

**OAK RIDGE CITY COUNCIL MEETING**  
Municipal Building Courtroom

July 8, 2013—7:00 p.m.

AGENDA

I. INVOCATION

The Reverend Sean Pennington, Associate Pastor at Lifehouse Church and Oak Ridge Police Department Chaplain.

II. PLEDGE OF ALLEGIANCE

III. ROLL CALL

IV. APPEARANCE OF CITIZENS

V. PROCLAMATIONS AND PUBLIC RECOGNITIONS

VI. SPECIAL REPORTS

Verbal "State of the Youth Address" delivered by Mr. Patrick Williams, Vice-Chair of the Youth Advisory Board.

VII. CONSENT AGENDA

- a. Approval of the June 10, 2013 City Council Meeting Minutes.
- b. Approval of the June 18, 2013 City Council Special Meeting Minutes.
- c. Confirmation of sixteen (16) members to the Youth Advisory Board (YAB), as selected by the YAB Screening Panel, for one year terms of office commencing on August 1, 2013.
- d. Confirmation of Nomination James W. Charles, III. by the Oak Ridge Utility District Board of Commissioners.
- e. Approving a resolution waiving competitive bids and making awards to Poore's Tree Service, Blank's Tree Service, Wolf Tree Experts, Inc., and other suitable companies as needed for tree removal and trimming services for the Public Works Department for Fiscal Year 2014 in the estimated amount of \$35,000.00.
- f. Approving a resolution waiving competitive bids and making an award to Rogers Group, Inc., for emergency street resurfacing for the Public Works Department for Fiscal Year 2014 in the estimated amount of \$150,000.00.
- g. Approving a resolution waiving competitive bids and making awards to Superior Pavement Marking, Inc., and Volunteer Pavement Marking, Inc., for street striping services for the Public Works Department for Fiscal Year 2014 in the estimated amount of \$85,000.00.
- h. Approving a resolution waiving competitive bids and making awards to Curly Contracting, Bruce Long Company, C.K. Masonry Company, Inc., CIPP Technical Services, and other suitable companies as needed for minor manhole rehabilitation for the Public Works Department for Fiscal Year 2014 in the estimated amount of \$50,000.00.

- i. Approving a resolution waiving competitive bids and making awards to Performance Contracting Group (PCI Branch), Rather Sewer Inspection Services, Intuitive Technologies Inc., and other suitable companies as needed for sewer cleaning and CCTV inspection for the Public Works Department for Fiscal Year 2014 in the estimated amount of \$200,000.00.
- j. Approving a resolution authorizing the City to renew the current contract with Grid One Solutions, Inc., for meter reading and associated services for the term of August 1, 2013 through July 31, 2014 in the estimated amount of \$200,000.00.
- k. Approving a resolution waiving competitive bids and making awards to Integracon, Infor Global Solutions, Geo-Jobe GIS Consulting, Z11 Communications LLC, and other suitable companies as needed for furnishing temporary technical support for the information services department for Fiscal Year 2014 in the estimated amount of \$300,000.00.
- l. Approving a resolution waiving competitive bids and making awards to Temp Systems Inc., Accountemps, Alternate Staffing Inc., Recruitwise, Staffing solutions, At-Work, and other suitable companies as needed for furnishing temporary employment services for fiscal year 2014 in the estimated amount of \$475,000.00.
- m. Approving a resolution waiving competitive bids and making awards to various area city-approved companies for the rental of heavy equipment on an as needed basis for Fiscal Year 2014 in the estimated amount of \$100,000.00.
- n. Approving a resolution waiving competitive bids and making an award to Aramark Uniform Services, Inc., for furnishing employee uniforms and various other services associated with employee uniforms for Fiscal Year 2014 in the estimated amount of \$59,000.00.
- o. Approving a resolution making an award to Park Med Urgent Care for furnishing medical evaluations and drug and alcohol testing services for city employees for Fiscal Year 2014 in the estimated amount of \$40,000.00, and authorizing the City to renew said contract for up to two (2) additional one-year terms.
- p. Approving a resolution making an award to Park Med Urgent Care for furnishing hazmat medical services for city employees for Fiscal Year 2014 in the estimated amount of \$51,000.00, and authorizing the City to renew said contract for up to two (2) additional one-year terms.
- q. Approving a resolution amending Resolutions 2-9-11 and 4-22-2012 authorizing amendments to the Oral History Project Professional Services Agreements with Secret City Films and BBB Communications, LLC, to extend the contract terms through May 30, 2014 and to provide for \$30,000.00 each in compensation.
- r. Approving a resolution to close the Inventory Fund, an Internal Service Fund, at the end of Fiscal Year 2013.
- s. Approving a resolution supporting the passage of the Marketplace Fairness Act, which will benefit Oak Ridge businesses by putting main street retailers on an equal footing with internet sellers; commending United States Senators Lamar Alexander and Bob Corker for their support of the Marketplace Fairness Act throughout the debate and passage in the United States Senate; and urging the Tennessee Delegation to the United States House of Representatives, particularly Congressman Chuck Fleischmann, to support the Marketplace Fairness Act granting individual states the authority to streamline their sales

tax laws and collect sales taxes directly from online retailers.

- t. Approving on second reading an ordinance to amend Title 10, titled "Animal Control" of the Code of Ordinances, City of Oak Ridge, Tennessee," by creating a new Chapter 4, titled "Dog Parks," to establish permission for dogs to be off-leash in city-owned dog parks and to establish certain requirements for use.

VIII. RESOLUTIONS

- a. A RESOLUTION APPROVING A CONTRACT BETWEEN THE CITY AND THE OAK RIDGE CONVENTION AND VISITORS BUREAU (CVB) FOR THE PROVISION OF SERVICES AND MATERIALS TO PROMOTE TOURISM IN OAK RIDGE FOR THE PERIOD JULY 1, 2013 THROUGH JUNE 30, 2014 (FY2014) IN AN AMOUNT NOT TO EXCEED \$300,000.00.
- b. A RESOLUTION REMOVING PEDRO OTADUY AS A MEMBER OF THE OAK RIDGE BEER PERMIT BOARD.

IX. PUBLIC HEARINGS AND FIRST READING OF ORDINANCES

X. FINAL ADOPTION OF ORDINANCES

XI. ELECTIONS/APPOINTMENTS, ANNOUNCEMENTS AND SCHEDULING

- a. Elections/Appointments
- b. Announcements

Verbal report from City Manager Evaluation Committee Chair, Charles J. Hope, Jr. regarding status of City Manager's evaluation.

- c. Scheduling

XII. COUNCIL REQUESTS FOR NEW BUSINESS ITEMS OR FUTURE BRIEFINGS

XIII. SUMMARY OF CURRENT EVENTS

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

XIV. ADJOURNMENT

# CONSENT AGENDA

**CITY CLERK MEMORANDUM**  
**13-36**

**DATE:** July 1, 2013

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

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

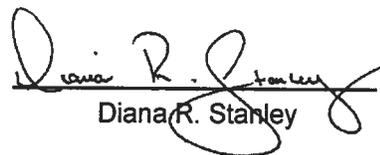
**SUBJECT:** CONSENT AGENDA FOR THE JULY 8, 2013 CITY COUNCIL MEETING

Based on efficiency and best practice, the July 8, 2013 City Council meeting has approximately twenty (20) action items listed on the Consent Agenda. These items have been listed under this placeholder on the agenda in accordance with the City Council's current Rules and Procedures and Parliamentary Procedures.

The Consent Agenda contains approval of City Council meeting minutes, confirmation of several board appointments; customary city purchases and annual contract renewals; routine, business matters, such as amending a contract for oral histories, closing of the Inventory Fund; city supporting of collecting e-commerce sales tax; and the approval of an ordinance authorizing the creation of a dog park as an off-leash area.

Additionally, since several annual purchasing/contractual items were passed in a single motion during the June 18, 2013 special-meeting of City Council, city staff wished to replicate that process for this meeting by means of the Consent Agenda.

In accordance with the aforementioned rules and procedures, these items can be removed from the Consent Agenda with a formal request from a councilmember to debate the issue and, based on city processes, will be addressed in the order in which items are removed.

  
Diana R. Stanley

**MINUTES OF THE  
OAK RIDGE CITY COUNCIL MEETING**

June 10, 2013

The regular meeting of the City Council of the City of Oak Ridge, Tennessee convened at 7:00 p.m. on June 10, 2013, in the Courtroom of the Municipal Building with Mayor Thomas L. Beehan presiding.

**INVOCATION**

The Invocation was delivered by Father Dustin Collins of St. Mary's Catholic Church.

**PLEDGE OF ALLEGIANCE**

Ms. Ellen Smith led the Pledge of Allegiance to the Flag of the United States of America.

**ROLL CALL**

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

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**

Ms. Ellen Smith, 116 Morningside Drive, presented a petition regarding a proposal of the Industrial Development Board (IDB) and the Electric Department to install above ground power lines on the Horizon Center Industrial Park addressed to the City Council, IDB, the City Manager, and the Electric Department Director that states that "the proposed above-ground powerline along the greenway/road behind the Horizon Center would permanently destroy the recreational and esthetic value of the greenway and seriously reduce the value of Black Oak Ridge Conservation Easement and the Horizon Center "natural areas" for conservation. Please find alternatives that supply electricity to the Horizon Center without destroying this valuable community asset." Ms. Smith concluded by explaining that an alternative plan had been presented that would be less evasive and expensive and just as effective and requested that City Council consider similar alternatives.

Mr. Bob Cushman, 137 Whippoorwill Drive, Member of Greenways of Oak Ridge, stated his support for the aforementioned petition.

Mr. Robert Kennedy, 209 Whippoorwill Drive, provided statistical data of power provided by the Tennessee Valley Authority (TVA) versus the power that would be provided to the Horizon Center. Mr. Kennedy concluded that he wishes to see the property at Horizon Center maintained in its original state.

Ms. Michelle Thornton, 105 William Lane, Board Member of the Tennessee Citizens for Wilderness Planning (TCWP) spoke about the positive aspects of the greenway located along the Horizon Center and wished for the City to pursue alternatives on electricity.

**PROCLAMATIONS AND PUBLIC RECOGNITIONS**

*A proclamation proclaiming June 21 and 22, 2013 as "Secret City Festival Time"*

Mayor Pro Tem Miller moved, seconded by Councilmember Hope that the proclamation be adopted.

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

Mayor Beehan noted that the proclamation would be presented during the Secret City Festival.

### **SPECIAL REPORTS**

(NONE)

### **CONSENT AGENDA**

The City Clerk noted that a correction needed to occur to the May 28, 2013 City Council minutes related to page five to have Councilmember Hensley's vote for the Oak Ridge Municipal Planning Commission reflect Mr. Hugh Ward.

Councilmember Baughn moved, seconded by Councilmember Hope to amend the minutes with the correction as reflected above. The motion was approved by voice vote with Councilmembers Baughn, Garcia Garland, Hensley, Hope, Mayor Pro Tem Miller, and Mayor Beehan voting "Aye." The Consent Agenda as approved by voice vote with Councilmembers Baughn, Garcia Garland, Hensley, Hope, Mayor Pro Tem Miller, and Mayor Beehan voting "Aye," approving it as follows:

- The amended May 28, 2013 City Council Meeting minutes.
- **Resolution No. 06-36-2013** extending the current demand-responsive transit system management contract between the City and the East Tennessee Human Resource Agency, INC., (ETHRA) through October 31, 2013 in order to place the contract on the same contract term as the Tennessee Department of Transportation (TDOT) Operating Assistance Grant which provides partial funding of the operating expenses for the City's transit program.
- **Resolution No. 06-37-2013** authorizing the City to continue participation in the East Tennessee Economic Development Agency, with annual membership dues in the amount of \$26,116.00 for the 2013 calendar year.
- **Resolution No. 06-38-2013** to encumber approximately \$15,000.00 from City Council's FY2013 budget for replacement and/or upgrades to the media equipment for the courtroom.

(Councilmember Mosby was not present during the vote for the amendment to the minutes, nor the vote for the Consent Agenda.)

### **RESOLUTIONS**

#### **Resolution No. 06-39-2013**

**A resolution to amend Resolutions 10-103-10 and 7-66-11, which authorized a professional services agreement with Lamar Dunn & Associates, Inc., Knoxville, Tennessee, for assistance with various tasks required for compliance with the U.S. Environmental Protection Agency (EPA) Administrative Order, with said amendment providing for additional engineering services pertaining to East Plant III, East Plant IV, and the Equalization Basins in the estimated amount of \$944,000.00 and to redirect \$488,000.00 of previously approved funds to these services.**

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

Public Works Director Gary Cinder provided an overview of the resolution and responded to questions and comments of City Council, specifically regarding services offered under the amended agreement, restructured changes to the plan, and scope and timeframe of projects.

Following additional discussions amongst City Council, the resolution was approved by board vote with

Councilmembers Garcia Garland, Hensley, Hope, Mosby, Mayor Pro Tem Miller, and Mayor Beehan voting "Aye," and Councilmember Baughn voting "Nay."

**Resolution No. 06-40-2013**

**A resolution awarding a contract (COR 13-12) to Seelbach & Company, Inc., Lawrenceville, Georgia, for tree pruning, tree removal, and brush control along power lines in the estimated amount of \$1,385,081.71.**

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

Electric Department Director Jack Suggs responded to questions and comments of City Council that included number of bids awarded to Seelbach, subcontracting tree work, history of Seelbach's work, as well as the bid process for the tree project.

Following additional discussions of City Council, the resolution was approved by board vote Councilmembers Baughn, Garcia Garland, Hensley, Hope, Mayor Pro Tem Miller, and Mayor Beehan voting "Aye," and Councilmember Mosby voting "Nay."

**Resolution No. 06-41-2013**

**A resolution approving a professional services agreement with the Ferguson Group, LLC, Washington, D.C., for the provision of consulting services to provide grant support and to develop a comprehensive federal government relations agenda and action plan for agreed upon priorities for the City in the amount of \$30,000.00 at a maximum rate of \$425.00 per hour with an allowance of \$5,000.00 for expenses.**

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

Information Services and Government Affairs Director Amy Fitzgerald provided information to Councilmember Hensley inquiries regarding the usage of the primary consultant under the hourly rate structure indicating the Kareem Murphy and/or a partner has been a primary consultant and briefed City Council on the benefits of having a federal lobbyist, as well as the new payment structure for the lobbyists.

Councilmember Hensley moved to amend the language of the resolution to indicate that the hourly rate would be set at a maximum of \$425.00 pending a provided rate structure provided from the Ferguson Group. Mayor Pro Tem Miller seconded the motion which was approved by unanimous voice vote with Councilmembers Baughn, Garcia Garland, Hensley, Hope, Mosby, Mayor Pro Tem Miller, and Mayor Beehan voting "Aye."

After brief discussions, the resolution, as amended, was approved unanimously by board vote with Councilmembers Baughn, Garcia Garland, Hensley, Hope, Mosby, Mayor Pro Tem Miller, and Mayor Beehan voting "Aye."

**Resolution No. 06-42-2013**

**A resolution awarding bids in the grand total estimated amount of \$1,281,620.00 for the furnishing of various materials as required by the City during Fiscal Year 2014.**

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

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

**Resolution No. 06-43-2013**

**A resolution waiving competitive bids and making awards in the grand total estimated amount of \$862,600.00 based upon written quotations and negotiated agreements with suppliers for the furnishing of routine materials, equipment, and services as required by the City during Fiscal Year 2014.**

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

Public Works Director Gary Cinder responded to inquires of Councilmember Mosby regarding the bio solids utilized on the Oak Ridge Reservation. City staff indicated the criticality of the presented contract extensions and the deadlines for continuing with purchasing supplies.

City Council discussed the best means to approve the resolution given that the bid waiver for the items listed required a unanimous vote of City Council given that Councilmember Baughn had indicated that she could not vote in favor for all items listed in the resolution.

Following procedural discussions on how to best handle the resolution presented, Councilmember Baughn moved to amend the resolution to separate the approval of the following categories: Sole Provider and Partnership Contract. The other remaining category, Best Provider, would be delayed until the next meeting. The motion was seconded by Councilmember Hope. (Sole Provider category would include SirsiDynix (\$22,000); Infor Global Solution (\$27,000); ESRI (\$17,600); Oracle America, Inc. (\$24,000); Motorola (\$75,000); Waste Management (\$100,000); Stuart C. Irby and Sensus Metering Systems, Inc., Elster, Tantalus Systems Corp, and other suitable companies (\$100,000); Badger Meter and Elster AMCO Water Inc., and Sensus Metering Systems Inc., Elster, Tantalus Systems Corp., and other suitable companies (\$250,000); Insight Public Sector (\$55,000); and Teledyne/ISCO (\$45,000). Partnership Contract category would include the State of Tennessee Contract Provider for sale (\$67,000).

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

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

#### **Resolution No. 06-44-2013**

**A resolution of the City Council of the City of Oak Ridge, Tennessee authorizing the extension of its Waterworks Interfund Loan Capital Outlay Note.**

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

Following a brief overview by Finance Director Janice McGinnis and Mr. Chris Bessler, Senior Vice President of Cumberland Securities Company, Inc., the resolution was approved by unanimous voice vote with Councilmembers Baughn, Garcia Garland, Hensley, Hope, Mosby, Mayor Pro Tem Miller, and Mayor Beehan voting "Aye."

#### **Resolution No. 06-45-2013**

**Initial resolution authorizing the issuance of not to exceed three million seven hundred thousand and no/100 dollars (\$3,700,000) general obligation bonds of the City of Oak Ridge, Tennessee.**

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

Mr. Chris Bessler reviewed the purpose of the general obligation bond related to providing project funds for both the wastewater and water systems of the City.

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

**Resolution No. 06-46-2013**

**A resolution authorizing the issuance of general obligation bonds, series 2013, in the aggregate principal amount of not to exceed twenty-four million five hundred thousand and no/100 dollars (\$24,500,000) of the City of Oak Ridge, Tennessee; making provision for the issuance, sale and payment of said bonds; establishing the terms thereof and the disposition of proceeds therefrom; and providing for the levy of taxes for the payment of principal of, premium, if any, and interest on the bonds.**

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

Finance Director Janice McGinnis provided an overview of the refunding of the bonds, and reviewed the two (2) different options for the Sewer Fund Debt Service Debt Structure as provided by Cumberland Securities Company.

Councilmember Garcia Garland moved, seconded by Councilmember Hensley that City Council approve, for the record, Option 2 of the Sewer Fund Debt Service as direction for staff to pursue that will allow for a slower pace for sewer rate increases and achieves a near breakeven in net present value with an estimated loss of \$10,017.00. The motion was approved by voice vote with Councilmembers Garcia Garland, Hensley, Hope, Mosby, Mayor Pro Tem Miller, and Mayor Beehan voting "Aye," and Councilmember Baughn voting "Nay."

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

**Resolution No. 06-47-2013**

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

Councilmember Baughn moved, seconded by Councilmember Hope to approve the resolution.

Councilmember Baughn, Chair of the Rules and Procedures Committee, provided an overview of the proposed changes of the City Council Rules and Procedures, including those changes that occurred during the June 10, 2013 Rules and Procedures Committee that occurred prior to the City Council Meeting.

Councilmember Baughn moved, seconded by Councilmember Hope to amend the resolution to include the new amendments from the Committee's June 10, 2013 meeting as follows:

Under "Proclamations" (Section G): Alter the second sentence of the overview to read "Political, religious, or controversial positions will not be supported by the City of Oak Ridge." Include the verbiage "usually" on item 3 of the guidelines to read "requests for proclamations should usually be submitted," and add the word "approximately" under item 1 under preparation to read ". . .to the City Clerk's Office approximately sixty (60) days prior to the event."

Under "Work Sessions and Other Miscellaneous Meetings of City Council" (Section B): Alter the language of the last sentence so as to read that "An agenda shall be made available to all Council members, along with supporting information/documentation usually be close of business one (1) week prior to the meeting."

City Council discussed the recent amendments at great length, specifically with regards to the Proclamation section.

Mayor Pro Tem Miller moved to table the discussions until the next meeting for a review of the City Council Rules and Procedures document. The motion was seconded by Councilmember Hensley. The motion failed by board vote with Mayor Beehan, Mayor Pro Tem Miller, and Councilmember Hensley

voting "Aye," and Councilmembers Baughn, Garcia Garland, Hope, and Mosby voting "Nay."

Following additional discussions of City Council regarding the Proclamation guidelines, Councilmember Hensley moved to remove the sixty (60) day advance notice from the procedures section of the proclamations. The motion was seconded by Mayor Pro Tem Miller. The motion was approved by board vote with Councilmember Hensley, Councilmember Hope, Mayor Pro Tem Miller, and Mayor Beehan voting "Aye," and Councilmembers Baughn, Garcia Garland, and Mosby voting "Nay."

Mayor Pro Tem Miller moved to strike the verbiage "political or religious" from second sentence of the proclamation overview section. The motion was seconded by Councilmember Hensley.

Ms. Ellen Smith, 116 Morningside Drive, commented about providing some practical judgment to the amendments for the proclamation.

Following discussions of City Council, the motion presented by Mayor Pro Tem Miller passed by board vote with Councilmembers Hensley, Councilmember Hope, Mayor Pro Tem Miller, and Mayor Beehan voting "Aye," and Councilmembers Baughn, Garcia Garland, and Mosby voting "Nay."

Councilmember Hensley moved, seconded by Mayor Pro Tem Miller, to allow proclamations to be issued without City Council approval.

Following discussions regarding the authorization of proclamations, the amendment failed by board vote with Mayor Beehan, Mayor Pro Tem Miller, and Councilmember Hensley voting "Aye," and Councilmembers Baughn, Garcia Garland, Hope, and Mosby voting "Nay."

Mayor Pro Tem Miller moved to amend the retention period for the video recordings of City Council meetings (Publication of Minutes, Section 3) from one-year to a five-year period. The motion was seconded by Councilmember Hensley and approved by unanimous voice vote with Councilmembers Baughn, Garcia Garland, Hensley, Hope, Mosby, Mayor Pro Tem Miller, and Mayor Beehan voting "Aye."

