to model physical activity in the work day and to show their commitment to active living.

## Why Have Walking Meetings?

Walking meetings have many benefits. Among them, walking meetings have been shown to:

- stimulate creativity by breaking the normal work routine.
- promote more honest exchanges with employees.
- increase productivity. In sedentary meetings, employees may be physically present, but not mentally present. Getting up for a walking meeting can help increase the time employees are present and productive.
- improve morale.
- recharge people's energy in the afternoon
- stimulate problem solving (thinking on your feet) and minimize distractions (no phones, no email).

## Good guidelines for walking meetings

- Size of group: four people or less; two is ideal.
- Length: 30 minutes or less.
- You can have a destination or just walk around the block.
- Permit wearing sneakers or comfortable shoes.
- Types of topics that are conducive to walking meetings: brainstorming, conflict resolution.
- Start with a few people who you think can be champions of walking meetings.

Remember to include employees/citizens who are in wheelchairs or using canes and walkers; accommodate their pace and make sure that the walking route includes enough space for everyone walking. 

**About the author:** *Susan DeFrancesco is the HEAL Cities & Towns Campaign Manager.*

**The Healthy Eating Active Living (HEAL) Cities & Towns Campaign, a partner of the Virginia Municipal League, provides free technical assistance and coaching to help municipal officials adopt policies that improve their communities' physical activity and food environments.**

**Contact Susan DeFrancesco, HEAL Cities and Towns Campaign Manager, at [sdefrancesco@institutephi.org](mailto:sdefrancesco@institutephi.org) and go to [www.healcitiesmidatlantic.org](http://www.healcitiesmidatlantic.org).**



# Why some places thrive and others fail

## The new formula for community revitalization By Ed McMahon

**W**HY ARE SOME COMMUNITIES able to maintain their economic vitality and quality of life in the face of a rapidly changing world, while others have lost the very features that once gave them distinction and appeal? How can communities, both big and small, grow without losing their heart and soul?

From coast to coast, communities are struggling to answer these questions. After working in hundreds of communities in all regions of the country, I have come to some conclusions about why some small cities and towns succeed while others fail. Some communities have found ways to retain their small town values, historic character, scenic beauty and sense of community, yet sustain a prosperous economy. And they've done it without accepting the kind of cookie-cutter development that has turned many communities into faceless places that young people flee, tourists avoid and which no longer instill pride in residents.

Every "successful" community has its own strengths and weaknesses, but they also share some common characteristics. It's clear, for instance, that successful communities involve a

**If you design a community around cars, you get more cars, but if you design a community around people – like Charlottesville did – you get more people and better places.**



broad cross-section of residents in determining and planning for the future.

They also capitalize on their distinctive assets – their architecture, history, natural surroundings, anchor institutions and home grown businesses – rather than trying to adopt a new and different identity.

**Every "successful" community has its own strengths and weaknesses, but they also share some common characteristics.**

Most successful communities also utilize a variety of private-sector and market incentives to influence new development, instead of relying solely on government regulations.

### Have a vision for the future

Successful communities always have a plan for the future. Unfortunately, "planning" is a dirty word in some communities, especially in small towns and rural areas. In some places, this is the result of today's highly polarized political culture. In other places, it results from a misunderstanding of planning and its value.

The truth is, failing to plan simply means planning to fail. It is difficult to name any successful individual, organization, corporation or community that doesn't plan for the future.

Try to imagine a company that didn't have a business plan. It would have a hard time attracting investors or staying competitive in the marketplace. The same is true of communities. A community plan is a blueprint for the future. People may differ on how to achieve the community's vision, but without a blueprint, a community will flounder.

## Community revitalization

Understandably, people in small towns don't like change. But change is inevitable. Technology, the economy, demographics, population growth, market trends and consumer attitudes are always changing and they will affect a community whether people like it or not. There are really only two kinds of change in today's world: planned change and unplanned change.

Communities can grow by choice or chance. Abraham Lincoln used to say that "the best way to predict the future is to create it yourself." Communities that prepare for the future will always be more successful than communities that just accept whatever comes along.

## Inventory community assets

Creating a vision for the future begins by inventorying a community's assets: natural, architectural, human, educational, recreational, economic, etc. Successful communities then build their plans – whether a land use plan, a tourism plan or an economic development plan – around the enhancement of their existing assets.



