

## OAK RIDGE CITY COUNCIL MEETING

Municipal Building Courtroom

May 13, 2013—7:00 p.m.

### AGENDA

- I. INVOCATION  
The Reverend Craig Kallio, St. Stephens Episcopal Church
- II. PLEDGE OF ALLEGIANCE
- III. ROLL CALL
- IV. APPEARANCE OF CITIZENS
- V. PROCLAMATIONS AND PUBLIC RECOGNITIONS
- VI. SPECIAL REPORTS
- VII. CONSENT AGENDA
  - a. Approval of the April 8, 2013 City Council meeting minutes
  - b. Adoption of a resolution awarding a bid in the estimated amount of \$36,842.90 to Nedrow & Associates, Murfreesboro, Tennessee, for the furnishing of one digester pump for the Wastewater Treatment Plant.
- VIII. RESOLUTIONS
  - a. A resolution approving the FY2014 Annual Action Plan and proposed allocations of Community Development Block Grant (CDBG) entitlement funds for FY2014 estimated at \$215,024.00.
  - b. A resolution to extend the contract with Pugh & Company, P.C., Knoxville, Tennessee, approved by Resolution 5-44-08, to conduct an audit of the City's accounts and funds for Fiscal Year 2013, an audit of the Convention and Visitors Bureau, and preparation of notes and financial statements in the Comprehensive Annual Financial Report, in the estimated amount of \$62,950.00.
  - c. A resolution to close the Economic Diversification Fund at the end of Fiscal Year 2013, to transfer the Economic Diversification Fund balance to the General Fund and assign the fund balance for certain purposes, and to encumber \$25,000.00 from the City Manager's budget from Fiscal Year 2013 to Fiscal Year 2014 and to designate the encumbered funds for miscellaneous economic diversification activities.
- IX. PUBLIC HEARINGS AND FIRST READING OF ORDINANCES  
  
AN ORDINANCE TO PROVIDE REVENUE FOR MUNICIPAL PURPOSES FOR THE FISCAL YEAR BEGINNING JULY 1, 2013, BY IMPOSING A TAX ON ALL PROPERTY WITHIN THE CITY, FIXING THE RATE OF THE TAX, ADOPTING A BUDGET, AND ADOPTING APPROPRIATIONS.

X. FINAL ADOPTION OF ORDINANCES

- a. AN ORDINANCE TO AMEND THE COMPREHENSIVE PLAN'S LAND USE PLAN BY CHANGING THE DESIGNATION OF A PORTION OF PARCEL 1.00, MAP 105H, GROUP A, (APPROXIMATELY 1.16 ACRES) FROM R, RESIDENTIAL TO B, BUSINESS, SAID PARCEL BEING LOCATED AT 2095 OAK RIDGE TURNPIKE.
- b. AN ORDINANCE TO AMEND ORDINANCE NO. 2, TITLED "THE ZONING ORDINANCE OF THE CITY OF OAK RIDGE, TENNESSEE," BY AMENDING THE ZONING MAP WHICH IS MADE A PART OF THE ORDINANCE BY CHANGING THE ZONING DISTRICT OF A PORTION OF PARCEL 1.00, MAP 105H, GROUP A, (APPROXIMATELY 1.16 ACRES) FROM RG-1/, RESIDENTIAL OPEN SPACE AND RESERVED AND RG-1/FLOOD FRINGE, TO UB-2, UNIFIED GENERAL BUSINESS AND UB-2/FLOOD FRINGE, SAID PARCEL BEING LOCATED AT 2095 OAK RIDGE TURNPIKE.

XI. ELECTIONS/APPOINTMENTS, ANNOUNCEMENTS AND SCHEDULING

- a. Elections/Appointments
- b. Announcements
- c. Scheduling

XII. COUNCIL REQUESTS FOR NEW BUSINESS ITEMS OR FUTURE BRIEFINGS

Request from Councilmember Trina Baughn

XIII. SUMMARY OF CURRENT EVENTS

- a. CITY MANAGER'S REPORT
- b. CITY ATTORNEY'S REPORT

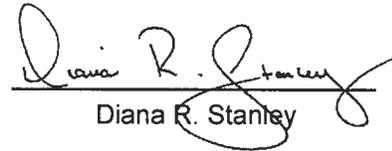
XIV. ADJOURNMENT

**CITY CLERK MEMORANDUM**

**13-18**

**DATE:** May 7, 2013  
**TO:** Honorable Mayor and Members of City Council  
**FROM:** Diana R. Stanley, City Clerk  
**SUBJECT:** AGENDA FORMAT FOR THE MAY 13, 2013 CITY COUNCIL AGENDA PACKET

Typically, departmental memos contain a City Manager's Comment Box at the end of each memo that indicates that the City Manager has reviewed its contents for City Council's consideration prior to the publishing of the agenda packet. Given that Mr. Watson was out of the office during the assembly of the May 13, 2013 City Council Agenda Packet that box has been omitted from departmental memos for this particular meeting. The City Manager will review the contents of the agenda packet upon his return to the office.

  
Diana R. Stanley

# CONSENT AGENDA

**MINUTES OF THE  
OAK RIDGE CITY COUNCIL**

**April 8, 2013**

The regular meeting of the City Council of the City of Oak Ridge, Tennessee convened at 7:10 p.m. on April 8, 2013, in the Courtroom of the Municipal Building with Mayor Thomas L. Beehan presiding.

**INVOCATION**

The Invocation was delivered by the Reverend Brian Scott from Robertsville Baptist Church.

**PLEDGE OF ALLEGIANCE**

Mr. Hal Osucha led the Pledge of Allegiance to the Flag of the United States of America.

**ROLL CALL**

Upon roll call the following councilmembers were present: Mayor Thomas L. Beehan; Councilmember Anne Garcia Garland; Councilmember L. Charles Hensley; Mayor Pro Tem D. Jane Miller; and Councilmember David N. Mosby.

Councilmembers Trina Baughn and Charles J. Hope, Jr. were absent.

Also present were Mark S. Watson, City Manager; Janice E. McGinnis, Finance Director; Kenneth R. Krushenski, City Attorney; and Diana R. Stanley, City Clerk.

**APPEARANCE OF CITIZENS**

Mr. Leonard Abbatiello, 110 Dover Lane, raised several of his concerns to City Council regarding the City's financial relationship with the Department of Energy (DOE). He requested that City Council consider previous Council recommendations to reopen discussions with the DOE under the Atomic Energy Commissions Act of 1955 and the Public Law 221.

Ms. Virginia Jones, 103 Burgess Lane, American Association of University Women (AAUW), called attention that April 9, 2013 is Equal Pay Day. Ms. Jones provided statistical information regarding pay equalities amongst the different genders and urged that residents of Oak Ridge contact their legislators to pass the Paycheck Fairness Act that was before Congress.

Mr. Martin McBride, 954 West Outer Drive, recognized that the 70<sup>th</sup> Anniversary of the conclusion of WWII would occur in two years. Mr. McBride suggested that City Council research the history of the conflict between now and 2015 and acknowledge the new way that countries settle differences.

**PROCLAMATIONS AND PUBLIC RECOGNITIONS**

*A proclamation designating April 19 as "Celebration for the Young Child."*

Councilmember Hensley moved, seconded by Mayor Pro Tem Miller that the proclamation be adopted. The motion carried by unanimous voice vote with Councilmembers Garcia Garland, Hensley, Mosby, Mayor Pro Tem Miller, and Mayor Beehan voting "Aye."

The proclamation was accepted by Carol Welch, Executive Director of the Oak Ridge Children's Museum.

*A proclamation designating April 14-20 as "Library Week."*

Councilmember Hensley moved, seconded by Mayor Pro Tem Miller that the proclamation be adopted. The motion carried by unanimous voice vote with Councilmembers Garcia Garland, Hensley, Mosby, Mayor Pro Tem Miller, and Mayor Beehan voting "Aye."

The proclamation was accepted by Oak Ridge Public Library Director Kathy McNeilly.

*A proclamation designating April 2013 as "Fair Housing Month."*

Mayor Pro Tem Miller moved, seconded by Councilmember Garcia Garland that the proclamation be adopted. The motion carried by unanimous voice vote with Councilmembers Garcia Garland, Hensley, Mosby, Mayor Pro Tem Miller, and Mayor Beehan voting "Aye."

The proclamation was accepted by Community Development Senior Planner Kahla Gentry.

### **SPECIAL REPORTS**

(NONE)

### **CONSENT AGENDA**

Councilmember Garcia Garland moved, seconded by Councilmember Hensley to approve the Consent Agenda as presented. The motion was approved by unanimous voice vote with Councilmembers Garcia Garland, Hensley, Mosby, Mayor Pro Tem Miller, and Mayor Beehan voting "Aye," thereby:

- Approval of the March 18, 2013 City Council meeting minutes.
- Approving **Resolution No. 04-23-2013** awarding a contract (COR 13-08) to Rogers Group, Inc., Oak Ridge, for street milling and resurfacing of designated city streets in the estimated amount of \$645,056.61.

(The City Manager noted that the two (2) ordinances listed under "Final Adoption of Ordinances" would need to be removed from the agenda as the Access Agreement had still not been executed. Councilmember Hensley moved, seconded by Mayor Pro Tem Miller to amend the agenda by removing both ordinances—the land use amendment and rezoning—under "Final Adoption of Ordinances." The motion carried by unanimous voice vote with Councilmembers Garcia Garland, Hensley, Mosby, Mayor Pro Tem Miller, and Mayor Beehan voting "Aye.")

### **RESOLUTIONS**

#### **Resolution No. 04-24-2013**

**A resolution amending the contract (COR 96-01) between the City and Waste Connections of Tennessee, Inc., to eliminate the rewards portion of the City's recycling program for an annual cost savings of approximately \$123,972.00.**

Mayor Pro Tem Miller moved, seconded by Councilmember Hensley that the resolution be adopted.

Public Works Director Gary Cinder covered a summary of the changes to the program, including the cost savings to the City by eliminating the rewards program.

Councilmember Garcia Garland moved to amend the resolution by adding a stipulation that the savings be returned to the citizens and that the \$.84 no longer be charged on resident's utility bills. The motion was seconded by Councilmember Hensley.

Mr. Cinder explained that the savings was offered to the Public Works Department to assist in covering the additional costs in the City's budget when the waste contract was amended to include hundreds of additional houses.

Finance Director Janice McGinnis clarified that the City had been budgeting the collection amount based

on a historical count of houses. Ms. McGinnis explained that the additionally houses being added would increase the costs next fiscal year, and that the cost savings received by removing the rewards portion would be used to offset those additional costs.

Discussions continued regarding the rewards program and the possible use of the cost savings.

Councilmember Garcia Garland's amendment failed by board vote with Councilmembers Garcia Garland, Hensley, and Mosby voting "Aye," and Mayor Pro Tem Miller and Mayor Beehan voting "Nay."

Councilmember Garcia Garland moved that the resolution be reconsidered at a future date with the full Council given that the earlier amendment had failed 3:2. The motion was seconded by Councilmember Hensley.

Mr. Doug McGill of Waste Connections suggested that City Council consider terminating the Recycle Bank Program given that Waste Connections was under a strict deadline on a determination of the rewards program, and that the City could determine the usage of the cost savings of the program at the next scheduled meeting.