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

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

### **First Reading**

AN ORDINANCE TO AMEND TITLE 10, TITLED "ANIMAL CONTROL" OF THE CODE OF ORDINANCES, CITY OF OAK RIDGE, TENNESSEE," BY CREATING A NEW CHAPTER 4, TITLED "DOG PARKS," TO ESTABLISH PERMISSION FOR DOGS TO BE OFF-LEASH IN CITY-OWNED DOG PARKS AND TO ESTABLISH CERTAIN REQUIREMENTS FOR USE.

Mayor Pro Tem Miller moved, seconded by Councilmember Baughn to approve the ordinance on first reading.

Recreation and Parks Director Josh Collins responded to a few inquiries of City Council regarding separate areas for different sized dogs.

The ordinance passed on first reading by unanimous voice vote with Councilmembers Baughn, Garcia Garland, Hensley, Hope, Mosby, Mayor Pro Tem Miller, and Mayor Beehan voting "Aye."

## **FINAL ADOPTION OF ORDINANCES**

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

Elections/Appointments

Announcements

Scheduling

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

Mayor Beehan requested consideration of a resolution supporting state legislation that would mandate that on-line retailers pay sales tax.

Ms. Ellen Smith, 116 Morningside Drive, clarified that sales tax would be collected based on the customer's residency.

Councilmember Hope requested that City Council meet with the new Superintendent of Schools and meet with the Board of Education for discussions regarding the recent state legislation on the school's budget.

**SUMMARY OF CURRENT EVENTS**

CITY MANAGER'S REPORT

The City Manager explained that the June 17, 2013 Work Session had been rescheduled to June 18, 2013 at 6:00 p.m., and clarified that there would not be a meeting on June 24, 2013. Mr. Watson added that a Work Session was also scheduled for July 1, 2013 beginning at 7:00 p.m. related to economic development and staff briefings.

CITY ATTORNEY'S REPORT  
(NONE)

**ADJOURNMENT**

The meeting adjourned at 10:30 p.m.

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

**MINUTES OF THE  
OAK RIDGE CITY COUNCIL  
SPECIAL MEETING**

June 18, 2013

The special meeting of the City Council of the City of Oak Ridge, Tennessee convened at 6:00 p.m. on June 18, 2013, in the Multipurpose Room of the Central Services Complex with Mayor Thomas L. Beehan presiding.

The Invocation was delivered by Councilmember David N. Mosby

Mayor Pro Tem D. Jane Miller led the Pledge of Allegiance to the Flag of the United States of America.

**ROLL CALL**

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

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

**RESOLUTIONS**

Councilmember Hensley moved, seconded by Councilmember Hope to approve the last four resolutions listed on the June 18, 2013 agenda given that Councilmember Baughn only had inquires specific to the resolutions pertaining to unleaded and diesel fuel and chemicals for the Water and Wastewater Treatment Plants.

The City Manager responded to inquires of Councilmember Baughn regarding the City's bid process and time line. Information Services and Public Affairs Director Amy Fitzgerald and Risk Manager Cindi Gordon responded to inquires of City Council.

The motion presented by Councilmember Hensley passed by unanimous vote with Councilmembers Baughn, Garcia Garland, Hensley, Hope, Mosby, Mayor Pro Tem Miller, and Mayor Beehan raising their hands indicating an "Aye" vote, thereby approving the following resolutions:

**Resolution No. 06-48-2013**

**A RESOLUTION WAIVING COMPETITIVE BIDS AND MAKING AN AWARD TO MERCER, INSURANCE BROKER, FOR EMPLOYEE LIFE INSURANCE AND LONG TERM DISABILITY INSURANCE WITH STANDARD INSURANCE COMPANY FOR FISCAL YEAR 2014 IN THE ESTIMATED AMOUNT OF \$179,000.00.**

**Resolution No. 06-49-2013**

**A RESOLUTION WAIVING COMPETITIVE BIDS AND MAKING AN AWARD TO TENNESSEE MUNICIPAL LEAGUE RISK MANAGEMENT POOL FOR PROPERTY, LIABILITY, AND WORKERS' COMPENSATION INSURANCE FOR FISCAL YEAR 2014 IN THE ESTIMATED AMOUNT OF \$1,242,000.00.**

**Resolution No. 06-50-2012**

**A RESOLUTION WAIVING COMPETITIVE BIDS AND MAKING AN AWARD TO MOTOROLA COMMUNICATIONS AND ELECTRONICS, INC., FOR FURNISHING OF MAINTENANCE OF THE 800 MHZ TRUNKED COMMUNICATIONS SYSTEM FOR FISCAL YEAR 2014 IN THE ESTIMATED AMOUNT OF \$84,000.00.**

**Resolution No. 06-51-2013**

**A RESOLUTION WAIVING COMPETITIVE BIDS AND MAKING AN AWARD TO AT&T, WINDSTREAM**

**COMMUNICATIONS, AND SOUTHEASTERN COMMUNICATIONS, INC., FOR FURNISHING PHONE, DATA, AND TELECOMMUNICATION SERVICES TO THE CITY FOR FISCAL YEAR 2014 IN THE ESTIMATED AMOUNT OF \$130,000.00.**

**Resolution No. 06-52-2013**

**A RESOLUTION WAIVING COMPETITIVE BIDS AND MAKING AN AWARD TO MANSFIELD OIL COMPANY FOR FURNISHING UNLEADED AND DIESEL FUEL FOR FISCAL YEAR 2014 IN THE ESTIMATED AMOUNT OF \$712,800.00.**

Councilmember Hensley moved, seconded by Councilmember Hope to approve the resolution.

Materials Management Manager Lyn Majeski provided an overview of the contract history and services with Mansfield Oil and explained the benefits of the customer relationship, as well as responded to questions and comments of City Council. Public Works Director Gary Cinder also provided information to City Council related to this item.

The resolution passed by unanimous vote with Councilmembers Baughn, Garcia Garland, Hensley, Hope, Mosby, Mayor Pro Tem Miller, and Mayor Beehan raising their hands indicating an "Aye" vote.

**Resolution No. 06-53-2013**

**A RESOLUTION WAIVING COMPETITIVE BIDS AND MAKING AN AWARD TO THE BEST PROVIDERS FOR FURNISHING CHEMICALS FOR THE WATER AND WASTEWATER TREATMENT PLANTS FOR FISCAL YEAR 2014 IN THE ESTIMATED AMOUNT OF \$450,000.00.**

Mayor Pro Tem Miller moved, seconded by Councilmember Hope to approve the resolution.

Public Works Director Gary Cinder provided an overview of the specialized chemicals used on the water and wastewater treatment plants, as well as responded to several inquiries presented by City Council.

The resolution passed by unanimous vote with Councilmembers Baughn, Garcia Garland, Hensley, Hope, Mosby, Mayor Pro Tem Miller, and Mayor Beehan raising their hands indicating an "Aye" vote.

**ADJOURNMENT**

The meeting adjourned at 7:00 p.m.

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

# Oak Ridge

Youth Advisory Board



June 17, 2013

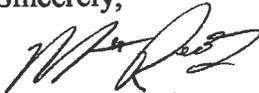
Honorable Mayor and Members of City Council  
P.O. Box 1  
Oak Ridge, TN 37831

Dear Council Members,

The City Youth Advisory Board Screening Panel for the 2013-2014 term of office consisted of City Council member Chuck Hope, ORHS staff member Connie Wilson, and Recreation and Parks Department staff member Matt Reedy. The YAB Screening Panel has selected the following sixteen students to recommend to City Council for appointment to the 2013-2014 Youth Advisory Board. The applications are attached to be included in the agenda for the July 8<sup>th</sup> meeting of the Oak Ridge City Council.

<u>NAME</u>	<u>ADDRESS</u>	<u>GRADE LEVEL</u>
Caroline Bradshaw	116 Pratt Ln.	11
Shelby Chambers	45 Outer Dr.	10
Lauren Collier	38 Riverside Dr.	10
Abigail Douglas	109 Graceland Rd.	12
Richard Goyette	112 Terri Ln.	12
Shane Harris	105 Tamara Ln.	11
Peter Magill	135 Center Park Ln.	10
Ryan Mihealsick	105 Wesley Ln.	12
Riley Mosby	106 Haven Hill Ln.	10
Ashley Riedy	82 Rolling Links Blvd.	10
Wesley Robinson	131 Brentwood Dr.	11
Laura Skipper	127 Baltimore Dr.	10
Joel Turner	107 Esquire Ct.	10
Lewis Wang	304 E. Faunce Ln.	10
Kelsey Warmbrod	106 Neville Ln.	12
Shichen Zhang	110 Tiffany Pl.	10

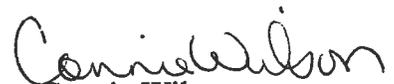
Sincerely,



Matt Reedy  
City YAB



Chuck Hope  
City Council



Connie Wilson  
Oak Ridge Schools



## YAB Screening Panel

DATE: 6-17-13

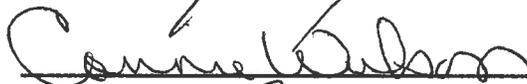
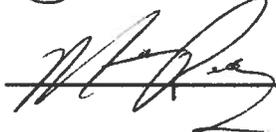
- |                            |                           |
|----------------------------|---------------------------|
| 1 <u>Caroline Bradshaw</u> | 9 <u>Abigail Douglas</u>  |
| 2 <u>Shelby Chambers</u>   | 10 <u>Joel Turner</u>     |
| 3 <u>Lauren Collier</u>    | 11 <u>Riley Mosby</u>     |
| 4 <u>Ricky Goyette</u>     | 12 <u>Shichen Zhang</u>   |
| 5 <u>Shane Harris</u>      | 13 <u>Ashley Riedy</u>    |
| 6 <u>Laura Skipper</u>     | 14 <u>Ryan Mihealsick</u> |
| 7 <u>Kelsey Warmbrod</u>   | 15 <u>Wesley Robinson</u> |
| 8 <u>Peter Magill</u>      | 16 <u>Lewis Wang</u>      |

We, the YAB Screening Panel, recommend the 16 students  
above to serve on the City Youth Advisory Board  
for the 2013-2014 term of office.

Councilman Chuck Hope

ORHS Staff Connie Wilson

City Staff Matt Reedy

# Youth Advisory Board

Election Date: 7/8/2013

Number of Vacancies: 16

Term Valid Through: One year terms  
commencing on August 1,  
2013.

Number of Members: 16

Qualifications:

Applicants must be residents of Oak Ridge and entering grade levels 8th through 12th.

## Applicants

FirstName	LastName	Submission Date
Caroline	Bradshaw	5/31/2013
Shelby	Chambers	6/1/2013
Lauren	Collier	5/22/2013
Abigail	Douglas	5/6/2013
Richard	Goyette	5/22/2013
Shane	Harris	5/21/2013
Peter	Magill	6/11/2013
Ryan	Mihealsick	5/22/2013
Riley	Mosby	5/27/2013
Ashley	Riedy	4/4/2013
Wesley	Robinson	5/24/2013
Laura	Skipper	5/21/2013
Joel	Turner	6/1/2013
Lewis	Wang	5/29/2013
Kelsey	Warmbrod	4/3/2013
Shichen	Zhang	5/17/2013

## Current Members

FirstName	LastName	Term Expires
Caroline	Bradshaw	7/31/2013
Shelby	Chambers	7/31/2013
Aaron	Chasan	7/31/2013
Lauren	Collier	7/31/2013
Hannah	Craig	7/31/2013
Lara	de Almeida	7/31/2013
Richard	Goyette	7/31/2013

Shane	Harris	7/31/2013
Ross	Landenberger	7/31/2013
Hannah	Magill	7/31/2013
Peter	Magill	7/31/2013
Monil	Mehta	7/31/2013
Laura	Skipper	7/31/2013
Kelsey	Warmbrod	7/31/2013
Dalyssa	Webb	7/31/2013
Patrick	Williams	7/31/2013

# Youth Advisory Board Applicants

Application Submission Date: 5/31/2013

Prefix	FirstName	LastName	
Ms.	Caroline	Bradshaw	
Address	City	St	Race (Optional):
116 Pratt Lane	Oak Ridge	TN	White
Phone Number	Email		
865-483-3343	quinn55@comcast.net		
Submission Date	Currently serving YAB?	Number of previous applications	Number of Years Served on YAB
5/31/2013	Yes		11
School Name			
Oak Ridge High School			
School Grade	GPA	Favorite Class	
11th		4.18 French	
Extra Curricular Activities			
AYSO Soccer, Volunteer at Oak Ridge Playhouse, Key Club, Golf for ORHS, Piano, YLOR (2012-2013)			
Volunteer Work Experience (1)			
Oak Ridge Playhouse			
Dates			
(2009-Present)			
Description			
I have worked on deck crew, as prop master, light board operator, assistant stage manager, and stage manager. As stage manager I was responsible for running rehearsals, starting the shows, found the crew members, and I acted as a liaison between the cast, crew, and the director.			
Volunteer Work Experience (2)			
Kern United Methodist Church			
Dates			
(2009-present)			
Description			
I work in the nursery at Kern and take care of the little kids. To become a paid worker I had to volunteer for 60 hours and complete first aid, AID, and CPR training.			
Why do you want to serve on the YAB?			
I want to serve on the YAB because I want to have a say in what happens in my community. I want my voice to be heard and have the opportunity to represent my fellow youth in the community. I want to learn about what is happening in my community and actively participate in group projects and events.			

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End of Application for

Bradshaw, Caroline

For Board:

Youth Advisory Board

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# Youth Advisory Board Applicants

Application Submission Date: 6/1/2013

Prefix	FirstName	LastName	
Ms.	Shelby	Chambers	
Address	City	St	Race (Optional):
45 Outer Drive	Oak Ridge	TN	white
Phone Number	Email		
865-297-7771	shelbychambers15@yahoo.com		
Submission Date	Currently serving YAB?	Number of previous applications	Number of Years Served on YAB
6/1/2013	Yes		11
School Name			
Oak Ridge High School			
School Grade	GPA	Favorite Class	
11th		3.8 Medical Therapy	
Extra Curricular Activities			
Girl Scouts, Superintendent Student Council, Student Council, Young Republicans, Interact, and Orchestra			
Volunteer Work Experience (1)			
Girl Scouts			
Dates			
10 years total			
Description			
Throughout the past 10 years, I have dedicated myself to many community service projects through Girl Scouts. These projects include volunteering at the Hospitality House, making care packages for patients. I have volunteered and assisted with hospitals, senior centers, and homeless shelters. I was awarded the Junior Aide badge by helping a younger troop in its beginning stages by helping with Glenwood Elementary events. I have been awarded the second and third highest awards in Girl Scouts. These require over 40 hours of community service.			
Volunteer Work Experience (2)			
Interact			
Dates			
Aug 2011-Present			
Description			
For almost two years, I have dedicated myself to working for the Interact club at ORHS. For the 2012-2013 school year, I served as VP and for the next two years, I will serve as President. Throughout these two years, I have raised money for UNICEF and End Polio Now, volunteered through the Salvation Army, worked school concessions, participated and raised money for Relay for Life, participated in RYLA, and was part of the 2012 and 2013 Interact Conference.			
Why do you want to serve on the YAB?			
I would like to serve on the YAB because I feel it is important to represent the youth of Oak Ridge. Planning events and participating in the community is what YAB is for. I would love to communicate with students on the YAB to make Oak Ridge a better place and to make/plan events for the youth to enjoy.			

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End of Application for

Chambers, Shelby

For Board:

Youth Advisory Board

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# Youth Advisory Board Applicants

Application Submission Date: 5/22/2013

Prefix	FirstName	LastName	
Ms.	Lauren	Collier	
Address	City	St	Race (Optional):
38 Riverside Dr.	Oak Ridge	TN	
Phone Number	Email		
(865) 481-2761	c.lauren12@yahoo.com		
Submission Date	Currently serving YAB?	Number of previous applications	Number of Years Served on YAB
5/22/2013	Yes		11
School Name			
Oak Ridge High School			
School Grade	GPA	Favorite Class	
10th		4.35 English	
Extra Curricular Activities			
This school year I have been a part of multiple extra curricular activities, including: KSYO (Knoxville Symphony Youth Orchestra), Science Bowl, Scholars Bowl, Cross Country, various church-related activities, and YAB.			
Volunteer Work Experience (1)			
The Childrens Museum of Oak Ridge			
Dates			
Summer 2012			
Description			
I spent a large percentage of my summer last year volunteering at Childrens Museum. Although it was a pretty taxing job working with small children, I found the experience to be worthwhile. I plan on devoting a sizable part of this summer working there as well.			
Volunteer Work Experience (2)			
Dates			
Description			
Why do you want to serve on the YAB?			
This past year serving on YAB has taught me some of the invaluable skills needed to be a successful leader. Not only must you be talented at planning events and coordinating details, but communicating with a large variety of people and collaborating with them is an essential asset to any organization. Additionally, being on a city-improving board has been rewarding. The highlight of every event was watching how it improved Oak Ridge as a whole. Putting events together is becoming even more important because doing so can help prevent teenage unsafe behaviors. For example, Battle of the Bands proved to be a huge success and drew multiple teens to a safe environment. This year, if accepted back to YAB, I will			

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End of Application for

Collier, Lauren

For Board:

Youth Advisory Board

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# Youth Advisory Board Applicants

Application Submission Date: 5/6/2013

Prefix	FirstName	LastName		
Ms.	Abigail	Douglas		
Address	City	St	Race (Optional):	
109 Graceland Road	Oak Ridge	TN	White	
Phone Number	Email			
(865) 425-4329	abbydouglas13@gmail.com			
Submission Date	Currently serving YAB?	Number of previous applications	Number of Years Served on YAB	
5/6/2013	No			
School Name				
Oak Ridge High School				
School Grade	GPA	Favorite Class		
12th		114.2		
Extra Curricular Activities				
1. "Ambassador Scout" (Troop Aide) for a Cadette Girl Scout troop				
2. member of the school's creative magazine staff				
3. recently inducted into National Honor Society				
4. member of French National Honor Society				
5. active in church activities such as local mission trips				
6. active pen pal				
7. babysitter, as called				
8. part-time job				

# Youth Advisory Board Applicants

## Volunteer Work Experience (1)

Food City

Dates

09/15/2012-present

Description

I work as a cashier at Food City (Oak Ridge) on Fridays and Saturdays. I'm responsible for totaling customers' orders, ensuring that they are able to find what they need, and have a pleasant experience in the store. Typically, I work about 8-12 hours a week.

## Volunteer Work Experience (2)

Girl Scout Troop 20713

Dates

October 2012-present

Description

I serve as an "ambassador scout" to the troop. I serve as a an older girl mentor to the members of the troop, all typically in 7th grade. I assist in meeting activities, stimulate discussion, and this summer, I will serve as a chaperone (to the best of my abilities, as I will still be a minor) for a four-day service trip to Savannah, Georgia.

Why do you want to serve on the YAB?

I believe that serving on YAB will give me the chance to meet new people and become more active in my community. It will be a learning experience, because I will be able to develop expression of my ideas and it will allow me to be part of a team.

I am rather shy, so I hope that being on a committee such as this will help me gain volunteer experience and a more active voice, but also allow me to "branch out" and relate better to my peers. I will be a part of something.

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End of Application for

Douglas, Abigail

For Board:

Youth Advisory Board

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# Youth Advisory Board Applicants

Application Submission Date: 5/22/2013

Prefix	FirstName	LastName	
Mr.	Richard	Goyette	
Address	City	St	Race (Optional):
112 Terri Lane	Oak Ridge	TN	White
Phone Number	Email		
865-274-8340	rickygoyette@comcast.net		
Submission Date	Currently serving YAB?	Number of previous applications	Number of Years Served on YAB
5/22/2013	Yes		11
School Name			
Oak Ridge High School			
School Grade	GPA	Favorite Class	
12th		3.93 French IV Honors	
Extra Curricular Activities			
International Relations Club- Attended UTHSMUN (UT Highschool Model United Nations) and NAIMUN (North American Invitational United Nations).			
Marching Band/Concert Band- Clarinet Section Leader			
SCOR (Soccer Club of Oak Ridge)			

## Youth Advisory Board Applicants

### Volunteer Work Experience (1)

#### Earth Day Festival

#### Dates

2011, 2012, 2013

#### Description

I've helped for three straight years at the Earth Day festival for two main reasons. I care about our planet, and I also enjoy volunteering. This year, despite the rain, was just as fun as my previous two years! I got to see many of my friends, and I was able to help keep the Earth Day Festival grounds clean! This is such a fun event because of all the people who make it possible, and the passion that they bring to the festival. I plan on doing it next year as well!

### Volunteer Work Experience (2)

#### Tennessee Citizens for Wilderness Planning

#### Dates

April 6, 2013

#### Description

The TCWP (Tennessee Citizens for Wilderness Planning) had an event on April 6 behind the Rolling Hills Apartments. This event was to help pull up and remove as much wild mustard (which is an invasive species) from the green way behind the Rolling Hills Apartments. Me and my AP Environmental Science teacher, and a few of my classmates attended this event, and we had a lot of fun! It was a beautiful day, and I quickly forgot that I was volunteering, and the three hours that we were

#### Why do you want to serve on the YAB?

I served on the YAB from 2012-2013, and I had a great time. I love to help others, whether it's Breakfast with Santa, or arranging a dodge-ball tournament for teens. The year I spent with YAB has helped me realize my passion for volunteering and helping others. This year, I made to almost, if not all, the events that we held, and I loved every second of it! I want to serve on the YAB because I like knowing that I've helped make a difference, big or small, in someone else's life, and I would love to be able to do it again.