**In 1975, Lowell, Mass., was a dying industrial city littered with abandoned textile mills. It was hemorrhaging jobs and people. The town brought the once empty mills back to life as museums, affordable housing, luxury condominiums, offices, shops, restaurants.**

Twenty-first century economic development focuses on what a community has, rather than what it doesn't have. Too many communities spend all their time and money on business recruitment. They build an industrial park and then try like crazy to attract a plant, factory or distribution center to move there. The few communities that are successful at this strategy usually accomplish it by giving away the store.

The old economic development paradigm was about cheap land, cheap gas and cheap labor. It was about shotgun recruitment and low cost positioning. In the old economy, the most important infrastructure investment was roads.

Today, successful economic development is about laser recruitment and high value positioning. Today highly trained talent is more important than cheap labor and investing in education is far more valuable than widening the highway.

Another mistake is thinking that economic revival is about the one big thing. American communities are littered with projects that were sold as a "silver bullet" solution to a city's economic woes. Whether it is a convention center, a casino, a festival marketplace, a sports arena or a new factory, city after city has put all their eggs in one basket. If your city has a big convention center, my city needs an even bigger one. Festival marketplaces, for example, worked fine in cities like Boston and Baltimore, but similar projects went bankrupt in Toledo, Richmond, Jacksonville and a dozen other communities.

Successful economic development is rarely about the one big thing. More likely, it is about lots of little things working synergistically together in a plan that makes sense. Most successful cities think small in a big way.

One example is Cleveland, Ohio. Cleveland had an aging, undersized convention center. Civic boosters argued for a huge new convention center that could compete with much bigger cities like Chicago, Atlanta or Minneapolis. But small cities like Cleveland will never win in an arms race to build the biggest convention center. Instead Cleveland took a look at its assets, one was the Cleveland Clinic: a world renowned medical center located a short distance from downtown. Instead of trying to compete head-on with every other city, Cleveland decided to build a smaller, less expensive meeting facility focused on medical conventions and which has an attached medical mart, affiliated with the Cleveland Clinic.

## Shape plans around existing assets

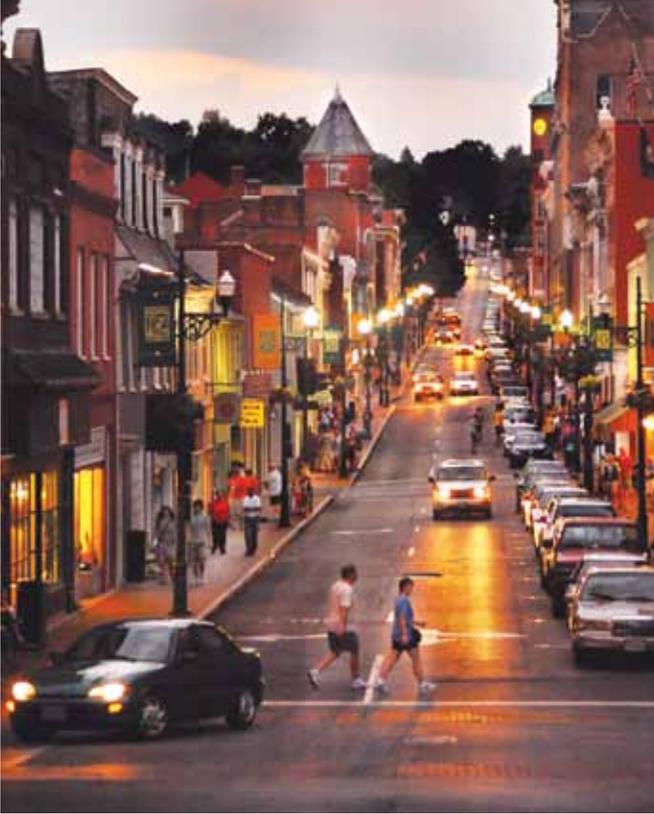
Whether it is a land use plan, a tourism plan, a downtown revitalization plan or an economic development plan, savvy communities build on what they already have.

