

OAK RIDGE CITY COUNCIL MEETING

Municipal Building Courtroom

September 8, 2014—7:00 p.m.

AGENDA

I. INVOCATION

Reverend Curtis McLane, Highland View Church of Christ

II. PLEDGE OF ALLEGIANCE

III. ROLL CALL

IV. APPEARANCE OF CITIZENS

V. PROCLAMATIONS AND PUBLIC RECOGNITIONS

[NONE]

VI. SPECIAL REPORTS

a. "2013-2014 State of the Youth Address" delivered by the Chair of the Youth Advisory Board.

b. City Attorney Evaluation Committee Chair Trina Baughn

Adoption of a resolution to amend the City Attorney's Employment Agreement to provide for an equivalent two percent (2%) salary increase retroactive to March 2, 2014.

VII. CONSENT AGENDA

a. Approval of the August 11, 2014 City Council meeting minutes.

b. Approval of a proclamation designating September 26 and 27, 2014, as "Historically Black Colleges and Universities Expo Weekend."

c. Adoption of a resolution authorizing the City to submit an employee safety grant application to the Tennessee Municipal League Risk Management and accept said grant if approved.

d. Adoption of a resolution authorizing the City to submit a driver safety grant application to the Tennessee Municipal League Risk Management and accept said grant if approved.

e. Adoption of a resolution to accept a \$34,000.00 Assistance to Firefighter Grant Award from the Department of Homeland Security Federal Emergency Management Agency (FEMA) for smoke alarms.

f. Adoption of a resolution authorizing the City to utilize the services of Ross Meter Service, Inc., Morristown, Tennessee, to repair, replace, test, and inspect oil-filled equipment and substation systems for the Electric Department in an amount not to exceed \$60,000.00.

g. Adoption of a resolution to approve a master agreement with U.S. Communities Government Purchasing Alliance to allow the City to be a participating member in a purchasing cooperative.

VIII. RESOLUTIONS

- a. A RESOLUTION MAKING AWARDS TO ALTERNATE STAFFING, INC.; EXPRESS EMPLOYMENT PROFESSIONALS; FIRST PLACE FINISH; ROBERT HALF INTERNATIONAL (ACCOMTEMPS AND OFFICE TEAM); STAFFING SOLUTIONS; TEMP SYSTEMS, INC.; AND QUALIFIED TECHNICAL FIRMS SUCH AS RECRUITWISE FOR FURNISHING AS NEEDED TEMPORARY EMPLOYMENT SERVICES FOR FISCAL YEAR 2015 IN THE ESTIMATED AMOUNT OF \$175,000.00.
- b. A RESOLUTION APPROVING A RIGHT-IN/RIGHT-OUT ACCESS TO SOUTH ILLINOIS AVENUE FROM ANDERSON COUNTY TAX MAP 106A, GROUP A, PARCELS 39.00 AND 40.00, SUBJECT TO APPROVAL BY THE TENNESSEE DEPARTMENT OF TRANSPORTATION.
- c. A RESOLUTION AUTHORIZING THE CITY TO APPLY FOR A GRANT FROM THE JAPAN WORLD EXPOSITION 1970 COMMEMORATIVE FUND FOR MATCHING FUNDS TO REBUILD THE FRIENDSHIP BELL HOUSE, SAID GRANT REQUIRING A 50/50 MATCH.
- d. A RESOLUTION AWARDED A CONTRACT (FY2015-005) TO MORGAN CONTRACTING, INC., BAKER, FLORIDA, FOR CONSTRUCTION OF THREE (3) NEW EQUALIZATION BASINS AND ASSOCIATED MECHANICAL, ELECTRICAL, AND INSTRUMENTATION APPURTENANCES IN THE ESTIMATED AMOUNT OF \$6,472,000.00.
- e. A RESOLUTION TO CREATE A BUDGET AND FINANCE COMMITTEE, TO ESTABLISH MONTHLY ACTIVITY REPORTS AND QUARTERLY REPORTS TO COUNCIL BY THE CITY MANAGER, AND TO ESTABLISH ACCESS BY COUNCIL TO THE MAYOR'S CALENDAR OF CITY ACTIVITIES AND EVENTS.

IX. PUBLIC HEARINGS AND FIRST READING OF ORDINANCES

First Reading of An Ordinance

AN ORDINANCE TO AMEND TITLE 2, TITLED "BOARDS AND COMMISSIONS," OF THE CODE OF ORDINANCES, CITY OF OAK RIDGE, TENNESSEE, BY DELETING CHAPTER 2, TITLED "ENVIRONMENTAL QUALITY ADVISORY BOARD," AND SUBSTITUTING THEREFORE A NEW CHAPTER 2 OF THE SAME TITLE TO ADDRESS UPDATES REQUESTED BY EQAB.

X. FINAL ADOPTION OF ORDINANCES

- a. AN ORDINANCE TO AMEND THE COMPREHENSIVE PLAN'S LAND USE PLAN BY CHANGING THE DESIGNATION OF PARCEL 039.00, ANDERSON COUNTY TAX MAP 106A, GROUP A, FROM R, RESIDENTIAL TO B, GENERAL BUSINESS.
- b. AN ORDINANCE TO AMEND ORDINANCE NO. 2, TITLED "THE ZONING ORDINANCE OF THE CITY OF OAK RIDGE, TENNESSEE," BY AMENDING THE ZONING MAP WHICH IS MADE A PART OF THE ORDINANCE BY CHANGING THE ZONING DISTRICT OF PARCEL 039.00, ANDERSON COUNTY TAX MAP 106A, GROUP A, FROM R-2 MDO, LOW DENSITY RESIDENTIAL IN THE MANHATTAN DISTRICT OVERLAY, AND RG-1, RESIDENTIAL, OPEN SPACE, AND RESERVED, TO UB-2 PUD, UNIFIED GENERAL BUSINESS WITH A PLANNED UNIT DEVELOPMENT OVERLAY; CHANGING THE ZONING DISTRICT OF PARCEL 040.00, ANDERSON COUNTY TAX MAP 106A, GROUP A, FROM R-2 MDO, LOW DENSITY RESIDENTIAL

IN THE MANHATTAN DISTRICT OVERLAY, TO UB-2 PUD, UNIFIED GENERAL BUSINESS WITH A PLANNED UNIT DEVELOPMENT OVERLAY; AND APPROVING THE PLANNED UNIT DEVELOPMENT PRELIMINARY MASTER PLAN FOR SAID PARCELS.

- c. AN ORDINANCE TO AMEND ORDINANCE NO. 2, TITLED "THE ZONING ORDINANCE OF THE CITY OF OAK RIDGE, TENNESSEE, BY AMENDING THE FOLLOWING: ARTICLE II, TITLED "DEFINITIONS" TO ADD DEFINITIONS FOR "INDOOR SPORT SHOOTING RANGE" AND "OUTDOOR SPORT SHOOTING RANGE;" ARTICLE III, TITLED "GENERAL PROVISIONS," TO ADD A NEW SECTION 3.26, TITLED "SPORT SHOOTING RANGES"; SECTION 7.03, TITLED "B-2, GENERAL BUSINESS DISTRICTS," TO ADD "INDOOR SPORT SHOOTING RANGES" AS A USE REQUIRING SPECIAL EXCEPTION APPROVAL FROM THE BOARD OF ZONING APPEALS; AND SECTION 7.04, TITLED "UB-2, UNIFIED GENERAL BUSINESS DISTRICTS," TO ADD "INDOOR SPORT SHOOTING RANGES" AS A USE REQUIRING SPECIAL EXCEPTION APPROVAL FROM THE BOARD OF ZONING APPEALS; ALL FOR THE PURPOSE OF ESTABLISHING PROVISIONS FOR SPORT SHOOTING RANGES.

XI. ELECTIONS/APPOINTMENTS, ANNOUNCEMENTS AND SCHEDULING

- a. Elections/Appointments
- b. Announcements
- 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

SPECIAL REPORTS

City of Oak Ridge Youth Advisory Board: 2013-2014 State of the Youth Address

Hello, my name is Kelsey Warmbrod, Chairwoman of the Youth Advisory Board of Oak Ridge for the 2013-2014 year. I am proud to report that this year the board accomplished many goals and developed new ideas and events for the community. We hosted a disc golf tournament in November we fondly refer to as the "turkey bowl", led active games at the Earth Day festival, hosted a dodge ball tournament, and directed activities at the city Halloween party. We also co-sponsored the 17th annual Graduation Celebration. New this year was a co-sponsorship with Y-12 Federal Credit Union for our Battle of the Bands event in April. This event was a success with many bands, giveaways, and dance time in between sets. A new event this year was a Holiday Event for teens in the community to go to Nashville around the holidays for a chance to do some holiday shopping as well as just have fun with friends. YAB also began a new program with the aquatics department that provided free water safety lessons to 30 children from local after school programs. This new program is designed to help children with no previous experience around water learn what to do in aquatic environments. We hope to see this program expand in the coming years.

The Youth Advisory Board also had the opportunity to consult with the Traffic Safety Advisory Board about the traffic problems around the high school. The board suggested that a stop light be placed at the front entrance of ORHS across from the civic center. We also suggested lengthening the turn signal light for turning left from Tulane onto the

turnpike. The board also discussed the proposed school budgets and recent changes to the school system. The general consensus of the board is that the school system should not stop funding for the arts and language departments. We feel that not all students are "STEM students" and these students should not be looked over or forced into being "STEM Students". We would like to see the schools show more support and give funding to all departments, not just science and math. We feel that this is more important than every student receiving a Surface or iPad.

The board wishes to improve on publicity for next year and would like to host more recreational events for teens. We also would like to continue working towards opening a teen center in Oak Ridge. I would also like to ask City Council to become more involved with the Board's activities and place more responsibility on the board.

Thank you for your time.

YOUTH ADVISORY BOARD MEMORANDUM

DATE: August 21, 2014
TO: Diana Stanley, City Clerk
THROUGH: Matt Reedy, Advisor to the YAB
FROM: Shane Harris, YAB Chairwoman
SUBJECT: Youth Advisory Board Approval of Annual Goals

At the August 20th, 2014 meeting of the Oak Ridge Youth Advisory Board, YAB members discussed goals and events for the upcoming year. Board members voted unanimously to approve the attached set of goals for the 2014-2015 term of office.

I believe the YAB will be busier than ever before this year. We will be working to provide students with positive activities around town, while also working to support various youth organizations. This year is shaping up to be a great one, and hopefully we will be able to make lasting relationships with other organizations and groups to further the goals of the YAB. We are planning some new events like a YAB Field Day, while continuing some old favorites like Battle of the Teen Bands.

If there are any questions about this statement from the Youth Advisory Board, I can be reached during after-school hours at 520-9442.

Thank you,

Shane Harris
YAB Chairwoman

2014-2015 YAB Goals and Objectives

- 1. Sponsor recreational activities for students**
 1. Battle of the Bands – April 24, 2015
 2. Graduation Celebration – May 28, 2015
 3. Holiday Event for Teens - TBD
 4. City Halloween Party – October 30, 2014
 5. Turkey Bowl Disc Golf Tournament– November 24, 2014
 6. Dodgeball Tournament for Teens – Fall 2014
 7. YAB Field Day – Spring 2015

- 2. Sponsor educational events or programs**
 1. ORHS Open House – August 28, 2014
 2. YAB Scholarship
 3. Water Awareness for Kids – January 2015
 4. YAB Leadership Trip to Nashville with Youth Leadership - February 25, 2015

- 3. Offer community volunteer services**
 1. Support the Mission of Hope holiday program – Nov. 26, 2014
 2. Support the Girls Inc. Teen Room
 3. City Easter Egg Hunt – March 28, 2015
 4. Habitat for Humanity Resale Store Cash Mob/Service Project - TBD

- 4. Increase communication within Oak Ridge Schools**
 1. Communicate regularly with Student Affairs and Guidance
 2. Promote Graduation Celebration
 3. Partner on an event with ORHS Student Council – Bowl-a-Thon Event/Bike-a-Thon
 4. Make regular announcements via Channel 15, school bulletin

- 5. Provide youthful insight on developments, programs, and public matters**
 1. Student Traffic and Safety Issues
 2. Survey Oak Ridge Teens on retail, developments, & programs
 3. Support efforts to rebuild the Friendship Bell

- 6. Increase public's awareness of YAB programs**
 1. City website updates
 2. Facebook/Instagram/Twitter for YAB Events – updated weekly
 3. News Releases to papers and school bulletins

- 7. Increase communication and participation within the Board and with City Council**
 1. Focus on attendance at meetings and events
 2. State of the Youth Address - Summer 2015
 3. Conduct a Survey of Youth and report findings to City Council

**CITY ATTORNEY EVALUATION COMMITTEE
MEMORANDUM**

DATE: August 11, 2014

TO: Fellow Members of City Council

FROM: City Attorney Evaluation Committee
Councilmember Trina Baughn, Chair
Mayor Thomas L. Beehan
Councilmember David N. Mosby

SUBJECT: CITY ATTORNEY EVALUATION REPORT AND RECOMMENDATIONS FOR FY2014

The City Attorney Evaluation Committee met on August 11, 2014 to develop its recommendation to the Council based on their review of the completed performance evaluations of the City Attorney. Committee members Mosby, Beehan, and I were present along with the City Attorney Kenneth R. Krushenski and City Clerk Diana R. Stanley.