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End of Application for

Goyette, Richard

For Board:

Youth Advisory Board

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# Youth Advisory Board Applicants

Application Submission Date: 5/21/2013

Prefix	FirstName	LastName		
Ms.	Shane	Harris		
Address	City	St	Race (Optional):	
105 Tamara Lane	Oak Ridge	TN		
Phone Number	Email			
865-483-7553	silverlightharris@gmail.com			
Submission Date	Currently serving YAB?	Number of previous applications	Number of Years Served on YAB	
5/21/2013	Yes		33	
School Name				
Oak Ridge High School				
School Grade	GPA	Favorite Class		
11th		3.8 English		
Extra Curricular Activities				
Masquers Drama Club				
Youth Advisory Board				
Men of Tomorrow				
Oak Ridge Playhouse				
Piano				
Oak Valley Youth Ministry				
Praise Dance Team				
Youth Choir				
Sound Company				

# Youth Advisory Board Applicants

Volunteer Work Experience (1)

Childrens Museum of Oak Ridge

Dates

Summer of 2010 and 2011

Description

Volunteer work, help with camps, cleaning, gardenin, etc.

Volunteeer Work Experience (2)

Oak Valley Youth Ministry

Dates

once every two months

Description

Feed the Hungry/Homeless in Knoxville. We set up tables and serve them food. Sometimes we sing or pray with them.

Why do you want to serve on the YAB?

I have served on the YAB for three years, and over that time I have seen it grow. More people learn about YAB. And the people I have worked with on the board have been amazing. I also think with a bit more of a push, and help from the rest of the community, YAB could change OakRidge for the better and have youth become more involved. They would be off the streets and no longer without a place to go. Given the strength and will of YA and the people that support us, we can make a difference. And for that reason, I want to serve on YAB of Oak Ridge.

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End of Application for

Harris, Shane

For Board:

Youth Advisory Board

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# Youth Advisory Board Applicants

Application Submission Date: 6/11/2013

Prefix	FirstName	LastName		
Mr.	Peter	Magill		
Address	City	St	Race (Optional):	
135 Center Park Lane	Oak Ridge	TN	white	
Phone Number	Email			
865-482-0009	atigerntn@comcast.net			
Submission Date	Currently serving YAB?	Number of previous applications	Number of Years Served on YAB	
6/11/2013	Yes		11	
School Name				
Oak Ridge High School				
School Grade	GPA	Favorite Class		
9th	3.8			
Extra Curricular Activities				
YAB 2012-2013				
Volunteer Work Experience (1)				
Dates				
Description				
Volunteer Work Experience (2)				
Dates				
Description				
Why do you want to serve on the YAB?				
Peter wishes to be appointed to serve a second term on YAB.				

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End of Application for

Magill, Peter

For Board:

Youth Advisory Board

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# Youth Advisory Board Applicants

Application Submission Date: 5/22/2013

Prefix	FirstName	LastName		
Mr.	Ryan	Mihealsick		
Address	City	St	Race (Optional):	
105 Wesley Ln	Oak Ridge	TN	White	
Phone Number	Email			
(865) 483-8822	rn.mihealsick@gmail.com			
Submission Date	Currently serving YAB?	Number of previous applications	Number of Years Served on YAB	
5/22/2013	No			
School Name				
Oak Ridge High School				
School Grade	GPA	Favorite Class		
12th		4.1 AP Micro/Macro-Economics		
Extra Curricular Activities				
ACAC Swimming				
ORHS Swimming				
ORCA Swimming				
National Honors Society				
French Club				
Juggling Club				

# Youth Advisory Board Applicants

Volunteer Work Experience (1)

OR Lifeguard

Dates

June 2012-Current

Description

Volunteer Work Experience (2)

Dates

Description

Why do you want to serve on the YAB?

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End of Application for

Mihealsick, Ryan

For Board:

Youth Advisory Board

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# Youth Advisory Board Applicants

Application Submission Date: 5/27/2013

Prefix	FirstName	LastName	
Ms.	Riley	Mosby	
Address	City	St	Race (Optional):
106 Havenill Hill Lane	Oak Ridge	TN	African American
Phone Number	Email		
(865) 482-4193	riley.mosby98@gmail.com		
Submission Date	Currently serving YAB?	Number of previous applications	Number of Years Served on YAB
5/27/2013	No		
School Name			
Oak Ridge High School			
School Grade	GPA	Favorite Class	
10th		English	
Extra Curricular Activities			
Spanish Club			
Marching Band			
Volunteer Work Experience (1)			
Rainbow Camp			
Dates			
2010-2012			
Description			
<p>Rainbow Camp is a week-long summer camp that explores different cultures and countries with an ethnically diverse group of elementary aged children. In 2010 I started as a CIT, (Counselor in Training. As a CIT I, helped the leaders and counselors with whatever task they need help with. These tasks ranged from being a "buddy" to problematic campers to helping wipe down tables at the end of the week. In 2011 I advanced in the program and became a camp counselor. My responsibilities included helping the campers with the daily activities and making sure the transitions from activity to activity went smoothly. I'm so thankful for the amazing experience that I will carry with me through my life.</p>			
Volunteer Work Experience (2)			
Friends of the Library Summer Reading Program			
Dates			
June 2011			
Description			
<p>As an avid reader/lover of books this was the perfect volunteering experience for me. Each session the library would invite special guests to come and entertain the children. As a volunteer, I would take a head count and assist the guest speakers with any tasks they needed to be done. Afterward, the children would play in the kids' library and the volunteers would help them pick out books to check out and take home. It was a very cool experience and I hope I get to do it again.</p>			
Why do you want to serve on the YAB?			
<p>I would love to have an opportunity to serve in a leadership role and to become involved in community activities. I am interested in planning fun activities for teens. I am certain I would bring a fresh, new perspective to the board. Personally, I have a tightly knit group of friends and there isn't much interaction between other groups. I think it would be fun to have activities designed to allow you to meet someone you ordinary wouldn't get to talk to.</p>			

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End of Application for

Mosby, Riley

For Board:

Youth Advisory Board

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# Youth Advisory Board Applicants

Application Submission Date: 4/4/2013

Prefix	FirstName	LastName		
Ms.	Ashley	Riedy		
Address	City	St	Race (Optional):	
82 Rolling Links Blvd.	Oak Ridge	TN	Female	
Phone Number	Email			
(865) 300-4910	riedyashley@yahoo.com			
Submission Date	Currently serving YAB?	Number of previous applications	Number of Years Served on YAB	
4/4/2013	No			
School Name				
Oak Ridge High School				
School Grade	GPA	Favorite Class		
10th	4.28	Mathematics		
Extra Curricular Activities				
-Spanish Club				
-violin (orchestra for 6 years)				
-Action Now club				
-actively involved with Young Life				

# Youth Advisory Board Applicants

Volunteer Work Experience (1)

Action Now Club

Dates

September-October of 2012

Description

Action Now is a club at the high school that is generally student governed. The student participants help decide what events and volunteer work that the group would like to participate in. The event I most enjoyed was collecting monetary donations for UNICEF during the fall months. It was a rewarding experience to be involved in something that was really giving back, and doing it with friends made it all the more fun.

Volunteer Work Experience (2)

Spanish Club

Dates

November-December of 2012

Description

During the months of November and December, Spanish Club members went shopping for a less fortunate hispanic family. We were able to pick out clothes, shoes, and even some toys for the children. We also accepted donations of gently used clothes and toys from other students at the school. I am so grateful to have this experience of helping out a family during the holiday season.

Why do you want to serve on the YAB?

I want to serve on the YAB because I'm very interested in being involved with the events they help plan. I was able to participate in the Angel Tree shopping this winter with one of my friends on the board, and it was such a great experience! I would love to be apart of something that helps make a difference in the community, especially with young adults like myself. I feel I could bring fresh and creative ideas to the table.

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End of Application for

Riedy, Ashley

For Board:

Youth Advisory Board

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# Youth Advisory Board Applicants

Application Submission Date: 5/24/2013

Prefix	FirstName	LastName	
Mr.	Wesley	Robinson	
Address	City	St	Race (Optional):
131 Brentwood Dr.	Oak Ridge	TN	
Phone Number	Email		
(865) 483-9586	wesleyrobinson22@gmail.com		
Submission Date	Currently serving YAB?	Number of previous applications	Number of Years Served on YAB
5/24/2013	No		
School Name			
Oak Ridge High School			
School Grade	GPA	Favorite Class	
11th	3.71	Chemistry	
Extra Curricular Activities			
International Relations Club			
ORHS Varsity Soccer			
Disc Golf Club			
Younglife			

## Youth Advisory Board Applicants

Volunteer Work Experience (1)

SCOR

Dates

Fall 09, Spring 10

Description

I helped with SCOR academy by preparing and helping children ages 6-10 on various soccer drills. I volunteered this time and enjoyed every minute of it playing the game I love with children that were fun to be around. I gained valuable knowledge in instructing children, specifically teaching them to play soccer.

Volunteer Work Experience (2)

JMS

Dates

Fall 10, Spring 11

Description

I was a member of the JMS student council as an 8th grader representing Mr. Jaeger's homeroom. We participated in volunteer activities such as recycling. I volunteered this time for the better of the school and enjoyed working with others.

Why do you want to serve on the YAB?

I would like to serve on YAB for a few reasons. First, I would like to help improve my hometown community in any way that I can. This could be anything from helping the elderly to helping organize the freshman sophomore dance. Secondly, I am a common user of many parks and athletic facilities around the city and would like to see these athletic fields stay in excellent condition. Finally, I would like to be a member of YAB because it is a productive way to spend all the free time I have on Wednesdays. Also, I would like to meet new people and spend positive time with them.

Please see additional attachments.

## **Wesley G. Robinson**

131 Brentwood Drive

Oak Ridge, Tennessee 37830

865.483.9586 (home)

865.824.8271 (cell)

[wesleyrobinson22@gmail.com](mailto:wesleyrobinson22@gmail.com)

### **Education**

- Currently a sophomore at Oak Ridge High School, Oak Ridge, Tennessee
- Courses previously or currently taking: PreCalculus Analysis Honors, Spanish I, II, III, Digital Arts & Design I, II
- Jefferson Middle School, 2007-2011

### **Achievements**

- Award of Excellence in Computer Applications, 2013
- Award of Excellence in Digital Arts & Design II, 2013
- Best Magazine Masthead Design in Digital Arts & Design II, 2013
- Most Improved for Oak Ridge High School Varsity Soccer Team, 2012

### **Extracurricular Activities**

- International Relations Club, 2013-present
- Oak Ridge High School Varsity Soccer Team (lettered), 2011-present
- Disc Golf Interest Club, 2012-present
- Oak Ridge Young Life, 2012-present
- Tropics Basketball, Oak Ridge Civic Center Basketball League, 2011-present

### **Work Experience**

- Briarcliff Community Club Lifeguard, 2013-present, Supervisor: Glenn Romanoski

### **Computer Skills**

- Completed Courses of Study in Microsoft Office 2010: Word, Excel, and PowerPoint
- Proficient in Adobe CS5: Illustrator, Photoshop, Flash, and InDesign
- Proficient with PC and Mac

### **Volunteer Activities**

- Helper with Soccer Club of Oak Ridge Academy Program, Fall 2009 and Spring 2010
- Member of Jefferson Middle School student council, 2010-2011

### **References**

Available upon request

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End of Application for

Robinson, Wesley

For Board:

Youth Advisory Board

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# Youth Advisory Board Applicants

Application Submission Date: 5/21/2013

Prefix	FirstName	LastName	
Ms.	Laura	Skipper	
Address	City	St	Race (Optional):
127 Baltimore Drive	Oak Ridge	TN	Caucasian
Phone Number	Email		
865-483-0547	lskipper30@yahoo.com		
Submission Date	Currently serving YAB?	Number of previous applications	Number of Years Served on YAB
5/21/2013	Yes		11
School Name			
Oak Ridge High School			
School Grade	GPA	Favorite Class	
10th		4.21 English	
Extra Curricular Activities			
I am a competitive dancer at Oak Ridge Academy of Dance on ORDTTA, Nationals, and the CDE teams as well as taking at least 10.5 hours of regular classes on week nights and being a part of the ORHS Dancecats. I was a part of YAB this past year as well as a member of the High School Spanish Club, and I'm a member of the Orchestra's Thursday Quartet.			
Volunteer Work Experience (1)			
YAB			
Dates			
November 28			
Description			
I went Angel Tree shopping with YAB for Christmas presents to give to children we picked off of the tree. I really enjoyed getting to make the most out of our money to give the child the best possible gifts we could. It was a nice eye opening experience right before Christmas to remember the spirit of the holiday and to be thankful for all that we have. I'll definitely be wanting to do more things like it this coming year.			
Volunteer Work Experience (2)			
Girls Inc.			
Dates			
Once a month			
Description			
We hosted the Girls Inc. Girl of the Month party at our first meeting each month by ordering and serving pizza to the girls and taking a picture with the chosen girl of the month. The girls always brightened my days and I had a great experience each time. I definitely would like to continue with this as well.			
Why do you want to serve on the YAB?			
I enjoyed my experience this past year on the board, so I'd like to do it again. I enjoyed getting to be a part of decisions made in the community and being first to know about many events being hosted. I had fun getting to put my ideas into all of our activities this year. But mostly, I felt more informed and actively involved in the Oak Ridge community than I ever had before.			

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End of Application for Skipper, Laura

For Board: Youth Advisory Board

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# Youth Advisory Board Applicants

Application Submission Date: 6/1/2013

Prefix	FirstName	LastName	
Mr.	Joel	Turner	
Address	City	St	Race (Optional):
107 Esquire Ct.	Oak Ridge	TN	white
Phone Number	Email		
(865) 481-0621	j-aturner@comcast.net		
Submission Date	Currently serving YAB?	Number of previous applications	Number of Years Served on YAB
6/1/2013	No		
School Name			
Oak Ridge High School			
School Grade	GPA	Favorite Class	
10th		4.21 Math	
Extra Curricular Activities			
Soccer, golf, basketball, church, youth group			
Volunteer Work Experience (1)			
Soccer Referee			
Dates			
Past 2 years			
Description			
Reffed youth/club soccer games			
Volunteer Work Experience (2)			
Dates			
Description			
Why do you want to serve on the YAB?			
I would like to be involved in the community. I would also like to recommend and plan activities for students my age.			

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End of Application for

Turner, Joel

For Board:

Youth Advisory Board

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# Youth Advisory Board Applicants

Application Submission Date: 5/29/2013

Prefix	FirstName	LastName	
Mr.	Lewis	Wang	
Address	City	St	Race (Optional):
304 E. Faunce Ln.	Oak Ridge	TN	
Phone Number	Email		
(865) 675-6066	lewwiswang@gmail.com		
Submission Date	Currently serving YAB?	Number of previous applications	Number of Years Served on YAB
5/29/2013	No		
School Name			
Oak Ridge High School			
School Grade	GPA	Favorite Class	
10th		4 History	
Extra Curricular Activities			
Oak Ridge High School Soccer			
Scholars Bowl			
Competitive club soccer			
Science Bowl			
Science Olympiad			
History Bowl			
Spanish Club			

# Youth Advisory Board Applicants

Volunteer Work Experience (1)

Oak Ridge Children's Museum

Dates

Summer 2012

Description

I did a large assortment of jobs from cleaning to leading summer camps as a counselor or assistant. I worked in the preschool, wood shop, and clay.

Volunteer Work Experience (2)

Dates

Description

Why do you want to serve on the YAB?

I would like to serve on YAB because Peter Magill took me to one of the meetings, and I thought it was extremely interesting and would like to contribute my ideas to the organization. Also I would like to get the experience of organizing larger scaled events, like the ones this year's YAB members did.

---

End of Application for

Wang, Lewis

For Board:

Youth Advisory Board

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# Youth Advisory Board Applicants

Application Submission Date: 4/3/2013

Prefix	FirstName	LastName	
Ms.	Kelsey	Warmbrod	
Address	City	St	Race (Optional):
106 Neville Lane	Oak Ridge	TN	(no reply)
Phone Number	Email		
(865)425-0651	kwarmbrod@hotmail.com		
Submission Date	Currently serving YAB?	Number of previous applications	Number of Years Served on YAB
4/3/2013	Yes		44
School Name			
Oak Ridge High School			
School Grade	GPA	Favorite Class	
12th		4.5 Microbiology	
Extra Curricular Activities			
Lifeguarding			
Coaching ORCA			
NHC Nursing Home Volunteer			
High School Swimming			
Medical Explorations			
Volunteer Work Experience (1)			
Oak Ridge Rowing Association			
Dates			
2009-2013			
Description			
General volunteer for all home regattas held at the local course. Help clean venue, give out awards, and deliver lunch to volunteers.			
Volunteer Work Experience (2)			
City of Oak Ridge			
Dates			
2011-2013			
Description			
Lifeguard, swim lessons instructor, coach for ORCA			
Why do you want to serve on the YAB?			
I enjoy working on the events and volunteering at each every year. I also like to have a say in city policies. This up coming year I hope to run for president as well.			

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End of Application for

Warmbrod, Kelsey

For Board:

Youth Advisory Board

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# Youth Advisory Board Applicants

Application Submission Date: 5/17/2013

Prefix	FirstName	LastName		
Ms.	Shichen	Zhang		
Address	City	St	Race (Optional):	
110 Tiffany Pl.	Oak Ridge	TN	Asian	
Phone Number	Email			
(865) 228-8619	shichen98@gmail.com			
Submission Date	Currently serving YAB?	Number of previous applications	Number of Years Served on YAB	
5/17/2013	No			
School Name	Oak Ridge High School			
School Grade	GPA	Favorite Class		
10th		4.35 Algebra II/Trig		
Extra Curricular Activities	I have been an active member of student council and the concessions committee. I also swim on the high school swim team. Other activities I do include: Piano, Technology Student Association, science bowl, science olympiad, scholars bowl, and math club. I've also recently started modeling for GAGE Talent, Inc.			
Volunteer Work Experience (1)	Children's Museum of Oak Ridge			
Dates	June 2011- Present			
Description	Working with CMOR has been an unforgettable experience. Some of the most fun activities include helping out at summer camps and working with the afterschool program. I always have a blast playing with the kids as well as helping out with the adults.			
Volunteer Work Experience (2)	GAGE Talent, Inc.			
Dates	2013- Present			
Description	Even though I've only started working for GAGE recently, it could not have been a more fantastic opportunity. Especially after walking Knoxville Fashion Week, I've put in a lot more effort into making my modeling career a success. Modeling has helped me become more confident and open. This activity is a great deviation from the more academic activities I associate myself with.			
Why do you want to serve on the YAB?	I was a proud member of the 2011-2012 YAB but due to doctors appointments and sicknesses, I was not readmitted to be part of this organization. Through high school swimming, my immune system has become much stronger. YAB was such an amazing opportunity and I loved hosting the numerous activities. I want to make Oak Ridge a more fun and safe place for teens.			

Please see additional attachments.

## **Shichen Zhang**

110 Tiffany Pl.

Oak Ridge, TN 37830

Phone: 8652288619

Email: [shichen98@gmail.com](mailto:shichen98@gmail.com)

### **Education**

Oak Ridge High School 2012- Present

GPA: 4.357

### **Work Experience**

Model at GAGE Talent, Inc. 2013- Present

### **Skills**

- Avid swimmer
- Piano player
- Speaks Chinese and minimal French
- Fluent in Microsoft Word

### **Extracurricular**

- Scholar's Bowl
- Science Bowl
- Science Olympiad
- Student Council
- Technology Student Association
- Math Club
- High School Swim Team

### **Awards and Accomplishments**

- Science Olympiad Regional and State Medalist
- Technology Student Association State Winner
- Knox- area Interscholastic Swim League State Finalist

- History Bowl State Winner
- Tennessee Mathematics Teachers' Association Regional Finalist
- National French Contest State and National Finalist
- TMFA Piano Difficult Sonata Winner

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End of Application for

Zhang, Shichen

For Board:

Youth Advisory Board

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CITY COUNCIL MEMORANDUM  
13-13

DATE: June 27, 2013  
TO: Honorable Mayor and Members of City Council  
FROM: Mark S. Watson, City Manager  
SUBJECT: CONFIRMATION OF NOMINATION BY ORUD  
BOARD OF COMMISSIONERS

The attached communication from the Oak Ridge Utility District (ORUD) Board of Commissioners nominates James W. Charles, III, to succeed himself as a Commissioner of the Utility District and petitions City Council to confirm his nomination. I met with the ORUD Board of Commissioners on June 26, 2013 and join with them in recommending the reappointment of Mr. Charles to fill the five-year term beginning July 1, 2013 and ending June 30, 2018.



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Mark S. Watson

Attachments

**TO THE HONORABLE MAYOR AND CITY COUNCIL  
OF THE CITY OF OAK RIDGE, TENNESSEE**

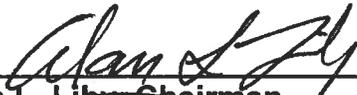
1. That, pursuant to Chapter 503 of the Private Acts of 1951 for the State of Tennessee, there was created a municipal corporation designated as "Oak Ridge Utility District,"
2. That, Section 3 of said Chapter 503, as amended, provides for a Board of Commissioners to be appointed to administer and operate said District and pursuant to the provisions of said Section 3, a Board of Commissioners has been duly nominated, appointed and confirmed by proper nominations and petitions for appointments by the Board of Commissioners of Oak Ridge Utility District and the City Manager of the City of Oak Ridge, and said nominations having been approved and confirmed by the City Council of the City of Oak Ridge, as follows:
  - a. On July 1, 2008, James W. Charles, III was duly nominated and appointed for a five-year term expiring June 30, 2013.
  - b. On July 1, 2009, the term of Alan L. Liby expired, and he was duly nominated and re-appointed to a five-year term expiring June 30, 2014.
  - c. On July 1, 2010, Dr. Thomas L. Clary, III, was duly nominated and re-appointed to a five-year term expiring June 30, 2015.
  - d. On July 1, 2011, the term of James E. Rushton expired, and he was duly nominated and re-appointed to a five-year term expiring June 30, 2016.
  - e. On July 1, 2012, the term of Nancy S. Riser expired and she was duly nominated and re-appointed to a five-year term expiring June 30, 2017
3. That, on June 30, 2013, the term of Commissioner James W. Charles, III expires, thereby creating a vacancy in the membership of the Board of Commissioners of Oak Ridge Utility District.
4. That Section 3 of said Chapter 503 provides that whenever a vacancy occurs on the Board of Commissioners for Oak Ridge Utility District, a successor shall be nominated by a majority vote of the remaining members of the Board of Commissioners and the City Manager for the City of Oak Ridge, then the name of the person so nominated shall be submitted to the City Council of Oak Ridge, Tennessee, for approval and confirmation and within twenty days from the submission of such name to such City Council, the Council shall act upon the nomination and advise the District thereof.