Councilmember Garcia Garland withdrew her motion.

Councilmember Hensley moved, seconded by Mayor Pro Tem Miller to accept the recommendation to terminate the rewards portion of the contract and later determine the usage of the cost savings received from the elimination of the program.

The motion to terminate the rewards program was approved by unanimous voice vote with Councilmembers Garcia Garland, Hensley, Mosby, Mayor Pro Tem Miller, and Mayor Beehan voting "Aye."

The resolution as amended was approved by unanimous voice vote with Councilmembers Garcia Garland, Hensley, Mosby, Mayor Pro Tem Miller, and Mayor Beehan voting "Aye."

Mr. Boyce Griffith, 107 Beechwood Lane, commented that he removes a lot of trash and recyclable materials from the greenways and recommended that the rewards program be continued and, if not, consider a per bottle fee with recycling.

#### **Resolution No. 04-25-2013**

**A resolution approving updated bylaws for the Senior Advisory Board (formerly the Elder Citizens Advisory Board); amending Resolution 7-75-77, as amended, to eliminate representation on the board by the Coalition of Oak Ridge Retired Employees (CORRE) and to add representation by the Anderson County ADA Oversight Committee, with the total number of board members remaining the same; and appointing Lee Roy Gilliam to serve the remainder of his current term on the board as the representative for the Anderson County ADA Oversight Committee.**

Councilmember Garcia Garland moved, seconded by Mayor Pro Tem Miller that the resolution be adopted. The motion was carried by unanimous voice vote with Councilmembers Garcia Garland, Hensley, Mosby, Mayor Pro Tem Miller, and Mayor Beehan voting "Aye."

#### **Resolution No. 04-26-2013**

**A resolution authorizing the Industrial Development Board of the City of Oak Ridge to enter into a five-year one hundred percent (100%) payment in lieu of tax agreement with Protomet corporation for the Phase II expansion of their business.**

Councilmember Hensley moved, seconded by Mayor Pro Tem Miller that the resolution be approved.

Mr. Hal Osucha, 249 Gum Hollow Road, reviewed Protomet's business history, expansion plan, and

highlighted the benefits of the second phase expansion. Mr. Osucha also responded to questions and comments of City Council.

Mr. Jeff Bohanan, President of Protomet Corporation, 5500 Chatsworth Court, Powell, Tennessee, reviewed his history of establishing Protomet, his future business plans, and the benefits that the tax abatement would provide for the expansion of his business. Mr. Bohanan responded to several inquiries presented by City Council.

Mr. Robert Humphries, 500 Michigan Avenue, urged Council to vote against this PILOT and consider voting against future tax abatements presented to City Council as he does not believe that venture capital should come from the government.

Mr. Parker Hardy, President of the Oak Ridge Chamber of Commerce (ORCC), 123 Amanda Drive, noted that the ORCC Board of Directors had supported the IDB's PILOT agreement. Mr. Hardy explained the importance of follow-on PILOT arrangements as he has seen success of follow-on abatement arrangements with other businesses in another state. Mr. Hardy noted that expansions are continuous by utilizing the working "seed money" provided from a PILOT.

The resolution was approved by board vote with Councilmembers Hensley, Mosby, Mayor Pro Tem Miller, and Mayor Beehan voting "Aye," and Councilmember Garcia Garland voting "Nay."

#### **A resolution adopting updated City Council Rules and Procedures.**

Councilmember Mosby moved, seconded by Councilmember Hensley that the resolution be adopted.

The City Clerk briefly reviewed some of the major changes that the Rules and Procedures Committee was recommending, such as proclamation guidelines, boards and commission's election processes, meeting definitions, minutes, etc.

Councilmember Garcia Garland presented suggestions and inquiries to be considered for the City Council Rules and Procedures: (1) increasing the deadline of agenda materials for Work Sessions and Miscellaneous Meetings from three (3) business days to five (5) business days; (2) no mention of Council voting on Proclamations for the procedures; (3) the City Manager should inquire of Council for use of a sergeant of arms; and (4) adding that the members of the public have a "right" to speak before City Council under "Right to Speak."

Mayor Pro Tem Miller requested that the suggestions be brought back to the Rules and Procedures Committee along with others of the Council. Councilmember Hensley moved, seconded by Councilmember Garcia Garland to take Councilmember Garcia Garland's suggestions back to the Rules and Procedures Committee, as well as others from the councilmembers, for review. The motion passed by voice vote with Councilmembers Garcia Garland, Hensley, Mayor Pro Tem Miller, and Mayor Beehan voting "Aye," and Councilmember Mosby voting "Nay."

#### **Resolution No. 04-27-2013**

**A resolution requesting the State of Tennessee to develop a uniform approach to school security using the City of Oak Ridge as a pilot project to conduct necessary risk assessments and provide accompanying recommendations to improve school security.**

Mayor Pro Tem Miller moved, seconded by Councilmember Garcia Garland that the resolution be adopted.

Mr. Keys Fillauer, Board of Education Chairman, 17 Palisades Parkway, explained that the Board of Education is aware of TetraTech's proposal and that they support the recommendation of the City Manager. Mr. Fillauer emphasized that the Board of Education had passed a resolution supporting school resource officers in all the Oak Ridge schools and stressed the value of this resource.

Mr. Joe Wood, 100 Broton Lane, explained the value of performing a security evaluation before implementing a security plan and highlighted some of those evaluations main points. Mr. Woods emphasized that if resources were going to be expended, an evaluation with data would help to determine how best to expend those resources that could be used in schools.

The resolution was approved by unanimous voice vote with Councilmembers Garcia Garland, Hensley, Mosby, Mayor Pro Tem Miller, and Mayor Beehan voting "Aye."

In response to the City Manager's request, Oak Ridge Police Chief James Akagi gave a brief overview on the usage of school resource officers. He stated that there is currently one school resource officer in the High School, and that the Police Department is researching the most effective means of providing school security. Chief Akagi explained a method of providing officers to schools with no additional duties being added to the officers' jobs, by instituting unplanned walk-throughs by officers. Additionally, he outlined a plan to incorporate school security into the research and dialogue of police officers.

### **PUBLIC HEARINGS AND FIRST READING OF ORDINANCES**

#### **Public Hearing**

*A public hearing for the Program Year 2013/Fiscal Year 2014 Community Development Block Grant (CDBG) Annual Action Plan.*

The Mayor opened the floor for public comments to which no citizens participated. Councilmember Hensley moved, seconded by Mayor Pro Tem Miller to close the public hearing. The motion carried by unanimous voice vote with Councilmembers Garcia Garland, Hensley, Mosby, Mayor Pro Tem Miller, and Mayor Beehan voting "Aye."

### **FINAL ADOPTION OF ORDINANCES**

(Consideration for the below ordinances was canceled per the earlier motion to amend the agenda to remove the ordinances.)

AN ORDINANCE TO AMEND THE COMPREHENSIVE PLAN'S LAND USE PLAN BY CHANGING THE DESIGNATION OF A PORTION OF PARCEL 1.00, MAP 105H, GROUP A, (APPROXIMATELY 1.16 ACRES) FROM R, RESIDENTIAL TO B, BUSINESS, SAID PARCEL BEING LOCATED AT 2095 OAK RIDGE TURNPIKE.

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### **ELECTIONS/APPOINTMENTS, ANNOUNCEMENTS AND SCHEDULING**

#### **Elections/Appointments**

#### **Announcements**

#### **Scheduling**

### **COUNCIL REQUESTS FOR NEW BUSINESS ITEMS OR FUTURE BRIEFINGS**

Councilmember Hensley requested future discussions of the Department of Energy's (DOE) property tax payments at a Work Session. The Mayor added that, if discussed, all relevant information be discussed as a whole.

Councilmember Garcia Garland indicated that the City may receive a letter from the Oak Ridge Housing Authority (ORHA) requesting participation at a future work session to bring ideas of supporting the City and opening dialog with the Council.

### **SUMMARY OF CURRENT EVENTS**

#### **CITY MANAGER'S REPORT**

The City Manager noted the April 22, 2013 Work Session would be used as the City Manager's Budget Presentation, and noted that the first reading of the appropriation ordinance would occur on May 13, 2013 and second reading on May 28, 2013.

#### **CITY ATTORNEY'S REPORT**

The City Attorney explained that the SARM museum project received higher bids than were originally estimated and funding does not exist for those bids, and was awaiting receiving information that details the problem. Mr. Krushenski indicated that the Tennessee Department of Transportation is aware of the museum's problem.

### **ADJOURNMENT**

The meeting adjourned at 9:30 p.m.

Diana R. Stanley, City Clerk  
CITY OF OAK RIDGE, TENNESSEE

**PUBLIC WORKS MEMORANDUM**  
**13-09**

**DATE:** April 17, 2013  
**TO:** Mark S. Watson, City Manager  
**FROM:** Gary M. Cinder, P.E., Director of Public Works  
**SUBJECT:** WASTEWATER TREATMENT PLANT DIGESTER PUMP

Introduction

An item for City Council's consideration is a resolution authorizing the expenditure of funds in the estimated amount of \$36,842.90 to Nedrow & Associates, Murfreesboro, TN 37128 for the replacement sludge pump in the #4 digester at the Wastewater Treatment Plant.

Funding

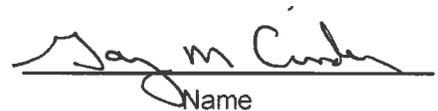
Sealed bids were solicited from several vendors with Nedrow & Associates submitting the low bid. Funding for this item is available in the Water Works budget.

Background/Analysis/Review/Consideration

There are two pumps, one each in digesters #3 and #4. These pumps are part of the jet aeration mixing system that circulates the sludge for breakdown before sending to the sludge press and then disposed of by either land application or hauled to the landfill. The pumps run nearly twenty-four hours per day, seven days per week and have been in service since the spring of 2007. The pump in digester #4 is shutting down on a regular basis and needs to be completely overhauled. The existing pump will be sent to the factory for repair. After repair, the pump in digester #3 will be removed and the repaired one installed. The existing #3 pump will be sent for repairs and when returned will be kept as a spare for future use.

Recommendation

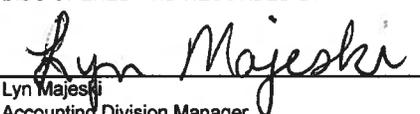
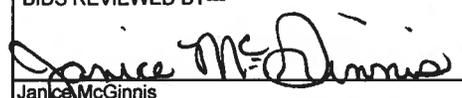
Staff recommends approval of the accompanying resolution.

  
Name

**CITY OF OAK RIDGE, TENNESSEE**  
**Abstract of Bids**

RFQ #133315

OPENING DATE: April 4, 2013 2:00 P.M.