The results of the completed performance evaluations are attached along with the City Attorney's Employment Agreement.

Following a review and discussion, the Committee unanimously recommends the continuation of Mr. Ken Krushenski's contract as City Attorney and supports the following recommendation:

1. That the City Attorney be awarded a 2% salary increase—retroactive to the effective date of his employment agreement, March 1—consistent with the raise that all city employees received in FY2014.
The salary increase will be effective to March 2, 2014 for payroll purposes.

The attached resolution amends the City Attorney's Employment agreement to provide for the recommended salary increase.

The Committee recommends its adoption as a measure of compensation for the City Attorney's performance as indicated by the evaluations completed by the councilmembers.

Respectfully submitted,



Trina Baughn, Chair
Attorney Evaluation Committee, 2014

Attachments:

City Attorney Employment Agreement
FY2014 City Attorney Evaluation Results
Resolution

EMPLOYMENT AGREEMENT
City Attorney

This is an agreement entered into this 22 day of Feb., 2001, between the City of Oak Ridge (the City) by the City Council and Kenneth R. Krushenski (City Attorney) to provide for the employment of Kenneth R. Krushenski as City Attorney of the City of Oak Ridge and to set forth the terms and conditions of his employment and the mutual obligations, rights and duties of each party.

Now, therefore, in consideration of the mutual promises as set forth in this Agreement, the City of Oak Ridge and Kenneth R. Krushenski agree as follows:

Section 1. Duties

City Council agrees to employ Kenneth R. Krushenski as City Attorney of the City of Oak Ridge to perform the functions and duties as specified in the City Charter and the City Code, and to perform such other legally permissible and proper duties and functions as the City Council shall from time to time assign. Article III, Section 13 of the Charter of the City of Oak Ridge specifies as follows:

The City Attorney shall be responsible for representing and defending the City in all litigation in which the City is a party, shall be the prosecuting officer in the City Court, shall advise the Council, City Manager, and other officers and employees of the City concerning legal aspects of the City's affairs, shall approve as to form and legality all contracts, deeds, bonds, ordinances, resolutions, motions, and other official documents and shall perform such other duties as may be prescribed by the Council or the City Manager.

The City Attorney shall also be responsible for representing all boards and commissions sanctioned by or established by the City Council. The City Attorney shall be responsible for defending all boards and commissions in all litigation in which the respective board or commission is a party and shall attend meetings of the various boards and commissions if in the discretion of the City Attorney his attendance is necessary.

The City Attorney shall also serve as tax attorney for the City of Oak Ridge. All revenue paid to the City Attorney in his capacity as tax attorney shall be paid into the general fund of the City of Oak Ridge, Tennessee.

Section 2. Term

A. Nothing in this Agreement shall prevent, limit, or otherwise interfere with the right of the City Council to terminate the services of the City Attorney at any time, subject only to the provisions set forth in Section 5, Paragraphs A and B of this Agreement.

B. Nothing in this Agreement shall prevent, limit, or otherwise interfere with the right of the City Attorney to resign at any time.

C. Except as otherwise herein stated, this Agreement shall become effective as of March 1, 2001, and shall continue in effect until March 1, 2003, except as provided in Section 2, Paragraph D.

D. In order to extend the term of this Agreement, City Council shall take action by November 18, 2002. However, upon the request of the City Attorney during this same period, City Council shall make a decision as to whether it desires to extend said Agreement.

Section 3. Performance Evaluation

A. No later than June 1, 2001, City Council and the City Attorney shall establish performance criteria and goals and objectives which shall provide the basis for the evaluation of the City Attorney. The performance criteria and the goals and objectives will be those that are necessary for the proper operation of the City and the attainment of City Council's policy objectives. The performance criteria and the goals and objectives shall be assigned a relative priority, and shall generally be attainable within the time limitations established and within the annual operating and capital budgets and the appropriations provided. Thereafter, City Council and the City Attorney may modify the performance criteria and the goals and objectives during the annual evaluation process.

B. The first formal evaluation of the City Attorney's performance shall be completed by May 30, 2002. Thereafter, evaluations shall be conducted on an annual basis by May 30th of each year.

Section 4. Code of Ethics

The City Attorney agrees to adhere to the standards of the American Bar Association Code of Professional Responsibility and to conduct himself accordingly.

Section 5. Termination and Severance Pay

A. In the event the City Attorney's employment is terminated by the Council at its will and pleasure during such time that the City Attorney is willing and able to perform his duties under this Agreement, then in that event the City agrees to pay the City Attorney a lump sum cash payment equal to six (6) months' aggregate salary plus any accrued leave and benefits less applicable deductions as required by agreement, law, ordinance or policy for other employees and/or the City Attorney's matching portion of benefits provided for and during said six (6) months' severance period. At City Council's option, the actual resignation date may be extended through earned and accrued leave balances due the City Attorney then in effect. Provided, however, that in the event the City Attorney is terminated "for just cause," then in such event, the City shall have no obligation to pay the aggregate severance sum designated in this paragraph. "Just cause" is defined and limited for the purposes of this Agreement to the following reasons: (1) willful neglect of duty; (2) felony or misdemeanor conviction of any crime involving moral turpitude; (3) violation of duties by the City Attorney of honesty and sobriety; (4) any other act of a similar nature of the same or greater seriousness.

B. In the event the City at any time reduces the salary or other financial benefits of the City Attorney in a greater percentage than an applicable across-the-board reduction for all City employees, then the City Attorney may at his option be deemed to be "terminated" at the date of such reduction under the terms of Section 5A, with the City Attorney being entitled to the lump sum cash payment as described.

EMPLOYMENT AGREEMENT

City Attorney

Page 3

Section 6. Disability

If the City Attorney becomes permanently disabled or is otherwise unable to perform his duties because of sickness, accident, injury, mental incapacity or health for a period of six (6) successive weeks beyond any accrued leave, the City shall have the option to terminate this Agreement.

Section 7. Salary

A. City agrees to pay the City Attorney for his services rendered pursuant hereto an annual base salary of \$80,017.60, payable in installments at the same time as other City employees are paid.

B. In addition, City agrees to increase said base salary and/or other benefits of the City Attorney in such amounts and to such an extent as the City Council may determine desirable on the basis of the performance evaluation developed as required by Section 3 of this Agreement. Nothing in this paragraph shall require the City to increase the base salary or other benefits of the City Attorney.

Section 8. Hours of Work

A. The City of Oak Ridge requires the full-time service of its City Attorney and, therefore, in the event the City Attorney is not available for his duties, he shall designate an Assistant City Attorney as his representative to be responsible in his place, and so inform members of City Council when appropriate.

B. The City Attorney is leaving an active private law practice to undertake this position with the City of Oak Ridge. Both parties to this agreement recognize that it will take the City Attorney some time to close his existing practice and in that regard the parties agree that the City Attorney will have three (3) months from the effective day of this agreement to terminate all attorney-client relationships with persons and entities other than the City of Oak Ridge. During this three (3) month period, the City Attorney agrees to avoid using regular office hours to conduct business with other clients and will make every effort to close out his attorney-client relationships with all such clients as soon as possible, but in no event will he represent persons or entities other than the City of Oak Ridge after May 30, 2001 without the express consent of the City (through the City Manager).

Section 9. Communications Equipment

The City agrees to reimburse the City Attorney up to Thirty Dollars (\$30) per month to maintain a cellular or digital telephone. Except for this reimbursement, the cellular or digital telephone service shall be maintained by the City Attorney at his cost. The City shall be provided the number for this telephone to allow ease of communication with the City Attorney.

Section 10. Dues and Subscriptions

A. The City agrees to budget and pay the professional dues and subscriptions of the City Attorney for his continuance and full participation in national, regional, state and local

associations and organizations as necessary and desirable for his continued professional participation, growth and advancement, and for the good of the City.

B. The City agrees to budget and pay the Tennessee Professional Privilege Tax and Tennessee Board of Professional Responsibility fees on behalf of the City Attorney.

Section 11. Professional Development

A. The City agrees to budget and to pay the travel and subsistence expenses of the City Attorney for professional and official travel, meetings, and occasions adequate to continue the professional development of the City Attorney and to adequately pursue necessary official and other functions for the City, including but not limited to the Annual Conference of the Tennessee Bar Association, the Tennessee Municipal League, and such other national, regional, state, and local governmental groups and committees thereof which the City Attorney serves as a member.

B. The City also agrees to budget and pay for the travel and subsistence expenses of the City Attorney for short courses, institutes, and seminars that are necessary for his professional development and for the good of the City.

Section 12. Annual and Sick Leave

A. The City Attorney shall accrue annual and sick leave in the same manner as other City employees and as specified in Article 11 of the Personnel Ordinance.

B. As of the date of commencement of the term of employment, the City Attorney shall have credited to his account ten (10) days of sick leave and one hundred twenty (120) hours of annual leave. Thereafter, the City Attorney shall accrue, and have credited to his personal account annual leave and sick leave at the same rate as other employees of the City. The City Attorney shall be entitled to all leave and employee benefit programs granted to all general employees of the City.

Section 13. Health, Dental, Disability and Life Insurance Benefits

The City agrees to provide health, dental, disability, long-term care and life insurance benefits to the City Attorney and to pay the premiums thereon equal to that which is provided all other general employees of the City.

Section 14. Retirement

The City Attorney shall be immediately covered by the Tennessee Consolidated Retirement System in the same manner as is provided all other general employees of the City.

Section 15. Liability Protection

The City shall provide the same liability protection for the City Attorney as provided for all general employees of the City, as specified in Section 13.4 of the Personnel Ordinance.

Section 16. Bonding

The City agrees to bear the full cost of any fidelity or other bonds required of the City Attorney under any law, ordinance or regulation.

Section 17. Residence

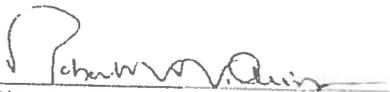
The City requires and the City Attorney agrees to maintain his principal residence inside the corporate limits of the City during the term of this Agreement, including any renewals and extensions.

Section 18. General Provisions

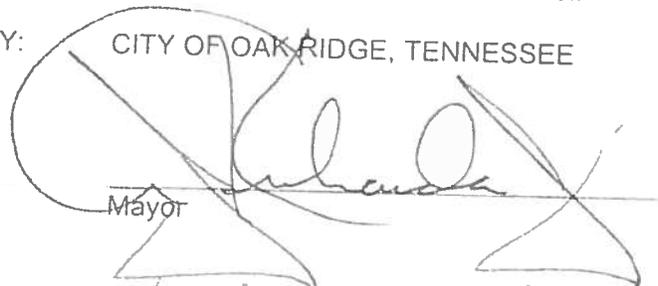
A. The text herein shall constitute the entire agreement between the parties.

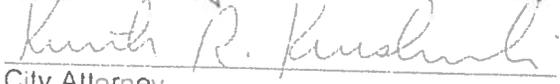
B. If any provisions contained in this Agreement, or portion thereof, are held to be unconstitutional, invalid, or unenforceable, the remainder of this Agreement, or portion thereof, shall be deemed severable, shall not be affected, and shall remain in full force and effect.