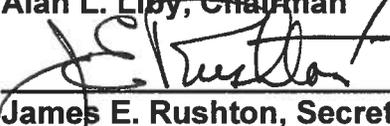
5. That James W. Charles, III, of Oak Ridge, Tennessee, has been duly nominated to fill the vacancy created by the expiration of ~~his~~ current term, beginning July 1, 2013 and expiring on June 30, 2018, such nomination being made by a majority vote of the remaining members of the Board of Commissioners of Oak Ridge Utility District and the City Manager of Oak Ridge, Tennessee, as evidenced by the Resolution attached hereto.

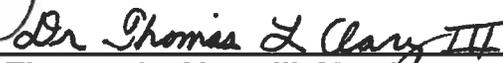
**Wherefore**, the undersigned Petitioners pray that Oak Ridge City Council confirm the nomination of James W. Charles, III as Commissioner of the Oak Ridge Utility District to serve a five-year term beginning July 1, 2013 and ending June 30, 2018, as authorized by Chapter 503 of the 1951 Private Acts of the State of Tennessee.

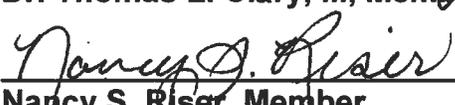
RESPECTFULLY SUBMITTED THIS \_\_\_\_ DAY OF \_\_\_\_\_, 2013,

**BOARD OF COMMISSIONERS OF OAK RIDGE  
UTILITY DISTRICT:**

  
\_\_\_\_\_  
Alan L. Liby, Chairman

  
\_\_\_\_\_  
James E. Rushton, Secretary

  
\_\_\_\_\_  
Dr. Thomas L. Clary, III, Member

  
\_\_\_\_\_  
Nancy S. Riser, Member

**CITY OF OAK RIDGE, TENNESSEE:**

  
\_\_\_\_\_  
Mark S. Watson, City Manager

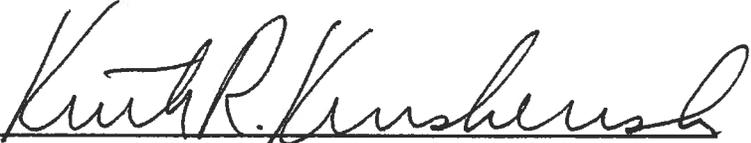
**APPROVED BY OAK RIDGE CITY COUNCIL**  
THE \_\_\_\_ DAY of \_\_\_\_\_ 2013,

\_\_\_\_\_  
**MAYOR**

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CITY CLERK

APPROVED AS TO FORM AND LEGALITY:



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Kenneth R. Krushenski, City of Oak Ridge, Attorney



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James T. Normand, ORUD General Counsel

**RESOLUTION NOMINATING Mr. James W. Charles, III TO THE BOARD OF COMMISSIONERS OF OAK RIDGE UTILITY DISTRICT**

**A RESOLUTION** to nominate **Mr. James W. Charles, III**, to be a member of the Board of Commissioners of Oak Ridge Utility District, to fill the vacancy created by the expiration of his current term as a Commissioner of the Oak Ridge Utility District, and to petition the Mayor and City Council of Oak Ridge, Tennessee, to confirm said nomination.

**WHEREAS**, by Chapter 503 of the 1951 Private Acts of Tennessee, there was created a municipal corporation designated as "Oak Ridge Utility District," and

**WHEREAS**, Section 3 of Chapter 503 provides that whenever a vacancy occurs or thirty days prior to the expiration of the term of office of any commissioner, the Chief Executive Officer of the City (the City Manager) shall meet with the Board of Commissioners of the District, exclusive of the commissioner whose term of office is about to expire, and nominate a commissioner by a majority vote, and to submit the name of said nominee to the Oak Ridge City Council for confirmation, and within twenty days from the submission of such name to City Council, the Council shall act upon the nomination and advise the District thereof, and

**WHEREAS**, the current term of office of **Mr. James W. Charles, III**, expires on June 30, 2013, and

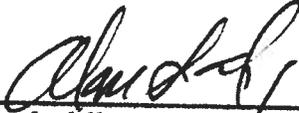
**WHEREAS**, the remaining members of the Board of Commissioners and the City Manager unanimously agree that Oak Ridge Utility District will greatly benefit by the continued service of **Mr. James W. Charles, III**, on the Board, and

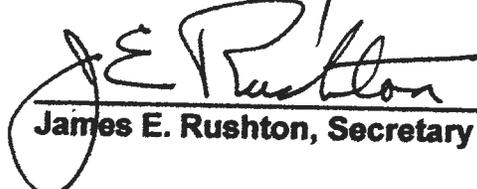
**WHEREAS**, **Mr. James W. Charles, III**, is desirous and willing to serve another term on the Board of Commissioners;

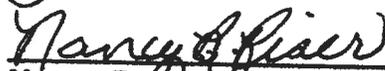
**NOW THEREFORE**, be it resolved by the Board of Commissioners of the Oak Ridge Utility District of Oak Ridge, Tennessee, along with the City Manager of the City of Oak Ridge, Tennessee, that **Mr. James W. Charles, III**, of Oak Ridge, Tennessee, be and hereby is nominated to serve a five-year term on the Board of Commissioners of Oak Ridge Utility District beginning July 1, 2013 and ending June 30, 2018.

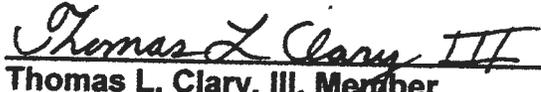
APPROVED THIS \_\_\_ DAY OF \_\_\_\_\_, 2013,

**BOARD OF COMMISSIONERS OF OAK  
RIDGE UTILITY DISTRICT:**

  
\_\_\_\_\_  
Alan L. Liby, Chairman

  
\_\_\_\_\_  
James E. Rushton, Secretary

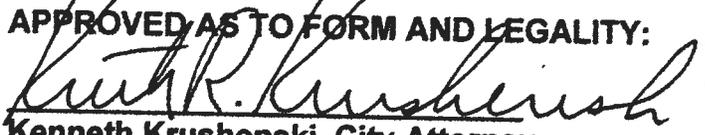
  
\_\_\_\_\_  
Nancy B. Riser, Member

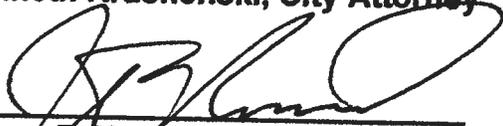
  
\_\_\_\_\_  
Thomas L. Clary, III, Member

**CITY OF OAK RIDGE | TENNESSEE:**

  
\_\_\_\_\_  
Mark Watson, City Manager

**APPROVED AS TO FORM AND LEGALITY:**

  
\_\_\_\_\_  
Kenneth Krushenski, City Attorney

  
\_\_\_\_\_  
James T. Normand, ORUD Attorney

**PUBLIC WORKS DEPARTMENT MEMORANDUM  
13-13**

**DATE:** June 25, 2013  
**TO:** Mark S. Watson, City Manager  
**FROM:** Gary M. Cinder, P.E., Public Works Director  
**SUBJECT:** ANNUAL ORDER – TREE REMOVAL AND TRIMMING SERVICES

Introduction

An item for City Council's consideration is a negotiated annual order for the provision of tree removal and trimming services for the Public Works Department in the estimated amount of \$35,000.

Funding

Trees are periodically required to be removed or trimmed from sewer easements, water main easements, street right-of-way and city properties. When a tree is removed or trimmed the appropriate fund will be charged with the expense, such as the waterworks, general maintenance or state street aid.

Background/Analysis/Review/Consideration

It is the responsibility of the Public Works Department for tree removal and trimming services for trees located in the sewer easements, water main easements, street right-of-way and on City property. The removal and trimming of the trees are usually in response to a complaint or an observation by staff.

When it is determined that tree removal or trimming services are required, Public Works personnel solicit quotes from area contractors such as Poore's Tree Service, Clinton, TN, Blank's Tree Service, Harriman, TN and Wolf Tree Experts, Inc., Knoxville, TN. These three contractors provide liability insurance information to the Legal Department and are willing to perform the work and wait until the City issues them payment, sometimes thirty days after the work is complete. It is not common for small contractors to provide the necessary information to the Legal Department (with no guarantee of work) and be able to wait for payment.

Once the quotes are received for tree removal or trimming services, the award is made based on price and availability. Historically, a majority of the work for these services has been awarded to Poore's Tree Service based on price. It is not known year to year how many trees will need to be trimmed or removed, with some years exceeding the \$25,000 spending authorization of staff.

Recommendation

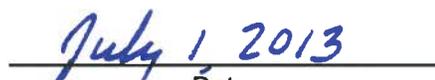
Staff recommends approval of the attached resolution as submitted. Funds are budgeted and available in fiscal year 2014 and included in the existing property tax and utility rates. As the recommendation is that competitive bids be waived, Council is reminded that a unanimous vote is required for approval.

  
\_\_\_\_\_  
Gary M. Cinder, P.E.

**City Manager's Comments:**

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

  
\_\_\_\_\_  
Mark S. Watson

  
\_\_\_\_\_  
Date

**RESOLUTION**

A RESOLUTION WAIVING COMPETITIVE BIDS AND MAKING AWARDS TO POORE'S TREE SERVICE, BLANK'S TREE SERVICE, WOLF TREE EXPERTS, INC., AND OTHER SUITABLE COMPANIES AS NEEDED FOR TREE REMOVAL AND TRIMMING SERVICES FOR THE PUBLIC WORKS DEPARTMENT FOR FISCAL YEAR 2014 IN THE ESTIMATED AMOUNT OF \$35,000.00.

WHEREAS, the City of Oak Ridge has need for certain routine materials, equipment and services during Fiscal Year 2014 (July 1, 2013 through June 30, 2014) that do not lend themselves to the normal competitive bidding procedure; and

WHEREAS, the Public Works Department is responsible for tree removal and trimming services for trees located in the sewer easements, water main easements, street rights-of-way, and on City property; and

WHEREAS, when a need for service arises, the Public Works Department solicits quotes from area contractors that are willing and able to provide the City with the required proof of liability insurance and are willing and able to follow the City's payment process, and then award is made based upon price and availability; and

WHEREAS, in the past, those companies have been Poore's Tree Service, Blank's Tree Service, and Wolf Tree Experts, Inc.; and

WHEREAS, the City Manager recommends that competitive bids be waived and awards be made to Poore's Tree Service, Blank's Tree Service, and Wolf Tree Experts, Inc., and other suitable companies as needed for tree removal and trimming services for the Public Works Department.

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

That the recommendation of the City Manager that competitive bids be waived is approved and awards are hereby made to Poore's Tree Service, Blank's Tree Service, Wolf Tree Experts, Inc., and other suitable companies as needed for tree removal and trimming services for the Public Works Department for FY2014 (July 1, 2013 through June 30, 2014), in the estimated amount of \$35,000.00

BE IT FURTHER RESOLVED that the Mayor and/or City Manager are hereby authorized to execute contracts for and on behalf of the City of Oak Ridge in connection with supplying the above services, where required by law.

This the 8th day of July 2013.

APPROVED AS TO FORM AND LEGALITY:



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

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

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

**PUBLIC WORKS DEPARTMENT MEMORANDUM  
13-14**

**DATE:** June 25, 2013  
**TO:** Mark S. Watson, City Manager  
**FROM:** Gary M. Cinder, P.E., Public Works Director  
**SUBJECT: ANNUAL ORDER – STREET RESURFACING EMERGENCY SERVICE**

Introduction

An item for City Council's consideration is a negotiated annual order for the provision of street resurfacing emergency service with Rogers Group, Inc., Oak Ridge, TN, for the Public Works Department in the estimated amount of \$150,000.

Funding

At times, such as a water break on the Turnpike or other major street, it is required for the street to be resurfaced quickly to allow for daily traffic flow. When these services are required, the appropriate fund will be charged with the expense such as waterworks, state street aid, or state highway maintenance.

Background/Analysis/Review/Consideration

Rogers Group, Inc. has historically been awarded, based on sole bid and/or low bid, street resurfacing contracts for the City. Rogers Group, Inc. is an Oak Ridge business and has an excellent working relationship with the City. A majority of the time these services are required, the resurfacing is also too large or difficult for the City crews and equipment to complete. When the need for these services arises, staff reviews the work with Rogers Group, Inc. on site and negotiates a price and time schedule for the work.

Recommendation

Staff recommends approval of the attached resolution as submitted. Funds are budgeted and available in fiscal year 2014 and included in the existing property tax and utility rates. As the recommendation is that competitive bids be waived, Council is reminded that a unanimous vote is required for approval.



Gary M. Cinder, P.E.

**City Manager's Comments:**

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



Mark S. Watson



Date

**RESOLUTION**

A RESOLUTION WAIVING COMPETITIVE BIDS AND MAKING AN AWARD TO ROGERS GROUP, INC., FOR EMERGENCY STREET RESURFACING FOR THE PUBLIC WORKS DEPARTMENT FOR FISCAL YEAR 2014 IN THE ESTIMATED AMOUNT OF \$150,000.00.

WHEREAS, the City of Oak Ridge has need for certain routine materials, equipment and services during Fiscal Year 2014 (July 1, 2013 through June 30, 2014) that do not lend themselves to the normal competitive bidding procedure; and

WHEREAS, there are times—such as a water break on a major street—when emergency street resurfacing must take place in order to allow for daily traffic flow; and

WHEREAS, Rogers Group, Inc., an Oak Ridge business, has historically been awarded street resurfacing contracts with the City based upon lowest and best bid or sole bid, and Rogers Group, Inc., is the City's current street resurfacing contractor pursuant to Resolution 4-23-2013; and

WHEREAS, the City Manager recommends that competitive bids be waived and award be made to Rogers Group, Inc., for emergency street resurfacing for the Public Works Department.

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

That the recommendation of the City Manager that competitive bids be waived is approved and award is hereby made to Rogers Group, Inc., for emergency street resurfacing for the Public Works Department for FY2014 (July 1, 2013 through June 30, 2014), in the estimated amount of \$150,000.00

BE IT FURTHER RESOLVED that the Mayor and/or City Manager are hereby authorized to execute contracts for and on behalf of the City of Oak Ridge in connection with supplying the above services, where required by law.

This the 8th day of July 2013.

APPROVED AS TO FORM AND LEGALITY:



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

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

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

**PUBLIC WORKS DEPARTMENT MEMORANDUM  
13-15**

**DATE:** June 25, 2013  
**TO:** Mark S. Watson, City Manager  
**FROM:** Gary M. Cinder, P.E., Public Works Director  
**SUBJECT: ANNUAL ORDER – STREET STRIPING SERVICES**

Introduction

An item for City Council's consideration is a negotiated annual order for the provision of street striping services for the Public Works Department in the estimated amount of \$85,000.

Funding

As street striping services are required, the appropriate fund will be charged the expense such as state street aid, special revenue, state highway maintenance or general maintenance.

Background/Analysis/Review/Consideration

Throughout the year, street striping services may be required for lane lines or specialty markings that staff does not have the equipment to complete. These services are required to make the roadway safe, as complaints are received or observations by staff. Two contractors are available to provide these services; Superior Pavement Marking, Inc. and Volunteer Pavement Marking, Inc.

When the need for these services arises, staff receives quotes from the two contractors with the award based on price and/or availability. Historically, the cost for each service is less than \$25,000, but some years the City has had to utilize these services several times throughout the year.

Recommendation

Staff recommends approval of the attached resolution as submitted. Funds are budgeted and available in fiscal year 2014 and included in the existing property tax and utility rates. As the recommendation is that competitive bids be waived, Council is reminded that a unanimous vote is required for approval.



Gary M. Cinder, P.E.

**City Manager's Comments:**

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



Mark S. Watson

  
Date

**RESOLUTION**

A RESOLUTION WAIVING COMPETITIVE BIDS AND MAKING AWARDS TO SUPERIOR PAVEMENT MARKING, INC., AND VOLUNTEER PAVEMENT MARKING, INC., FOR STREET STRIPING SERVICES FOR THE PUBLIC WORKS DEPARTMENT FOR FISCAL YEAR 2014 IN THE ESTIMATED AMOUNT OF \$85,000.00.

WHEREAS, the City of Oak Ridge has need for certain routine materials, equipment and services during Fiscal Year 2014 (July 1, 2013 through June 30, 2014) that do not lend themselves to the normal competitive bidding procedure; and

WHEREAS, throughout the year street striping services are required for lane lines and specialty markings in order to maintain safe roadways; and

WHEREAS, city staff does not have the equipment to complete said services and has utilized the services of Superior Pavement Marking, Inc., and Volunteer Pavement Marking, Inc., for said services in the past; and

WHEREAS, the City Manager recommends that competitive bids be waived and awards be made to Superior Pavement Marking, Inc., and Volunteer Pavement Marking, Inc., for street striping services for the Public Works Department.

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

That the recommendation of the City Manager that competitive bids be waived is approved and awards are hereby made to Superior Pavement Marking, Inc., and Volunteer Pavement Marking, Inc., for street striping services for the Public Works Department for FY2014 (July 1, 2013 through June 30, 2014), in the estimated amount of \$85,000.00

BE IT FURTHER RESOLVED that the Mayor and/or City Manager are hereby authorized to execute contracts for and on behalf of the City of Oak Ridge in connection with supplying the above services, where required by law.

This the 8th day of July 2013.

APPROVED AS TO FORM AND LEGALITY:



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

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

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

**PUBLIC WORKS DEPARTMENT MEMORANDUM  
13-16**

**DATE:** June 25, 2013  
**TO:** Mark S. Watson, City Manager  
**FROM:** Gary M. Cinder, P.E., Public Works Director  
**SUBJECT: ANNUAL ORDER – MINOR MANHOLE REHABILITATION**

Introduction

An item for City Council's consideration is a negotiated annual order for the provision of minor manhole rehabilitation for the Public Works Department in the estimated amount of \$50,000.

Funding

As these services are required, the waterworks fund (sewer) will be charged the expense.

Background/Analysis/Review/Consideration

This negotiated annual order is a new request for fiscal year 2014. It is being recommended based on the post rehabilitation inspections made of the Emory Valley Sewer Shed. During the winter and spring of 2013, Public Works personnel smoke tested and inspected the manholes in the Emory Valley Sewer Shed as post inspection after rehabilitation as required by the MOM.

The sewer rehabilitation contracts did not require the repair of every manhole in the sewer shed. The City inspection of the manholes and review of the post construction Closed Circuit Television (CCTV) inspection revealed minor deficiencies in several manholes that were not included in the rehabilitation contract. These deficiencies are tracked in the information management system, Infor.

Once several repairs are identified, contractors such as Curly Contracting, Winchester, IN; Bruce Long Company, Marshall, AR; C.K. Masonry Company, Inc., Nashville, TN and CIPP Technical Services, Knoxville, TN will be contacted to solicit a quote for the work required. These companies also contract with KUB for minor manhole rehabilitation, so the City will coordinate with them to decrease the cost of mobilization, i.e. they can repair our manholes while they are working in Knoxville for KUB. The award will be based on price and/or availability.

Recommendation

Staff recommends approval of the resolution as submitted. Funds are budgeted and available in fiscal year 2014 and included in the existing utility rates. As the recommendation is that competitive bids be waived, Council is reminded that a unanimous vote is required for approval.

  
\_\_\_\_\_  
Gary M. Cinder, P.E.

**City Manager's Comments:**

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

  
\_\_\_\_\_  
Mark S. Watson

  
\_\_\_\_\_  
Date

**RESOLUTION**

A RESOLUTION WAIVING COMPETITIVE BIDS AND MAKING AWARDS TO CURLY CONTRACTING, BRUCE LONG COMPANY, C.K. MASONRY COMPANY, INC., CIPP TECHNICAL SERVICES, AND OTHER SUITABLE COMPANIES AS NEEDED FOR MINOR MANHOLE REHABILITATION FOR THE PUBLIC WORKS DEPARTMENT FOR FISCAL YEAR 2014 IN THE ESTIMATED AMOUNT OF \$50,000.00.

WHEREAS, the City of Oak Ridge has need for certain routine materials, equipment and services during Fiscal Year 2014 (July 1, 2013 through June 30, 2014) that do not lend themselves to the normal competitive bidding procedure; and

WHEREAS, post rehabilitation inspections of the Emory Valley Sewer Shed revealed minor deficiencies in several manholes that were not included as a part of the overall rehabilitation contract; and

WHEREAS, once several repairs are identified, the Public Works Department will solicit quotes from contractors such as Curly Contracting, Bruce Long Company, C.K. Masonry Company, Inc., and CIPP Technical Services, and then awards will be made based upon price and availability; and

WHEREAS, the above companies provide minor rehabilitation services to KUB and efforts will be made to coordinate the work while the companies are working in Knoxville to decrease the cost of mobilization; and

WHEREAS, the City Manager recommends that competitive bids be waived and awards be made to Curly Contracting, Bruce Long Company, C.K. Masonry Company, Inc., CIPP Technical Services, and other suitable companies as needed for minor manhole rehabilitation for the Public Works Department.

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

That the recommendation of the City Manager that competitive bids be waived is approved and awards are hereby made to Curly Contracting, Bruce Long Company, C.K. Masonry Company, Inc., CIPP Technical Services, and other suitable companies as needed for minor manhole rehabilitation for the Public Works Department for FY2014 (July 1, 2013 through June 30, 2014), in the estimated amount of \$50,000.00

BE IT FURTHER RESOLVED that the Mayor and/or City Manager are hereby authorized to execute contracts for and on behalf of the City of Oak Ridge in connection with supplying the above services, where required by law.

This the 8th day of July 2013.