FOR — Flygt Pump, Model NP3202 616, 60hp, 460 volt			BIDDER: Nedrow & Associates 2233 Southpark Drive Murfreesboro, TN 37128		BIDDER: Flygt Products 766 N Sandy LN Elkhorn, WI 53121		BIDDER:		BIDDER:		
DESCRIPTION	ITEM	UNIT	UNIT COST	TOTAL	UNIT COST	TOTAL	UNIT COST	TOTAL	UNIT COST	TOTAL	
A FLYGT PUMP IS NEEDED SO THAT SERVICE WORK CAN BE PERFORMED AT THE WASTE WATER TREATMENT PLANT PER THE SPECIFICATIONS PROVIDED BY THE CITY OF OAK RIDGE PUBLIC WORKS DEPARTMENT	1			\$ 36,842.90		\$ 40,735.00					
<b>TOTAL PRICE</b>			\$	36,842.90	\$	40,735.00	\$	-	\$	-	
<b>TERMS</b>			Net 30		Net 30						
<b>DELIVERY</b>			8-10 Weeks ARO		8-10 Weeks						
<b>F.O.B.</b>			Oak Ridge		Oak Ridge						
<b>VIA</b>			Best Way/Ocean		Freight						
OTHER BIDDERS CONTACTED: Water & Waste Equipment - Cleveland, TN (submitted non-responsive bid) Godwin - Bridgeport, NJ Wedeco - Charlotte, NC							BIDS OPENED AND RECORDED BY—  Lyn Majeski Accounting Division Manager				
REASON FOR AWARD			RECOMMEND AWARD BE MADE TO:								
ONLY BID RECEIVED <input type="checkbox"/> LOW PRICE <input type="checkbox"/> BETTER OR REQUIRED DESIGN <input type="checkbox"/> EARLY DELIVERY <input type="checkbox"/> LOWEST TOTAL COST <input checked="" type="checkbox"/>			Nedrow & Associates 2233 Southpark Drive Murfreesboro, TN 37128								
							BIDS REVIEWED BY—  Janice McGinnis Finance Director				

NUMBER \_\_\_\_\_

**RESOLUTION**

A RESOLUTION AWARDING A BID IN THE ESTIMATED AMOUNT OF \$36,842.90 TO NEDROW & ASSOCIATES, MURFREESBORO, TENNESSEE, FOR THE FURNISHING OF ONE DIGESTER PUMP FOR THE WASTEWATER TREATMENT PLANT.

WHEREAS, the City issued invitations to bid for the purchase of one digester pump for the Wastewater Treatment Plant to replace a current pump that is failing; and

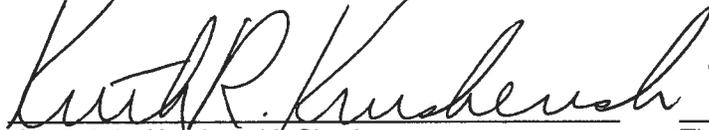
WHEREAS, bids were received and publicly opened on April 4, 2013, with Nedrow & Associates, Murfreesboro, Tennessee, submitting the lowest and best bid, which bid the City Manager recommends be accepted.

NOW, THEREFORE, BE IT RESOLVED BY THE COUNCIL OF THE CITY OF OAK RIDGE, TENNESSEE:

That the recommendation of the City Manager is approved and award is hereby made to Nedrow & Associates, 2233 Southpark Drive, Murfreesboro, Tennessee 37128, for the purchase of one digester pump for the Wastewater Treatment Plant; said award in strict accordance with Requisition No. 133315, the required specifications, and the bid as publicly opened on April 4, 2013, and in the estimated amount of \$36,842.90.

This the 13th day of May 2013.

APPROVED AS TO FORM AND LEGALITY:



Kenneth R. Krushenski, City Attorney

\_\_\_\_\_  
Thomas L. Beehan, Mayor

\_\_\_\_\_  
Diana R. Stanley, City Clerk

# RESOLUTIONS

**COMMUNITY DEVELOPMENT DEPARTMENT MEMORANDUM**  
**13-19**

**DATE:** April 24, 2013

**TO:** Mark S. Watson, City Manager

**FROM:** Kahla Gentry, Senior Planner  
Kathryn Baldwin, Community Development Department Division Manager *KGB*  
Susan Fallon, Contracts/Grants Coordinator *SF*  
Ken Krushenski, City Attorney *KK*  
Athanasia Lewis, Community Development Specialist *AL*  
Matt Widner, Housing Remediation Specialist *MW*

**SUBJECT: COMMUNITY DEVELOPMENT BLOCK GRANT**

**Introduction**

An item for City Council's consideration is a resolution authorizing the submittal of the CDBG Annual Action Plan for the year beginning July 1, 2013. The Annual Action Plan provides a budget for the use of Community Development Block Grant funds for the coming fiscal year.

**Funding**

The City of Oak Ridge receives Community Development Block Grant (CDBG) entitlement funds annually from the U.S. Department of Housing and Urban Development (HUD). The allocation for FY2014 is estimated to be \$215,024.

**Background**

An Executive Summary of the CDBG Annual Action Plan for Program Year (PY) 2013/Fiscal Year (FY) 2014 is attached. The full document is available for inspection in the City Council mailroom. Copies are also available on the City's website on the Community Development Department web page, in the City Clerk's office, the Community Development Department, and the Oak Ridge Public Library. Distribution of the draft Annual Action Plan initiates a 30-day public comment period for the document that concluded on April 30, 2013. A public hearing for the Annual Action Plan including the funding recommendations was held on April 8, 2013 at the City Council meeting. Final approval of the PY2013/FY2014 CDBG Annual Action Plan is scheduled for the May 13, 2013 City Council meeting. No public comments have been received.

The City of Oak Ridge CDBG Annual Action Plan for PY2013/FY2014 was developed after holding two public hearings to obtain comments and recommendations from citizens and non-profit agencies. Also considered are the funding priorities established by the current Three (3) Year Consolidated Plan adopted by City Council in Spring 2011. The Annual Action Plan is the document which implements policies established in the Three (3) Year Consolidated Plan. Any significant changes would require a formal amendment and approval by the Department of Housing and Urban Development (HUD) of a revised Three (3) Year Consolidated Plan.

The following projects are being recommended for funding by the PY2013/FY2014 CDBG Entitlement Program:

**City of Oak Ridge Programs:**

Scarboro Community Center Debt	\$ 95,000.00
Acquisition and Demolition of Dilapidated Housing	\$107,024.00
Grant Administration	<u>\$ 13,000.00</u>
Total	\$215,024.00

A change from the first draft of the Annual Action Plan shifts \$10,000 from Acquisition and Demolition of Dilapidated Housing to Grant Administration. This change decreases funding for Acquisition and Demolition from \$117,000 to \$107,000 and changes the funding for Grant Administration from \$3,000 to \$13,000. CDBG staff committee members will be in attendance at the May 13, 2013, City Council meeting and will be prepared to respond to questions regarding the proposed City of Oak Ridge CDBG Annual Action Plan.

**Recommendation**

Staff recommends approving the resolution to submit the Annual Action Plan to the Department of Housing and Urban Development for Community Development Block Grant funding.

**Attachments**

Annual Action Plan Executive Summary  
History of Funding  
Recommended Funding Allocation

  
\_\_\_\_\_  
Kahla Gentry, Senior Planner

## A. Executive Summary

The Consolidated Plan for Housing and Community Development is a requirement of the 1990 National Affordable Housing Act and the Community Development Plan, for the U.S. Department of Housing and Urban Development (HUD). Such a plan is required of entitlement communities, which receive Community Development Block Grant (CDBG) funds under HUD's housing and service programs related to the needs of low and moderate-income persons. The development of the fifth City of Oak Ridge Consolidated Plan took place during the seven-month period of September 2010 through March 2011 and will be utilized for the three-year period of July 1, 2011 through June 30, 2014 (CDBG Program Year 2011 through Program Year 2013).

Nationwide, all CDBG entitlement funds have been reduced, and the City of Oak Ridge is no exception. The allocation for PY2013/FY2014 is expected to be reduced by 5% or \$11,317 from the PY2012/FY2013 level of funding.

Each Annual Action Plan of the Consolidated Plan must be submitted to HUD at least forty-five days prior to the beginning of the entitlement community's fiscal year. A citizen participation plan element requires that interested parties have a 30-day period in which to review and comment upon the funding proposals and that at least one public hearing be held. Any information received during the public comment period or at the public hearing will be included with the submitted Annual Action Plan.

The 30-day comment period for the Program Year (PY) 2013 / Fiscal Year (FY) 2014 Annual Action Plan will begin on Monday, April 1, 2013 and end on Tuesday, April 30, 2013. A public hearing is scheduled for Monday April 8, 2013 at 7:00 p.m. during the Oak Ridge City Council meeting at the Oak Ridge Municipal Building.

The objectives and outcomes utilizing the HUD Outcome Framework identified in the PY2013/FY2014 Annual Action Plan include the following:

Objective 1: Suitable Living Environment	Outcome 3: Sustainability
Objective 2: Decent Housing	Outcome 3: Sustainability
Objective 1: Suitable Living Environment	Outcome 1: Availability/Accessibility

Copies of the City of Oak Ridge Consolidated Plan 2011 – 2013 and the PY2013/FY2014 Annual Action Plan are available upon written request to:

City of Oak Ridge  
Municipal Building  
Community Development Department  
200 S. Tulane Avenue  
Oak Ridge, TN 37830  
Kahla Gentry, Senior Planner  
kgentry@oakridgetn.gov

or

Online at [www.oakridgetn.gov](http://www.oakridgetn.gov), Community Development Department.

## B. General Information

The City of Oak Ridge is an entitlement jurisdiction, receiving an annual allocation of Community Development Block Grant (CDBG) funds from the U.S. Department of Housing and Urban Development (HUD). A requirement of CDBG entitlement communities is the preparation and implementation of a *Consolidated Plan for Housing and Community Development* and one-year *Annual Action Plan* updates.

The City of Oak Ridge has developed a Consolidated Plan for the period of July 1, 2011 through June 30, 2014 (PY2011-PY2013) that establishes the following priorities to address the community's needs utilizing CDBG funding during the three-year period:

- Debt repayment for the Scarborough Community Center expansion project
- Acquisition and demolition of dilapidated housing
- Code enforcement activities

The City of Oak Ridge plans to utilize CDBG funds each year included in the Consolidated Plan for the following strategies:

- Housing
- Community Development

All programs funded by the City of Oak Ridge with CDBG entitlement funds will be in accordance with HUD regulations and meet the City's strategies for monitoring, fair housing, lead-based paint hazards and anti-poverty as stated in the three-year Consolidated Plan.

The Annual Action Plan is a document that describes the City of Oak Ridge HUD-funded projects and community development related activities that will be conducted within the community in the upcoming fiscal year and implements the strategies and priorities of the city's three-year Consolidated Plan.

The CDBG staff committee is comprised of staff representatives from various departments, along with the Senior Planner. The committee for PY2012/FY2013 consists of Susan Fallon, Contracts/Grants Coordinator, Public Works Department; Matt Widner, Housing Remediation Specialist, Community Development Department; Kathryn Baldwin, Director, Community Development Department; Athanasia Lewis, Community Development Specialist, Community Development Department and Ken Krushenski, City Attorney. Kahla Gentry, Senior Planner, Community Development Department is responsible for the coordination and documentation for the CDBG program and the preparation of the Annual Action Plan.

The PY2013/FY2014 Annual Action Plan is the third installment of the City of Oak Ridge CDBG Consolidated Plan 2011 - 2013. Following is an outline of the process utilized to develop the PY2013/FY2014 Annual Action Plan.

