

The first try for consolidation of our city and county governments, in 1962, was soundly defeated by the voters, 60,303 to 35,160. But in October, 1965, ten articles by reporter Jack H. Morris appeared in the *Commercial Appeal*; the series was called "Managing the Metropolis." Each article was critical of Memphis' commission government and showed how other systems of government were working efficiently in cities of comparable size.

On December 1, 1965, a group of citizens formed an organization called the Program of Progress (POP). It grew to 1000 members and a board of 25 directors who drafted a proposal for a mayor-council form of government. On August 23, 1966, after a summer of pushing and pulling, the City Commission voted 4-0 over Mayor Ingram's veto to approve submitting the proposed charter to the voters in a general election. The campaign led by POP was supported by the wealthy, the press, influential blacks, organized labor, business organizations (particularly the Chamber of Commerce), and much of the middle class. On November 8, 1966, the new city charter was approved by a vote of 57,895 to 39,554. The following November, Memphis elected thirteen councilmen and replaced Mayor Ingram with Henry Loeb.

The success of the new City Charter led the proponents of consolidation to try again, so in 1970 a new Charter Commission was established; it published its *Proposed Charter of Memphis-Shelby County Consolidated Government* on March 31, 1971. The differences between it and the 1962 charter were astonishing.

In general, the 1962 charter set up a strong Mayor, a weak legislative council, and a decided pro-county bias for the legislative, while the 1971 charter set up a weaker mayor, stronger council, a pro-city bias for the legislative, and a pro-county bias for the administrative. The 1962 charter de-

center city

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TOWARD A SUPERMAYOR — PART ONE

UNITED SHELBY?

DAVID BOWMAN

ecided that "constitutional offices" like Sheriff and County Trustee should be stripped of their powers and their functions passed on to administrative departments, while the 1971 charter made the Sheriff take over all law enforcement responsibilities and added to the County Trustee's office what the City Treasurer's office was doing.

The wording of the opening statement of both charters made it clear that the City's loss was the County's gain:

The governmental and corporate functions now vested in the City of Memphis, a municipal corporation created by Chapter 11, Private Acts of 1879, and amendments thereto, are hereby consolidated with the governmental and corporate functions of the County of Shelby (1.01).

In spite of the traditionally greater size of Memphis' city government, with 87% of the county's taxpayers within the city's limits, and the traditionally minor role played by the county government, the city would here be absorbed into the county. (Up until recently, "county government" served the few who lived outside the city limits, not the whole county, so that longtime residents see the county's recent ascendancy as the tail wagging the dog. These people probably don't realize that the county budget for the coming year will be about \$190 million, as opposed to the city budget of about \$200 million.)

In the 1962 charter, 4 councilmen would be elected from inside the city; 4 from outside the city; and 4 elected at-large countywide (3.02), while in the 1971 charter, 7 would be elected from districts inside the city, only 1 from outside the city, and 5 elected at-large countywide (3.02).

The powers of the charters' mayor resembled the Memphis mayor's, in general, except for such differences as veto power. For example, in 1962, the Mayor might veto any change made by the Council as to departments, boards, commissions, offices, or agencies, and his "veto of such ordinances may not be overridden by the Council" (3.09). In 1971, the Council could abolish, reform, modify, or transfer the functions of any department, board, commission, agency or authority except the Memphis Light Gas & Water (3.09.11), and a veto might be overridden by 7 of 13 votes from the Council (3.08.1). In 1962, the Council could override the Mayor's veto (with the exceptions just noted) only by mustering 8 out of 11 votes from the Council (3.08.1). More significant, in the 1962 charter the "Mayor shall have the right to attend all meetings of the Legislative Council and he may participate in its discussions in the same manner as its regular members, but he shall have no vote" (3.07.4). The 1971 charter didn't invite the Mayor into the Council.

The President of the Council, in the 1962 charter, was the twelfth member of the Council and could not vote except to break a tie (3.11.2), though he was also Vice-Mayor and could succeed to the office of Mayor to serve until the next general election (3.11.3). The 1971 gave the Chairman of the County Council a vote at all times, not just in ties, and designated him Vice-Mayor during "temporary absences" of the Mayor (3.09.6).

The 1962 charter was very firm about dealing with those obsolete offices established by the state constitution: it would keep them, until the constitution was changed, but it stripped them of powers, duties, emoluments, etc. Thus, the Sheriff was reduced to "attend on the Legislative Council as its Master at Arms and shall perform such duties as the President or the Council shall designate" (3.07.2); and to continue to "perform all functions in connection with the service of process, the enforcement of judicial decisions, and attendance on the courts" (9.02); but the Legislative Council "shall have no

authority to appropriate funds to be used by the Sheriff in the exercise of his criminal jurisdiction" (9.02).

The 1971 charter went to the opposite extreme: it said that "the Sheriff shall be responsible for and in charge of law enforcement throughout the General Services District" (the entire county) and "one division shall be responsible for policing and law enforcement within the Urban Services District (the city), and this division shall be directed by his deputy . . . with the title of Chief Deputy for Urban Police" (9.02). In short, the entire City of Memphis Police Department would be turned over to the Sheriff.

A similar gulf between the charters lay in the matter of the County Trustee. In 1962, the "County Trustee shall have no duties or powers in the Consolidated Government and shall receive no compensation or emoluments of any kind" (9.06.1), and his functions "are hereby transferred to the Department of Revenue" (9.06.2). In 1971, the office would be continued and "shall have all of the authority, duties and powers exercised by the County Trustee and City Treasurer at the time of the adoption of this charter" (9.06).