APPROVED AS TO FORM AND LEGALITY:



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

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

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

**PUBLIC WORKS DEPARTMENT MEMORANDUM**  
**13-17**

**DATE:** June 25, 2013  
**TO:** Mark S. Watson, City Manager  
**FROM:** Gary M. Cinder, P.E., Public Works Director  
**SUBJECT: ANNUAL ORDER – GRAVITY SEWER CLEANING AND/OR CLOSED CIRCUIT TELEVISION (CCTV) INSPECTION**

Introduction

An item for City Council's consideration is a negotiated annual order for the provision of gravity sewer cleaning and/or closed circuit television (CCTV) inspection services for the Public Works Department in the estimated amount of \$200,000.

Funding

As these services are required, the waterworks fund (sewer) will be charged the expense.

Background/Analysis/Review/Consideration

The City sewer system includes approximately 192,000 feet of line that is 10" to 42" in diameter that must be cleaned and/or CCTV in compliance with the MOM. The larger diameter sewer lines are generally the last runs of pipe that transport the sewer to a final destination at a major pumping station or the wastewater treatment plant. Therefore, these lines tend to have a significant flow and in order to clean or CCTV a section of the line, bypass pumping is required to remove this flow from the line being cleaned and inspected.

The City sewer system includes three large pump stations; East Plant, Emory Valley and Turtle Park, that may require cleaning during the year. When one of the large pump stations is cleaned, bypass pumping and a hauling system for the sewer to be transported to a discharge point are required.

The City does not currently have the manpower or equipment to set up bypass pumping to clean or CCTV the large diameter lines, nor to set up a hauling system to transport the sewer from the larger pump stations to a discharge point. The City's sewer vacuum truck is not adequate to pump out the larger and deeper sewer pump stations.

When the need for these services arises, staff will request quotes from contractors such as Performance Contracting Group (PCI Branch), Knoxville, TN, Rather Sewer Inspection Services, Oliver Springs, TN, and Intuitive Technologies, Inc., Knoxville, TN. The award will be based on price and/or availability to perform the work timely.

Recommendation

Staff recommends approval of the attached resolution as submitted. Funds are budgeted and available in fiscal year 2014 and included in the existing utility rates. As the recommendation is that competitive bids be waived, Council is reminded that a unanimous vote is required for approval.

  
\_\_\_\_\_  
Gary M. Cinder, P.E.

**City Manager's Comments:**

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

  
\_\_\_\_\_  
Mark S. Watson

  
\_\_\_\_\_  
Date

**RESOLUTION**

A RESOLUTION WAIVING COMPETITIVE BIDS AND MAKING AWARDS TO PERFORMANCE CONTRACTING GROUP (PCI BRANCH), RATHER SEWER INSPECTION SERVICES, INTUITIVE TECHNOLOGIES INC., AND OTHER SUITABLE COMPANIES AS NEEDED FOR SEWER CLEANING AND CCTV INSPECTION FOR THE PUBLIC WORKS DEPARTMENT FOR FISCAL YEAR 2014 IN THE ESTIMATED AMOUNT OF \$200,000.00.

WHEREAS, the City of Oak Ridge has need for certain routine materials, equipment and services during Fiscal Year 2014 (July 1, 2013 through June 30, 2014) that do not lend themselves to the normal competitive bidding procedure; and

WHEREAS, the City's sewer system must be cleaned and/or CCTV inspected in compliance with the City's Management, Operation and Maintenance (MOM) Program required by the EPA Administrative Order; and

WHEREAS, city staff does not have the manpower or equipment to bypass pumping to clean and/or CCTV the large diameter lines in the sewer system, nor to set up a hauling system to transport the sewer from the larger pump station to a discharge point; and

WHEREAS, when a need for service arises, the Public Works Department solicits quotes from area contractors and then award is made based upon price and availability; and

WHEREAS, in the past, those companies have been Performance Contracting Group (PCI Branch), Rather Sewer Inspection Services, and Intuitive Technologies, Inc.; and

WHEREAS, the City Manager recommends that competitive bids be waived and awards be made to Performance Contracting Group (PCI Branch), Rather Sewer Inspection Services, Intuitive Technologies Inc., and other suitable companies as needed for sewer cleaning and CCTV inspection for the Public Works Department.

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

That the recommendation of the City Manager that competitive bids be waived is approved and awards are hereby made to Performance Contracting Group (PCI Branch), Rather Sewer Inspection Services, Intuitive Technologies Inc., and other suitable companies as needed for sewer cleaning and CCTV inspection for the Public Works Department for FY2014 (July 1, 2013 through June 30, 2014), in the estimated amount of \$200,000.00

BE IT FURTHER RESOLVED that the Mayor and/or City Manager are hereby authorized to execute contracts for and on behalf of the City of Oak Ridge in connection with supplying the above services, where required by law.

This the 8th day of July 2013.

APPROVED AS TO FORM AND LEGALITY:



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

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

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

## ELECTRIC DEPARTMENT MEMORANDUM

13-14

**DATE:** June 25, 2013  
**TO:** Mark S. Watson, City Manager  
**FROM:** Jack L. Suggs, Electric Director  
**SUBJECT:** EXTENSION OF CONTRACT FOR GRID ONE SOLUTIONS

### Introduction

An item for City Council's consideration is a resolution authorizing the renewal of an existing contract with Grid One Solutions for one year in the estimated amount of \$200,000.00 for the provision of meter reading and associated services.

### Funding

Funding is supported by transfers from the Electric and Water funds.

### Background/Analysis/Review/Consideration

An item on the June 10, 2013 agenda provided for the final renewal to a contract with Grid One Solutions. This item was included in a group for which the Council required further information before consideration.

As you will be aware, the City reads each of its roughly 28,000 water and electric meters manually every month. Due to personnel issues and the need for replacement meter readers on very short notice, in 2005 the City began using Utility Meter Services (UMS) to supply supplemental readers.

In 2009, the City entered into an agreement with UMS and virtually all meter reading services were provided by them, with the City staff meter readers being moved into vacancies as they occurred. This agreement took the form of a one year contract with four renewals.

In February of 2012, Grid One Solutions merged with UMS and the existing contract continued under that new name. The attached resolution approves the fourth and final extension of this contract.

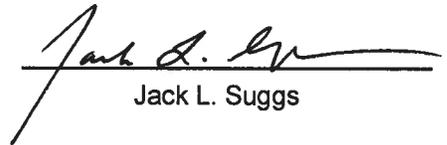
This contract was informally examined in 2012 and again in 2013 before renewal was recommended. Staff found that Grid One continues to be the leading service provider in our area.

Our current meter reading cost of approximately \$0.47 compares favorably with cost of new contracts- which anecdotally are reported in the \$0.60 range. This is especially true when one considers that contractors are also frequently used for "service work," such as disconnects and reconnects.

The cost of the meter readers on an hourly basis was compared to the U.S. Department of Labor's Bureau of Labor Statistics for the Knoxville area. The average cost reported, when adjusted for time and loaded with benefits equivocate to the cost of adding meter readers on staff, even ignoring the benefits of a deep labor pool and company supplied recruitment and training.

### Recommendation

In conclusion, it is the opinion of staff that it is in the best interest of the City to renew this contract for the remaining final term, anticipating a re-bid within the next twelve months.

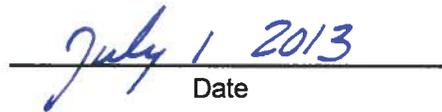
  
Jack L. Suggs

cc: Lyn Majeski, Accounting Division Manager  
Marlene Witt, Business Office Manager

**City Manager's Comments:**

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

  
Mark S. Watson

  
Date

**RESOLUTION**

A RESOLUTION AUTHORIZING THE CITY TO RENEW THE CURRENT CONTRACT WITH GRID ONE SOLUTIONS, INC., FOR METER READING AND ASSOCIATED SERVICES FOR THE TERM OF AUGUST 1, 2013 THROUGH JULY 31, 2014 IN THE ESTIMATED AMOUNT OF \$200,000.00.

WHEREAS, in 2009, the City entered into a contract with Utility Meter Services, Inc., (which merged with its sister company Grid One Solutions, Inc., in 2012) for meter reading and associated services, which contract provided for the option to renew the contract for up to four additional one-year terms; and

WHEREAS, the City has evaluated the services provided by Grid One Solutions, Inc., and has informally examined the contractual agreement; and

WHEREAS, Grid One Solutions, Inc., continues to be the leading service provider in the area and the City desires to continue with the services of Grid One Solutions, Inc., for the final renewal option; and

WHEREAS, the City Manager recommends the current contract with Grid One Solutions, Inc., be renewed for the final term (August 1, 2013 through July 31, 2014).

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 the City is hereby authorized to renew the contract with Grid One Solutions, Inc., for meter reading services for the term of August 1, 2013 through July 31, 2014 in the estimated amount of \$200,000.00.

BE IT FURTHER RESOLVED that the Mayor and/or City Manager are hereby authorized to execute contracts for and on behalf of the City of Oak Ridge in connection with supplying the above services, where required by law.

This the 8th day of July 2013.

APPROVED AS TO FORM AND LEGALITY:



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

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

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

**INFORMATION SERVICES MEMORANDUM  
13-04**

TO: Mark Watson  
City Manager

FROM: Amy Fitzgerald  
Government Affairs & Information Services Director

DATE: June 25, 2013

SUBJECT: BEST PROVIDER/PROFESSIONAL SERVICES FOR THE INFORMATION SERVICES  
DEPARTMENT FOR FISCAL YEAR 2014

Introduction

An item for the July 8th City Council agenda is consideration of the attached resolution authorizing a waiver of bids for the provision of specialized professional consulting services to the Information Services Department for Fiscal Year 2014 in the total estimated amount of \$300,000.

Funding

Funds are budgeted and available in Fiscal Year 2014 and included in the existing property tax and utility rates.

Background

The City has demonstrated a need for temporary technical support, particularly in the Information Services Department, for special projects that require expertise in a timely manner in specific areas such as network, servers, software selection and Geographic Information Systems (GIS). The expenditures will be made to qualified companies such as Integracon, Infor Global Solutions, Geo-Jobe GIS Consulting and Z11 Communications.

The following suppliers will be utilized on an as-needed basis throughout the fiscal year for professional services. The providers are chosen based on expertise, quality of service, and continuity of service.

**1. Integracon**

Integracon provides network engineering services, plus materials, personnel and supplies necessary to support the operation and maintenance of virtual infrastructure, networking, and server maintenance to include being 24/7 "on-call" back-up to city staff as needed. The company also provides equipment specifications and recommendations. All equipment purchased through Integracon is quoted following City requirements for purchasing. Integracon is a Knoxville-based company, and has provided services to the City since 2007.

**2. Infor Global Solutions**

Infor Global Solutions is a Michigan-based company providing the Enterprise Asset Management (EAM) program, which is a component of the Management, Operation and Maintenance (MOM) Program required by the EPA Administrative Order. A professional services agreement will be

negotiated when a need arises for support staff training and development, with advanced customization of the software to more efficiently track city assets.

**3. Geo-Jobe Geographic Information System (GIS) Consulting**

GEO-Jobe is a Nashville-based company consisting primarily of professional geographers. The company will provide professional services to increase the operational efficiency of the city's GIS, with particular emphasis on public safety and public works applications. The company has been providing GIS website support for the past ten years.

**4. Z11 Communications**

Z11 provides professional services to support the city's website to include the following: design adjustments to complete integration of the Content Management System (CMS) for the city's websites, convert remaining departmental webpages using new template, make adjustments to and complete the style guide, and provide training for city staff on use of the CMS. The company also provides support for the Utility Business Office credit card payment system. Z11 is an Oak Ridge-based company, and has provided services to the City for approximately three years.

Recommendation

The services outlined herein provide IT support services for the city organization, which allows staff to conduct business and to serve the public in an effective and efficient manner. Staff recommends approval of the attached resolution.

  
\_\_\_\_\_  
Amy S. Fitzgerald

**City Manager's Comments:**

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

 7-1-13  
\_\_\_\_\_  
Mark S. Watson                      Date

**RESOLUTION**

A RESOLUTION WAIVING COMPETITIVE BIDS AND MAKING AWARDS TO INTEGRACON, INFOR GLOBAL SOLUTIONS, GEO-JOBE GIS CONSULTING, Z11 COMMUNICATIONS LLC, AND OTHER SUITABLE COMPANIES AS NEEDED FOR FURNISHING TEMPORARY TECHNICAL SUPPORT FOR THE INFORMATION SERVICES DEPARTMENT FOR FISCAL YEAR 2014 IN THE ESTIMATED AMOUNT OF \$300,000.00.

WHEREAS, the City of Oak Ridge has need for certain routine materials, equipment and services during Fiscal Year 2014 (July 1, 2013 through June 30, 2014) that do not lend themselves to the normal competitive bidding procedure; and

WHEREAS, the City has utilized the services of Integracon, a Knoxville-based company, since 2007 for support services of the City's virtual infrastructure, networking and server maintenance; and

WHEREAS, the City will need the services of Infor Global Solutions, a Michigan-based company, for support staff training and development related to the City's Management, Operation and Maintenance (MOM) Program required by the EPA Administrative Order; and

WHEREAS, the City has utilized the services of Geo-Job, a Nashville-based company, for approximately ten years related to the operational efficiency of the City's GIS with particular emphasis on public safety and public works applications; and

WHEREAS, the City has utilized the services of Z11 Communications, an Oak Ridge-based company, for approximately three years to support the City's new website including integration of the Content Management System (CMS), converting departmental webpages to the new template, and providing staff training on use of the CMS; and

WHEREAS, the City Manager recommends that competitive bids be waived and awards be made to Integracon, Infor Global Solutions, Geo-Jobe GIS Consulting, Z11 Communications LLC, and other suitable companies as needed for furnishing temporary technical support for the Information Services Department.

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

That the recommendation of the City Manager that competitive bids be waived is approved and awards are hereby made to Integracon, Infor Global Solutions, Geo-Jobe GIS Consulting, Z11 Communications LLC, and other suitable companies as needed for furnishing temporary technical support for the Information Services Department for FY2014 (July 1, 2013 through June 30, 2014), in the estimated amount of \$300,000.00

BE IT FURTHER RESOLVED that the Mayor and/or City Manager are hereby authorized to execute contracts for and on behalf of the City of Oak Ridge in connection with supplying the above services, where required by law.

This the 8th day of July 2013.

APPROVED AS TO FORM AND LEGALITY:



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

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

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

**FINANCE DEPARTMENT MEMORANDUM**  
**13-17**

**DATE:** June 27, 2013  
**TO:** Mark S. Watson, City Manager  
**THROUGH:** Janice E. McGinnis, Finance Director   
**FROM:** Lyn Majeski, Accounting Division Manager

**SUBJECT: ANNUAL ORDER – TEMPORARY EMPLOYMENT SERVICES**

Introduction

An item for City Council's consideration is a resolution authorizing the utilization of temporary employees in the estimated amount of \$475,000.

Funding

Funds are budgeted and available in FY 2014.

Background/Analysis/Review/Consideration

Over the last twenty years, the City has utilized temporary employees in clerical, technical and field crew positions. Through the years several of the temporary employees have been hired as City employees. Temporary employees are used to perform duties in place of sick or injured employees, seasonal duties and special projects.

The Public Works Department utilizes temporary employees more than any other department. This is due to the size of the department, increasing the risk for injuries, illness and vacancies. Temporary workers are hired for seasonal work in the concrete and asphalt crews as well. The Public Works Department has an established working relationship with Alternate Staffing, Inc. for temporary workers. Alternate Staffing, Inc. performs criminal background checks and drug tests prior to sending a temporary worker to the City.

When a specific need is identified, department personnel can request specific certifications, resumes, and cost information from any temporary agency and review them prior to hiring the temporary employee. Some of the agencies used in recent years are Temp Systems, Inc., Accountemps, Alternate Staffing, Inc., RecruitWise and Staffing Solutions. The award for temporary worker services will be based on price, availability and the skills of the applicants.

Staff anticipates utilizing approximately \$225,000 in FY 2014 but may need the additional funds requested due to the increased emphasis on EPA mandated requirements and aging City infrastructure.

Recommendation

Staff recommends approval of the attached resolution as submitted. Funds are budgeted and available in fiscal year 2014. As the recommendation is that competitive bids be waived, council is reminded that a unanimous vote is required for approval.

  
Lyn Majeski

**City Manager's Comments:**

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

  
Mark S. Watson

  
Date

**RESOLUTION**

A RESOLUTION WAIVING COMPETITIVE BIDS AND MAKING AWARDS TO TEMP SYSTEMS INC., ACCOUNTEMPS, ALTERNATE STAFFING INC., RECRUITWISE, STAFFING SOLUTIONS, AT-WORK, AND OTHER SUITABLE COMPANIES AS NEEDED FOR FURNISHING TEMPORARY EMPLOYMENT SERVICES FOR FISCAL YEAR 2014 IN THE ESTIMATED AMOUNT OF \$475,000.00.

WHEREAS, the City of Oak Ridge has need for certain routine materials, equipment and services during Fiscal Year 2014 (July 1, 2013 through June 30, 2014) that do not lend themselves to the normal competitive bidding procedure; and

WHEREAS, when the need arises, the City utilizes the services of various companies providing temporary employment services to perform duties in place of sick or injured employees, seasonal duties, and for specialized departmental projects for which permanent employees are not required; and

WHEREAS, in the past, the City has utilized the services of Temp Systems, Inc., Accountemps, Alternate Staffing, Inc., RecruitWise, Staffing Solutions, and At-Work; and

WHEREAS, the City Manager recommends that competitive bids be waived and awards be made to Temp Systems Inc., Accountemps, Alternate Staffing Inc., RecruitWise, Staffing Solutions, At-Work, and other suitable companies as needed for temporary employment services.

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

That the recommendation of the City Manager that competitive bids be waived is approved and awards are hereby made to Temp Systems Inc., Accountemps, Alternate Staffing Inc., RecruitWise, Staffing Solutions, At-Work, and other suitable companies as needed for furnishing temporary employment services for FY2014 (July 1, 2013 through June 30, 2014), in the estimated amount of \$475,000.00

BE IT FURTHER RESOLVED that the Mayor and/or City Manager are hereby authorized to execute contracts for and on behalf of the City of Oak Ridge in connection with supplying the above services, where required by law.

This the 8th day of July 2013.

APPROVED AS TO FORM AND LEGALITY:



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

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

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

**FINANCE DEPARTMENT MEMORANDUM**  
**13-18**

**DATE:** June 27, 2013  
**TO:** Mark S. Watson, City Manager  
**THROUGH:** Janice E. McGinnis, Finance Director   
**FROM:** Lyn Majeski, Accounting Division Manager

**SUBJECT: ANNUAL ORDER – RENTAL OF HEAVY EQUIPMENT**

Introduction

An item for City Council's consideration is a resolution authorizing the rental of heavy equipment in the estimated amount of \$100,000.

Funding

Funds are budgeted and available in FY 2014.

Background/Analysis/Review/Consideration

The City owns standard heavy equipment such as backhoes and front loaders. Some work tasks require special heavy equipment such as a dozer, excavator or mini-excavator. The Electric Department relies on the rental of small specialty cranes for work in the confined space of a substation bay, large cranes for loading, unloading and relocating transformers and large generators used during outages at substations. Less frequently the City will rent other equipment such as straw blowers to speed up reclamation of disturbed earth, pavement breakers, core drills and similar.

Instead of purchasing this specialized equipment, it is cost beneficial to rent the equipment from vendors such as Stowers, Bobcat, Contractors Machinery, United Rentals, and Nortrax all located in Knoxville. The rental of these units can range from a few hours to a few days. These vendors offer hourly, daily, weekly and monthly rental terms, with the price negotiated prior to renting. The award will be based on type of equipment required, price and availability on a case by case basis.

Recommendation

Staff recommends approval of the attached resolution as submitted. Funds are budgeted and available in fiscal year 2014 and included in the existing property tax and utility rates. As the recommendation is that competitive bids be waived, council is reminded that a unanimous vote is required for approval.

  
Lyn Majeski

**City Manager's Comments:**

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

  
Mark S. Watson

  
Date

**RESOLUTION**

A RESOLUTION WAIVING COMPETITIVE BIDS AND MAKING AWARDS TO VARIOUS AREA CITY-APPROVED COMPANIES FOR THE RENTAL OF HEAVY EQUIPMENT ON AN AS NEEDED BASIS FOR FISCAL YEAR 2014 IN THE ESTIMATED AMOUNT OF \$100,000.00.

WHEREAS, the City has a need for the rental of heavy equipment for various projects which sometimes requires a quick response that does not allow time for competitive bidding and could exceed the City's sealed bid limit; and

WHEREAS, staff has requested monthly rental prices of various types and sizes of heavy equipment for eight area companies, and will rent equipment on an as needed basis based upon the type of equipment required, price, and availability; and

WHEREAS, the City Manager recommends that competitive bids be waived and awards be made to various area City-approved companies for the rental of heavy equipment on an as needed basis.

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

That the recommendation of the City Manager that competitive bids be waived is approved and the City is hereby authorized to enter into contracts with various area City-approved companies for the rental of heavy equipment on an as needed basis for FY2014 (July 1, 2013 through June 30, 2014), in the estimated amount of \$100,000.00

BE IT FURTHER RESOLVED that the Mayor and/or City Manager are hereby authorized to execute contracts for and on behalf of the City of Oak Ridge in connection with supplying the above services, where required by law.

This the 8th day of July 2013.

APPROVED AS TO FORM AND LEGALITY:



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

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

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

**FINANCE DEPARTMENT MEMORANDUM  
13-16**

**DATE:** June 27, 2013  
**TO:** Mark S. Watson, City Manager  
**THROUGH:** Janice E. McGinnis, Finance Director   
**FROM:** Lyn Majeski, Accounting Division Manager  
**SUBJECT: ANNUAL ORDER – EMPLOYEE UNIFORMS**

Introduction

An item for City Council's consideration is a resolution authorizing the renewal of an existing contract with Aramark Uniform Service, Inc. in the estimated amount of \$59,000.

Funding

Funds are budgeted and available in FY 2014.

Background/Analysis/Review/Consideration

Aramark Uniform Service, Inc. has provided the City's uniform service contract since 1994. This contract provides work uniforms for approximately one hundred fifteen (115) City employees located in various departments.