APPROVED AS TO FORM AND LEGALITY:



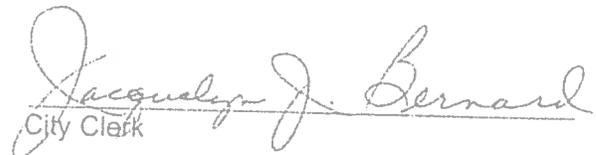
City Attorney

CITY OF OAK RIDGE, TENNESSEE


Mayor


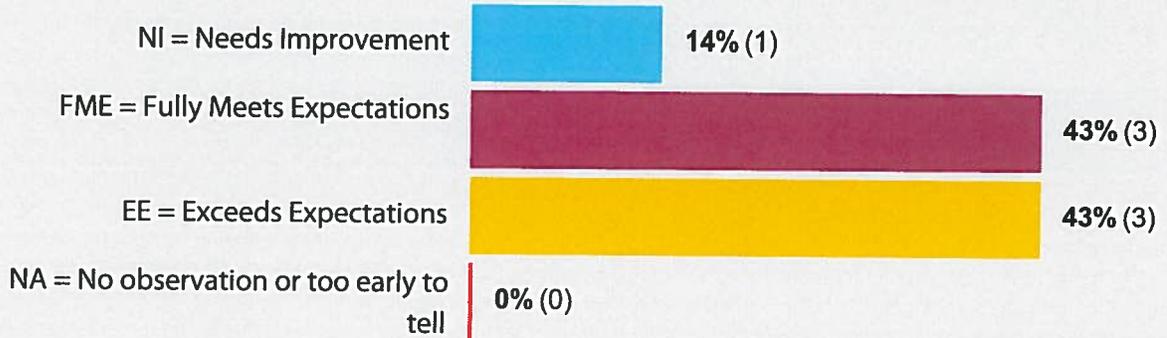
City Attorney

ATTEST:



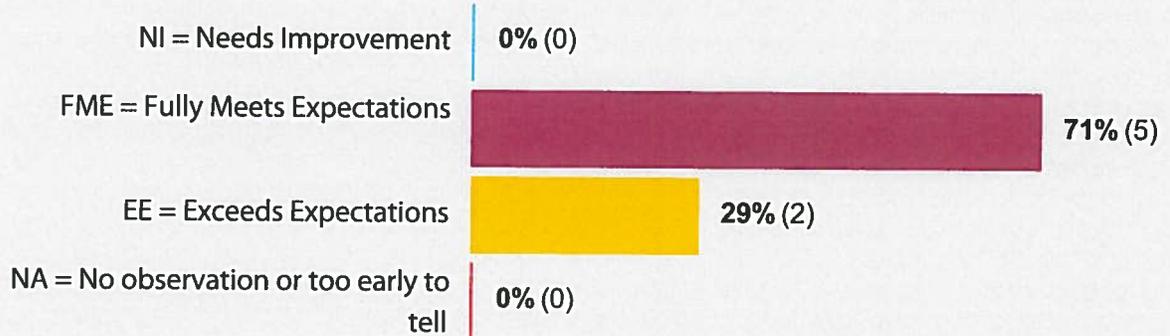
City Clerk

Is accessible, responsive, considerate and courteous in his interactions with Council.



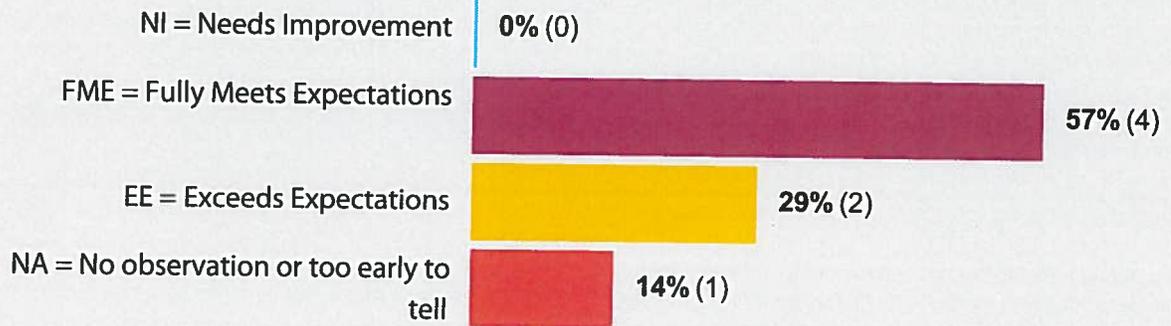
* 7 total responses, 100% of submissions

Provides legal opinions and/or advice in a timely manner.



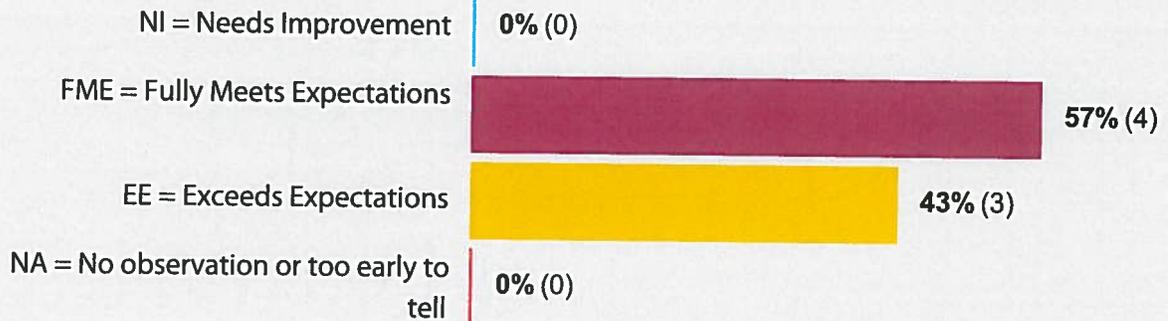
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Creates a sense of trustworthiness.



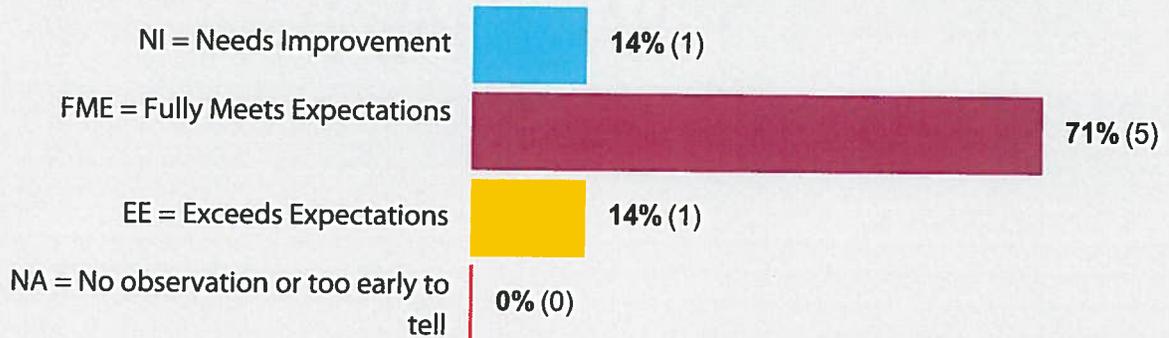
* 7 total responses, 100% of submissions

Keeps the Council informed about current issues, legal activities, decisions, and goals.



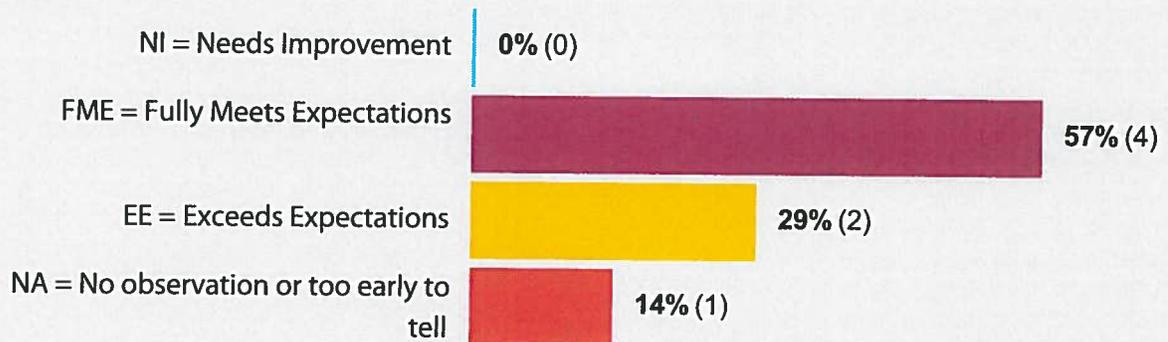
* 7 total responses, 100% of submissions

Communicates well with a wide range of persons, including Councilmembers, citizens, staff, and other attorneys.



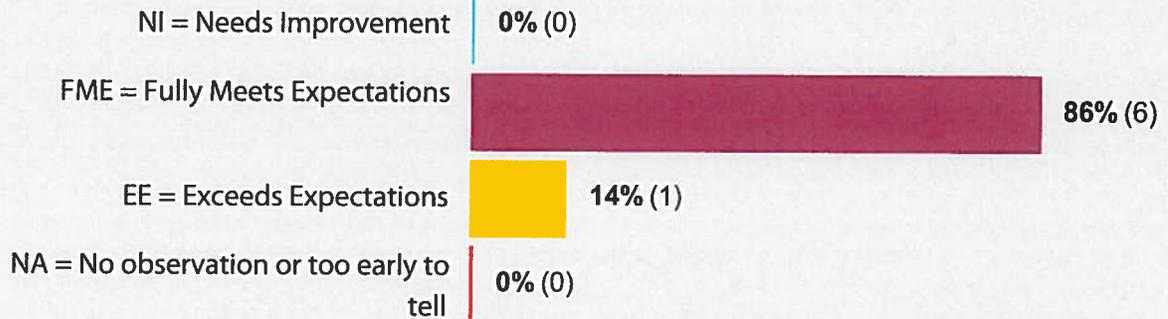
* 7 total responses, 100% of submissions

Demonstrates a thorough knowledge and understanding of municipal law.



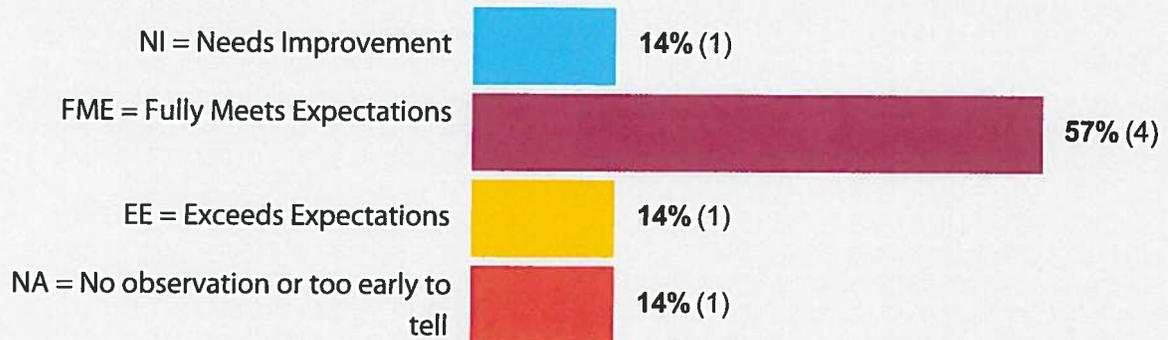
* 7 total responses, 100% of submissions

Is knowledgeable about City issues and about legal trends that may impact the City.