Sometimes a community's assets are obvious. Other times, they are not. Annapolis, Maryland, for example, has obvious assets: an abundance of historic buildings, an attractive waterfront and a long history of maritime activity. Annapolis used these assets to attract both the National Sailboat Show and the National Powerboat Show, which together bring more than 90,000 visitors a year to their waterfront.

Jackson, Wyoming, is another community with obvious assets: world class scenery, abundant wildlife and outdoor recreation resources. Jackson and Teton County, Wyoming, have built their economy around the marketing and promotion of these assets.

However, they have also built their land use plans around the protection of these assets. For example, they prohibit outdoor advertising to ensure that the scenery is not degraded. They also map wildlife migration corridors to ensure that development does not block the elk herds that attract visitors from all over the world, etc.

**American communities are littered with projects that were sold as a "silver bullet" solution to a city's economic woes.**



**In Staunton, Virginia, the Historic Staunton Foundation offered free design assistance to any downtown business owner who would restore the façade of their building. Today, there are five historic districts in Staunton, but it all began with an incentive.**

In other communities, the assets are not so obvious. Consider Lowell, Massachusetts. In 1975, Lowell was a dying industrial city. It had an unemployment rate of over 20 percent; it was littered with abandoned textile mills. It was hemorrhaging jobs and people. The common wisdom was that without manufacturing, it had few assets and a dim future.

Today, Lowell, is one of the Rust Belt's great success stories. The once empty mills have come back to life as museums, affordable housing, luxury condominiums, offices, shops, and restaurants. Even the University of Massachusetts at Lowell has moved into restored industrial buildings.

## Use education and incentives, not just regulation

Successful communities use education, incentives, partnerships and voluntary initiatives, not just regulation. To be sure, land use regulations and ordinances are essential to protecting public health and to setting minimum standards of conduct in a community. Regulations prevent the worst in development, but they rarely bring out the best. Regulations are also subject to shifting political winds. Often one county commission or town council will enact tough regulations only to see them repealed or weakened by a future town council with a different ideology or viewpoint.

If regulations aren't the entire answer, how can a community encourage new development that is in harmony with local aspirations and values? Communities need to use carrots not just sticks. They need to identify creative ways to influence development projects outside of the regulatory process.

For example, they might make it easier to develop in places where the city wants development, like in downtown. They

could also identify barriers to good development and use incentives like expedited permit review, conservation easements, purchase of development rights, tax abatements that promote the rehabilitation of historic buildings, award programs, density bonuses in exchange for saving open space and other techniques.

In Staunton, Virginia, the Historic Staunton Foundation offered free design assistance to any downtown business owner who would restore the façade of their building. They did this after the city council had rejected a measure to create a downtown historic district.

At first, only one business owner took advantage of the incentive, but then a second owner restored his building façade, and then a third, and then many more. Today, there are five historic districts in Staunton, including the entire downtown, but it all began with an incentive.

Successful communities also use education to encourage voluntary action by citizens. Education reduces the need for regulation. It is also important because people and businesses simply won't embrace what they don't understand. Finally, community education is important because, citizens have a right to choose the future, but they also need to know what the choices are.

## Pick and choose among development projects

All development is not created equal. Some development projects will make a community a better place to live, work and visit. Other projects will not. The biggest impediment to better development in many communities is a fear of saying "no" to anything.

In my experience, communities that set low standards, or no standards, will compete to the bottom. On the other hand, communities that set high standards will compete to the top. This is because they know that if they say no to bad development, they will always get better development in its place.

Too many elected officials have an "it'll do" attitude toward new development. Worse yet, they'll accept anything that comes along, even if the proposed project is completely at odds with the community's well-thought-out vision for the future. They are simply afraid to place any demands on a developer for fear that the developer will walk away if the community asks for too much. This is especially true when it comes to dealing with out-of-town developers or with national chain stores and franchises.

**The biggest impediment to better development in many communities is a fear of saying "no" to anything.**

The bottom line for most developers, especially chain stores and franchises, is securing access to profitable trade areas. They evaluate locations based on their economic potential. If they are asked to address local design, historic preservation, site planning or architectural concerns, they will usually do so.