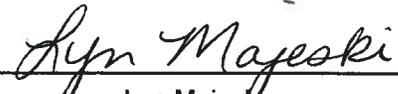
The uniform service contract consists of picking up dirty uniforms, laundering the uniforms and delivering clean uniforms for a weekly fee. The contractor also charges for the replacement of worn or damaged uniforms on an as-needed basis.

City staff estimates that the start-up cost to supply all new uniforms from a different supplier to these employees would exceed \$50,000. The current uniforms have a useful life of three to four years, which enables the City to pay for replacements on an "as needed" basis and thereby spread the cost over multiple years.

The supplier agreed to continue this contract for FY14 and FY15 at a 15% reduction.

Recommendation

Staff recommends approval of the attached resolution as submitted. Funds are budgeted and available in fiscal year 2014 and included in the existing property tax and utility rates. As the recommendation is that competitive bids be waived, council is reminded that a unanimous vote is required for approval.

  
Lyn Majeski

**City Manager's Comments:**

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

  
Mark S. Watson

7-1-2013  
Date

**RESOLUTION**

A RESOLUTION WAIVING COMPETITIVE BIDS AND MAKING AN AWARD TO ARAMARK UNIFORM SERVICES, INC., FOR FURNISHING EMPLOYEE UNIFORMS AND VARIOUS OTHER SERVICES ASSOCIATED WITH EMPLOYEE UNIFORMS FOR FISCAL YEAR 2014 IN THE ESTIMATED AMOUNT OF \$59,000.00.

WHEREAS, the City of Oak Ridge has need for certain routine materials, equipment and services during Fiscal Year 2014 (July 1, 2013 through June 30, 2014) that do not lend themselves to the normal competitive bidding procedure; and

WHEREAS, Aramark Uniform Service, Inc., has provided the City's uniform service contract for the past nineteen years for approximately one hundred and fifteen city employees; and

WHEREAS, this service consists of picking up dirty uniforms, laundering uniforms, and delivering clean uniforms for a weekly fee, as well as replacement of work or damaged uniforms as needed; and

WHEREAS, Aramark Uniform Service, Inc., has offered to continue the contract for FY2014 and FY2015 with a fifteen percent price reduction; and

WHEREAS, the City Manager recommends that competitive bids be waived and award be made to Aramark Uniform Services Inc. for furnishing employee uniforms and various other services associated with employee uniforms.

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

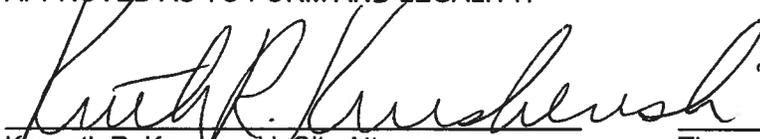
That the recommendation of the City Manager that competitive bids be waived is approved and award is hereby made to Aramark Uniform Services, Inc., for furnishing employee uniforms and various other services associated with employee uniforms for FY2014 (July 1, 2013 through June 30, 2014) in the estimated amount of \$59,000.00.

BE IT FURTHER RESOLVED that the City is hereby authorized to continue the contractual arrangement for FY2015 should services continue to be satisfactory.

BE IT FURTHER RESOLVED that the Mayor and/or City Manager are hereby authorized to execute contracts for and on behalf of the City of Oak Ridge in connection with supplying the above services, where required by law.

This the 8th day of July 2013.

APPROVED AS TO FORM AND LEGALITY:

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

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

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

**PERSONNEL MEMORANDUM**  
**13-075**

**DATE:** June 25, 2013  
**TO:** Mark S. Watson, City Manager  
**FROM:** Penelope H. Sissom, Personnel Director  
**SUBJECT:** MEDICAL EVALUATIONS AND DRUG/ALCOHOL TESTING SERVICES

Introduction

An item for City Council's consideration is a resolution authorizing a contract with Park Med Urgent Care Center for medical evaluations and drug and alcohol testing for City employees for Fiscal Year 2014 in the estimated amount of \$40,000.00.

Funding

Funds are available in the approved FY2014 Budget in the Personnel Department.

Background

In 2011, the City solicited proposals to provide post-employment offer medical evaluations and drug screens for City employees and to provide random, post-accident or injury, return-to-duty, and reasonable suspicion drug and alcohol for City employees. The proposal process required the selected company to maintain laboratory certification as specified in the Department of Health and Human Services Mandatory Guidelines for Federal Workplace Drug Testing Programs, to provide proof that all breath alcohol testing devices are on the U.S. Department of Transportation and National Traffic Safety Administration conforming products list, and to provide proof that all technicians operating the breath alcohol testing devices have been trained under 29 CFR Part 40. Additionally, the proposal process required proposals to be submitted for a one-year term with the City's option of renewing the contract for up to four additional one-year terms.

With the exception of temporary and seasonal employees in the Library and Recreation and Parks Departments, all new City employees must pass a medical evaluation prior to beginning work. All City employees—including temporary and seasonal employees—must pass a drug screen prior to beginning work. Once employed by the City, all employees are subject to random drug and alcohol screening. These tests are performed in accordance with the City's Administrative Policy and Procedure Manual for Drug and Alcohol Testing, the Omnibus Transportation Employee Testing Act of 1991, and any present or future amendments or additions to the procedures or law.

Four proposals were received with Park Med Urgent Care Center providing the best proposal for these services. Pursuant to Resolution 6-54-11, the City entered into a contract with Park Med Urgent Care Center for these services for Fiscal Year 2012. This contract was renewed for Fiscal Year 2013 by Resolution 6-46-2012.

The City is pleased with the services provided to date by Park Med Urgent Care Center and desires to exercise the option to renew for Fiscal Year 2014. Additionally, staff recommends City Council authorize the City to renew the contract for the two remaining renewal options (Fiscal Year 2015 and Fiscal Year 2016) provided services continue to be satisfactory.

Recommendation

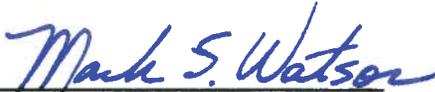
Approval of the attached resolution is recommended.



Penelope H. Sissom

**City Manager's Comments:**

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

  
\_\_\_\_\_  
Mark S. Watson  
\_\_\_\_\_  
Date

**RESOLUTION**

A RESOLUTION MAKING AN AWARD TO PARK MED URGENT CARE FOR FURNISHING MEDICAL EVALUATIONS AND DRUG AND ALCOHOL TESTING SERVICES FOR CITY EMPLOYEES FOR FISCAL YEAR 2014 IN THE ESTIMATED AMOUNT OF \$40,000.00, AND AUTHORIZING THE CITY TO RENEW SAID CONTRACT FOR UP TO TWO (2) ADDITIONAL ONE-YEAR TERMS.

WHEREAS, the City of Oak Ridge has need for certain routine materials, equipment and services during Fiscal Year 2014 (July 1, 2013 through June 30, 2014); and

WHEREAS, in 2011, the City solicited proposals to provide post-employment offer medical evaluations and drug screens for City employees and to provide random, post-accident or injury, return-to-duty, and reasonable suspicion drug and alcohol testing in accordance with applicable laws and policies, requiring proposals to be submitted for a one-year term with four renewal options; and

WHEREAS, proposals were received with Park Med Urgent Care providing the best proposal for said services; and

WHEREAS, by Resolution 6-54-11 and Resolution 6-46-2012, a contract was awarded to Park Med Urgent Care for said services for Fiscal Year 2012 and Fiscal Year 2013, respectively; and

WHEREAS, the City Manager recommends that award be made to Park Med Urgent Care for furnishing medical evaluations and drug and alcohol testing services for City employees for Fiscal Year 2014 and to allow the City to exercise the two remaining renewal options should services continue to be satisfactory.

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 Park Med Urgent Care Center for furnishing medical evaluations and drug and alcohol testing services for City employees for FY2014 (July 1, 2013 through June 30, 2014), in the estimated amounts of \$40,000.00.

BE IT FURTHER RESOLVED that the City is hereby authorized to exercise the two remaining renewal options should services continue to be satisfactory.

BE IT FURTHER RESOLVED that the Mayor and/or City Manager are hereby authorized to execute contracts for and on behalf of the City of Oak Ridge in connection with supplying the above services, where required by law.

This the 8th day of July 2013.

APPROVED AS TO FORM AND LEGALITY:



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

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

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

**PERSONNEL MEMORANDUM**  
**13-074**

**DATE:** June 25, 2013  
**TO:** Mark S. Watson, City Manager  
**FROM:** Penelope H. Sissom, Personnel Director  
**SUBJECT:** HAZMAT MEDICAL TESTING SERVICES

Introduction

An item for City Council's consideration is a resolution authorizing a contract with Park Med Urgent Care Center for HAZMAT medical evaluations for City employees for Fiscal Year 2014 in the estimated amount of \$51,000.00.

Funding

Funds are available in the approved FY2014 Budget. Annual testing for existing Fire Department personnel is paid out of the Fire Department budget, and the remainder is paid out of the Personnel Department budget.

Background

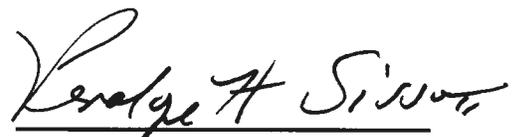
In 2011, the City solicited proposals to provide annual Hazardous Materials (HAZMAT) medical evaluations and respiratory fit testing for all Fire Department personnel in compliance with the National Fire Protection Association standards (NFPA 1582 standard) and the Occupational Safety and Health Administration standards (29 CFR 1910.120 and 29 CFR 1910.134) which require that all employees responding to hazardous materials incidents have annual HAZMAT medical testing. The same medical evaluation is also given annually to seven Public Works Department employees who are assigned to work at the East Tennessee Technology Park (ETTP). The proposal process required proposals to be submitted for a one-year term with the City's option of renewing the contract for up to four additional one-year terms.

Four proposals were received with Park Med Urgent Care Center providing the best proposal for these services. Pursuant to Resolution 6-54-11, the City entered into a contract with Park Med Urgent Care Center for these services for Fiscal Year 2012. This contract was renewed for Fiscal Year 2013 by Resolution 6-46-2012.

The City is pleased with the services provided to date by Park Med Urgent Care Center and desires to exercise the option to renew for Fiscal Year 2014. Additionally, staff recommends City Council authorize the City to renew the contract for the two remaining renewal options (Fiscal Year 2015 and Fiscal Year 2016) provided services continue to be satisfactory.

Recommendation

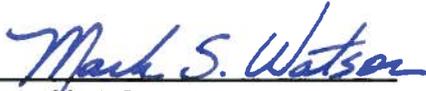
Approval of the attached resolution is recommended.

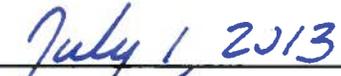


Penelope H. Sissom

**City Manager's Comments:**

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

  
\_\_\_\_\_  
Mark S. Watson

  
\_\_\_\_\_  
Date

**RESOLUTION**

A RESOLUTION MAKING AN AWARD TO PARK MED URGENT CARE FOR FURNISHING HAZMAT MEDICAL SERVICES FOR CITY EMPLOYEES FOR FISCAL YEAR 2014 IN THE ESTIMATED AMOUNT OF \$51,000.00, AND AUTHORIZING THE CITY TO RENEW SAID CONTRACT FOR UP TO TWO (2) ADDITIONAL ONE-YEAR TERMS.

WHEREAS, the City of Oak Ridge has need for certain routine materials, equipment and services during Fiscal Year 2014 (July 1, 2013 through June 30, 2014); and

WHEREAS, in 2011, the City solicited proposals to provide Hazardous Materials (HAZMAT) medical evaluations and respiratory fit testing for certain City employees in compliance with the National Fire Protection Association standards and the Occupational Safety and Health Administration standards, requiring proposals to be submitted for a one-year term with four renewal options; and

WHEREAS, proposals were received with Park Med Urgent Care providing the best proposal for said services; and

WHEREAS, by Resolution 6-54-11 and Resolution 6-46-2012, a contract was awarded to Park Med Urgent Care for said services for Fiscal Year 2012 and Fiscal Year 2013, respectively; and

WHEREAS, the City Manager recommends that award be made to Park Med Urgent Care for furnishing HAZMAT medical services for City employees for Fiscal Year 2014 and to allow the City to exercise the two remaining renewal options should services continue to be satisfactory.

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 Park Med Urgent Care Center for furnishing HAZMAT medical testing services for City employees for FY2014 (July 1, 2013 through June 30, 2014), in the estimated amounts of \$51,000.00.

BE IT FURTHER RESOLVED that the City is hereby authorized to exercise the two remaining renewal options should services continue to be satisfactory.

BE IT FURTHER RESOLVED that the Mayor and/or City Manager are hereby authorized to execute contracts for and on behalf of the City of Oak Ridge in connection with supplying the above services, where required by law.

This the 8th day of July 2013.

APPROVED AS TO FORM AND LEGALITY:



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

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

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

## LIBRARY MEMORANDUM

13-07

**DATE:** June 25, 2013  
**TO:** Mark S. Watson, City Manager  
**FROM:** Kathy McNeilly, Library Director  
**SUBJECT:** AMENDMENTS TO THE PROFESSIONAL SERVICES AGREEMENTS WITH SECRET CITY FILMS AND BBB COMMUNICATIONS, LLC, TO PROVIDE FOR ADDITIONAL COMPENSATION FOR ADDITIONAL ORAL HISTORIES THROUGH MAY 30, 2014

### Introduction

An item for City Council's consideration is a resolution authorizing amendments to the professional services agreements with Secret City Films and BBB Communications, LLC, in the amount of approximately \$30,000 each to provide for additional oral histories through May 30, 2014.

### Funding

The City's oral history project is paid for through federal grant funds from the United States Department of Energy (DOE). The City was recently approved by DOE to continue the grant project for the current grant budget year (June 7, 2013 through May 30, 2014). The City has \$ 100,858.06 in available grant funds for the current grant budget year for this project.

### Background

In 2009, the City became a recipient of federal grants funds from DOE for an oral history project. As a result, Oak Ridge Public Library staff, in conjunction with the Center for Oak Ridge Oral Histories (COROH), developed a list of key individuals important to the history of Oak Ridge. In 2010, the City issued a Request for Proposals (RFP) seeking qualified producers to complete a two-year oral history project. As a result of the RFP, Secret City Films was first selected to complete the project and BBB Communications, LLC, was later selected to provide additional oral histories for the project. Professional services agreements were approved for Secret City Films and BBB Communications, LLC, through Resolution 2-9-11 and Resolution 4-22-2012, respectively. To date, over 310 oral histories have been completed under these agreements.

### Consideration

DOE has notified the City that the City is a recipient of grant funds for the current grant budget year (June 7, 2013 through May 30, 2014). The City has made available the grant funds for the oral history project. Both companies have provided satisfactory service and the City desires to amend the agreements to provide for additional compensation to complete additional oral histories during the current grant budget year. Amending the agreements will allow for the continuation of the oral history project which will allow for the preservation of more memories with additional oral histories to be preserved and made available to the public for informational and educational purposes.

Recommendation

Approval of the attached resolution is recommended.

Attachment(s)

Resolution 2-9-11 and Resolution 4-22-2012

Kathy E. McNeilly  
Kathy McNeilly

**City Manager's Comments:**

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

Mark S. Watson  
Mark S. Watson

July 1 2013  
Date

**RESOLUTION**

A RESOLUTION AUTHORIZING A PROFESSIONAL SERVICES AGREEMENT WITH SECRET CITY FILMS TO PROVIDE ONE HUNDRED (100) ORAL HISTORIES FROM KEY INDIVIDUALS IMPORTANT TO THE HISTORY OF OAK RIDGE.

WHEREAS, the City is the recipient of a federal grant from the United States Department of Energy to be used for an oral history project; and

WHEREAS, Oak Ridge Public Library staff, in conjunction with the Center for Oak Ridge Oral History (COROH), has developed a list of two hundred and fifty (250) key individuals important to the history of Oak Ridge; and

WHEREAS, the City issued a Request for Proposals seeking interested individuals or firms to complete a two-year oral history project to preserve the memories of one hundred (100) of these individuals; and

WHEREAS, Secret City Films, Oak Ridge, submitted the most responsive proposal based upon the City's needs; and

WHEREAS, the City Manager recommends approval of a professional services agreement with Secret City Films.

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 the City is hereby authorized to enter into a Professional Services Agreement with Secret City Films, 115 Bradley Avenue, Oak Ridge, Tennessee 37830, to complete one hundred (100) oral histories of key individuals important to the history of Oak Ridge over a two-year period, in the estimated amount of \$150,000.

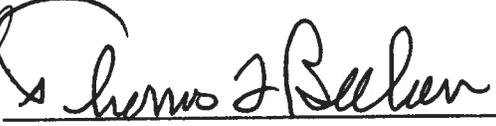
BE IT FURTHER RESOLVED that the City may, upon satisfactory performance, renew the agreement for an additional one-year term in order to complete additional oral histories.

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

This the 14th day of February 2011.

APPROVED AS TO FORM AND LEGALITY:

  
\_\_\_\_\_  
City Attorney

  
\_\_\_\_\_  
Mayor

  
\_\_\_\_\_  
City Clerk

**RESOLUTION**

A RESOLUTION AUTHORIZING A PROFESSIONAL SERVICES AGREEMENT WITH BBB COMMUNICATIONS, LLC, OAK RIDGE, TO PROVIDE THIRTY (30) ORAL HISTORIES FROM KEY INDIVIDUALS IMPORTANT TO THE HISTORY OF OAK RIDGE, IN THE ESTIMATED AMOUNT OF \$45,000.00.

WHEREAS, the City is the recipient of a federal grant from the United States Department of Energy to be used for an oral history project; and

WHEREAS, Oak Ridge Public Library staff, in conjunction with the Center for Oak Ridge Oral History (COROH), has developed a list of approximately two hundred and fifty (250) key individuals important to the history of Oak Ridge; and

WHEREAS, the City issued a Request for Proposals (RFP) seeking interested individuals or firms to complete a two-year oral history project to preserve the memories of one hundred (100) of these individuals; and

WHEREAS, by Resolution 2-9-11, City Council authorized a professional services agreement with Secret City Films, Oak Ridge, as a result of the RFP; and

WHEREAS, the City is in need of additional oral histories and desires to enter into an agreement with BBB Communications, LLC, Oak Ridge, based upon its proposal submitted in response to the RFP; and

WHEREAS, the City Manager recommends approval of a professional services agreement with BBB Communications, LLC.

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 the City is hereby authorized to enter into a Professional Services Agreement with BBB Communications, LLC, 170 Randolph Road, Oak Ridge, Tennessee 37830, to complete thirty (30) oral histories of key individuals important to the history of Oak Ridge over a one-year period, in the estimated amount of \$45,000.

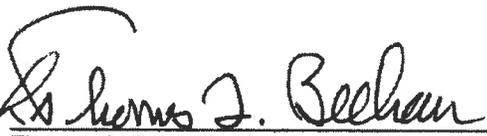
BE IT FURTHER RESOLVED that the City may, upon satisfactory performance, renew the agreement for an additional one-year term in order to complete additional oral histories.

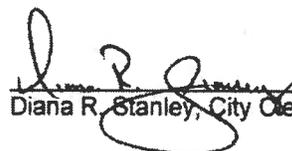
BE IT FURTHER RESOLVED that the Mayor is hereby authorized to execute the appropriate legal instruments to accomplish the same.

This the 9th day of April 2012.

APPROVED AS TO FORM AND LEGALITY:

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

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

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

**RESOLUTION**

A RESOLUTION AMENDING RESOLUTIONS 2-9-11 AND 4-22-2012 AUTHORIZING AMENDMENTS TO THE ORAL HISTORY PROJECT PROFESSIONAL SERVICES AGREEMENTS WITH SECRET CITY FILMS AND BBB COMMUNICATIONS, LLC, TO EXTEND THE CONTRACT TERMS THROUGH MAY 30, 2014 AND TO PROVIDE FOR \$30,000.00 EACH IN COMPENSATION.

WHEREAS, by Resolution 2-9-11 and Resolution 4-22-2012, City Council authorized professional services agreements with Secret City Films and BBB Communications, LLC, respectively, for preservation of oral histories of key individuals important to the history of Oak Ridge; and

WHEREAS, Secret City Films and BBB Communications, LLC, were selected through a Request for Proposals process; and

WHEREAS, the oral history project is paid for with federal grant funds from the United States Department of Energy and the City has received additional grant funds for the current grant budget year (June 7, 2013 – May 30, 2014) for continuation of this project; and

WHEREAS, the City has approximately \$100,000.00 available in grant funds for this project and desires to extend the professional services agreements through the current grant budget year to provide for additional funds for additional oral histories; and

WHEREAS, the City Manager recommends amending both professional services agreements for this purpose.

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 the City is hereby amends the professional services agreement with Secret City Films approved by Resolution 2-9-11 and the professional services agreement with BBB Communications, LLC, approved Resolution 4-22-2012 to extend the contract terms through May 30, 2014, and to provide for compensation in the amount of \$30,000.00 for each contract during the new term.

BE IT FURTHER RESOLVED that, if the City is a recipient of grants funds for the final budget year (May 31, 2014 – May 30, 2015), the City is hereby authorized to amend said agreements to extend the terms through May 30, 2015 and to allocate the available grant funds between Secret City Films and BBB Communications, LLC, as determined by the City Manager.

BE IT FURTHER RESOLVED that the Mayor and/or City Manager are hereby authorized to execute the appropriate legal instruments to accomplish the same.

This the 8th day of July 2013.

APPROVED AS TO FORM AND LEGALITY:



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

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

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Diana R. Stanley, City Clerk

## FINANCE DEPARTMENT MEMORANDUM

13-15

**DATE:** June 27, 2013  
**TO:** Mark S. Watson, City Manager  
**FROM:** Janice E. McGinnis, Finance Director  
**SUBJECT:** CLOSURE OF INVENTORY FUND

### Introduction

An item for City Council's consideration is the closure of the Inventory Fund, an Internal Service Fund, at the end of fiscal 2013.