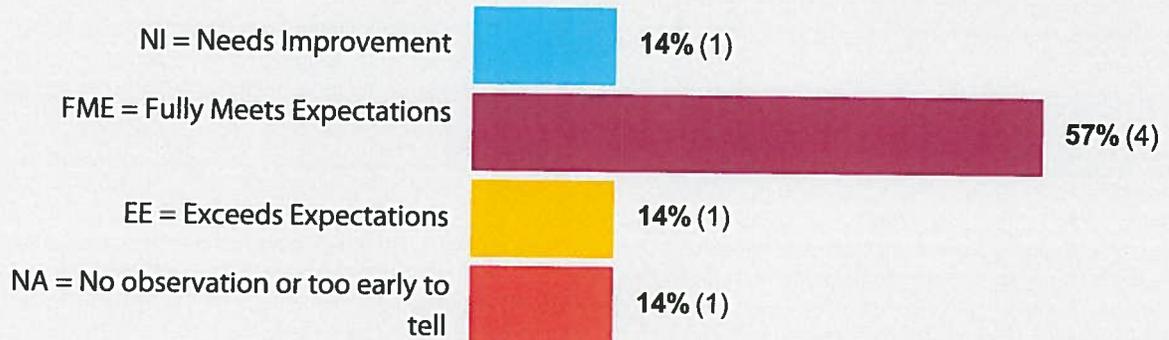
* 7 total responses, 100% of submissions

Provides advice on ordinance changes, drafting of new ordinances and amendments.



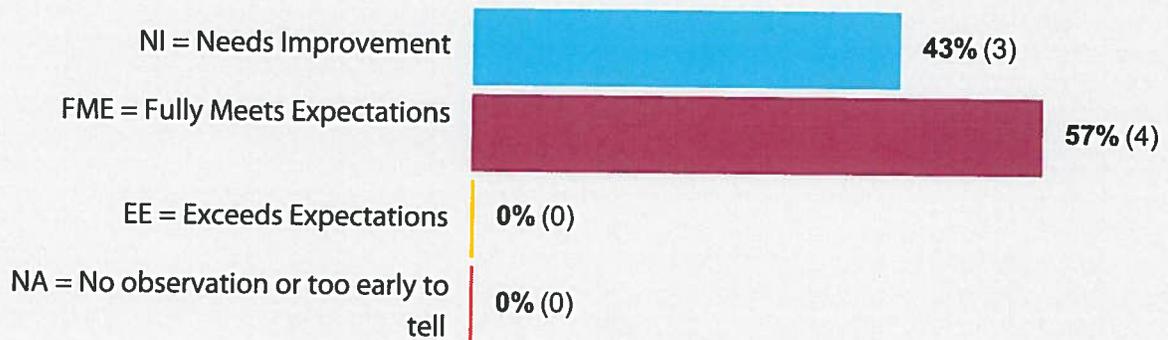
* 7 total responses, 100% of submissions

Provides concise, understandable, and helpful legal options and/or advice.



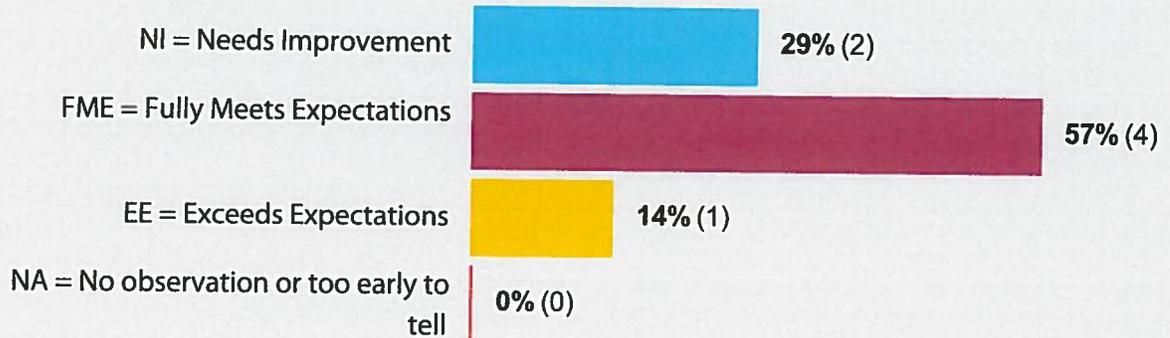
* 7 total responses, 100% of submissions

Demonstrates openness to alternative approaches.



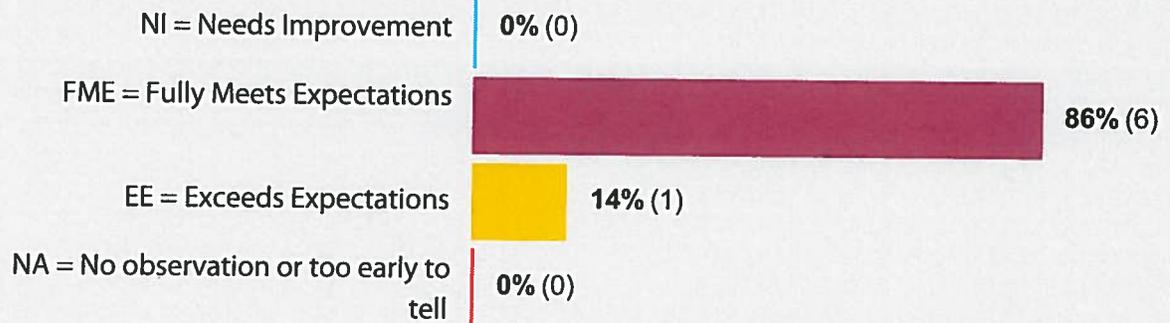
* 7 total responses, 100% of submissions

Adjusts rapidly to changes in plans or procedures.



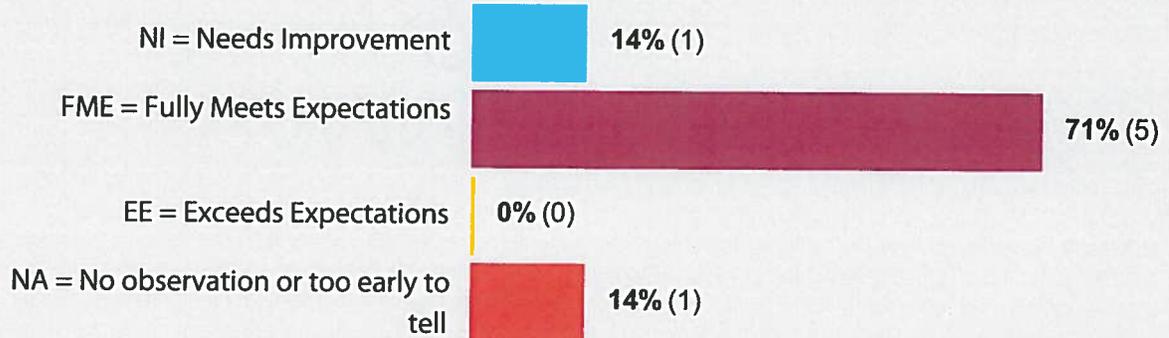
* 7 total responses, 100% of submissions

Functions effectively under pressure.



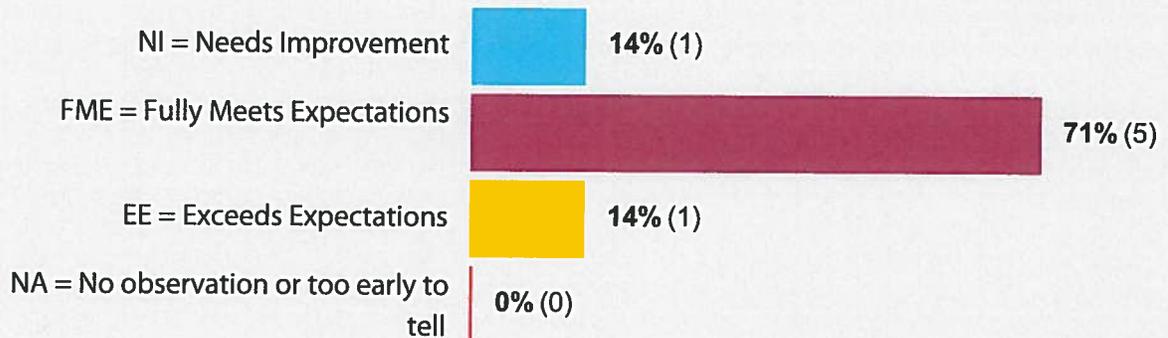
* 7 total responses, 100% of submissions

Demonstrates leadership that contributes to achieving the City's goals and objectives.



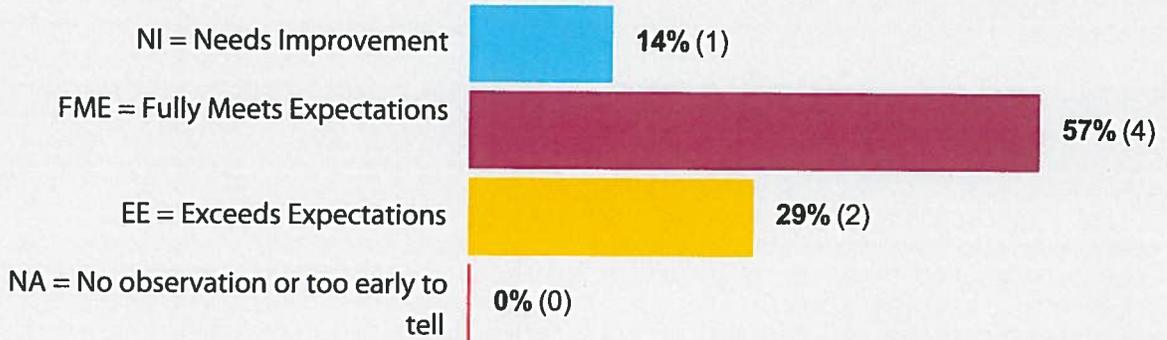
* 7 total responses, 100% of submissions

Effectively evaluates legal problems and alternatives.



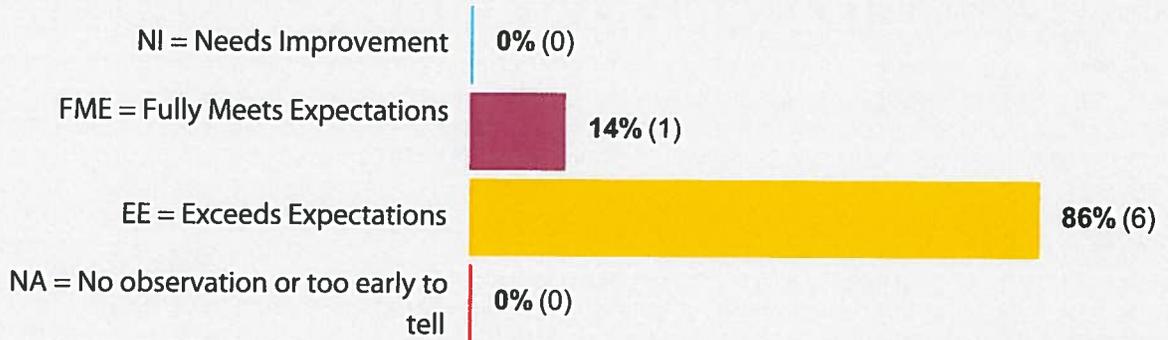
* 7 total responses, 100% of submissions

Demonstrates effectiveness in avoiding unnecessary legal controversy.



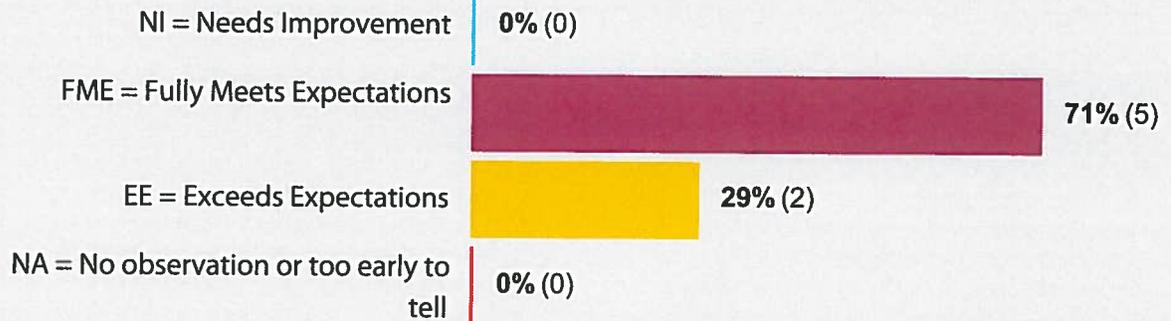
* 7 total responses, 100% of submissions

Maintains high standards of ethics, honesty, and integrity in all personal and professional relationships.