Bob Gibbs, one of America's leading development consultants, says that "when a chain store developer comes to town,



**When CVS proposed building a new store in Davidson, North Carolina, the town insisted on a two-story brick building, pulled to the corner with parking in the rear. The result is a building that fits into the fabric of the community.**

they generally have three designs (A, B or C) ranging from Anywhere USA to Unique (sensitive to local character). Which one gets built depends heavily upon how much push back the company gets from local residents and officials about design and its importance.”

Chain drugstores, like CVS and Walgreens are proliferating across the country. They like to build featureless, single-story buildings on downtown corners, usually surrounded by parking – often after demolishing one or more historic buildings.

This is what CVS proposed in Davidson, North Carolina. The town was offered the cookie cutter design (Plan A), but Davidson insisted on a two-story brick building, pulled to the corner with parking in the rear (Plan C).

CVS protested, but they eventually built what the town wanted because they recognized the value of being in a profitable location. The lesson learned is that successful communities have high expectations. They know that community identity and quality of life are more important than corporate design preferences.

## Cooperate with neighboring communities for mutual benefit

Historically, elected officials have tended to view neighboring communities, the county government, even the managers of adjacent state or national parks as adversaries rather than allies. Some community leaders see economic development as a “zero-sum” game: if you win, I lose.

Successful communities know that today’s world requires cooperation for mutual benefit. They know that the real competition today is between regions. They also understand that very few small towns have the resources, by themselves, to attract tourists or to compete with larger communities.

Regional cooperation does not mean giving up your autonomy. It simply recognizes that problems like air pollution, water pollution, traffic congestion and loss of green space do

not respect jurisdictional boundaries. Regional problems require regional solutions.

There are numerous examples of communities working together for mutual benefit. In Metro Denver, 41 communities cooperated to support funding for a regional transit system (i.e. Fast Tracks). Cleveland area communities cooperated to build a Metro parks system. Minneapolis and St. Paul collaborate on tax base sharing.

Even small rural communities can cooperate for mutual benefit. In Mississippi, small towns have worked together to organize and promote US 61 as “the Blue’s Highway,” linking Memphis with New Orleans. Similarly, rural counties on Maryland’s Eastern Shore collaborated with the Eastern Shore Land Conservancy to create a regional agreement to preserve farmland and open space.

## Pay attention to place

During the development boom of the 1980s, *Time* magazine ran an article about what it called “America’s growing slow-growth movement.” The article began with a quote from a civic activist in Southern California, who said, “We were in favor of progress, until we saw what it looked like.” Looks count! Place matters!

Mark Twain put it this way, “We take stock of a city like we take stock of a man. The clothes or appearance are the externals by which we judge.”

In the old economy, quality of place didn’t really matter, but today communities are in a global competition to attract and retain talented workers. Increasingly, these workers decide where they want to live and then they figure out their job situation.

Creating a great place will pay dividends long after the initial investment. In fact, economic development expert, Joe Cortwright says, “The unique characteristics of place may be the only truly defensible source of competitive advantage for cities in a global world.”

Consider tourism, for example. The more any American community comes to look just like every other community, the less reason there is to visit. On the other hand, the more a community does to protect and enhance its unique character – whether natural or architectural – the more people will want to visit.

This is because tourism is about visiting places that are different, unusual and unique. If everyplace was just like everyplace else, there would be no reason to go anyplace. In today’s world, community differentiation is an economic development imperative.

### Strong leaders and committed citizens

Successful communities have strong leaders and committed citizens. A small number of committed people can make a big difference in a community. Sometimes these people are long-time residents upset with how unmanaged growth has changed what they love about their hometown.

Other times, the leaders might be newcomers who want to make sure that their adopted hometown doesn’t develop the same ugliness or congestion as the one they left. More often than not, they’re simply citizens who care a great deal about their community.

There are hundreds of examples of small groups of people working successfully to improve their communities. Some of these people are elected officials, like Joe Riley, the ten-term mayor of Charleston, South Carolina. Others are private citizens, like Robert Grow, the founder of Envision Utah.

Leadership is critical, but often unappreciated. As the

mayor of one small town remarked to me, “If you don’t care who gets the credit, you can get an awful lot accomplished.”

### What about the naysayers?

Every community has naysayers. Whatever the civic or community leaders propose to do, some people will always say things like: “You can’t do it”; “It won’t work”; “It costs too much”; and “We tried that already.”