### Background

The Inventory Fund is an Internal Service Fund that is used to account for the stock items located in the City's central warehouse that are primarily used to maintain electric and waterworks operations. The stock items accounted for in the Inventory Fund also include items such as fuel that are used by nearly all city departments. The various City Fund's prepay for stock purchased through the Inventory Fund based on actual historical usage patterns. The majority of stock items are used solely by either the Electric or Waterworks Funds. The Inventory Fund has been in existence since 1961.

In discussions with staff from both the State Comptrollers Division of Local Government Audit and Office of State and Local Finance, the conclusion was reached that the best course of action for the City is to close the Inventory Fund at the end of fiscal 2013. Other Tennessee Cities with similar operations are not recording these operations in a separate fund. The retention of a separate Inventory Fund raises concerns regarding the prepayment for the purchase of stock by the City's Electric and Waterworks Funds and the conflicts with State statues regarding the lending of money from utility Funds to other City Funds across fiscal years.

The issues with the Inventory Fund were from a reporting nature and not from the way the City was conducting the operations of the stock warehouse or the methods the City used for allocation of the prepaid amounts to the Electric and Waterworks Funds. We will not be changing any of our internal procedures regarding the operations related to warehouse inventory stock items, including purchase, valuating, issuing and allocating ownership of stock to the various City Funds. From a reporting standpoint, the value of each City Fund's share of the stock inventory will be recorded as an asset on each of the individual City's Funds balance sheet at fiscal year-end. The current value of the inventory stock items is just over \$3,000,000.

The Inventory Fund acts like a "clearing account" and there is no fund balance that needs to be reallocated as a result of this fund closure.

Recommendation

Staff recommends the closure of the Inventory Fund at the end of fiscal 2013. In discussions with staff from both the State Comptrollers Division of Local Government Audit and Office of State and Local Finance they concur that this is an acceptable course of action and is in alignment with the reporting utilized by other Tennessee Cities.

Attachment

  
Janice E. McGinnis

**City Manager's Comments:**

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

  
Mark S. Watson

  
Date

**RESOLUTION**

A RESOLUTION TO CLOSE THE INVENTORY FUND, AN INTERNAL SERVICE FUND, AT THE END OF FISCAL YEAR 2013.

WHEREAS, the Inventory Fund is an Internal Service Fund used to account for the stock items located in the City's central warehouse that are primarily used to maintain electric and waterworks operations; and

WHEREAS, due to an insufficient need to keep these items in a separate fund, the City desires to close the Inventory Fund at the end of Fiscal Year 2013; and

WHEREAS, closing this fund will not change the City's internal procedures regarding the operations related to warehouse inventory stock items; and

WHEREAS, the State Comptrollers Division of Local Government and Audit and the Office of State and Local Finance both concur with that closing this fund is an acceptable course of action; and

WHEREAS, the Inventory Fund does not contain a fund balance, therefore, no transfer or designation of funds is necessary in order to close it.

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

That the Inventory Fund, an Internal Service Funds, is hereby closed at the end of Fiscal Year 2013.

This the 8th day of July 2013.

APPROVED AS TO FORM AND LEGALITY:



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

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

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

**INFORMATION SERVICES MEMORANDUM**  
**13-05**

TO: Mark Watson  
City Manager

FROM: Amy Fitzgerald  
Government Affairs & Information Services Director

DATE: July 2, 2013

SUBJECT: SUPPORT FOR THE MARKETPLACE FAIRNESS ACT

Introduction

An item for the July 8th City Council agenda is consideration of the attached resolution supporting the passage of the Marketplace Fairness Act, which will benefit Oak Ridge businesses by putting Main Street retailers on an equal footing with Internet sellers. The resolution also commends United States Senators Lamar Alexander and Bob Corker for their support of the legislation throughout the debate and recent passage in the Senate, and urges the Tennessee Delegation to the United States House of Representatives, particularly Congressman Chuck Fleischmann, to support the legislation granting individual states the authority to streamline their sales tax laws and collect sales taxes directly from online retailers.

Background

In 1992 the Supreme Court's decision in *Quill Corp. v. North Dakota*, 504 U.S. 298 (1992) ruled that states could not require out-of-state catalogs or online businesses to collect sales tax because it was too complicated to calculate sales taxes in each state and in individual communities. As a result, state and local governments across the nation have been unable to collect sales taxes on catalog and Internet purchases made by citizens in their states and in cities and towns. The National League of Cities estimates that the State of Tennessee and its local governments lost a combined \$748 million in sales tax on e-commerce in 2012. In addition small businesses, Main Street and local retailers in Oak Ridge and throughout Tennessee have operated at nearly a 10 percent competitive price disadvantage to remote sellers.

The City has supported the Tennessee Department of Revenue's efforts over the past decade to work with other states on a streamline sales tax program, which is a cooperative effort among "Agreement States" to collect and remit sales tax based on the purchaser's location. The Tennessee General Assembly amended their sales and use tax statutes several years ago to conform to the requirements of the Streamlined Sales and Use Tax Agreement (the Agreement), one of 23 state legislatures to do so.

With the advent of sophisticated software programmed to calculate sales tax by zip code, the problems associated with earlier catalog and Internet sales have been minimized. Congress is considering legislation, entitled The Marketplace Fairness Act (S336 and HR684) to provide states that are members of the Agreement and in compliance with the federal legislation the authority to require out-of-state sellers to collect and remit sales and use taxes on remote transactions attributable to these states—exactly like local retailers are already required to do. The Supreme Court has stated that Congress had the constitutional authority to pass legislation overruling its 1992 decision.

On May 6<sup>th</sup>, the U.S. Senate passed the Act by a vote of 69-27, of the Marketplace Fairness Act. Senator Alexander was a lead cosponsor, and issued the statement: "This legislation is about two words – states' rights – and today the U.S. Senate stood up for the Tenth Amendment by saying it is the prerogative of states to set their own tax policies, without playing 'Mother, may I?' with the federal government. This bill

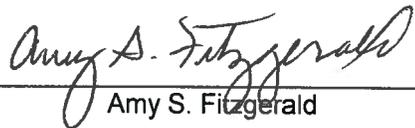
allows states to require out-of-state sellers to do the same thing that in-state sellers already are required to do, and that many online sellers already do, and that is to collect sales tax when they make a sale.”

Senator Bob Corker was a co-sponsor of the legislation. The legislation also has the support of Governor Bill Haslam, the National League of Cities, the Tennessee Municipal League, and many business organizations, including the Oak Ridge Chamber of Commerce.

In the U.S. House of Representatives, there are currently 66 co-sponsors of the legislation, including Tennessee Congressmen John Duncan, Jr., Jim Cooper, and Steve Cohen. The legislation has been referred to the House Committee on the Judiciary's Subcommittee on Regulatory Reform, Commercial and Antitrust Law.

Recommendation

Staff recommends approval of the attached resolution.

  
\_\_\_\_\_  
Amy S. Fitzgerald

**City Manager's Comments:**

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

  
\_\_\_\_\_  
Mark S. Watson                      7/2/13  
Date

**RESOLUTION**

A RESOLUTION SUPPORTING THE PASSAGE OF THE MARKETPLACE FAIRNESS ACT, WHICH WILL BENEFIT OAK RIDGE BUSINESSES BY PUTTING MAIN STREET RETAILERS ON AN EQUAL FOOTING WITH INTERNET SELLERS; COMMENDING UNITED STATES SENATORS LAMAR ALEXANDER AND BOB CORKER FOR THEIR SUPPORT OF THE MARKETPLACE FAIRNESS ACT THROUGHOUT THE DEBATE AND PASSAGE IN THE UNITED STATES SENATE; AND URGING THE TENNESSEE DELEGATION TO THE UNITED STATES HOUSE OF REPRESENTATIVES, PARTICULARLY CONGRESSMAN CHUCK FLEISCHMANN, TO SUPPORT THE MARKETPLACE FAIRNESS ACT GRANTING INDIVIDUAL STATES THE AUTHORITY TO STREAMLINE THEIR SALES TAX LAWS AND COLLECT SALES TAXES DIRECTLY FROM ONLINE RETAILERS.

WHEREAS, small businesses, Main Street and Local retailers have been hurt in recent years by online and catalog purchases by customers who believe they get a discount by not paying sales tax; and

WHEREAS, the brick-and-mortar retailer collects the sales tax at the time of purchase in a store, but the responsibility for paying the tax from an online purchase shifts to the Internet customer who resides in Tennessee to remit the sales tax directly to the Tennessee Department of Revenue; and

WHEREAS, most taxpayers are not aware of the responsibility to remit these taxes, and state and local governments do not have the resources to enforce payment putting Local retailers in Tennessee at nearly a 10 percent competitive price disadvantage to remote sellers; and

WHEREAS, the National League of Cities estimates that the State of Tennessee and its local governments lost a combined \$748 million in sales tax on e-commerce in 2012; and

WHEREAS, the Tennessee General Assembly has amended their sales and use tax statutes to conform to the requirements of the Streamlined Sales and Use Tax Agreement, one of 23 state legislatures to do so; and

WHEREAS, Congress is considering legislation, entitled The Marketplace Fairness Act (S336 and HR684) to provide states that are members of the Agreement and in compliance with the federal legislation the authority to require out-of-state sellers to collect and remit sales and use taxes on remote transactions attributable to these states—exactly like Local retailers are already required to do; and

WHEREAS, the Supreme Court's decision in *Quill Corp. v. North Dakota*, 504 U.S. 298 (1992), left state and local governments unable to adequately enforce their existing sales tax laws on sales by out-of-state catalog and online sellers; and

WHEREAS, the Court did state that Congress had the constitutional authority to pass legislation overruling its decision; and

WHEREAS, United States Senators Lamar Alexander and Bob Corker voted in support of the Marketplace Fairness Act throughout the debate and May 6, 2013 passage in the United States Senate; and

WHEREAS, in order for the legislation to be enacted, the United States House of Representatives must also support and pass the Marketplace Fairness Act granting individual states the authority to streamline their sales tax laws and collect sales taxes directly from online retailers.

WHEREAS, the City Manager recommends that the City of Oak Ridge support the passage of the Marketplace Fairness Act, which will benefit Oak Ridge businesses by putting Main Street retailers on an equal footing with Internet sellers; commend United States Senators Lamar Alexander and Bob Corker for their support of the Marketplace Fairness Act throughout the debate and passage in the United States

Senate; and urge the Tennessee Delegation to the United States House of Representatives, particularly Congressman Chuck Fleischmann, to support the Marketplace Fairness Act granting individual states the authority to streamline their sales tax laws and collect sales taxes directly from online retailers.

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

That the City of Oak Ridge supports the passage of the Marketplace Fairness Act, which will benefit Oak Ridge businesses by putting Main Street retailers on an equal footing with Internet sellers.

BE IT FURTHER RESOLVED that the City of Oak Ridge commends United States Senators Lamar Alexander and Bob Corker for their support of the Marketplace Fairness Act throughout the debate and passage in the United States Senate, and urges the Tennessee Delegation to the United States House of Representatives, particularly Congressman Chuck Fleischmann, to support the Marketplace Fairness Act granting individual states the authority to streamline their sales tax laws and collect sales taxes directly from online retailers.

BE IT FURTHER RESOLVED that this resolution be transmitted to members of the Tennessee Congressional Delegation as the official position of the City of Oak Ridge.

This the 8th day of July 2013.

APPROVED AS TO FORM AND LEGALITY:

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

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

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

RECREATION & PARKS MEMORANDUM

13-03

**DATE:** May 30, 2013  
**TO:** Mark S. Watson, City Manager  
**FROM:** Josh Collins, Recreation & Parks Director  
**SUBJECT:** DOG PARK ORDINANCE

Introduction

An item for City Council's consideration is an ordinance authorizing the creation of the Pet Safe Dog Park as an off-leash area at Big Turtle Park.

Funding

Funding for the proposed dog park will be provided through a \$100,000 grant from Pet Safe. At the June 11, 2012 City Council meeting, City Council unanimously approved Resolution No. 6-41-2012 which supported citizen efforts to establish a dog park and obtain a PetSafe grant for its development and if Oak Ridge wins a grant will dedicate a portion of Big Turtle Park and allocate other resources to support a dog park there. The proposed ordinance will establish guidelines for the Pet Safe Dog Park and thus provide an off-leash area at Big Turtle Park for pet owners to exercise their dogs.

Background

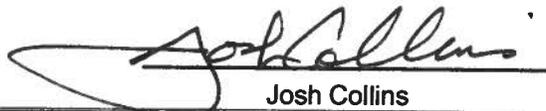
At its April 11, 2013, meeting, the Recreation and Parks Advisory Board approved a recommendation from its Dog Park Committee that outlines proposed rules for the Pet Safe Dog Park. The committee was formed in 2011 to evaluate the feasibility of building a public dog park in Oak Ridge. Since that time, the Dog Park Committee has evaluated dog parks in Tennessee through personal contact and written surveys. They have developed a list of best practices and lessons learned from the existing dog parks in the state. Committee members have visited the dog parks in the Knoxville area and have spoken with numerous pet owners regarding the park operations/rules. On March 14, 2013, a public open house was held by the Recreation and Parks Advisory Board to solicit comments and thoughts from the public. Many of these ideas were included in the operational plan for the park.

Recommendation

Staff recommends approval of the accompanying ordinance as submitted. The Dog Park Committee, the Recreation and Parks Advisory Board, Oak Ridge Animal Shelter and the Recreation and Parks Department staff have provided input into the final wording of the proposed ordinance and recommend its approval.

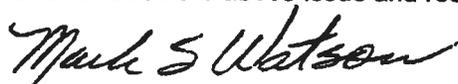
Attachment:

Rules Sign  
Resolution No. 6-41-2012

  
Josh Collins

**City Manager's Comments:**

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



Mark S. Watson

5-30-2013

Date

# Welcome to



# DOG PARK

- Dogs must be leashed when entering and exiting the park and dog owners must have a leash in possession at all times inside the park.
- The City of Oak Ridge is not responsible for injuries to dogs, their owners/handlers, or others that use the park. This area is for dogs and their handlers only.
- Limit of 3 dogs per adult.
- No smoking, food, or beverages within the park.
- DOG WASTE MUST BE CLEANED UP IMMEDIATELY BY THE DOG OWNERS AND PLACED IN THE TRASH RECEPTACLES PROVIDED.
- Dogs must be current with all vaccinations, healthy, and wearing a collar with identification and current rabies tag at all times.
- Dogs in heat and puppies under 4 months of age are prohibited.
- Pets other than dogs are prohibited from entering the park.
- Dog owners are responsible for ensuring that their dogs do not escape from the fenced area.
- Children under 16 must be supervised by an adult.
- Dogs showing aggression toward people or other animals must be removed from the park.
- Dog owners must be in the park with their dogs at all times.
- Dog owners are responsible for filling holes and repairing damage caused by their dogs.
- Weapons are not allowed in the park including handguns by carry permit holders.

Hours of Operation—The park is open from sunrise to sunset seven days per week.

Closings—The park may need to be closed for periodic maintenance or for any other purpose determined by the City.

Reporting—Any incident, problem, violation, emergency, etc. must be reported immediately to the Oak Ridge Police Department at 425-4399. Call Oak Ridge Recreation and Parks Department at 425-3450 for maintenance or operational concerns. [ORDINANCE HERE](#)

Responsibility—Any person bringing a dog into this facility assumes the legal responsibility, jointly and severally, with the owner of the dog for any damage, disease or injury to persons, other dogs or property, caused by the dog. All persons using the facility, by entering it, agree to indemnify the City of Oak Ridge and hold Oak Ridge harmless for any harm resulting from the use of this facility.

For the benefit of everyone in our community, please remember to  
leave our dog park nicer than you found it!

## Thank you!



**RESOLUTION**

**A RESOLUTION SUPPORTING CITIZEN EFFORTS TO ESTABLISH A DOG PARK AND OBTAIN A PETSAFE GRANT FOR ITS DEVELOPMENT AND IF OAK RIDGE WINS A GRANT WILL DEDICATE A PORTION OF BIG TURTLE PARK AND ALLOCATE OTHER RESOURCES TO SUPPORT A DOG PARK THERE.**

WHEREAS, a dog park is an enclosed area where dogs can exercise and play off-leash under the supervision of their owners; and

WHEREAS, dog parks bring benefits not only to dogs and their owners, but also to entire communities by promoting responsible dog ownership and creating bonds among park users and other dog lovers; and

WHEREAS, dog parks are increasing in popularity around the country; and

WHEREAS, there has been considerable citizen interest in establishing a dog park in Oak Ridge; and

WHEREAS, the City Recreation and Parks Department has identified an area in Big Turtle Park that could be used for a dog park and would be suitable for development of separate areas for large and small dogs; and

WHEREAS, a citizen committee working with the Oak Ridge Parks Board has been studying the dog park concept; and

WHEREAS, the first-ever Dock Dogs competition in our area was held as part of Oak Ridge's commemoration of Earth Day 2012 to celebrate dogs and support the campaign for a local dog park; and

WHEREAS, PetSafe, a supplier of pet products, is currently conducting its second annual "Bark for Your Park" contest among U.S. cities, and will award one city \$100,000 to build a local dog park and two other cities \$25,000 each; and

WHEREAS, supporters of an Oak Ridge dog park have obtained enough evidence of local support via social media, including the PetSafe.net website and Facebook, to qualify Oak Ridge as a nominee in the "Bark for Your Park" contest; and

WHEREAS, fifteen contest finalists will be announced on June 15, 2012, and the winners will be determined by the number of online votes each finalist city receives between the announcement and July 31, 2012; and

WHEREAS, in order to qualify to become a contest finalist, Oak Ridge must submit evidence of both the availability of suitable land and support by civic leaders to PetSafe by June 13, 2012.

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

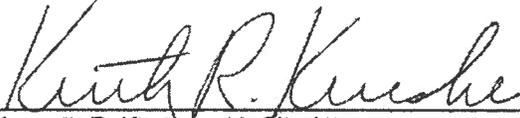
That the City Council supports and encourages citizen efforts to establish a dog park and obtain a PetSafe grant for its development, and if Oak Ridge wins a grant, will dedicate a portion of Big Turtle Park and allocate other resources to support a dog park there.

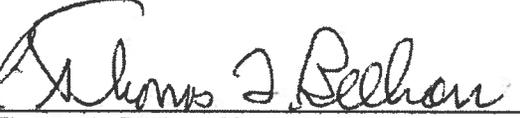
**BE IT FURTHER RESOLVED** that the City Council strongly supports the submittal of an application to PetSafe and if Oak Ridge wins, to receive a PetSafe grant and use that grant for the purpose of constructing and equipping a dog park.

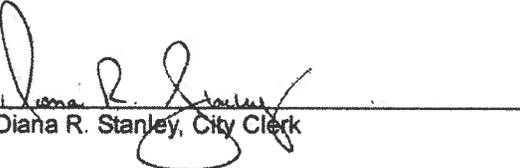
BE IT FURTHER RESOLVED that the Mayor is hereby authorized to execute the appropriate legal instruments to accomplish the same.

This the 11<sup>th</sup> day of June 2012.

APPROVED AS TO FORM AND LEGALITY:

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

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

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

TITLE

AN ORDINANCE TO AMEND TITLE 10, TITLED "ANIMAL CONTROL" OF THE CODE OF ORDINANCES, CITY OF OAK RIDGE, TENNESSEE," BY CREATING A NEW CHAPTER 4, TITLED "DOG PARKS," TO ESTABLISH PERMISSION FOR DOGS TO BE OFF-LEASH IN CITY-OWNED DOG PARKS AND TO ESTABLISH CERTAIN REQUIREMENTS FOR USE.

WHEREAS, by Resolution 6-41-2012, City Council supported and encouraged citizen efforts to establish a dog park and sought grant funding; and

WHEREAS, the City has received a grant in the amount of \$100,000.00 for use in constructing and equipping a dog park; and

WHEREAS, creation of a dog park will result in the need for an ordinance amendment to allow designated off-leash areas and to set forth certain requirements for use of the dog park.

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

Section 1. Title 10, titled "Animal Control," of the Code of Ordinances, City of Oak Ridge, Tennessee, is hereby amended by creating a new Chapter 4, titled "Dog Parks," which new chapter shall read as follows:

**CHAPTER 4**

**DOG PARKS**

**Sec. 10-401. Dog Park, Off-Leash Area.**

The City has the authority to designate areas as dog parks. Dogs are permitted to be off-leash within the confines of any City-owned dog park area without being in violation of the City's leash (animal at large) law provided the provisions of this chapter are followed at all times.

**Sec. 10-402. Requirements.**

It is unlawful for any person to fail to follow the requirements for use of the dog park as set forth below and each and every violation per dog may be treated as a separate offense:

- (1) A person shall not bring any animal into the dog park other than a dog. This prohibition is not applicable to a service animal in performance of, or in training for, its duties to provide assistance to a person with disabilities.
- (2) A person having charge, custody, care or control of a dog shall not bring a dog to the dog park that has been declared vicious by any governmental entity.
- (3) A person having charge, custody, care or control of a dog shall not bring a dog in heat into the dog park.
- (4) A person having charge, custody, care or control of a dog shall only bring a dog(s) to the dog park if the dog is healthy and properly vaccinated.
- (5) Current proof of rabies vaccination (ex. rabies tag) must be attached to the vaccinated dog's collar at all times, and may be inspected by any city employee or city dog park volunteer at any time while entering, inside, or exiting the dog park.

- (6) If the dog park has a designated area for small dogs, no dogs over twenty pounds (20 lbs) may be in the small dog area.
- (7) All dogs must be leashed when entering and exiting the dog park, and the person having charge, custody, care or control of the dog must keep the leash in their possession at all times inside the dog park.
- (8) The person having charge, custody, care or control of the dog must promptly remove and dispose of any waste deposited by their dog. Trash receptacles will be available within the dog park.
- (9) The person having charge, custody, care or control of the dog must repair any damage caused by their dog including filling in holes dug by the dog.
- (10) The person having charge, custody, care of control of the dog must immediately remove the dog if the dog shows signs of aggression toward people or other dogs within the dog park.
- (11) Weapons are not permitted within the dog park.
- (12) Dogs may not be left in the dog park unattended.