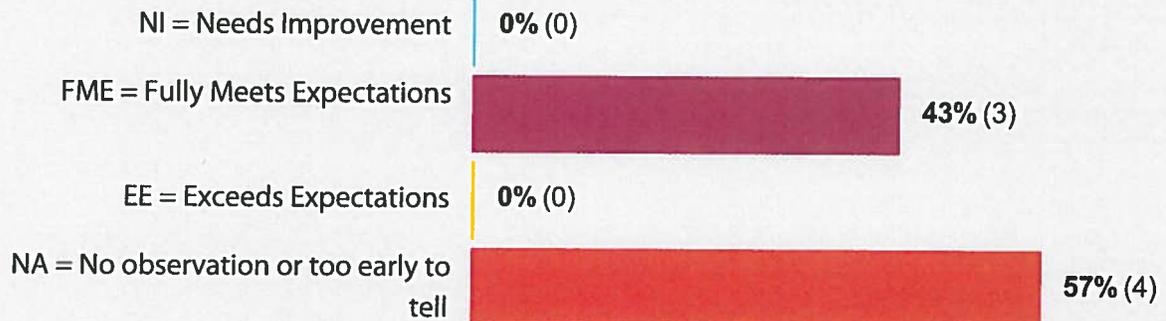
* 7 total responses, 100% of submissions

Retains your confidence when informing you of risks associated with proposed actions or decisions.



* 7 total responses, 100% of submissions

Works toward gaining and maintaining the respect and support of staff.



* 7 total responses, 100% of submissions

Is accessible, responsive, considerate and courteous in his interactions with Council.	Provides legal opinions and/or advice in a timely manner.
Ken is very responsive and courteous. In some instances though, I feel he should say "no" and bring the inappropriate requests from Council members to the full Council for discussion.	Ken is always ahead of the game in providing need information to the council.
Highly accessible, immediately responsive and never discourteous.	Ken provides legal opinions to Council. I would like to see a summary of each issue included with the ongoing opinions to refresh memories of the basic issues.
Ken is a professional and is accessible and responsive and very courteous even when he is not treated the same way.	Ken is always very swift in providing both information and documentation.
	Always on time.
	And provides more than necessary but that may be because he's a lawyer.

Keeps the Council informed about current issues, legal activities, decisions, and goals.	Communicates well with a wide range of persons, including Councilmembers, citizens, staff, and other attorneys.
Good reports on a regular basis.	Has a wide spectrum of folks he can communicate with.
Ken provides legal opinions to Council. I would like to see a summary of each issue included with the ongoing activities to refresh memories of the basic issues.	Ken demonstrates integrity and trustworthiness.
Ken regularly monitors local, state and national activities that may impact the city and proactively prepares council for those implications.	Does a good job communicating with all.
Always ahead of the curve.	

Creates a sense of trustworthiness.
He is very loyal and trustworthy.
Thus far, I know of no breaches of trust.
I trust Ken completely.
W need another category. Perhaps, "have no way of knowing."

List notes or comments that support the overall rating on courtesy and communication skills.

Demonstrates a thorough knowledge and understanding of municipal law.	Is knowledgeable about City issues and about legal trends that may impact the City.
Ken's years of experience with the City and MTAS has made him an expert even though new challenges arise all the time.	We seem to stay clear of issues that could be a problem for other cities.
I don't really have the expertise to answer this question. I believe Mr. Kruschenski is diligent about seeking confirmation from other attorneys.	I would like to see more emphasis placed on providing alternatives to ongoing activities and more "thinking out of the box".
	Ken stays informed of all the newest items and trends ongoing and upcoming.

Provides concise, understandable, and helpful legal options and/or advice.	Demonstrates openness to alternative approaches.
Has never lead us astray.	I would like to see more emphasis placed on providing alternatives to ongoing activities and more "thinking out of the box". I often feel that not rocking the boat is more important to our attorney than bringing issues to the forefront before directions for issues get established.
Ken provides alternatives when asked, but not proactively.	Still need to work on this. I am eager to hear your suggestions for possible Charter changes that could alleviate some of our more entrenched problems.
	Open but the law is the law.

Provides advice on ordinance changes, drafting of new ordinances and amendments.	List notes or comments that support the overall rating on knowledge and adaptability.
--	---

I believe this is an area delegated to the assistant city attorney.

Adjusts rapidly to changes in plans or procedures.

There are times when he does not move as fast as I would like.

Very flexible within the legal constraints of his position.

Functions effectively under pressure.	Demonstrates leadership that contributes to achieving the City's goals and objectives.
We never seem to get under any pressure, which in my opinion indicates we are not being aggressive enough in general.	This a difficult one to comment on since we have no generally understood goals and objectives.
Effectively evaluates legal problems and alternatives.	Demonstrates effectiveness in avoiding unnecessary legal controversy.
I would have liked to have been presented with alternatives to the high school mortgage debacle. I encourage Ken to assert himself more, especially in matters of such great consequence.	Ken has done a great job of keeping us out of problems.
	Controversy is why we need an attorney. Sometimes we could head off issues with more willingness to establish a stance early in facing issues.
	I've been informed by more than one individual that Ken has made comments that could be interpreted as invitations to sue the city. I leave room for misinterpretation on this matter.
	Ken works hard to avoid controversy. He is a steady barometer in terms of the law.
	Very protective of City and City Council.

List notes or comments that support the overall rating on administrative skills and effectiveness.

Maintains high standards of ethics, honesty, and integrity in all personal and professional relationships.	Retains your confidence when informing you of risks associated with proposed actions or decisions.
Ken is above reproach in ethics, honesty integrity in both personal and professional relationships.	I have grown to understand that Ken's high level of experience leads to his ability to avoid risks. He just needs to more routinely communicate what he see's as the alternative we are avoiding by following his proposed actions or decisions.
	Excellent job.
Works toward gaining and maintaining the respect and support of staff.	List notes or comments that support the overall rating on personal and professional qualities.

What would you identify as the City Attorney's strength(s), expressed in terms of the principal results achieved during the rating period?	What performance area(s) would you identify as most critical for improvement?
His overall knowledge of the law and how it applies to how the city operates	Giving us the city council, options in how to deal and or better understand how the legal activities of the city will benefit, or affect our outcomes
Knowledge of Municipal law.	Would like stronger statements concerning his opinions during city council meetings.
Very protective of council	
Ken's efforts to keep us out of the courts concerning the EPA mandate has been impressive and certainly have shown me the wisdom of following his suggested approach.	I would definitely like to see more alternatives, that he has considered, discussed more often as issues are processed through his office and staff.
Ken is organized and thorough - he pays attention to detail. He works hard to keep Council informed and up to date on legal matters.	
Tenacity, integrity, knowledge, experience	

What constructive suggestions or assistance can you offer the City Attorney to enhance performance?	What other comments do you have for the City Attorney, e.g. priorities, expectations, goals, or objectives for the new rating period?
Be patient with city council when explaining our options in how to deal with our legal matters	I would like to see a regular report (possibly quarterly) listing the top 10 or 15 legal issues facing the City, including general descriptions of the issues, and a short status statement, along with the next step anticipated in the process. For example, the status of legal action to solve the Applewood Apt. problems is of interest to most citizens and the next step would indicate when progress may (or may not) take place.
Will have to keep council informed of Levitt case as we are getting frustrated and it is not Ken's fault.	Ken is an effective City Attorney and retains my confidence.
I don't have any suggestions. I think the city attorney does a good job of balancing his obligations. I also think he (as would be anyone else in the job) is in between a rock and a hard place needing to accommodate the city manager and the individual city council members.	Keep working housing issues and it is difficult!

Please provide recommendations and comments on a possible change in compensation (currently \$106,100.80) and a contract extension beyond the current expiration date of March 1, 2017.

He should get the same percent of raise as all city employees.

I recommend Ken receive the same increase in compensation that the overall City staff receives.

I recommend the same increase allocated to the rest of staff (2%). I recommend retaining the current expiration date.

I would recommend that Ken receives a 2% increase in compensation.

Same as other city employees and contract extension to 2019.

Suggest the 2% col raise being given to city staff.

RESOLUTION

A RESOLUTION TO AMEND THE CITY ATTORNEY'S EMPLOYMENT AGREEMENT TO PROVIDE FOR AN EQUIVALENT TWO PERCENT (2%) SALARY INCREASE RETROACTIVE TO MARCH 2, 2014.

WHEREAS, Article III, Section 13, of the Charter of the City of Oak Ridge, Tennessee, provides that City Council shall appoint a City Attorney; and

WHEREAS, on February 22, 2001, City Council entered into an employment agreement in which Council agreed to employ Kenneth R. Krushenski as the City Attorney; and

WHEREAS, said Employment Agreement provides that formal evaluations of the City Attorney shall be conducted on an annual basis by May 30th of each year, and to this end the Council appointed a City Attorney Evaluation Committee (the Committee) to develop an evaluation procedure for the FY2014 term; and

WHEREAS, the Committee has completed its work and based on the evaluation results, recommends the City Attorney receive a two percent (2%) salary increase consistent with the raise given to all City employees, retroactive to March 2, 2014.

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

That Section 7, Salary, Subsection A, of the Employment Agreement between the City of Oak Ridge and Kenneth R. Krushenski as City Attorney is hereby amended to provide for a new base salary amount of \$109,324.80, which is the equivalent of a two percent (2%) salary increase, which shall become effective retroactive to the pay period beginning March 2, 2014.

BE IT FURTHER RESOLVED that the Mayor is hereby authorized to execute all necessary legal documents to accomplish the same.

This the 8th day of September 2014.

APPROVED AS TO FORM AND LEGALITY:



Kenneth R. Krushenski, City Attorney

Thomas L. Beehan, Mayor

Diana R. Stanley, City Clerk

CONSENT AGENDA

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

August 11, 2104

The regular meeting of the City Council of the City of Oak Ridge, Tennessee convened at 7:00 p.m. on August 11, 2014, in the Courtroom of the Municipal Building with Mayor Thomas L. Beehan presiding.

INVOCATION

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

PLEDGE OF ALLEGIANCE

The Pledge of Allegiance to the Flag of the United States of America was given by Mr. Tom Rowe.

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; Kenneth R. Krushenski, City Attorney; Janice E. McGinnis, Finance Director; Diana R. Stanley, City Clerk.

APPEARANCE OF CITIZENS

Ms. Doka, 255 Gum Hollow Road, expressed her concerns about the lack of crossing guards at the roads within schools and inquired about the increased presence of Tennessee Highway Patrol Officers. The City Manager outlined the recruitment and active presence of the crossing guards and noted that the increased patrol was an effort by the City for increased safety with the start of the new school year.

Mr. Jim Horton, 106 Carson Lane, expressed his opposition to the change in property tax and delinquent property tax date changes and the calculations utilized. Mr. Horton also commented regarding storage of commodities for sale by residents in city rights-of-way.

PROCLAMATIONS AND PUBLIC RECOGNITIONS

Appreciation from the Oak Ridge Girl Scout hostesses and Oak Ridge Middle School student participants for their involvements in the 2014 Sister City Partners Exchange Program.

Ms. Jerry Luckman, President and Mr. Sean Seyfert, Co-President of the Sister City Partners Exchange Program spoke to the success and community impact of the Sister City Exchange Program along with special thanks expressed from two (2) student participants. Ms. Luckman additionally commented that the Oak Ridge Naka Girl Scout Group 37 and the Oak Ridge Girl Scouts have contributed \$1,000.00 toward the rebuild of the Friendship Bell.

SPECIAL REPORTS

(NONE)

CONSENT AGENDA

Councilmember Hensley requested that the July 28, 2014 City Council Work Session meeting minutes be removed from the Consent Agenda. With no other items being removed from the Consent Agenda, Councilmember Hensley moved, seconded by Councilmember Hope, to approve the remainder of the Consent Agenda, thereby:

- Approving the July 14, 2014 City Council meeting minutes.
- Approving the July 21, 2014 City Council Special Meeting minutes.
- Adopting **Resolution No. 08-78-2014** awarding a contract (FY2015-135) to Hydro Meter Service, Inc., Pontiac, Michigan, for water meter testing and repair services in the estimated amount of \$30,000.00.
- Adopting **Resolution No. 08-79-2014** awarding a bid in the estimated amount of \$55,860.00 to Graybar Electric, Knoxville, Tennessee, for the furnishing of three (3) 480 volt electrical switchgears for the Wastewater Treatment Plant.