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October 11, 2012	CDBG Public Hearing #1 – Needs Assessment and Proposed Projects
October 15, 2012	CDBG Public Hearing #2 – Needs Assessment and Proposed Projects
April 1, 2013	30-Day Public Comment Period Begins for the PY2011/FY2012 Annual Action Plan
April 8, 2013	CDBG Public Hearing #3 – PY2013/FY2014 Annual Action Plan
April 30, 2013	30-Day Public Comment Period Ends for the PY2013/FY2014 Annual Action Plan
May 13, 2013	City Council Approval of the PY2013/FY2014 Annual Action Plan
May 15, 2013	PY2013/FY2014 Annual Action Plan Submitted to HUD (45 Day Review Period)
July 1, 2013	CDBG PY2013/FY2014 Year Begins

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The City of Oak Ridge PY2013/FY2014 CDBG funding allocation represents the 30<sup>th</sup> year receiving the entitlement grant funds (see history of funding). The amount of the PY2013/FY2014 allocation is expected to be \$215,024, a decrease of \$11,317 from the previous year's allocation.

**CITY OF OAK RIDGE, TENNESSEE  
CDBG HISTORY OF FUNDING**

<b>Year #</b>	<b>CDBG Program Year</b>	<b>COR Fiscal Year</b>	<b>Grant Amount</b>
1	1984	1985	\$ 256,000
2	1985	1986	\$ 253,000
3	1986	1987	\$ 213,000
4	1987	1988	\$ 214,000
5	1988	1989	\$ 199,000
6	1989	1990	\$ 207,000
7	1990	1991	\$ 198,000
8	1991	1992	\$ 222,000
9	1992	1993	\$ 231,000
10	1993	1994	\$ 260,000
11	1994	1995	\$ 283,000
12	1995	1996	\$ 270,000
13	1996	1997	\$ 264,000
14	1997	1998	\$ 257,000
15	1998	1999	\$ 262,000
16	1999	2000	\$ 263,000
17	2000	2001	\$ 282,000
18	2001	2002	\$ 299,000
19	2002	2003	\$ 302,000
20	2003	2004	\$ 309,000
21	2004	2005	\$ 313,000
22	2005	2006	\$ 293,923
23	2006	2007	\$ 266,461
24	2007	2008	\$ 267,165
25	2008	2009	\$ 252,411
26	2009	2010	\$ 260,463
27	2010	2011	\$ 282,187
28	2011	2012	\$ 236,955
29	2012	2013	\$ 226,341
30	2013	2014	\$ 215,024
<b>TOTAL</b>			<b>\$7,657,930</b>

## D. Recommended Funding Allocation

The Annual Action Plan recommends the total allocation of **\$215,024** for PY2013/FY2014 to support the following program areas:

- **Debt Service**-The recommendation for **\$95,000** to provide the twelfth of fifteen installments for the city's debt repayment of the Scarborough Community Center Expansion Project. (Consolidated Plan Priority – Debt Repayment (SCC), Strategies – Community Development and Special Populations)
- **Acquisition & Removal of Dilapidated Housing** – The recommendation for **\$107,024** to provide funds for acquisition and clearance of vacant blighted properties. (Consolidated Plan Strategy – Community Development)
- **Program Grant Administration**-The recommendation for **\$13,000** to be used for general program administration, project implementation and all reporting requirements for the CDBG entitlement program.

The recommended allocations must comply with the following three funding caps:

- CDBG Required Public Service Cap – 15% of \$215,024 = \$32,253.60
- CDBG Required Program Administration Cap – 20% of \$215,024 = \$43,004.80
- City Council Required Single Sub-recipient Project Cap – 40% of \$215,024 = \$86,009.60

PY2013/FY2014 Entitlement Grant	\$215,024.00
<b>Total Funds Available for Allocation</b>	<b>\$215,024.00</b>

**City of Oak Ridge Programs:**

Scarboro Community Center Debt	\$ 95,000.00
Acquisition & Removal of Dilapidated Housing	\$ 107,024.00
Grant Administration	<u>\$ 13,000.00</u>
TOTAL	\$ 215,024.00

**RESOLUTION**

A RESOLUTION APPROVING THE FY2014 ANNUAL ACTION PLAN AND PROPOSED ALLOCATIONS OF COMMUNITY DEVELOPMENT BLOCK GRANT (CDBG) ENTITLEMENT FUNDS FOR FY2014 ESTIMATED AT \$215,024.00.

WHEREAS, FY2014 will be the 30<sup>th</sup> year that the City of Oak Ridge is the recipient of Community Development Block Grant (CDBG) Entitlement funds from the U. S. Department of Housing and Urban Development (HUD); and

WHEREAS, the amount of funds available for distribution under the FY2014 CDBG Entitlement Program is estimated at \$215,024.00; and

WHEREAS, HUD requires that a description of the City's proposed allocations of CDBG Entitlement funds be included in the FY2014 Annual Action Plan of the Consolidated Plan, which is subject to HUD approval before disbursement of CDBG allocations; and

WHEREAS, the City Manager recommends approval of the FY2014 Annual Action Plan and proposed funding allocations.

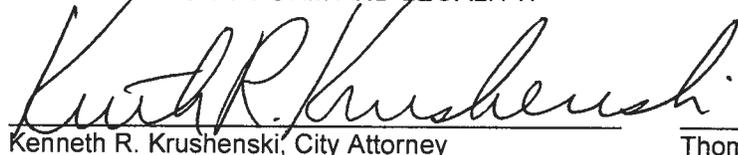
NOW, THEREFORE, BE IT RESOLVED BY THE COUNCIL OF THE CITY OF OAK RIDGE, TENNESSEE:

That the FY2014 Annual Action Plan and the following proposed allocations of Community Development Block Grant (CDBG) Entitlement funds estimated to be available for FY2014 totaling \$215,024.00 are hereby approved:

- |  |              |
|--|--------------|
| • Scarboro Center Expansion (Year 12 of 15 Debt Expense) | \$95,000.00  |
| • Acquisition and Removal of Dilapidated Housing         | \$107,024.00 |
| • Grant Administration                                   | \$13,000.00  |

This the 13th day of May 2013.

APPROVED AS TO FORM AND LEGALITY:

  
Kenneth R. Krushenski, City Attorney

\_\_\_\_\_  
Thomas L. Beehan, Mayor

\_\_\_\_\_  
Diana R. Stanley, City Clerk

## FINANCE DEPARTMENT MEMORANDUM

13-03

**DATE:** May 7, 2013  
**TO:** Mark S. Watson, City Manager  
**FROM:** Janice E. McGinnis, Finance Director  
**SUBJECT:** FISCAL YEAR 2013 AUDIT CONTRACT

### Introduction

An item for City Council's consideration is an extension of the audit contract with Pugh & Company, P.C., Certified Public Accounts to audit the City's accounts and funds and the Convention and Visitors Bureau and to prepare the notes to financial statements and government-wide and fund financial statement portions of the City's Comprehensive Annual Financial Report (CAFR).

### Funding

Funding for the audit has been included in the fiscal 2014 proposed budget at \$62,950.00.

### Background/Analysis/Review/Consideration

In 2008, City Council's then Audit Committee reviewed proposals submitted by CPA firms for financial and compliance auditing and reporting services for fiscal years 2008 through 2012. On May 19, 2008, City Council adopted Resolution No. 5-44-08 which awarded the fiscal year 2008 audit contract and preparation of the government-wide and fund financial statement portion of the City's CAFR to Pugh & Company, P.C. The contract contained options for four additional one-year audit periods through fiscal year ending 2012 with payment to be in accordance with the proposal submitted by Pugh & Company, P.C. dated April 11, 2008 and approval each year by City Council.

The attached resolution will extend the audit services contract for one additional year and add the preparation of the notes to financial statements to the portion of the CAFR that will be prepared by Pugh and Company, P.C. For fiscal 2013, Pugh & Company will also be performing the audit for the Oak Ridge Schools. From a reporting standpoint, the Oak Ridge Schools are considered a department of the City and their financial information is an intricate part of the City's CAFR, in particular the notes to financial statements. The inclusion of the auditor preparing the CAFR notes allows the audit firm to update both the City and Schools financial reports as information is received or revised. The goal is to expedite and reduce the report preparation timeframe in order for the City's CAFR to be released in a timelier manner. This revision, while the City and Schools have the same audit firm, will allow City staff to evaluate the benefits of this change in process.

The fee for Pugh and Company, P.C. to perform the same services as outlined in their 2008 audit proposal would be \$55,950.00. This is a \$2,150 increase over the fiscal 2012 audit fee and is in line with the annual fee rates that were submitted in Pugh's 2008 proposal. Pugh's fee to include the preparation of the notes to financial statements for the City's 2013 CAFR is \$7,000 for a total fee of \$62,950.

### Recommendation

Adoption of the attached resolution is recommended.

  
Janice McGinnis

Attachment

**RESOLUTION**

A RESOLUTION TO EXTEND THE CONTRACT WITH PUGH & COMPANY, P.C., KNOXVILLE, TENNESSEE, APPROVED BY RESOLUTION 5-44-08, TO CONDUCT AN AUDIT OF THE CITY'S ACCOUNTS AND FUNDS FOR FISCAL YEAR 2013, AN AUDIT OF THE CONVENTION AND VISITORS BUREAU, AND PREPARATION OF NOTES AND FINANCIAL STATEMENTS IN THE COMPREHENSIVE ANNUAL FINANCIAL REPORT, IN THE ESTIMATED AMOUNT OF \$62,950.00.

WHEREAS, Article V, Section 19, of the Charter provides that an audit shall be made of the accounts and funds of the City, covering the operations of the past fiscal year, by a certified public accountant selected by City Council; and

WHEREAS, by Resolution 5-44-08, City Council engaged the firm of Pugh & Company, P.C., Knoxville, Tennessee, to conduct the audit of the City's accounts and funds for the fiscal year ending June 30, 2008; and

WHEREAS, the contract included the option to renew for up to four (4) additional one-year audit periods, which option was exercised by the parties for the last four fiscal years; and

WHEREAS, the available renewal options under the contract have expired, however, Pugh & Company, P.C., has offered to extend the contract for a fee of \$62,950.00 to audit the City's accounts and funds, to audit the Convention and Visitors Bureau, and to prepare the notes to the financial statements and government-wide and fund financial statement portions in the City's Comprehensive Annual Financial Report.

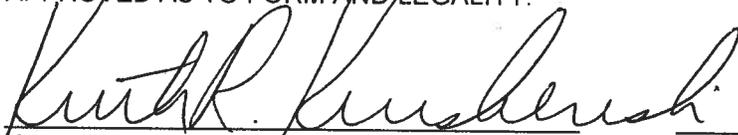
NOW, THEREFORE, BE IT RESOLVED BY THE COUNCIL OF THE CITY OF OAK RIDGE, TENNESSEE:

That the City is hereby authorized to extend the contract with Pugh & Company, P.C., approved by Resolution 5-44-08, for the purposes of conducting an audit of the City's accounts and funds for the fiscal year ending June 30, 2013, an audit of the Convention and Visitors Bureau, and preparation the notes to the financial statements and government-wide and fund financial statement portions in the City's Comprehensive Annual Financial Report in the estimated amount of \$62,950.00.

BE IT FURTHER RESOLVED that the Mayor is hereby authorized to execute the appropriate legal instruments to accomplish the same.

This the 13th day of May 2013.