And, “no,” is a very powerful word in a small community, but leaders of successful communities, know that “yes” is a more powerful word. Yes, we can make this town a better place to live in, to look at, to work in, to visit. A pessimist sees difficulty in every opportunity. An optimist sees opportunity in every difficulty.

### Quality of life is the competitive advantage

We live in a rapidly changing world. The post-recession economy is reshaping the way we live, work, shop and move around. Communities that prepare for the future will prosper. Those that do not will decline. Today people and businesses can locate anywhere. Communities that cannot differentiate themselves will simply have no competitive advantage. This means that quality of life is more important than ever. Successful communities set themselves apart. They know that place matters now, more than ever. 

**About the author:** Ed McMahon is Senior Resident Fellow at the Urban Land Institute based in Washington, D.C.



# Regional Suppers

SPRING

VML CONDUCTS REGIONAL SUPPERS around the state each spring and fall to provide local government officials with timely information. Elected and appointed officials from member localities are encouraged to attend one of these informative get-togethers. Each of the dinner meetings will include a review of the 2017 legislation session as well as presentations by other subject experts on issues of importance to the region.

**All of the suppers will begin at 6 p.m. and cost \$35.**

Wednesday, April 5	Marion - Holston Hills Community Golf Course
Thursday, April 6	Appomattox - Appomattox Inn and Suites
Wednesday, May 3	Culpeper - Germanna Community College
Thursday, May 4	Onancock - Mallards at the Wharf
Wednesday, May 10	Emporia - The Bank by Kahills
Thursday, May 11	Williamsburg - The Stryker Center

**Register on-line at [www.vml.org/regional-suppers](http://www.vml.org/regional-suppers)**



# It's your deal

## Understanding the roles and responsibilities when issuing municipal bonds

by Lynnette Kelly

**F**INANCING A PUBLIC PROJECT with municipal bonds is a team effort in which many professionals work together to achieve the goals of the municipality. But as government officials considering issuing municipal bonds in 2017, keep in mind that it's your deal.

You are the stewards of taxpayer dollars, and you make the decision to borrow. You decide whether to hire a municipal advisor to act as your fiduciary and you select the underwriter through the process – competitive or negotiated – of your choice. Throughout the life of any municipal bond, you assume responsibility for providing investors with information that is timely, accurate and complete.

And while the issuance of municipal bonds is your deal, municipalities have an important ally in the Municipal Securities Rulemaking Board (MSRB), the national regulator responsible for promoting a fair and efficient municipal securities market. Protecting municipal bond issuers is a central aspect of the MSRB's mission. Importantly, the MSRB does not regulate state or local governments; its rules are designed to make sure you are treated fairly by the underwriters and with the utmost

good faith by municipal advisors you hire.

The MSRB also operates a public platform called the Electronic Municipal Market Access, or EMMA®, website, which is your key to accessing important information about the municipal market and communicating information to investors. Additionally, the MSRB provides free, objective educational materials for municipal issuers.

Since issuing bonds may be only an occasional event for certain communities, it's helpful to understand how the MSRB can support you when you decide to issue bonds.

### The decision to borrow

The decision to access capital from the \$3.8 trillion municipal securities market is always handled at the state and local level. Government officials have a responsibility to their taxpayers to make informed decisions about how to finance a public project. Understanding conditions in the municipal securities market and evaluating your locality's existing bonds are important steps in the decision to borrow.

The MSRB's EMMA website provides free access to information and data about the municipal market and nearly all existing municipal bonds. Before deciding to issue bonds, visit EMMA's Tools and Resources page to see what issues are scheduled to come to market and how they are priced, monitor the trade activity of your locality's existing bonds and view upcoming federal economic reports or other events that can have an impact on the municipal bond market.