Councilmember Hensley moved to include language in the July 28, 2014 Work Session Minutes that comments were received from the Oak Ridge Sportsman Association (ORSA) to the Oak Ridge Municipal Planning Commission and those comments were incorporated in the submitted ordinance related to indoor/outdoor shooting ranges. The motion was seconded by Councilmember Garcia Garland.

Councilmember Baughn requested that the communications from ORSA be attached to the Work Session Minutes in lieu of inserted remarks. During discussions of this request, Councilmember Hensley withdrew his original motion and then moved to amend the July 28, 2014 Work Session Minutes by attaching communication(s) received from ORSA and their legal representation regarding their comments of provided changes for the ordinance. The motion was seconded by Councilmember Baughn and approved by unanimous voice vote with Councilmembers Baughn, Garcia Garland, Hensley, Hope, Mosby, Mayor Pro Tem Miller, and Mayor Beehan voting "Aye."

RESOLUTIONS

Resolution No. 08-80-2014

A RESOLUTION APPROVING INSTALLATION OF A TRAFFIC SIGNAL ON THE OAK RIDGE TURNPIKE AT THE OAK RIDGE HIGH SCHOOL CONDITIONED UPON DESIGN APPROVAL BY THE TENNESSEE DEPARTMENT OF TRANSPORTATION (TDOT) AND EXECUTION OF A MEMORANDUM OF UNDERSTANDING BETWEEN THE CITY AND TDOT ASSIGNING PERPETUAL MAINTENANCE OF THE TRAFFIC SIGNAL TO THE CITY.

Councilmember Baughn moved, seconded by Councilmember Hope that the resolution be approved.

Mayor Pro Tem Miller moved to provide a substitute motion to allocate \$25,000.00 for a flashing beacon alternative at the location and provide \$200,000.00 in funding to the School's transportation (bus) program. The motion was seconded by Councilmember Hensley.

City Engineer Steve Byrd responded to inquiries of City Council regarding the traffic signalization design as proposed by the resolution.

City Council discussed the proposed substitute motion, as well as the presented resolution for a permanent traffic signal.

Ms. Kimberly Bell, 103 Case Lane, commented that she supports a permanent solution for a traffic signal at the discussed location for the safety of the students.

Mr. David Kitzmiller, 144 Wellington Circle, requested that City Council consider studies and data for a traffic signal at the discussed intersection, and that the Council also give consideration to the amount of money that was being considered for the installation of the proposed traffic signal.

Ms. Doka, 255 Gum Hollow Road, commented that City Council consider some type of traffic

enhancement at the discussed intersection for the safety of the students.

Mr. Tom Rowe, requested that City Council consider some safety enhancement at the intersection discussed.

Mr. Mason Forbes, 118 Jellico Lane, requested that City Council consider pedestrian improvements for the students throughout other intersections in Oak Ridge.

Following explanations from the City Engineer regarding the design and mechanics of alternative pedestrian signalizations, Mayor Pro Tem Miller clarified that her interest was in consideration of a flashing pedestrian warning sign, that flashes yellow, for approximately \$25,000.00.

Councilmember Baughn moved to divide the question of the substitute motion—one was consideration of the approximate \$25,000.00 for a flashing pedestrian warning sign; and the other approximate \$200,000.00 funding to the School's for the transportation (bus) program. The motion was seconded by Councilmember Hensley and passed by board vote with Councilmembers Baughn, Garcia Garland, Hensley, Mosby, Mayor Pro Tem Miler, and Mayor Beehan voting "Aye," and Councilmember Hope voting "Nay."

The motion to consider the flashing pedestrian alternative for \$25,000.00 failed by board vote with Councilmember Hensley, Mayor Beehan, and Mayor Pro Tem Miller voting "Aye," and Councilmembers Baughn, Garcia Garland, Hensley, and Hope voting "Nay." Given the condition that the substitute motion contained two (2) components for consideration, the second question was not considered by City Council and the original motion was moved back to the floor.

The original motion to approve the resolution, as presented, unanimously passed by board vote with Councilmembers Baughn, Garcia Garland, Hensley, Hope, Mosby, Mayor Pro Tem Miller, and Mayor Beehan voting "Aye."

Resolution No. 08-81-2014

A RESOLUTION AUTHORIZING THE EXPENDITURE OF UP TO \$99,176.00 FROM THE EQUIPMENT REPLACEMENT FUND FOR THE PURCHASE AND EQUIPPING OF TWO (2) PATROL VEHICLES FOR THE POLICE DEPARTMENT.

Councilmember Hope moved, seconded by Councilmember Hensley that the resolution be approved.

The City Manager provided an overview of the program and responded to inquires of the Council regarding the Equipment Replacement Fund, replacement of patrol vehicles, the take home program, and police personnel.

Councilmember Baughn moved to table consideration of the item until further discussions of the purchasing of the two (2) additional patrol vehicles occurred at a Work Session. The motion was seconded by Councilmember Garcia Garland. The motion to table failed by board vote with Councilmembers Baughn and Mosby voting "Aye," and Councilmembers Garcia Garland, Hensley, Hope, Mayor Pro Tem Miller, and Mayor Beehan voting "Nay."

The resolution, as presented, 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. 08-82-2014

A RESOLUTION AUTHORIZING PROFESSIONAL SERVICES AGREEMENTS WITH VARIOUS QUALIFIED CONSULTANTS FOR AS-NEEDED ENGINEERING SERVICES FOR THE ELECTRIC DEPARTMENT IN THE ESTIMATED AMOUNT OF \$85,000.00.

Councilmember Hope moved, seconded by Councilmember Hensley that the resolution be approved.

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

Resolution No. 8-83-2014

A RESOLUTION AUTHORIZING THE CITY MANAGER TO CONDUCT FURTHER DISCUSSIONS WITH THE U.S. DEPARTMENT OF ENERGY'S OAK RIDGE SITE MANAGER ON THE DISPOSITION OF CLARK CENTER PARK.

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

Mr. David Allred, 105 Cornell Lane, inquired about the possibility of citizen input on the future of the park.

Mr. David Kitzmiller, 144 Wellington Circle, requested that Council consider full utilization of all existing parks in the City of Oak Ridge.

Mr. Len Hart, 433 West Outer Drive, commented about his concern of a deed restriction on the park.

Ms. Kris Light, 113 West Irving Lane, expressed her concern about potential commercial development of the park.

Mr. Mike Marsh, 132 Timbercrest Drive, provided remarks about the community being business friendly.

Councilmember Garcia Garland moved to amend the resolution to allow for public input opportunities in a public meeting. The motion was seconded by Councilmember Hensley and approved by unanimous voice vote with Councilmember Baughn, Garcia Garland, Hensley, Hope, Mosby, Mayor Pro Tem Miller, and Mayor Beehan voting "Aye."

Councilmember Baughn moved to amend the resolution to include at least two (2) public meetings that allow for public input between the discussions of the City Manager and the Department of Energy and recommendations of the City Manager. The motion was seconded by Councilmember Hope and approved by unanimous voice vote with Councilmember 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 Councilmember Baughn, Garcia Garland, Hensley, Hope, Mosby, Mayor Pro Tem Miller, and Mayor Beehan voting "Aye."

PUBLIC HEARINGS AND FIRST READING OF ORDINANCES

AN ORDINANCE TO AMEND THE COMPREHENSIVE PLAN'S LAND USE PLAN BY CHANGING THE DESIGNATION OF PARCEL 039.00, ANDERSON COUNTY TAX MAP 106A, GROUP A, FROM R, RESIDENTIAL TO B, GENERAL BUSINESS.

Mayor Pro Tem Miller moved, seconded by Councilmember Hensley that the ordinance be approved on first reading.

Community Development Director Kathryn Baldwin provided an overview of the land use amendment and rezoning changes. Ms. Baldwin introduced Mr. Bill Seeley with Rudd Seeley Wallis, LLC, Nashville, Tennessee, whose firm was exploring the development of the property.

Mayor opened the floor for the scheduled public hearing:

No citizens participated during the public hearing

The ordinance was approved unanimously by board vote on first reading with Councilmember Baughn, Garcia Garland, Hensley, Hope, Mosby, Mayor Pro Tem Miller, and Mayor Beehan voting "Aye."

AN ORDINANCE TO AMEND ORDINANCE NO. 2, TITLED "THE ZONING ORDINANCE OF THE CITY OF OAK RIDGE, TENNESSEE," BY AMENDING THE ZONING MAP WHICH IS MADE A PART OF THE ORDINANCE BY CHANGING THE ZONING DISTRICT OF PARCEL 039.00, ANDERSON COUNTY TAX MAP 106A, GROUP A, FROM R-2 MDO, LOW DENSITY RESIDENTIAL IN THE MANHATTAN DISTRICT OVERLAY, AND RG-1, RESIDENTIAL, OPEN SPACE, AND RESERVED, TO UB-2 PUD, UNIFIED GENERAL BUSINESS WITH A PLANNED UNIT DEVELOPMENT OVERLAY; CHANGING THE ZONING DISTRICT OF PARCEL 040.00, ANDERSON COUNTY TAX MAP 106A, GROUP A, FROM R-2 MDO, LOW DENSITY RESIDENTIAL IN THE MANHATTAN DISTRICT OVERLAY, TO UB-2 PUD, UNIFIED GENERAL BUSINESS WITH A PLANNED UNIT DEVELOPMENT OVERLAY; AND APPROVING THE PLANNED UNIT DEVELOPMENT PRELIMINARY MASTER PLAN FOR SAID PARCELS.

Councilmember Hensley moved, seconded by Councilmember Hope that the resolution be approved on first reading.

Community Development Director Kathryn Baldwin provided an overview of the rezoning changes.

Mayor opened the floor for the scheduled public hearing:

No citizens participated during the public hearing.

The ordinance was approved unanimously by board vote on first reading with Councilmember Baughn, Garcia Garland, Hensley, Hope, Mosby, Mayor Pro Tem Miller, and Mayor Beehan voting "Aye."

AN ORDINANCE TO AMEND ORDINANCE NO. 2, TITLED "THE ZONING ORDINANCE OF THE CITY OF OAK RIDGE, TENNESSEE, BY AMENDING THE FOLLOWING: ARTICLE II, TITLED "DEFINITIONS" TO ADD DEFINITIONS FOR "INDOOR SPORT SHOOTING RANGE" AND "OUTDOOR SPORT SHOOTING RANGE;" ARTICLE III, TITLED "GENERAL PROVISIONS," TO ADD A NEW SECTION 3.26, TITLED "SPORT SHOOTING RANGES"; SECTION 7.03, TITLED "B-2, GENERAL BUSINESS DISTRICTS," TO ADD "INDOOR SPORT SHOOTING RANGES" AS A USE REQUIRING SPECIAL EXCEPTION APPROVAL FROM THE BOARD OF ZONING APPEALS; AND SECTION 7.04, TITLED "UB-2, UNIFIED GENERAL BUSINESS DISTRICTS," TO ADD "INDOOR SPORT SHOOTING RANGES" AS A USE REQUIRING SPECIAL EXCEPTION APPROVAL FROM THE BOARD OF ZONING APPEALS; ALL FOR THE PURPOSE OF ESTABLISHING PROVISIONS FOR SPORT SHOOTING RANGES.

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

Mayor opened the floor for the scheduled public hearing:

No citizens participated during the public hearing.

The ordinance was approved unanimously by board vote on first reading with Councilmember Baughn, Garcia Garland, Hensley, Hope, Mosby, Mayor Pro Tem Miller, and Mayor Beehan voting "Aye."

FINAL ADOPTION OF ORDINANCES

Ordinance No. 08-2014

AN ORDINANCE TO AMEND TITLE 15, TITLED "MOTOR VEHICLES, TRAFFIC AND PARKING," CHAPTER 5, TITLED "SPEED REGULATIONS," SECTION 15-502, TITLED "SCHOOL ZONE SPEED LIMITS," OF THE CODE OF ORDINANCES, CITY OF OAK RIDGE, TENNESSEE, TO CREATE A NEW SUBSECTION (3) REGARDING THE DISPOSITION OF TRAFFIC CITATIONS FOR SCHOOL

ZONE SPEED VIOLATIONS.