APPROVED AS TO FORM AND LEGALITY:



Kenneth R. Krushenski, City Attorney

\_\_\_\_\_  
Thomas L. Beehan, Mayor

\_\_\_\_\_  
Diana R. Stanley, City Clerk

**FINANCE DEPARTMENT MEMORANDUM**  
**13-04**

DATE: May 6, 2013  
TO: Mark S. Watson, City Manager  
FROM: Janice E. McGinnis, Finance Director  
SUBJECT: ECONOMIC DIVERSIFICATION ADJUSTMENTS AND FY 2014 BUDGET  
APPROPRIATION ORDINANCE

This memo details information associated to the resolution regarding the closure of the Economic Diversification Fund and the Fiscal 2014 Budget Appropriation Ordinance that reflects appropriations for the various City Funds as presented in the proposed budget document. The presented property tax rate remains at the 2013 tax rate of \$2.39 per \$100 of assessed valuation as outlined in Section 2 of the Ordinance. Each cent on the property tax rate generates approximately \$90,000 in revenue.

The City's General Fund municipal expenditures are budgeted at \$20,220,788, an increase of \$767,538 over budget fiscal 2013. The City's operating transfer to the Oak Ridge Schools remains at the fiscal 2013 level of \$13,862,832.

The spendable fund balance of the General Fund is projected at \$5,763,023 at the end of fiscal 2014. The nonspendable portion of the fund balance in the General Fund is shown as a deduction from total fund balance. This presentation is part of the new Governmental Accounting Standards Board (GASB) Standards that became effective in fiscal 2011. The nonspendable portion is primarily the remaining balance of the \$5,000,000 capital outlay notes (loan) from the General Fund to the Waterworks Fund that occurred in 2011. There is a \$1,666,667 remaining balance on these notes (loan) that is budgeted to be repaid over a 7-year period restoring full fund balance to the General Fund in November of 2020.

The fiscal 2014 City budgets contain a 1.0% salary adjustment for City employees. The impact of this increase was mitigated by staffing turnover that occurred during the current fiscal year. City-wide authorized staff years increased by 1.25 staff years over the prior fiscal year. The Animal Shelter Attendant position was upgraded from a temporary part-time position to a regular full-time position resulting in a .50 staff year increase. A 3-position sewer pump maintenance crew was budgeted at a full staff year each in 2014 compared to .75 staff years per position in fiscal 2013, resulting in a .75 staff year increase for fiscal 2014. The 6-position MOM gravity line crew that was budgeted to be hired in January 2013 has been delayed to begin in January 2014.

The major revision in the fiscal 2014 budget for the General Fund results from the planned closure of the Economic Diversification (ED) Fund at the end of fiscal 2013 and the restructuring of the expenditures that were funded by the ED Fund into the General Fund's fiscal 2014 budget. The \$767,538 budgeted increase in municipal expenditures in fiscal 2014 is related to the changes as outlined in the attached schedule of General Fund Economic Diversification Changes. These expenditures will be funded by in-lieu of taxes and hotel/motel tax collections previously accounted for in the ED Fund and a \$150,000 draw from the remaining fund balance of the ED Fund slated to be transferred to the General Fund at the end of fiscal 2013. In fiscal 2013, the General Fund was contributing \$50,000 to the ED Fund's expenditures through an operating transfer. In fiscal 2014 budget, the \$50,000 previously reported as an operating transfer will be absorbed as part of the transferred economic diversification expenditures.

Attached is a resolution that will close the ED Fund at the end of fiscal 2013 and transfer the remaining fund balance to the General Fund. The resolution assigns that remaining fund balance to be used for expenditures related to activities that were previously accounted for in the ED Fund, such as economic development, special events, land bank, and demolition. The resolution also encumbers \$25,000 from the City Manager's 2013 budget to be eligible for use in fiscal 2014 for these type expenditures as well.

Expenditures for other General Fund categories were reviewed and funding was reallocated based on existing expenditure expectations.

The General Fund transfer to the Capital Projects Fund is budgeted for \$500,000 in fiscal 2014. The transfer amount was established at this level in order to retain the current property tax rate. \$250,000 of this amount is allocated for Oak Ridge School projects. \$175,000 of the City's \$250,000 allocation will be utilized toward a match to an awarded Clean Tennessee Energy grant with the use of the remaining \$75,000 to be determined based on priority maintenance requirements. In fiscal 2013, the City budgeted \$250,000 as a match to an applied for but not awarded Clean Tennessee Energy grant. This unused \$250,000 will be utilized in fiscal 2014 for the remainder of the City's required \$425,000 grant match to the \$200,000 Clean Tennessee Energy grant.

The City's budgeted operating transfer of \$1,678,000 to the Solid Waste Fund for the City's refuse collection programs is based on the monthly refuse fee remaining at \$7. Beginning in April 2013, refuse collection costs, which are based on a price per household serviced, will increase due to a revision in the household count serviced from 11,645 to 12,299. The household count had not changed since July of 1996. This increase will be primarily offset by a cost reduction of 84 cents per household due to the elimination of the Recycle Bank program. If the \$7 monthly refuse fee is reduced by 84 cents, this will result in a revenue loss of approximately \$120,475 that will need to be offset by either an increase in the property tax rate or a comparable decrease in budgeted General Fund expenditures.

Fiscal 2014, budgeted operations of the City's other Funds are generally routine in nature. No additional debt issuances are planned for general projects (i.e. non-utility) in fiscal 2014. A refunding and issuance of Waterworks Fund debt is planned for late fiscal 2013 and reflected in the fiscal 2014 budget. A rate study for water and wastewater rates is ongoing at this time with rate increases anticipated to occur during fiscal 2014.

The fiscal 2014 budgeted appropriation for the School Fund remains at the fiscal 2013 level. The Oak Ridge School Board will be adopting the 2014 School budget between the City's first and second reading of the 2014 budget. The Schools will present their 2014 budget at the May 28<sup>th</sup> City Council meeting for City Council's consideration and adoption into the budget appropriation ordinance.

  
Janice McGinnis

Attachments

**2014 PROPOSED BUDGET - GENERAL FUND ECONOMIC DIVERSIFICATION CHANGES**

		<u>GENERAL FUND BUDGET CHANGES FROM FISCAL 2013</u>	
<b>FUNDING SOURCES:</b>			
101	4130	In-Lieu of Taxes (Incentive Return) *	\$ 67,538
101	4165	Hotel/Motel Tax Collections (Room Occupancy Tax)	500,000
		Utilization of Remaining Economic Diversification Fund Balance	150,000
		Utilization of Funding Previously Reported As An Operating Transfer To ED Fund	50,000
		<b>Total Funding Source Changes</b>	<u>\$ 767,538 \$ 767,538</u>
 <b>EXPENDITURES:</b>			
General Fund Fiscal 2013 Appropriation Municipal Expenditures			<u>\$ 19,453,250</u>
 <b>820 City Manager ( Lobbyists Absorbed by Existing Contingency Funding)</b>			
	5120	Eliminated \$13,000 for Intern Funding	\$ (6,500)
	5210	Ferguson Group LLC	35,000
	5210	Bill Nolan & Associates	35,000
			<u>\$ (6,500)</u>
 <b>943 General Maintenance</b>			
	5210	Mowing ROW Industrial Parks	\$ 14,000
	5235	TECH 2020 Maintenance	11,000
			<u>\$ 25,000</u>
 <b>963 Economic Development</b>			
	5210	Economic Development Services (Ray Evans)	\$ 42,000
	5210	Economic Development Services (Steve Jones)	42,000
	5313	Supplies	7,038
		Electric Fund	(45,000)
		Waterworks Fund	(8,000)
			<u>\$ 38,038</u>
 <b>964 Marketing and Tourism</b>			
	5430	Oak Ridge Chamber of Commerce **	\$ 180,000
	5430	Convention & Visitors Bureau	300,000
	5430	CVB Matching Challenge Programs - Fireworks & Summer Concerts	20,000
	5530	Waterfront Improvements	75,000
		Electric Fund	(117,000)
		Waterworks Fund	(22,000)
			<u>\$ 436,000</u>
 <b>967 Housing Initiatives</b>			
	5510	Land Bank	\$ 25,000
	5210	Demolition/Rehabilitation	125,000
			<u>\$ 150,000</u>
 <b>971 Special Events</b>			
	5200	Special Events/Recreational Projects/Support	\$ 75,000
	5430	Arts Council - Secret City Festival	50,000
			<u>\$ 125,000</u>
General Fund Fiscal 2014 Appropriation Municipal Expenditures			<u>\$ 20,220,788</u>
Increase in 2014 General Fund Appropriation for Municipal Expenditures			<u>\$ 767,538</u>

\* Reduces in FY16 and Ends in FY18

\*\* Includes funding previously allocated to ACEDA, Roane Alliance and Innovation Valley

**RESOLUTION**

A RESOLUTION TO CLOSE THE ECONOMIC DIVERSIFICATION FUND AT THE END OF FISCAL YEAR 2013, TO TRANSFER THE ECONOMIC DIVERSIFICATION FUND BALANCE TO THE GENERAL FUND AND ASSIGN THE FUND BALANCE FOR CERTAIN PURPOSES, AND TO ENCUMBER \$25,000.00 FROM THE CITY MANAGER'S BUDGET FROM FISCAL YEAR 2013 TO FISCAL YEAR 2014 AND TO DESIGNATE THE ENCUMBERED FUNDS FOR MISCELLANEOUS ECONOMIC DIVERSIFICATION ACTIVITIES.

WHEREAS, due to an insufficient ongoing revenue stream, the City desires to close the Economic Diversification Fund at the end of Fiscal Year (FY) 2013 and transfer the fund balance to the General Fund; and

WHEREAS, the City desires to assign said fund balance to be used for economic development activities and activities associated with improving neighborhood blight including but not limited to demolition of blighted structures and costs associated with the land bank; and

WHEREAS, the City also desires to encumber \$25,000.00 from the City Manager's FY2013 budget in the General Fund and designate said funds for miscellaneous economic diversification activities in FY2014.

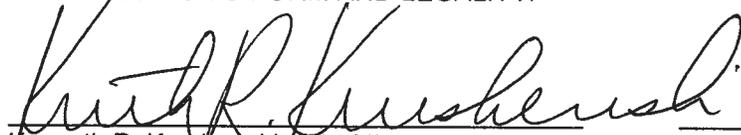
NOW, THEREFORE, BE IT RESOLVED BY THE COUNCIL OF THE CITY OF OAK RIDGE, TENNESSEE:

That the City is hereby closes the Economic Diversification Fund at the end of Fiscal Year (FY) 2013, transfers the fund balance to the General Fund, and assigns the fund balance for economic development activities and activities associated with improving neighborhood blight including but not limited to demolition of blighted structures and costs associated with the land bank.

BE IT FURTHER RESOLVED that the City hereby encumbers \$25,000.00 from the City Manager's FY2013 budget and designates said funds for miscellaneous economic diversification activities in FY2014.

This the 13th day of May 2013.