## Working with financial professionals

Once a municipality has decided to issue bonds, an important step is assembling the deal team – which can include municipal advisors and underwriters. Check the MSRB's website, at [www.msrb.org](http://www.msrb.org), to ensure that any firm you are considering is properly registered with the MSRB and that individual profes-

**MSRB rules are designed to make sure you are treated fairly by the underwriters and with the utmost good faith by municipal advisors you hire.**

sionals have passed the appropriate professional qualification examinations. Working with unregistered or unqualified financial professionals puts a municipality at risk. MSRB rules and professional qualification requirements are designed to ensure the

advice you receive from a municipal advisor is in the municipality's best interest. MSRB rules require underwriters working with a municipality to deal fairly, disclose potential conflicts of interest and honor your wishes about some of the ways bonds are marketed and distributed to investors. You can read more

about protections for municipal bond issuers in the Education Center on the MSRB's website. If at any time you suspect a municipal finance professional of violating MSRB rules or acting unfairly, report it to the MSRB by phone at 202-838-1330 or by email to [complaints@msrb.org](mailto:complaints@msrb.org) and the MSRB will forward your complaint to the appropriate enforcement authority.

Working with unregistered or unqualified financial professionals puts a municipality at risk. MSRB rules and professional qualification requirements are designed to ensure the advice you receive from a municipal advisor is in the municipality's best interest. MSRB rules require underwriters working with a municipality to deal fairly, disclose potential conflicts of interest and honor your wishes about some of the ways bonds are marketed and distributed to investors. You can read more

## Continuing disclosure

Once a municipality's bonds have been issued, it is the municipality's responsibility to provide investors with required ongoing material information in a timely and complete manner. Annual financial and operating information, notices of major events that may affect bondholders and other information is essential to helping investors make fully informed decisions about buying, selling or holding a municipality's bonds. The MSRB's EMMA website serves as the official platform to disclose this information to investors.

Municipalities can schedule free email reminders from the MSRB to alert key individuals of upcoming filing deadlines. The MSRB also offers free phone support, how-to videos and educational resources to support state and local governments in understanding and fulfilling their continuing disclosure obligations.

Whenever a municipality decides to issue bonds, remember – it's your deal – and rules and resources of the MSRB are there to help ensure the process is fair. Take advantage of these tools and resources to help you make informed decisions about issuing municipal bonds and communicating with investors. 

**About the author:** *Lynnette Kelly is Executive Director of the Municipal Securities Rulemaking Board. Based in Washington, D.C., the MSRB is a self-regulatory organization created under the Securities Acts Amendments of 1975.*

**If you're not getting it, you're not getting it.**



The newsletter of the Virginia Municipal League

**Don't be caught uninformed on local government issues!**

To get all the news you can't afford to miss, subscribe to VML eNews at [www.vml.org](http://www.vml.org).

## MOSELEY ARCHITECTS

SERVING VIRGINIA SINCE 1969

[www.moseleyarchitects.com](http://www.moseleyarchitects.com)



## Austin Brockenbrough

ENGINEERING • CONSULTING

Civil | Mechanical | Electrical | Structural  
Surveying | Subsurface Utilities | Architecture

[www.brockenbrough.com](http://www.brockenbrough.com)

## GKY & Associates, Inc.

Stormwater  
Engineering and  
MS4 Compliance

[www.gky.com](http://www.gky.com)



[1hg.net](http://1hg.net)



# Want to reach the local government executive market?



## Put "Virginia Town & City" to work for you.

Call Leslie Amason at (804) 523-8528 and ask about Professional Directory and display advertising.



## Simple Installation, Sophisticated Performance.

With Spring City's X-Series Conversion Kits, switching to a high efficiency, high performance LED Luminaire has never been simpler. Unlike inferior retrofit products and bulbs, Spring City's Conversion Kit is a controls ready, sealed system where the luminaire is designed around the LED, utilizing the same technology found in our high performance Symphonic X-Series, and with six easy steps, only requires a simple ten-minute installation process.



Learn more about our innovative lighting solutions now by visiting **Spring City Electrical** online at [www.springcity.com](http://www.springcity.com)



Start a *metamorphosis*  
**of your own.**



Join the growing number of Virginia communities using VHDA financing to bring about revitalization and affordable, quality housing. With our flexible new financing options, your plans for building a brighter future can begin to take flight. Contact VHDA's Director of Rental Housing Development, Dale Wittie at 804-343-5876 or [Dale.Wittie@vhda.com](mailto:Dale.Wittie@vhda.com).

 Follow VHDA's Blog: [vhda.com/blog](http://vhda.com/blog)



Virginia Housing Development Authority | [vhda.com/SuccessStories](http://vhda.com/SuccessStories)