Mayor Pro Tem Miller moved, seconded by Councilmember Hope that the ordinance be approved.

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

Ordinance No. 09-2014

AN ORDINANCE TO AMEND TITLE 15, TITLED "MOTOR VEHICLES, TRAFFIC AND PARKING," CHAPTER 5, TITLED "SPEED REGULATIONS," OF THE CODE OF ORDINANCES, CITY OF OAK RIDGE, TENNESSEE, BY DELETING SECTION 15-802, TITLED "RIGHT-OF-WAY IN CROSSWALKS," IN ITS ENTIRETY AND SUBSTITUTING THEREFOR A NEW SECTION 15-802, TITLED "RIGHT-OF-WAY IN CROSSWALKS," FOR THE PURPOSE OF CREATING ADDITIONAL PEDESTRIAN PROTECTION IN SCHOOL ZONES.

Mayor Pro Tem Miller moved, seconded by Councilmember Hope that the ordinance be approved.

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

ELECTIONS/APPOINTMENTS, ANNOUNCEMENTS AND SCHEDULING

Elections/Appointments

Announcements

Scheduling

COUNCIL REQUESTS FOR NEW BUSINESS ITEMS OR FUTURE BRIEFINGS

Invitation to Senior DOE Officials to discuss Clark Center Park and other pending DOE issues.

City Council and the City Manager had an in-depth discussion regarding the City Council's approach to engage the Department of Energy (DOE) officials in related areas of the National Nuclear Security Administration (NNSA), Y-12, and the Office of Science and Environmental Management as requested by Councilmember Baughn. Additionally, City Council discussed the governmental agencies with whom they would like to meet, identifying the topics of interest for discussions, and the logistics of scheduling.

Councilmember Baughn moved, seconded by Councilmember Hensley for the City Manager to begin drafting a communication/document to submit to the DOE to begin meeting discussions.

Mr. Martin McBride, 954 West Outer Drive, commended City Council for beginning these discussions on meeting with the DOE and trying to engage the agency's interest.

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

SUMMARY OF CURRENT EVENTS

CITY MANAGER'S REPORT

The City Manager announced that the next American Museum of Science and Energy (AMSE) Community Meeting was scheduled for August 19, 2014 and explained that the City can explore holding a public meeting on Clark Center Park in lieu of the August City Council Work Session.

CITY ATTORNEY'S REPORT

(NONE)

ADJOURNMENT

The meeting adjourned at 10:15 p.m.

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

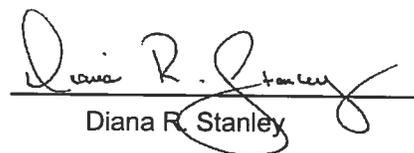
CITY CLERK MEMORANDUM
14-59

DATE: August 28, 2014
TO: Honorable Mayor and Members of City Council
FROM: Diana R. Stanley, City Clerk
SUBJECT: PROCLAMATION FOR SEPTEMBER CITY COUNCIL AGENDA

The attached proclamation is presented for approval at the September 8, 2014 City Council meeting at the request of Ms. Yolanda Childs, representative of the Oak Ridge Alumnae Chapter of Delta Sigma Theta Sorority.

This proclamation will be presented at the Historically Black Colleges and Universities (HBCU) Expo on September 27, 2014 which is being offered on behalf of the Delta Sigma Theta Sorority.

Per the current edition of *City Council's Rules and Procedures*, the Proclamation is being included on the Consent Agenda for City Council approval.



Diana R. Stanley

Attachments:
HBCU Expo Weekend

PROCLAMATION

WHEREAS, the Oak Ridge Alumnae Chapter of Delta Sigma Theta Sorority, Inc. will host its 22nd Historically Black Colleges and Universities (HBCU) Exposition on Saturday, September 27, 2014 at the New Hope Center in the City of Oak Ridge, Tennessee; and

WHEREAS, on Friday, September 26, 2014, the Delta Sigma Theta Sorority will also host a reception for guests to meet representatives from HBCUs and corporate sponsors; and

WHEREAS, the purpose of the HBCU Expo is to increase awareness among students of the unique educational opportunities at HBCUs and to provide institutions with an opportunity to recruit students and to network; and

WHEREAS, the 2014 HBCU Expo will also promote Science, Engineering, Technology, and Mathematics (STEM) majors in an effort to decrease the widening gap between the number of STEM jobs available and the number of qualified workers to fill them; and

WHEREAS, in an area with a limited minority population, counselors are often not exposed to the benefits offered by HBCUs; and

WHEREAS, because of the limited exposure recruiters, students, counselors, and parents look forward to the HBCU Expo; and

WHEREAS, this is the only arena in the East Tennessee area specifically designed to allow recruiters access to this essentially untapped market of new students; and

WHEREAS, as a result of attending the Expo, many of the students have gone on to attend Historically Black Colleges and Universities.

NOW THEREFORE, BE IT RESOLVED BY COUNCIL OF THE CITY OF OAK RIDGE, TENNESSEE, that the weekend of September 26 and 27, 2014, be proclaimed

HISTORICALLY BLACK COLLEGES AND UNIVERSITIES EXPO WEEKEND

in the City of Oak Ridge, Tennessee, in recognition of the expanded educational opportunities offered by this worthwhile event.

IN WITNESS WHEREOF, I have hereunto set my hand and caused the Great Seal of the City of Oak Ridge to be affixed this the 8th day of September in the year 2014.

THOMAS L. BEEHAN
MAYOR

Personnel Memorandum
14-090

August 18, 2014

TO: Mark S. Watson, City Manager

FROM: Cindi G. Gordon, Personnel/Risk Manager

THROUGH: Penelope H. Sissom, Personnel Director 

SUBJECT: TML RISK MANAGEMENT POOL "SAFETY PARTNERS" LOSS CONTROL
MATCHING GRANT PROGRAM

The TML Risk Management Pool is offering the "Safety Partners" Loss Control Matching Grant for the fiscal year of 2014-15 to all Pool members for purchases or training related to employee safety. The grant will provide reimbursement up to 50% of the cost of the approved item(s) with a maximum reimbursement of \$2000.00 for a city in our Priority Classification.

Recently, during an altercation with a suspect, three staff members were exposed to blood and body fluids, resulting in exposure testing. After testing results were confirmed, it was determined that two staff members in our Police Department, although earlier immunized for Hepatitis, did not have immunity.

Research indicates that the Hepatitis Series Vaccine has good efficacy for approximately 15 years, but individuals should also be tested following the initial vaccination series because immunity does not always occur.

At best case scenario, we will have to immunize 25% of Police Department staff. Worst case scenario would result in 50% of Police Department staff and other staff in the City that have been placed in a "high potential" for exposure category. Current rate structure for the Hepatitis Series vaccine is as follows: Three (3) vaccinations @\$63.00 per dose = \$189.00 plus the confirmation titer @\$63.00 = \$252.00 per person). Using our best case scenario, the total cost to the City would be \$4410.00.

The City of Oak Ridge's opportunity for receipt of the \$2000.00 Matching Grant will be increased by early submittal as applications are reviewed on a first come-first served basis.

Staff recommends adoption of the attached resolution.



Cindi G. Gordon

Attachment

RESOLUTION

A RESOLUTION AUTHORIZING THE CITY TO SUBMIT AN EMPLOYEE SAFETY GRANT APPLICATION TO THE TENNESSEE MUNICIPAL LEAGUE RISK MANAGEMENT AND ACCEPT SAID GRANT IF APPROVED.

WHEREAS, grant monies are available through the Tennessee Municipal League Risk Management Pool for expenditures related to employee safety; and

WHEREAS, the City meets all of the grant requirements; and

WHEREAS, said grant requires a local match of \$2,000.00; and

WHEREAS, the City Manager recommends that the City submit a grant application to the Tennessee Municipal League Risk Management Pool for a grant in the amount of \$2,000.00 to be used for Hepatitis Titers and Hepatitis Series vaccinations for employees with high potential for exposure and testing negative for immunity.

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 submit an employee safety grant application to the Tennessee Municipal League Risk Management Pool for a grant in the amount of \$2,000.00 and to accept said grant if the application is approved.

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 September 2014.

APPROVED AS TO FORM AND LEGALITY:



Kenneth R. Krushenski, City Attorney

Thomas L. Beehan, Mayor

Diana R. Stanley, City Clerk

Personnel Memorandum
14-091

August 22, 2014

TO: Mark S. Watson, City Manager

FROM: Cindi G. Gordon, Personnel/Risk Manager

THROUGH: Penelope H. Sissom, Personnel Director 

SUBJECT: TML RISK MANAGEMENT POOL "SAFETY PARTNERS" LOSS CONTROL
MATCHING DRIVER SAFETY GRANT PROGRAM

The TML Risk Management Pool is offering the "Safety Partners" Loss Control Matching Driver Safety Grant for the fiscal year of 2014-15 to all Pool members for purchases or training related to driver safety. The grant will provide reimbursement up to 50% of the cost of the approved item(s) with a maximum reimbursement of \$2000.00 for a city in our Priority Classification.

After traffic accident investigations were conducted during the last fiscal year, City employees were involved in several vehicle accidents that were determined to be "at fault".

With the exception of the Police Department and the Electric Department, City employees driving fleet vehicles are not required to attend "*extensive*" annual driver training. The City does cover driver safety annually in a one (1) hour monthly safety meeting. Through TVPPA (Tennessee Valley Public Power Association) we can provide classroom training for all employees driving City fleet vehicles. The classroom training will include the following topics: Familiarity with the vehicle cushion of safety; blind spots; scanning; covering the brake; following distance; vehicle positioning; right and left turn procedures; safe backing and parking techniques; on site safety measures. This training will provide needed awareness and minimize the City's liability premium.

The City of Oak Ridge's opportunity for receipt of the \$2000.00 Matching Grant will be increased by early submittal as applications are reviewed on a first come-first served basis.

Staff recommends adoption of the attached resolution.



Cindi G. Gordon

Attachment

RESOLUTION

A RESOLUTION AUTHORIZING THE CITY TO SUBMIT A DRIVER SAFETY GRANT APPLICATION TO THE TENNESSEE MUNICIPAL LEAGUE RISK MANAGEMENT AND ACCEPT SAID GRANT IF APPROVED.

WHEREAS, grant monies are available through the Tennessee Municipal League Risk Management Pool for expenditures related to driver safety; and

WHEREAS, the City meets all of the grant requirements; and

WHEREAS, said grant requires a local match of \$2,000.00; and

WHEREAS, the City Manager recommends that the City submit a grant application to the Tennessee Municipal League Risk Management Pool for a grant in the amount of \$2,000.00 to be used for comprehensive driver training covering critical collision-prevention techniques.

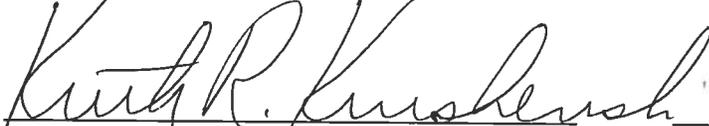
NOW, THEREFORE, BE IT RESOLVED BY THE COUNCIL OF THE CITY OF OAK RIDGE, TENNESSEE:

That the recommendation of the City Manager is approved and the City is hereby authorized to submit a driver safety grant application to the Tennessee Municipal League Risk Management Pool for a grant in the amount of \$2,000.00 and to accept said grant if the application is approved.

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 September 2014.

APPROVED AS TO FORM AND LEGALITY:



Kenneth R. Krushenski, City Attorney

Thomas L. Beehan, Mayor

Diana R. Stanley, City Clerk

FIRE DEPARTMENT MEMORANDUM

HQ-14-16

DATE: August 18, 2014
TO: Mark S. Watson, City Manager
FROM: Darryl Kerley, Fire Chief
SUBJECT: **ASSISTANCE TO FIREFIGHTERS GRANT AWARD**

Introduction

The Oak Ridge Fire Department (ORFD) has been awarded a Department of Homeland Security – Assistance to Firefighter Grant (AFG) in the amount of \$ 34,000.00 for the fire prevention office to purchase smoke alarms for installation in privately owned homes in Oak Ridge.