APPROVED AS TO FORM AND LEGALITY:

  
\_\_\_\_\_  
Kenneth R. Krushenski, City Attorney

\_\_\_\_\_  
Thomas L. Beehan, Mayor

\_\_\_\_\_  
Diana R. Stanley, City Clerk

**PUBLIC HEARINGS  
AND  
FIRST READING OF  
ORDINANCES**

**FINANCE DEPARTMENT MEMORANDUM**  
**13-04**

DATE: May 6, 2013  
TO: Mark S. Watson, City Manager  
FROM: Janice E. McGinnis, Finance Director  
SUBJECT: ECONOMIC DIVERSIFICATION ADJUSTMENTS AND FY 2014 BUDGET  
APPROPRIATION ORDINANCE

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Janice McGinnis

Attachments

**2014 PROPOSED BUDGET - GENERAL FUND ECONOMIC DIVERSIFICATION CHANGES**

		GENERAL FUND BUDGET CHANGES FROM FISCAL 2013	
<b><u>FUNDING SOURCES:</u></b>			
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		Utilization of Remaining Economic Diversification Fund Balance	150,000
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		Total Funding Source Changes	\$ 767,538 \$ 767,538
 <b><u>EXPENDITURES:</u></b>			
General Fund Fiscal 2013 Appropriation Municipal Expenditures			\$ 19,453,250
 <b><u>820 City Manager ( Lobbyists Absorbed by Existing Contingency Funding)</u></b>			
	5120	Eliminated \$13,000 for Intern Funding	\$ (6,500)
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			\$ (6,500)
 <b><u>943 General Maintenance</u></b>			
	5210	Mowing ROW Industrial Parks	\$ 14,000
	5235	TECH 2020 Maintenance	11,000
			\$ 25,000
 <b><u>963 Economic Development</u></b>			
	5210	Economic Development Services (Ray Evans)	\$ 42,000
	5210	Economic Development Services (Steve Jones)	42,000
	5313	Supplies	7,038
		Electric Fund	(45,000)
		Waterworks Fund	(8,000)
			\$ 38,038
 <b><u>964 Marketing and Tourism</u></b>			
	5430	Oak Ridge Chamber of Commerce **	\$ 180,000
	5430	Convention & Visitors Bureau	300,000
	5430	CVB Matching Challenge Programs - Fireworks & Summer Concerts	20,000
	5530	Waterfront Improvements	75,000
		Electric Fund	(117,000)
		Waterworks Fund	(22,000)
			\$ 436,000
 <b><u>967 Housing Initiatives</u></b>			
	5510	Land Bank	\$ 25,000
	5210	Demolition/Rehabilitation	125,000
			\$ 150,000
 <b><u>971 Special Events</u></b>			
	5200	Special Events/Recreational Projects/Support	\$ 75,000
	5430	Arts Council - Secret City Festival	50,000
			\$ 125,000
General Fund Fiscal 2014 Appropriation Municipal Expenditures			\$ 20,220,788
Increase in 2014 General Fund Appropriation for Municipal Expenditures			\$ 767,538

\* Reduces in FY16 and Ends in FY18

\*\* Includes funding previously allocated to ACEDA, Roane Alliance and Innovation Valley

**TITLE**

AN ORDINANCE TO PROVIDE REVENUE FOR MUNICIPAL PURPOSES FOR THE FISCAL YEAR BEGINNING JULY 1, 2013, BY IMPOSING A TAX ON ALL PROPERTY WITHIN THE CITY, FIXING THE RATE OF THE TAX, ADOPTING A BUDGET, AND ADOPTING APPROPRIATIONS.

WHEREAS, the City Manager, in accordance with the requirements of Article V, Section 10, of the Charter of the City of Oak Ridge, has submitted to City Council a proposed budget prior to the beginning of the fiscal year upon which a public hearing was held on May 13, 2013 as required by law; and

WHEREAS, in accordance with the requirements of the same Charter section, the Council held meetings which served to provide guidance to the City Manager on the preparation of the proposed budget.

NOW, THEREFORE, BE IT ORDAINED BY THE COUNCIL OF THE CITY OF OAK RIDGE, TENNESSEE:

Section 1. The budget for the fiscal year beginning July 1, 2013 submitted to City Council by the City Manager, is hereby adopted.

Section 2. In order to provide revenue for municipal purposes, there is hereby imposed on the value of all property within the City of Oak Ridge as such value has been ascertained by the taxing authority of the City, a levy at the rate of \$2.39 upon each One Hundred Dollars' (\$100.00) worth of assessed value of all taxable property, this levy to be the tax rate for the year 2013. This levy shall also be imposed upon such assessments as may be certified for tax purposes to the City of Oak Ridge by the Public Service Commission of the State of Tennessee.

Section 3. In accordance with Article V, Section 13, of the Charter of the City of Oak Ridge, the following amounts shall be and hereby are adopted as appropriations by funds for the operation of the City of Oak Ridge, Tennessee, for Fiscal Year 2014:

General Fund, Municipal Operations	\$ 20,220,788
Debt Service (Bond and Interest Redemption Fund)	\$ 8,212,544
State Street Aid Fund	\$ 2,210,450
Streets and Public Transportation Fund	\$ 260,000
Drug Enforcement Program Fund	\$ 255,200
Grant Fund	\$ 2,179,401
General Purpose School Fund	\$ 56,535,325
Golf Course Fund	\$ 1,385,000
Capital Projects Fund	\$ 3,030,000
Solid Waste Fund	\$ 2,682,000
West End Fund	\$ 2,568,000
Special Programs Fund	\$ 1,120,000

Section 4. The following amounts in the proprietary-type funds are projected expenses for Fiscal Year 2014 and are provided for informational purposes:

Electric Fund	\$ 53,377,977
Waterworks Fund	\$ 20,725,051
Emergency Communications District Fund	\$ 468,648

Section 5. In order to provide funds to meet the expenditure requirements, the following transfers are projected for Fiscal Year 2014 and are provided for informational purposes:

<u>To General Fund For Tax Equivalent</u>	
From Electric Fund	\$ 1,466,085
From Waterworks Fund	\$ 1,448,000
<u>To General Purpose School Fund for Operations</u>	
From General Fund	\$ 13,862,832
<u>To Debt Service Fund</u>	
From General Fund	\$ 4,311,470
<u>To Capital Projects Fund</u>	
From General Fund	\$ 500,000
<u>To State Street Aid Fund</u>	
From General Fund	\$ 660,000
<u>To Streets and Public Transportation Fund</u>	
From General Fund	\$ 60,000
<u>To Solid Waste Fund</u>	
From General Fund	\$ 1,678,000
<u>To Grant Fund</u>	
From General Fund	\$ 180,557

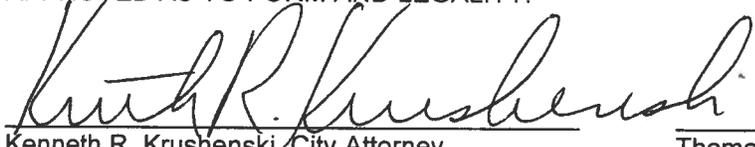
Section 6. All proceeds received through fines, forfeitures and the disposal of seized goods resulting from the City's drug enforcement program shall be used exclusively for that program. A Special Revenue Fund has been established and any funds expended will be limited to the funds collected for that program.

Section 7. The taxes levied under this Ordinance shall become due and payable, shall become delinquent and shall be subject to penalties, the execution of distress warrants and sale of property levied upon as provided by law.

Section 8. The levy provided for herein shall be imposed on all taxable property as the same has been reported to the Council as a final total assessment of each class of property by the legally constituted Boards of Equalization for property situated in either Anderson County or Roane County within the City of Oak Ridge. The written report of the Equalization Boards shall be the assessment roll of the City of Oak Ridge.

Section 9. This Ordinance shall become effective ten (10) days after adoption on second reading, the welfare of the City of Oak Ridge requiring it.

APPROVED AS TO FORM AND LEGALITY:



Kenneth R. Krushenski, City Attorney

Thomas L. Beehan, Mayor

Diana R. Stanley, City Clerk

Publication Date: 05/01/2013  
Public Hearing: 05/13/2013  
First Reading: 05/13/2013  
Publication Date: \_\_\_\_\_  
Public Hearing: \_\_\_\_\_  
Second Reading: \_\_\_\_\_  
Publication Date: \_\_\_\_\_  
Effective Date: \_\_\_\_\_

**FINAL ADOPTION  
OF  
ORDINANCES**

**COMMUNITY DEVELOPMENT DEPARTMENT MEMORANDUM  
PLANNING DIVISION  
13-6**

DATE: February 8, 2013  
TO: Mark S. Watson, City Manager  
THROUGH: Kathryn Baldwin, Community Development Director *KER*  
FROM: Kahla Gentry, Senior Planner  
SUBJECT: **Land Use Plan Amendment – 1.16 Acre Portion of Parcel 1.00, Map 105H, Group A  
2095 Oak Ridge Turnpike**

An item for the City Council agenda is a request to approve a major amendment to the Land Use Plan by changing the designation for a 1.16 portion of Parcel 1.00, Anderson County Tax Map 105H, Group A, from R, Residential to B, Business. This area is the proposed site of a retail store located at 2095 Oak Ridge Turnpike, across from the West Lincoln Road intersection. By approving this amendment the Land Use Plan map will be changed to coincide with the zoning for this property. The Planning Commission recommended approval of the Land Use Plan amendment by a vote of 7-0.

The proposed amendment is consistent with Comprehensive Plan policies to locate commercial development on arterial streets with shared access to those roadways. Shared access easements are proposed with properties on each side of the 1.16 acre site proposed for the Land Use Plan amendment. An access easement, which is a recommended condition of approval, is proposed from the adjoining property on the east to provide access to a median cut on the Oak Ridge Turnpike, providing a means for left turns in and out of the site. The subject property is also located adjacent to properties on the Turnpike already designated as B, Business and in commercial use. Staff recommends approval of the proposed amendment to the Land Use Plan map.