**Sec. 10-403. Rules.**

In addition to the requirements set forth in this chapter, the City has the authority to establish and post rules and regulations pertaining to use of the dog park. Dog park rules will be posted at the main entrance to the dog park and on the City's website and must be followed.

**Sec. 10-404. Violations.**

A person in violation of the requirements set forth in this chapter and/or the posted rules for the dog park may be banned from the dog park for a designated or indefinite time period. In addition, a person in violation of the requirements of this chapter may be cited for the violation(s) in city court.

**Sec. 10-405. Implied Consent.**

Use of the dog park shall constitute implied consent of the owner and any person have charge, custody, care or control of the dog to strictly follow the requirements and rules set forth in this chapter, and shall constitute a waiver of liability to the City, its officials, officers, and employees, an assumption of all risks, and an agreement and undertaking to protect, indemnify, defend and hold harmless the City, its officials, officers, and employees for any injury or damage to persons or property during any time that the dog is in the dog park.

**Sec. 10-406. Responsibility and Liability.**

The provisions of this chapter do not relieve the owner or person have charge, custody, care, or control of a dog from the responsibility to maintain proper control over the dog nor shall the provisions of this chapter be construed to relieve such person from any liability for any damages arising out of his or her use of the dog park.

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

First Reading:	<u>6/10/2013</u>
Publication Date:	<u>6/17/2013</u>
Second Reading:	_____
Publication Date:	_____
Effective Date:	_____

# RESOLUTIONS

**CITY COUNCIL MEMORANDUM**  
**13-12**

**DATE:** June 26, 2013  
**TO:** Honorable Mayor and Members of City Council  
**FROM:** Mark S. Watson, City Manager  
**SUBJECT:** OAK RIDGE CONVENTION AND VISITORS BUREAU CONTRACT

Introduction

An item for City Council's consideration is a resolution approving a contract between the City and the Oak Ridge Convention and Visitors Bureau for the provision of services and materials to promote tourism in Oak Ridge for the period July 1, 2013 through June 30, 2014 (FY 2014) in an amount not to exceed \$300,000.

Funding

One of the major contracts the City of Oak Ridge has is with the Oak Ridge Convention and Visitors Bureau (CVB). This contract utilizes hotel/motel tax dollars for the promotion and active pursuit of tourism dollars for our community and local hotel industry.

Background

This past year the City Manager indicated an urgent need for new ways of marketing our community due to government travel slowdowns and promotional needs of our local hotels. Too often we have seen the highly competitive hotel market in West Knoxville take business from the Oak Ridge sector, even while events such as regattas are hosted and serviced with local support. An active internet presence and aggressive marketing is the norm and the CVB was approached about how to address local occupancies, development of more activities for the weekends, recruitment of sporting events, and marketing to neighboring East Tennessee communities. We have seen successful events through our regattas, Secret City Festival, and other community events.

The City Manager has met with the leadership of the CVB Board and discussed how to address these challenges to our community. The attached contract represents some changes to prior years, with a strong focus on attracting and bringing events to our community that brings additional hotel/motel occupancy and ultimately hotel tax dollars. The contract provides new and additional benchmarks that focus on hotel/motel occupancy and measurements that will poise the City for further recruitment and development for such facilities as conference centers in the future. It is annually reviewed and authorized by City Council as recommended by the City Manager.

Recommendation

Approval of the attached resolution is recommended.

  
\_\_\_\_\_  
Mark S. Watson

Attachments

**RESOLUTION**

A RESOLUTION APPROVING A CONTRACT BETWEEN THE CITY AND THE OAK RIDGE CONVENTION AND VISITORS BUREAU (CVB) FOR THE PROVISION OF SERVICES AND MATERIALS TO PROMOTE TOURISM IN OAK RIDGE FOR THE PERIOD JULY 1, 2013 THROUGH JUNE 30, 2014 (FY2014) IN AN AMOUNT NOT TO EXCEED \$300,000.00.

WHEREAS, the City of Oak Ridge has heretofore approved certain appropriations for FY 2014 for the Oak Ridge Convention and Visitors Bureau; and

WHEREAS, the City and the Oak Ridge Convention and Visitors Bureau desire to enter into a contract to set forth the responsibilities and obligations of the parties and to provide measures of performance and accountability for the funds so appropriated.

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

That the attached contract between the City of Oak Ridge and the Oak Ridge Convention and Visitors Bureau for the provision of services and materials to promote tourism in Oak Ridge for the period July 1, 2013 through June 30, 2014, is hereby approved; said contract in an amount not to exceed \$300,000.00.

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

This the 8th day of July 2013.

APPROVED AS TO FORM AND LEGALITY:



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

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

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

## CONTRACT

This Contract entered into this 8th day of July, 2013 by and between the City of Oak Ridge, Tennessee, hereinafter referred to as the "City," and the Oak Ridge Convention and Visitors Bureau, hereinafter referred to as the "CVB."

In consideration of the mutual covenants and conditions hereinafter contained, the City and the CVB hereby contract and agree as follows:

1. Term

This Contract shall be for a term of one (1) year commencing July 1, 2013 through June 30, 2014, with a one (1) year option to renew at the City's discretion.

2. Requirements

A. The CVB's goals under this Contract are to promote economic activity of Oak Ridge, and to reduce economic "outflow" to surrounding areas, through coordination of the Oak Ridge's tourism and business community and the hotel/motel industry to increase the amount of tax revenues generated by hotel/motel room occupancy.

B. The CVB's objectives for accomplishment of the goals under this Contract are as follows:

1. The CVB shall support businesses, non-profit organizations and governmental entities in promoting, coordinating and sponsoring events and programs in Oak Ridge and Anderson-Roane Counties.
2. The CVB shall identify, develop and use multimedia and social networking facilities to maximize and promote the Oak Ridge "brand" as a venue for premier events and activities including but not limited to those identified in the UT-MBA study prepared for the City in 2013.
3. The CVB shall identify and budget for small improvements (less than \$10,000.00) that will enhance business and hotel/motel industry and their associated promotions.
4. The CVB shall develop an aggressive campaign both locally and regionally to address the SMERF (Social, Military, Educational, Religious, Fraternal) market.

C. The CVB's benchmarks for accomplishment of the goals under this Contract are as follows:

1. Occupancy Rate and Average Daily Rate (ADR) (Average rental income per paid occupied room) accumulated on a quarterly basis (Summer, Fall, Winter, and Spring) with data categorized for weekdays and weekends. This statistical data is necessary for the City's future recreational recruitment needs. The City understands that hotels/motels may have some proprietary data in their individual Occupancy Rate and Average Daily Rate; however, the data to be submitted to the City under this Agreement is aggregate data and not hotel/motel specific.
2. Hotel/motel occupancy as a percentage of rooms occupied
3. Develop measures for weekend hotel/motel occupancy

4. Develop return on investment (ROI) analysis of local events with CVB Board and report findings to City Council and establishing future measures.
- D. Except as otherwise specified within this Contract, the specific strategy, plans and efforts to provide such services shall be determined and implemented by the CVB. It is understood that unusual circumstances affecting the economy may impact the achievement of these objectives.
- E. The City and the CVB may make changes as mutually agreed upon in the scope of work of this Contract. Such changes shall be incorporated as written amendments to this Contract signed by both parties.

3. Monitoring and Reporting Requirements

For the purposes of monitoring and reporting, the CVB shall provide to the City periodic reports as follows: by October 15, 2013; January 15, 2014; and April 15, 2014. The periodic reports shall detail the CVB's efforts toward, and accomplishment of the Requirements outlined in Section 2 above. The CVB shall also submit an annual report of its activities under this Contract no later than July 31, 2014. The annual report shall be a written report indicating the expenditure of City funds and a statement of cash position, which report is audited by the City.

4. Compensation

- A. The City will pay the CVB \$300,000.00 for the services provided under this Contract as specified in Section 2, Requirements.
- B. The City will pay the CVB in four (4) quarterly installments of \$75,000.00 on or about the following dates provided the required periodic reports required by Section 3, Monitoring and Reporting Requirements, have been submitted: July 15, 2013; October 20, 2013; January 20, 2014; and April 20, 2014. The City may reserve three percent (3%) of the total compensation (\$9,000.00) (incentive amount) from the fourth quarterly payment as incentive for the CVB to meet the goals and objectives set forth in Section 2. The incentive amount is payable to the CVB on or about August 1, 2014 provided the CVB meets the goals and objectives. If projections at the end of the third quarter predict the CVB will meet the goals and objectives, the City Manager may elect to not withhold the incentive amount from the fourth quarterly payment. If the CVB fails to meet the goals and objectives, the CVB will not be entitled to receive the incentive amount and if the incentive amount was not withheld from the fourth quarterly payment, the CVB will be required to return the incentive amount to the City within fifteen (15) days.
- C. Written requests by the CVB for cash advances may be granted by the City Manager, at the City Manager's sole discretion, which cash advances shall not exceed the City's budgeted amount under this Contract.
- D. The CVB may request budget revisions in writing. Any City approvals of budget revisions shall be made in writing.
- E. If, through any cause, the CVB shall fail to fulfill in a timely and proper manner the obligations under this Contract, or if the CVB shall violate any of the covenants, agreements, or stipulations of this Contract, the City shall withhold quarterly payment of the annual budgeted amount until the CVB has fulfilled said obligation or corrected any specified violation.
- F. The CVB shall reimburse the City within sixty (60) calendar days for any disbursements or expenditures from the Contract funds which the City determines are not within the scope of the Contract.

- G. The CVB shall budget the use of funds received under this Contract and shall create a reserve amount set aside for unforeseen circumstances to avoid strict reliance on funding to arrive before expenses occur. The CVB shall set a goal of \$15,000.00 for the reserve amount (the equivalent of five percent (5%) of the total compensation amount) with a goal to doubling that amount in the subsequent fiscal year. The CVB shall develop a process for the use of reserve funds and submit such process in writing to the City Manager. The CVB may use reserve funds for small improvements (less than \$10,000.00)

5. Assignment

The CVB shall not assign, subcontract or use consultants for any portion of this Contract without prior written approval of the City Manager or the City Manager's duly authorized designee.

6. Staff

The CVB shall pay its employees under this Contract, save for volunteers, at least the federal minimum wage. The CVB shall not increase its employees' salaries to an extent greater than the salary increases allowed by the City for its employees during the same fiscal year. For FY2014, the City budgeted for a one and (1.0%) salary increase, therefore, CVB may increase its employees' salaries by no more than one percent (1.0%) for the fiscal year.

7. Anti-Discrimination

In carrying out the work of this Contract, the CVB shall not discriminate against any employee or applicant for employment because race, color, religion, creed, sex, sexual orientation, national origin, age, disability or any other legally protected status.

8. Termination

- A. If, through any cause, the CVB shall fail to fulfill in a timely and proper manner the obligations under this Contract, or if the CVB shall violate any of the covenants, agreements, or stipulations of this Contract, the City shall thereupon have the right to terminate this Contract by giving written notice to the CVB of such termination and specifying the effective date thereof, at least thirty (30) days before the effective date of such termination.
- B. In that event, all finished and unfinished documents and other materials prepared by the CVB under this Contract shall, at the option of the City, become its property and the CVB shall be entitled to receive just and equitable compensation for any satisfactory work completed on such documents and other materials, any such amount not to exceed the City's budgeted amount under this Contract.
- C. Notwithstanding the above, the CVB shall not be relieved of liability by the City by virtue of any breach of the Contract by the CVB, and the City may withhold any payments to the CVB for the purpose of setoff until such time as the exact amount of damages due the City from the CVB is determined.

9. Contract Representatives

- A. The CVB's contact person for this Contract shall be the CVB's President or the President's duly authorized designee.
- B. The City's contact person for this Contract shall be the City Manager or the City Manager's duly authorized designee.

10. Availability of Documents for Inspection

- A. All CVB documents and reports pertaining shall be available for inspection by the City Manager or the City Manager's duly authorized designee.
- B. The CVB shall maintain records in such a manner as to enable the City and/or the City's auditors to audit the expenditures for compliance with this Contract during regular City business hours.

11. Governing Law

This Contract is governed by the laws of the State of Tennessee.

IN WITNESS WHEREOF, the parties hereto have executed this Contract as of the day and year first above written, the City of Oak Ridge, by its Mayor, by authority duly given.

APPROVED AS TO FORM AND LEGALITY:

CITY OF OAK RIDGE, TENNESSEE

\_\_\_\_\_  
City Attorney

\_\_\_\_\_  
Mayor

OAK RIDGE CONVENTION AND VISITORS  
BUREAU

\_\_\_\_\_  
President

Approved by Resolution \_\_\_\_\_

**CITY COUNCIL MEMORANDUM**  
**13-14**

DATE: July 1, 2013  
TO: Honorable Mayor and members of City Council  
FROM: Mark S. Watson, City Manager  
SUBJECT: REMOVAL OF OAK RIDGE BEER PERMIT BOARD MEMBER

The City Council has received a resolution as attached to consider the removal of Mr. Pedro Otaduy from service on the Oak Ridge Beer Permit Board.

Provided as background is a letter from Chairman William "Randy" Tedford and a secondary letter from Barton Bailey, board member. After due consideration of both letters and concerns expressed by other board members, this item is brought to the Council's attention as the appointment is made by the City Council and because the Board's by-laws have no procedure for removal.

The Board has expressed concern for the disruptive behavior that fails to follow the Beer Board's process and has even resulted in at least two members considering resignation, which would cripple the Board's ability to act. Having met with the Chairman, he has done everything he can as the chair to ensure Mr. Otaduy is aware of the Board's ordinances to review and its processes. Attempts to maintain order and stay on topic have been challenging and no change in behavior or approach has been taken by Mr. Otaduy.

Upon receipt of the letter from Chairman Tedford, a meeting was held with the Mayor and City Manager to advise Mr. Otaduy of the concern. Mr. Otaduy was offered the option to respond to the letter for inclusion in the July 8th agenda packet and nothing has been received. This item has been placed on the agenda for Council resolution.

Mr. Otaduy was elected by the City Council on December 17, 2012 to serve the remainder of a vacancy due to expire on December 31, 2013. Since City Council elects members to the board, City Council is the only one with recognized authority to remove a board member by authority and implication.

The attached resolution is recommended for consideration of adoption. The City Council is encouraged to contact individuals of the Oak Ridge Beer Board, including Mr. Otaduy, with any questions you may have on this matter.

  
Mark S. Watson

Attachments:

- 1) Letter from Mr. William Tedford
- 2) Letter from Mr. William Bailey
- 3) Resolution

June 17, 2013

Mark S. Watson, City Manager  
City of Oak Ridge  
P.O. Box 1  
Oak Ridge, Tennessee 37831

RE: Oak Ridge Beer Permit Board Member Pedro Otaduy – Request for Council Removal

After much personal deliberation, it is with great regret that I am writing to inform you of the continuing problems Mr. Pedro Otaduy is causing during the Oak Ridge Beer Permit Board meetings. As Chairperson, I have made every effort to ensure all board members—including myself—are following the Rules and Procedures set forth by the board and approved by City Council, as well as following Robert's Rules of Order. Attempts by myself and other members of the board to rein in Mr. Otaduy's behavior have been unsuccessful as the behavior either continues during the meeting or the same behavior returns at a subsequent meeting.

Without going into a lot of detail regarding the issues, I will provide a brief but precise summary. In Mr. Otaduy's short tenure (January 2013 to present, keeping in mind that Mr. Otaduy has been absent for two meetings), he has:

- Spoken to the board regarding his wife's beer permit application while not disclosing his relationship with the business owner to the board until pressed on the issue by a member and being ordered to answer the question by the Chairperson. At which point, Mr. Otaduy refused to acknowledge any conflict of interest in having that discussion with the board. (January 14, 2013)
- Accused two members of not telling the truth when Mr. Otaduy inquired about the status of his wife's beer permit application, which occurred before Mr. Otaduy was a member and occurred at a meeting he was not present for. (January 14, 2013)
- Speaks without being recognized by the Chairperson, speaks off topic on the agenda, speaks out of order of the agenda, and/or speaks over other members when those members have the floor. (January 14, 2013; March 11, 2013; and June 10, 2013)
- Provides legal advice and interpretation of state law and city ordinance even though he has been instructed not to do so and has been cautioned by the board concerning the possibility of litigation by an applicant who receives misinformation from him at a meeting. (May 13, 2013 and June 10, 2013)
- Argues with members during board meetings rather than keeping the meetings professional and on topic. (January 14, 2013; March 11, 2013; and June 10, 2013)
- Repeatedly brings up issues off the agenda that have already been discussed by the board such as the application forms, the agenda format, and the audio recordings for the meetings. (March 11, 2013; May 13, 2013; and June 10, 2013)
- Failed to follow process even after being informed of the process at meetings, such as not providing notice of absences to the staff liaison, not staying on topic, and not making relevant comments. As a specific example of Mr. Otaduy's actions regarding board business, Mr. Otaduy voted against a show cause hearing for a beer permit holder. When the time came to set a date for the hearing, he suggested a date in 2043. (April 8, 2013; June 10, 2013)

Mr. Otaduy has become an impediment to the board's work and his behavior has become so obstructive that the board is hindered from functioning effectively. Mr. Otaduy's actions have caused one member to be discouraged from participating and to voice serious thought of resignation on more than one occasion.

Another member has voiced feelings of uncomfortableness during the meetings due to Mr. Otaduy's actions. Other members are frustrated with Mr. Otaduy's continued behavior during the meetings. This is more than simply disagreement among members during meetings. Mr. Otaduy's actions are disruptive and disrespectful and have caused the board to no longer work well as a whole.

In the past, board meetings have run smoothly by following the order of the agenda, respecting other members' right to speak on topic, not talking over another member, recognizing the authority and responsibility of the chair to call a meeting back into order when needed, and without argument. Professional and respectful disagreement, and even impassioned argument, can occur during any public meeting; however, it cannot occur to the point of disrespect of members and failure to follow process.

At this time, I feel it is best for the board as a whole that Mr. Otaduy be removed as a member of the board. His continued actions and failures to follow proper procedure have resulted in at least one member voicing serious consideration of resigning, another member voicing a feeling of uncomfortableness during the meetings, and other members who have expressed serious frustration and annoyance at the continued disruptions and lack of following proper process. Mr. Otaduy's behavior in providing legal advice at the last two meetings raises a serious concern especially since Mr. Otaduy fails to recognize his actions as providing legal advice to applicants. Not only is providing legal advice without a law license unlawful, providing such advice during a board meeting gives an appearance of speaking on behalf of the board which may cause the board, and the city, to face potential litigation.

The board does not have any provisions for removal of a member in the rules and procedures or in the enacting ordinance; therefore, as appointing authority for members of the board, only City Council would have authority to remove a member from the board.



William R. "Randy" Tedford

Chairperson of the Oak Ridge  
Beer Permit Board

June 24, 2013

William Barton Bailey  
128 Chestnut Hill Rd  
Oak Ridge, TN 37830

RECEIVED  
2013 JUN 26 PM 3:16  
OFFICE OF THE CITY CLERK

The Honorable Mayor and Members of City Council  
City of Oak Ridge, Tennessee  
200 South Tulane Avenue  
P.O. Box 1  
Oak Ridge, TN 37831

Dear Mr. Mayor and Members of City Council:

I agree completely with Beer Board Chairman Tedford's letter to City Manager Watson of June 17, 2013. Mr. Otaduy's behavior at board meetings lacks decorum. He is disruptive when others have the floor, he attempts to monopolize discussions, and he attempts to steer the meeting away from the agenda items (frequently to revive discussions about past Board decisions which he opposed).

Mr. Otaduy's actions surpass simple disagreement with other board members on the issues being discussed. No legislative body is without disagreement and debate, and my time on the Beer Permit Board has seen its fair share of both. Instead, he acts as if he is opposed to the mere existence of the Board and the charge it is tasked with carrying out for the citizens of Oak Ridge. To some degree, if this is indeed his intention, he has been successful during his short tenure. He has turned what I would have previously described as smooth running and efficient meetings into veritable circuses. As Mr. Hope and Mrs. Garcia Garland can attest, an hour is long for a Beer Board meeting. Since Mr. Otaduy joined the Board, an hour or more has become routine. I cannot speak for the other working members of the Board, but since I am taking time away from work for the meetings, this time commitment has become onerous.

I do not think Chairman Tedford was referring to me as the member considering resignation from the board, but I am personally debating that possibility. I have firmly decided, however, that I will not serve any further once my appointment has ended if Mr. Otaduy is still on the Board. He has accused another board member and me of being dishonest (in regards to an issue at a meeting he did not even attend), he makes meeting discussions difficult to follow, and he has in my opinion compromised the efficacy of the Beer Board.

I urge you, Mr. Mayor and Members of City Council, to vote to remove Mr. Otaduy from the Beer Permit Board.

Sincerely,



William Barton Bailey  
Secretary, City of Oak Ridge Beer Permit Board

**RESOLUTION**

A RESOLUTION REMOVING PEDRO OTADUY AS A MEMBER OF THE OAK RIDGE BEER PERMIT BOARD.

WHEREAS, at the December 17, 2012 special meeting, City Council elected Pedro Otaduy to serve the remainder of an unexpired term of office ending December 31, 2013 for the Oak Ridge Beer Permit Board; and

WHEREAS, since January 2013 Mr. Otaduy has, among other things, been disrespectful to and argumentative with board members during public meetings, failed to follow proper process and meeting agenda order, and provided legal advice to applicants regarding state law; and

WHEREAS, due to Mr. Otaduy's actions at recent board meetings, one board member has verbally expressed serious thought of resignation and another member has expressed feelings of uncomfortableness; and

WHEREAS, Mr. Otaduy's behaviors have not changed even after being advised by the chairperson and other board members; and

WHEREAS, Mr. Otaduy's behavior at meetings has hindered the ability of the board to effectively function as a whole and has resulted in numerous concerns and complaints to the City Manager and City Council.

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

That Pedro Otaduy is hereby removed as a member of the Oak Ridge Beer Permit Board.

This the 8th day of July 2013.

APPROVED AS TO FORM AND LEGALITY:



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

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Thomas L. Beehan, Mayor

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