It is more difficult to interpret the contrast between the charters' concepts of administrative structures. The 1962 charter called for seven departments, whereas the 1971 charter wanted only four departments. Perhaps the 1971 Charter Commission wanted to control administrative proliferation, reasoning the fewer the departments, the slower the swelling-up of total personnel and budgets. Or perhaps it simply wanted a more closely-held corporate management.

The three independent commissions (MLG&W, MHA, and MTA) were described in detail by the 1962 charter in Article 13 and Appendices I, II, and III, suggesting that they would continue to loom large in the local fiscal picture. The 1971 charter added the new Memphis-Shelby County Airport Authority.

Overall, it is difficult to see how the 1971 charter was an improvement on the 1962 charter, which had been proposed "in the interest of modern, efficient, and economical government": most of the old constitutional offices were retained in 1971 and a whole host of new administrative structures were created. But there should be at least one kind

Meet the Professor at First

"Meet the Professor", a weekly series of lecture/discussions led by Memphis State University faculty members, will be presented downtown beginning February 10. The noon luncheon meetings will be held on Tuesdays at First Presbyterian Church, Third and Poplar, through April 6.

The format of the lecture series is tailored to the demanding time schedules of downtown workers. Participants will gather with luncheon trays from the weekday Culinary Club or their own sack lunches at 12 sharp in a room of the church building assigned for the purpose. The professor will begin his or her lecture at 12:05, speak with or without the aid of audio-visuals for approximately 40 minutes and then lead a question-discussion period until the 1:30 p.m. dismissal. (Obviously a lunch period from 11:40 a.m. to 1:45 p.m. is longer than most downtown office workers receive, but it is felt that many employers will grant compensatory time in order that employees may take advantage of this university offering.)

The cost of the series to each participant will be \$15., payable to Memphis State University. A brochure, picturing the professors and listing the eight other locations of the spring semester "Meet the Professor" will be available by telephoning the Office of Continuing Education at Memphis State University, 454-2700.

Below is the schedule for the spring semester of this downtown Memphis luncheon series.

FEBRUARY 10

Dr. Richard B. Remnek, Assistant Professor of Political Science, "Towards a Superpower Confrontation in the Indian Ocean?"

FEBRUARY 17

Dr. Susan A. Gore, Assistant Professor of Psychology, "Are We All Sitting in Ivory Towers When it Comes to Understanding People?"

FEBRUARY 24

Dr. Robert J. Hatala, Dean of the University College, "A College Degree? How Useful?"

MARCH 2

Dr. James W. Newcomb, Assistant Professor of English, "Writer, Critic, and Reader: The Function of the Middleman"

University Spring Break

MARCH 16

Ms. Ellen C. Peete, Instructor, Curriculum and Instruction, "Sexism and Racism in Children's Literature"

MARCH 23

Dr. Thomas L. Porter, Professor of Special Education and Rehabilitation, "Your Right to Be Heard; Your Imperative to Listen"

MARCH 30

Dr. Joe A. Moore, Professor of Law, "The Drama of the Courtroom"

APRIL 6

Dr. Frank A. Momany, Associate Professor of Chemistry, "Great Molecules of Your Life and Times"

UNITED SHELBY? (Bowman)

word said for the 1971 charter: it abolished the 1962 stipulation of qualifying fees (\$500 for Mayor and Council candidates, \$250 for Board of Education candidates) that would be forfeited if the candidates got less than 10% of the vote.

As in 1962, massive campaigns were launched pro and con; Bill Bruce led the pro-consolidationists (United Shelby) and Ellen Davies Rodgers led the anti-consolidationists (Metro No). When the proposed charter was put to the Memphis voters in the summer of 1971, they showed lukewarm support (32,958 to 31,251), while county voters defeated it (3,209 to 8,612); in other words, consolidation lost by nearly 5000 votes.

But as will be seen, in next week's installment, the consolidation effort was not wasted. Under the County Restructure Bill, passed in 1974, all consolidation activities were simply delegated to the County Mayor and his associates.

earthly delights

FILM

Lyceum Film Theatre

December 16—"Nosferatu"—First National Bank Auditorium — 7:30 p.m.

MUSIC

Calvary Church Christmas Concerts

December 15—Joseph Morrow, Organist & Choirmaster of St. Mary's Cathedral — 12:05—12:20 p.m.*

Christmas on the Mall

December 18—Christmas caroling by candlelight—music by the Memphis Federation of Musicians—Commerce Square plaza—7:00 p.m.*

National Bank of Commerce Building (Lobby)

December 15—19—Debra Card, organist—11:45—12:15 p.m. & Choral performances by Memphis high school groups—12:15 p.m.*
December 22, 24—Debra Card, organist—12:00 p.m.—1:00 p.m.*

*FREE

Center city

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CIVIC CENTER COMMUNITY CULINARY CLUB

Serving from 11:30 to 1:15

First Presbyterian Church, 166 Poplar Avenue

PRICE: \$1.50 per serving, including drink

MENU FOR DECEMBER 11 — DECEMBER 22

THURSDAY, DECEMBER 11

Fried Chicken, Rice & Gravy, Green Beans, Rolls

FRIDAY, DECEMBER 12

Fish Crispies, Tater Tots, Mixed Vegetables, Rolls

MONDAY, DECEMBER 15

Steak w/gravy, Whipped Potatoes, Green Beans, Rolls

TUESDAY, DECEMBER 16

Beef Stroganoff, English Peas, Beets & Onions, Rolls

WEDNESDAY, DECEMBER 17

Spaghetti, Cole Slaw, French Bread

THURSDAY, DECEMBER 18

Barbecued Chicken, Baked Beans, Apple Sauce, Rolls

FRIDAY, DECEMBER 19

Seafood Pattie, Macaroni-Cheese, Turnip Greens, Corn Bread

MONDAY, DECEMBER 22

Closed, Christmas Holidays