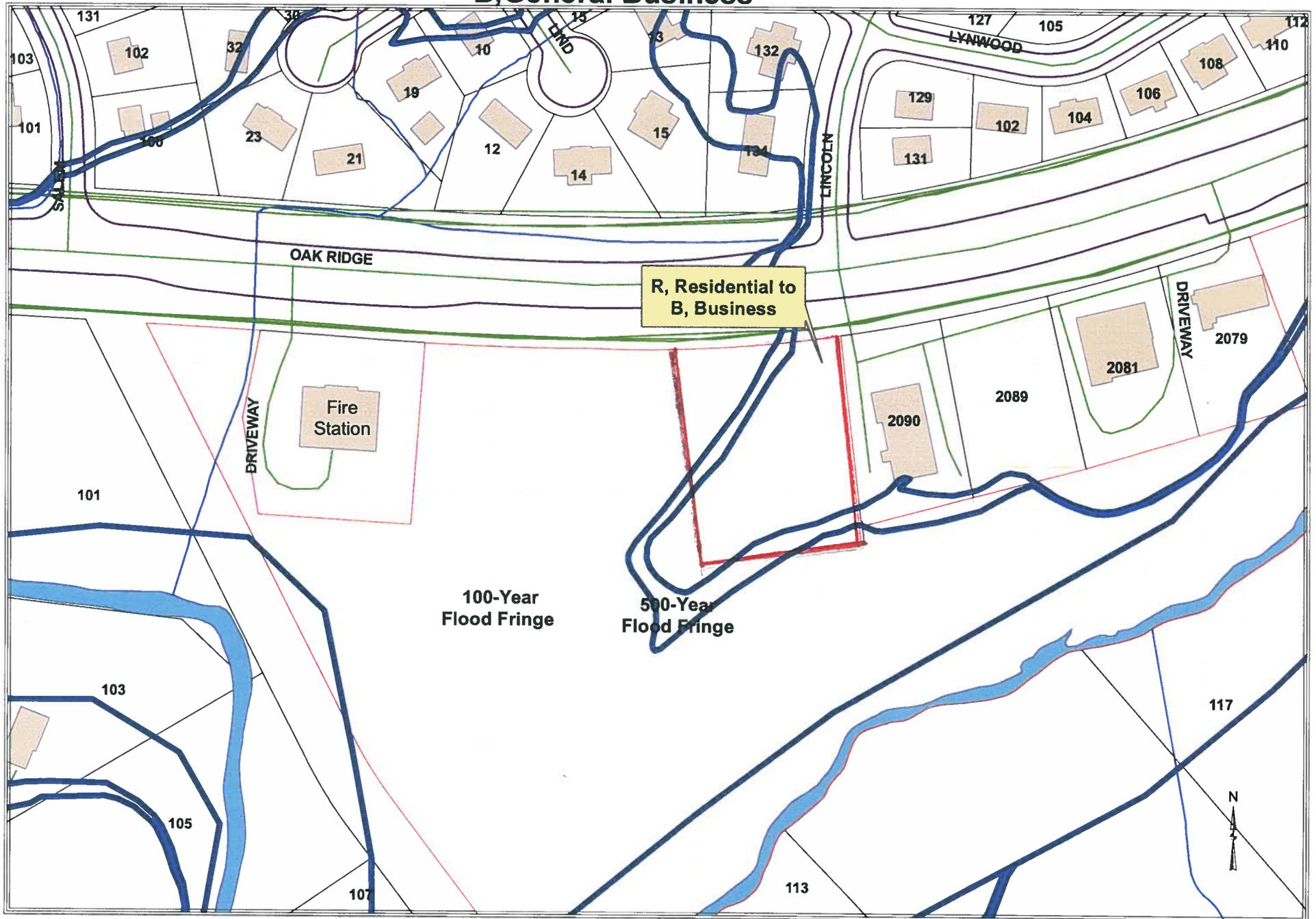
*Kahla Gentry*  
\_\_\_\_\_

**City Manager's Comments:**

I have reviewed the above issue and recommend Council action as outlined in this document.

*Mark S. Watson*      *Feb 20, 2013*  
\_\_\_\_\_  
Mark S. Watson      Date

# Location Map for Land Use Plan Amendment Change 1.16 Acres from R, Residential to B, General Business



1 inch = 150 feet

**TITLE**

AN ORDINANCE TO AMEND THE COMPREHENSIVE PLAN'S LAND USE PLAN BY CHANGING THE DESIGNATION OF A PORTION OF PARCEL 1.00, MAP 105H, GROUP A, (APPROXIMATELY 1.16 ACRES) FROM R, RESIDENTIAL TO B, BUSINESS, SAID PARCEL BEING LOCATED AT 2095 OAK RIDGE TURNPIKE.

WHEREAS, the following change has been submitted for approval or disapproval to the Oak Ridge Municipal Planning Commission and the Commission has approved the same; and

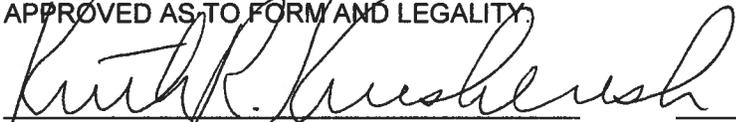
WHEREAS, a public hearing thereon has been held as required by law.

NOW, THEREFORE, BE IT ORDAINED BY THE COUNCIL OF THE CITY OF OAK RIDGE TENNESSEE:

Section 1. The Comprehensive Plan's Land Use Plan is hereby amended, as a major amendment, by changing the designation of approximately 1.16 acres of Parcel 1.00, Map 105H, Group A, from R, Residential to B, Business.

Section 2. This ordinance shall become effective ten (10) days after adoption on second reading, the welfare of the City of Oak Ridge requiring it.

APPROVED AS TO FORM AND LEGALITY:



Kenneth R. Krushenski, City Attorney

Thomas L. Beehan, Mayor

\_\_\_\_\_  
Diana R. Stanley, City Clerk

Public Hearing: 02/25/2013  
Publication Date: 01/24/2013  
First Reading: 02/25/2013  
Publication Date: 03/04/2013  
Second Reading: \_\_\_\_\_  
Publication Date: \_\_\_\_\_  
Effective Date: \_\_\_\_\_

**COMMUNITY DEVELOPMENT DEPARTMENT MEMORANDUM  
PLANNING DIVISION  
13-7**

DATE: February 11, 2013  
TO: Mark S. Watson, City Manager  
THROUGH: Kathryn Baldwin, Community Development Director *KB*  
FROM: Kahla Gentry, Senior Planner  
SUBJECT: **Rezoning – 1.16 Acre Portion of Parcel 1.00, Map 105H, Group A  
2095 Oak Ridge Turnpike**

An item for the City Council agenda is a request to rezone a 1.16 acre portion of Parcel 1.00, Map 105H, Group A, from RG-1, Residential Open Space and Reserved and RG-1 Flood Fringe to UB-2, Unified General Business and UB-2 Flood Fringe. This area is the proposed site of a retail store located at 2095 Oak Ridge Turnpike, across from the West Lincoln Road intersection. The Planning Commission recommended approval of the rezoning by a vote of 7-0. The Planning Commission also recommended recording an access easement across the adjoining property on the east to provide access to the subject property from Oak Ridge Turnpike in line with the median cut at W. Lincoln Road. The Planning Commission recommended that this access easement be recorded in the Register of Deeds office before second reading of the rezoning ordinance. The access easement is seen as a necessity in providing a means of turning left in and out of the property proposed for commercial zoning.

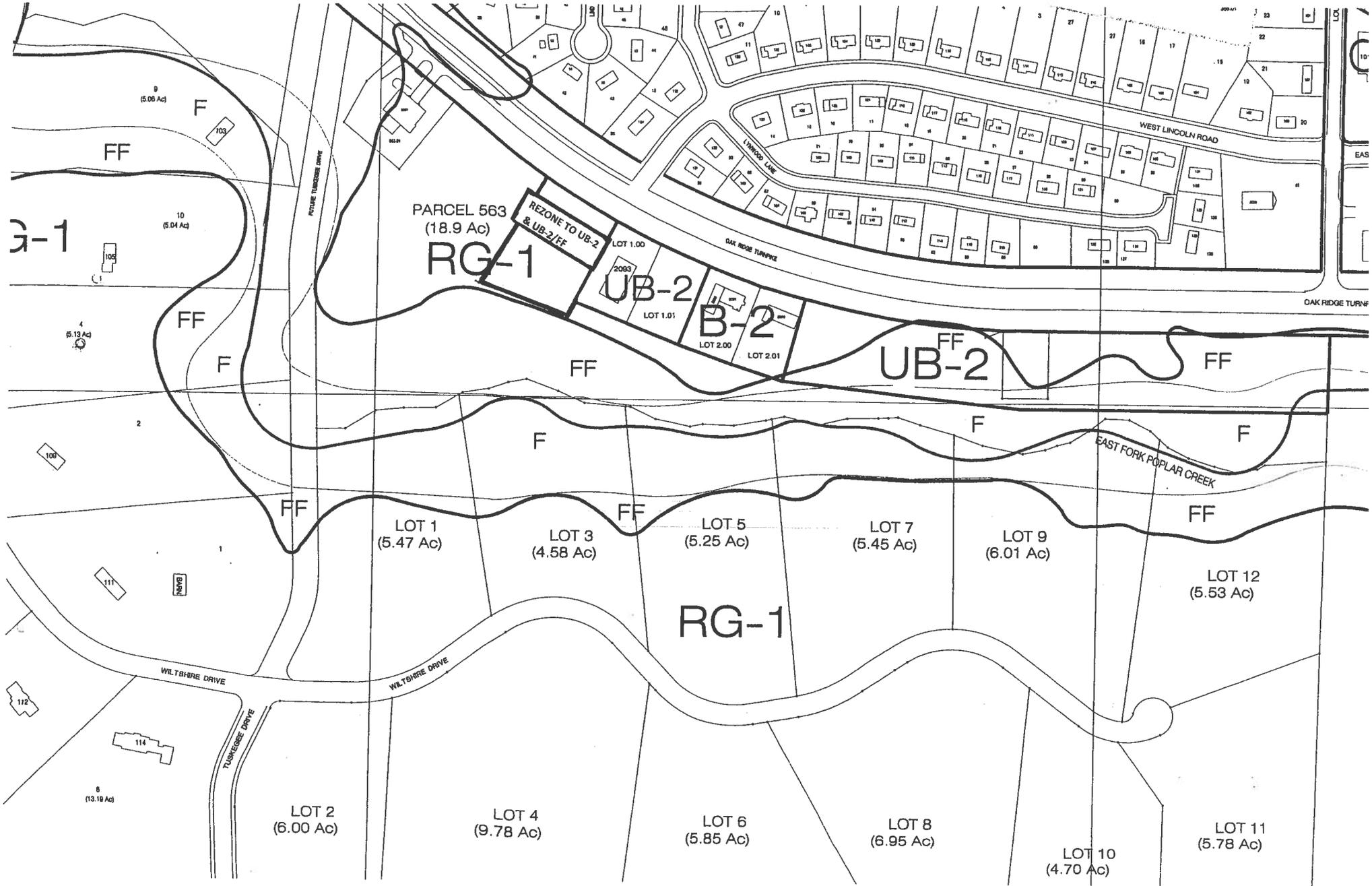
The proposed rezoning is consistent with Comprehensive Plan policies to locate commercial development on arterial streets with shared access to those roadways. Shared access easements are proposed with properties on each side of the 1.16 acre site proposed for rezoning. The subject property is also located adjacent to properties on the Turnpike already zoned UB-2, Unified General Business and in commercial use. Building within the flood fringe is permitted with the condition that the lowest floor elevation for commercial buildings must be at least one foot above the 100-year flood elevation. Although a portion of this property is within the flood fringe, the area most likely for a building site at the center of the property is outside the flood fringe. Staff recommends approval of the requested rezoning with the recommendation that the access easement to the Oak Ridge Turnpike across the adjoining parcel on the east be recorded in the Register of Deeds office before second reading of the rezoning ordinance.

*Kahla Gentry*  
\_\_\_\_\_

**City Manager's Comments:**

I have reviewed the above issue and recommend Council action as outlined in this document.

*Mark S. Watson*      *Feb. 20, 2013*  
\_\_\_\_\_  
Mark S. Watson      Date



PARCEL 563  
(18.9 Ac)

REZONE TO UB-2  
& UB-2/FF

RG-1

UB-2

B-2

FF  
UB-2

LOT 1  
(5.47 Ac)

LOT 3  
(4.58 Ac)

LOT 5  
(5.25 Ac)

LOT 7  
(5.45 Ac)

LOT 9  
(6.01 Ac)

LOT 12  
(5.53 Ac)

RG-1

LOT 2  
(6.00 Ac)

LOT 4  
(9.78 Ac)

LOT 6  
(5.85 Ac)

LOT 8  
(6.95 Ac)

LOT 10  
(4.70 Ac)

LOT 11  
(5.78 Ac)

9  
(5.08 Ac)

10  
(5.04 Ac)

4  
(5.13 Ac)

8  
(13.10 Ac)

3-1

FF

FF

F

FF

F

FF

LOT 5  
(5.25 Ac)

LOT 7  
(5.45 Ac)

LOT 9  
(6.01 Ac)

FF

FF

EAST FORK POPLAR CREEK

WILTSHIRE DRIVE

WILTSHIRE DRIVE

TUSKEGEE DRIVE

OAK RIDGE TURNPIKE

WEST LINCOLN ROAD

OAK RIDGE TURN

EAS

## Staff Review of Rezoning Request

**Location & Approximate Area:** Located at 2095 Oak Ridge Turnpike across from W. Lincoln Road; Portion of Parcel 563, Block 17-BT or Tax Map No. 105H, Group A, Parcel 1.00, approximately 1.16 acre portion.

**Date:** January 10, 2013

**Owner:** Mel Sturm  
2215 Breakwater Drive  
Knoxville, TN 37922

**Applicant:** The Broadway Group, LLC  
132 Holmes Ave. NW  
Huntsville, AL 35801

**Request Rezoning:**

Rezone a 1.16 acre portion of Map 105H, Group A, Parcel 1.00 from RG-1, Residential, Open Space and Reserved and RG-1 Flood Fringe to UB-2, Unified General Business.

**Site Characteristics:**

Undeveloped. Mix of open area with trees. Gravel driveway to horse pastures. Concrete access drive to Turnpike, right turn in, right turn out.

**Adjacent Land Uses & Zoning:**

North: Single-family residential zoned R-1-C

West: RG-1, RG-1 Flood Fringe, undeveloped wooded area/pasture, COR fire station

South: Pasture, woods, East Fork Poplar Creek, Wiltshire Estate subdivision across creek, area is zoned RG-1, RG-1, Flood Fringe and Floodway.

East: Commercial buildings, adjacent zone is UB-2, followed by 2 lots with commercial buildings zoned B-2, followed by additional UB-2/UB-2 Flood Fringe zoning along Turnpike.

**Previous Rezoning Requests:** None

**Background:**

**Purpose:** The applicant's stated plan for development is a 9,100 square foot single tenant retail store.

**Conformity with 1988 Comprehensive Plan:**

a. Land Use Plan: The Land Use Plan designates the area proposed for rezoning as R, Residential. A major amendment to the Land Use Plan map is needed if the rezoning is approved.

b. Applicable Policies:

Policy L-7: To the extent possible, commercial development which is located along Oak Ridge's arterial streets will be in unified centers with shared access to those roadways.

Policy L-8: The City will promote the location of intensively-designed retail, service, office, hotel, multiple-family residential, and civic activities in the Turnpike-Illinois-

Rutgers vicinity and in the Jackson Square - Jackson Plaza vicinity while allowing appropriately located and designed neighborhood shopping centers.

Policy L-9: The City will also allow community-scale retail development on appropriately zoned sites having good traffic access and proper buffering from residential areas.

Policy L-11: The City will locate new industrial and office areas and enforce site design standards to ensure that residential neighborhoods are protected from the adverse effects of those activities.

**Analysis:**

The following criteria were used to evaluate the rezoning request.

- 1) **Is the proposed zoning district consistent with the City's Comprehensive Plan?**  
The proposed zoning district will require a major amendment to the City's Land Use Plan map. The Comprehensive Plan recommends allowing retail development on sites having good traffic access. At this time this site only has right turn in, right turn out access. Access to the median needs to be provided in order to provide good traffic access.
- 2) **Are there substantial changes in the character of development in or near the area under consideration that support the proposed rezoning.**  
Other than improvements that have been completed on SR 95, there have not been any substantial changes in the character of the development in or near the area.
- 3) **Is the character of the area suitable for the uses permitted in the proposed zoning district and is the proposed zoning district compatible with surrounding zoning and uses?**  
The site is located on an arterial and adjacent to other commercial sites on the Turnpike. Although there are Flood Fringe areas on the site, a large portion of the site is outside of the Flood Fringe area. The site is not contiguous to any residentially developed property.
- 4) **Will the proposed rezoning create an isolated district unrelated to adjacent and nearby districts?**  
No, the adjoining property on the east is zoned UB-2
- 5) **Are public facilities and services adequate to accommodate the proposed zoning district?**  
A private sewer easement will need to be provided across Parcel 563 in favor of the new site to bring a lateral from the sewer line behind the property. Water can be accessed from a line in the Turnpike right-of-way. The primary concern is provision of access to the median cut on the Turnpike. An easement across 2093 Oak Ridge Turnpike is needed and a large concrete power pole will need to be relocated. A traffic impact study needs to be completed to address traffic movement in and out of the site.

**6) Would the requested rezoning have environmental impacts?**

The site is partially within the flood fringe for East Fork Poplar Creek. There is no floodway area on the site and the majority of the site is not within the 100-year flood fringe. Minimum floor elevation on the site must be at least one foot above the 100-year flood elevation. Increased storm water runoff caused by increased impervious area must be managed in accordance with the City's Erosion Control and Storm Water Management Ordinance.

**Neighborhood Position:** No comments have been received as of January 10, 2013.

**Landscaping/Buffering requirements:** If new construction takes place, at least 20% of the site must remain in green space. Landscaped buffer required between commercial and residential use

**Notification of Property Owners Within 200':** January 4, 2013

**Rezoning signs posted:** January 8, 2013

**Conclusion and Planning Staff Recommendation:** Factors favorable towards the rezoning include the location on an arterial roadway, the location adjacent to other commercial zoning and the lack of contiguous residential development. A major factor that needs to be addressed is the access. A traffic impact study is needed and the means by which full access will be obtained must be addressed. It is also recommended that an access easement be provided across the subject parcel to the remainder of Parcel 563. It is recommended not to proceed with the rezoning request until the traffic impact study and access are addressed.

**Planning Commission Recommendation:** Recommended approval of rezoning and Land Use Plan amendment by a vote of 7-0. Also recommended recording access easement to Turnpike across adjoining property on east before second reading of rezoning ordinance.

**TITLE**

AN ORDINANCE TO AMEND ORDINANCE NO. 2, TITLED "THE ZONING ORDINANCE OF THE CITY OF OAK RIDGE, TENNESSEE," BY AMENDING THE ZONING MAP WHICH IS MADE A PART OF THE ORDINANCE BY CHANGING THE ZONING DISTRICT OF A PORTION OF PARCEL 1.00, MAP 105H, GROUP A, (APPROXIMATELY 1.16 ACRES) FROM RG-1, RESIDENTIAL OPEN SPACE AND RESERVED AND RG-1/FLOOD FRINGE, TO UB-2, UNIFIED GENERAL BUSINESS AND UB-2/FLOOD FRINGE, SAID PARCEL BEING LOCATED AT 2095 OAK RIDGE TURNPIKE.

WHEREAS, the following change has been submitted for approval or disapproval to the Oak Ridge Municipal Planning Commission and the Commission has approved the same; and

WHEREAS, a public hearing thereon has been held as required by law.

NOW, THEREFORE, BE IT ORDAINED BY THE COUNCIL OF THE CITY OF OAK RIDGE TENNESSEE:

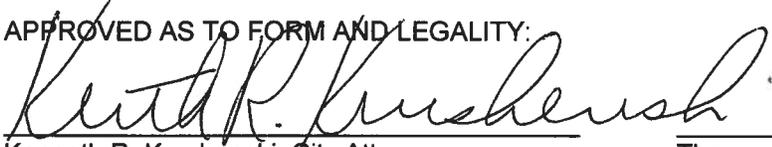
Section 1. The district boundaries of the zoning map attached to and made a part of Ordinance No. 2, as amended, are revised in the following particulars:

<u>Property Description</u>	<u>Location</u>	<u>Present Zoning District</u>	<u>New Zoning District</u>
A portion of Parcel 1.00 Map 105H, Group A (± 1.16 Acres)	2095 Oak Ridge Turnpike across from W. Lincoln Road and Oak Ridge Turnpike intersection	RG-1, Residential Open Space and Reserved, and RG-1/Flood Fringe	UB-2, Unified General Business and UB-2/ Flood Fringe

Section 2. The change shall be imposed upon said map and shall be as much a part of Ordinance No. 2 as if fully described therein.

Section 3. This ordinance shall become effective ten (10) days after adoption on second reading, the welfare of the City of Oak Ridge requiring it.

APPROVED AS TO FORM AND LEGALITY:



Kenneth R. Krushenski, City Attorney

Thomas L. Beehan, Mayor

Diana R. Stanley, City Clerk

Public Hearing: 02/25/2013  
Publication Date: 01/21/2013  
First Reading: 02/25/2013  
Publication Date: 03/04/2013  
Second Reading: \_\_\_\_\_  
Publication Date: \_\_\_\_\_  
Effective Date: \_\_\_\_\_

**COUNCIL REQUESTS  
FOR  
NEW BUSINESS ITEMS  
OR  
FUTURE BRIEFINGS**

**CITY CLERK MEMORANDUM**

**13-19**

**DATE:** May 7, 2013

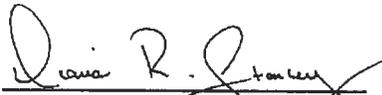
**TO:** Honorable Mayor and Members of City Council

**FROM:** Diana R. Stanley, City Clerk

**SUBJECT:** COUNCILMEMBER BAUGHN'S MAY 13, 2013 AGENDA ITEM REQUEST

On May 5, 2013, the City Manager and the City Clerk received a request from Councilmember Baughn asking that specific information be included on the May 13, 2013 City Council Agenda.

Upon review of the request and in accordance with City Council's current Rules and Procedures, Councilmember Baughn's items are being included under "City Council's Request for New Business or Future Briefings" for Council discussion.

  
\_\_\_\_\_  
Diana R. Stanley

Attachments: May 13<sup>th</sup> Agenda E-mail Request from Councilmember Baughn

**From:** Trina Baughn  
**To:** Watson, Mark; Stanley, Diana  
**Subject:** May 13th Agenda Request  
**Date:** Sunday, May 5, 2013 11:14:50 PM

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Mark/Diana,

Please include the following on our next agenda:

1. Direct the city manager to pursue converting the following city-owned assets into taxable properties:
  - a. Put the golf course up for sale
  - b. Terminate the lease agreement with the Chamber of Commerce and place property for sale
  - c. Put the Commerce Park building located next to Tech 2020 up for sale
  - d. Establish a policy for returning acquired blight properties to a taxable status as quickly as possible
2. Request that the IDB provide proof that the PILT program has provided a return on investment great enough to justify the abatements provided.
3. Commission a team of representatives from the City of Oak Ridge, Anderson County, Roane County along with their respective property assessors to research and eventually negotiate voluntary PILT agreements with exempt organizations who are most able to afford paying for city services that are currently paid for by the taxpayer, i.e. Methodist Medical Center, Oak Ridge Utility District, Tech 2020, Roane State Community College and the University of Tennessee.

Call me if you have questions.

Thanks,

Trina