Funding

This grant is a five (5) percent local match grant as specified in the terms of the grant contract, in the amount of \$ 1,700.00, which will be dispersed from the Fire Prevention Office budget. The AFG portion of the grant will be \$ 32,300.00 for the total award amount of \$ 34,000.00. The terms of the grant contract are broad enough to allow the fire prevention office to manage and close out the program over the next 12 months.

Consideration

The AFG grant is open to fire departments once each year in three different categories. The Oak Ridge Fire Department applies each year and has been successful in several areas over the past 10 years. This year's award of \$ 34,000.00 falls under the category of Fire Prevention. The past two years donations of money for smoke alarms and donation of smoke alarms for installation by the ORFD have fallen significantly. This grant will purchase several different types of smoke alarms to meet the needs of the community, including alarms for hearing impaired. The Oak Ridge Fire Department installs the smoke alarms free of charge through the Fire Prevention Office by appointment.

Recommendation

Staff recommends acceptance of the Assistance to Firefighter Grant, with council approval of the attached Resolution



Darryl Kerley, Fire Chief

NUMBER _____

RESOLUTION

A RESOLUTION TO ACCEPT A \$34,000.00 ASSISTANCE TO FIREFIGHTER GRANT AWARD FROM THE DEPARTMENT OF HOMELAND SECURITY FEDERAL EMERGENCY MANAGEMENT AGENCY (FEMA) FOR SMOKE ALARMS.

WHEREAS, the United States Department of Homeland Security Federal Emergency Management Agency (FEMA) makes grant funds available to local jurisdictions through the Assistance to Firefighters Grant Program; and

WHEREAS, the City is eligible for and has been approved by FEMA to receive \$34,000.00 in grant funds for smoke alarms; and

WHEREAS, said grant requires a five percent (5%) local match and the required \$1,700.00 local match is available in the Fire Prevention budget; and

WHEREAS, the City Manager recommends acceptance of said grant and authorization to purchase the smoke alarms with grant funds.

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

That the recommendations of the City Manager are approved and an Assistance to Firefighter grant from the United States Department of Homeland Security Federal Emergency Management Agency in the amount of \$34,000.00, with a local match of five percent (5%), is hereby accepted.

BE IT FURTHER RESOLVED that the City is authorized to purchase the smoke alarms with grant funds; said equipment being purchased under the City's bidding requirements.

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

This the 8th day of September 2014.

APPROVED AS TO FORM AND LEGALITY:



Kenneth R. Krushenski, City Attorney

Thomas L. Beehan, Mayor

Diana R. Stanley, City Clerk

ELECTRIC DEPARTMENT MEMORANDUM

14-16

DATE: August 20, 2014
TO: Mark S. Watson, City Manager
FROM: Jack L. Suggs, Electric Director
SUBJECT: APPROVAL OF EXPENDITURES TO ROSS MAINTENANCE AND SERVICE, LLC

Introduction

An item for City Council's consideration is a resolution authorizing expenditures in the not to exceed amount of \$60,000 to Ross Maintenance and Service, LLC, Morristown, TN for work related to repairs, replacement, testing and inspection of oil filled equipment and substation systems.

Funding

Funding for this item is through the Electric Fund.

Consideration

As part of its substation improvement work, the Electric Department has been removing and refurbishing voltage regulators in its substations. These units were installed between 1989 and 1990 and, although they have performed admirably, failures of specific components of the regulators are occurring and they now need refurbishment and specific repairs.

The units are manufactured by Cooper Industries. Cooper's authorized repair shop for Tennessee is Ross Maintenance and Service (RMS), LLC, located in Morristown, Tennessee. RMS has done a great deal of work for the City over the years and has always provided excellent service. Normally the expenditures do not exceed \$25,000 and are approved at the staff level.

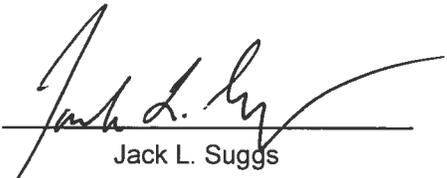
This year, however, we anticipate sending a total of up to seven sets of three regulators through the shop as we conclude our regulator refurbishment project. Depending on the repair needed, each set cost approximately \$7,000 to repair. (In round numbers each set would cost about \$45,000 to replace). We therefore anticipate that, in their role as a Cooper authorized repair center, we will spend about \$49,000 on refurbishing these regulators.

RMS also provides other services to the Electric Department. For example, when a transformer is experiencing difficulty, RMS is called in to perform technical electrical testing on the unit to diagnose the problem. They also do relay and wiring testing on an as-needed basis.

Because the exact level of need is not known, and to avoid any confusion concerning the level of expenditures available for this company, staff recommends that an authorization of \$60,000 be approved, which is anticipated to cover both the cost of the regulator refurbishing and any other work needed throughout the remainder of the year.

Recommendation

Approval of the attached resolution is recommended.



Jack L. Suggs

RESOLUTION

A RESOLUTION AUTHORIZING THE CITY TO UTILIZE THE SERVICES OF ROSS METER SERVICE, INC., MORRISTOWN, TENNESSEE, TO REPAIR, REPLACE, TEST, AND INSPECT OIL-FILLED EQUIPMENT AND SUBSTATION SYSTEMS FOR THE ELECTRIC DEPARTMENT IN AN AMOUNT NOT TO EXCEED \$60,000.00.

WHEREAS, as part of the City's substation improvement work, the Electric Department has been removing and refurbishing voltage regulators in its substations; and

WHEREAS, said equipment is manufactured by Cooper Industries, and Cooper Industries' only authorized repair shop in Tennessee is Ross Meter Service, Inc., in Murfreesboro, Tennessee; and

WHEREAS, the City has utilized the services of Ross Meter Service, Inc., in the past, which company has provided excellent service; and

WHEREAS, due to the amount of regulators expected to be sent this fiscal year for service/refurbishment, it is anticipated that the total dollar amount will exceed the City Manager's contract signature authority; and

WHEREAS, the City Manager recommends authorization to utilize the services of Ross Meter Service for this project in an amount not to exceed \$60,000.00

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 utilize the services of Ross Meter Service, Inc., 145 Sunrise Avenue, Morristown, Tennessee 37813, for the repair, replacement, testing, and inspection of oil-filled equipment and substation systems for the Electric Department in an amount not to exceed \$60,000.00.

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 September 2014.

APPROVED AS TO FORM AND LEGALITY:



Kenneth R. Krushenski, City Attorney

Thomas L. Beehan, Mayor

Diana R. Stanley, City Clerk

CITY COUNCIL MEMORANDUM
14-29

DATE: August 19, 2014
TO: Honorable Mayor and Members of City Council
FROM: Mark S. Watson, City Manager
SUBJECT: U.S. COMMUNITIES GOVERNMENT PURCHASING ALLIANCE

Introduction

An item for City Council's consideration is a resolution approving an agreement between the City and U.S. Communities Government Purchasing Alliance allowing the City of Oak Ridge to be a participating member in the purchasing cooperative to achieve significant cost savings by leveraging the purchasing power of public agencies in all fifty states.

Funding

There is no funding associated with this contract. Membership in the purchasing cooperative is at no cost to participating members.

Background

U.S. Communities Government Purchasing Alliance (U.S. Communities) is a leading national government purchasing cooperative that began in 1996 as a partnership between the Association of School Business Officials, the National Association of Counties, the National Institute of Government Purchasing, the National League of Cities, and the United States Conference of Mayors. By combining the potential purchasing power of public agencies in all fifty states, U.S. Communities is able to provide best overall supplier government pricing.

The City is authorized by Tennessee Code Annotated §12-3-1205(b) to enter into a master agreement with U.S. Communities for the procurement of goods, supplies, services, or equipment, with the exception of certain motor vehicles and construction, engineering, or architectural services or construction materials. Entering into an agreement with U.S. Communities allows the City the option—but not the obligation—to purchase goods, supplies, services, and/or equipment utilizing the competitive bidding practices of other public agencies within the United States. By State law, a local government can purchase from contracts competitively bid by another government agency, such as the state or another local government, and U.S. Communities provides access to such contracts participating members throughout the United States. Many Tennessee cities use this resource, such as Alcoa, Brentwood, Bristol, Chattanooga, Knoxville, and Maryville.

U.S. Communities will not replace the City's competitive bidding practices, but will be used as an additional resource for purchasing. In the event an item is available through U.S. Communities and the pricing obtained is not reasonably believed to be the best price, the item will be competitively bid by the City.

Recommendation

Approval of the attached resolution is recommended.


Mark S. Watson

Attachment: Resolution

RESOLUTION

A RESOLUTION TO APPROVE A MASTER AGREEMENT WITH U.S. COMMUNITIES GOVERNMENT PURCHASING ALLIANCE TO ALLOW THE CITY TO BE A PARTICIPATING MEMBER IN A PURCHASING COOPERATIVE.

WHEREAS, the U.S. Communities Alliance Government Purchasing Alliance is a national government purchasing cooperative that achieves significant cost savings by leveraging the purchasing power of public agencies in all fifty states; and

WHEREAS, local government entities become participating members of U.S. Communities by entering into a Master Intergovernmental Cooperative Purchasing Agreement and membership is conferred without cost to the participating members; and

WHEREAS, Tennessee Code Annotated §12-3-1205(b) provides that local governments may participate in a master agreement by adopting a resolution accepting the terms of the master agreement; and

WHEREAS, the City Manager recommends the City enter into the master agreement with U.S. Communities.

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 Master Intergovernmental Cooperative Purchasing Agreement with the U.S. Communities Alliance Government Purchasing Alliance allowing the City of Oak Ridge, Tennessee, to be a participating member with contract purchasing benefits, in accordance with the terms and conditions of the applicable contract.

BE IT FURTHER RESOLVED that the Mayor may execute the appropriate legal instruments to accomplish the same.

This the 8th day of September 2014.

APPROVED AS TO FORM AND LEGALITY:



Kenneth R. Krushenski, City Attorney

Thomas L. Beehan, Mayor

Diana R. Stanley, City Clerk

RESOLUTIONS

FINANCE DEPARTMENT MEMORANDUM
14-16

DATE: August 21, 2014
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 \$175,000.

Funding

Funds are budgeted and available in FY2015.

Background/Analysis/Review/Consideration

Over the last twenty years, the City has utilized temporary employees in clerical, technical and field crew positions. Temporary employees are used to perform duties in place of sick or injured employees, vacancies, seasonal duties and special projects. A Request for Proposal (RFP) was issued by the Finance Department with six (6) companies submitting proposals for review and evaluation.

Of the six proposals received, only two (2) met the requirements, (i.e., CDL drivers) for the supply of general labor temporary workers. Staff recommends utilizing the services of Alternate Staffing, Inc., Knoxville, TN and First Place Finish, Oak Ridge, TN.

All six proposals received for the supply of clerical/office temporary workers met the identified requirements. Department personnel can request specific certifications, resumes, and cost information from the Accounting Division Manager and review them prior to hiring a temporary employee. Staff recommends utilizing the services of Alternate Staffing, Inc., Knoxville, TN; Staffing Solutions, Oak Ridge, TN; Temp Systems, Inc., Knoxville, TN; Robert Half International (Accountemps and Office Team), Knoxville, TN; Express Employment Professionals, Knoxville, TN; and First Place Finish, Oak Ridge, TN.

Other firms, such as RecruitWise, may be considered for hiring temporary workers when a specific or more technical skill set is needed.

Recommendation

Staff recommends approval of the attached resolution as submitted. Funds are budgeted and available in fiscal year 2015.


Lyn Majeski

RESOLUTION

A RESOLUTION MAKING AWARDS TO ALTERNATE STAFFING, INC.; EXPRESS EMPLOYMENT PROFESSIONALS; FIRST PLACE FINISH; ROBERT HALF INTERNATIONAL (ACCOUNTEMPS AND OFFICE TEAM); STAFFING SOLUTIONS; TEMP SYSTEMS, INC.; AND QUALIFIED TECHNICAL FIRMS SUCH AS RECRUITWISE FOR FURNISHING AS NEEDED TEMPORARY EMPLOYMENT SERVICES FOR FISCAL YEAR 2015 IN THE ESTIMATED AMOUNT OF \$175,000.00.

WHEREAS, the City issued a Request for Proposals (RFP) for as needed temporary employment services for clerical/office and general labor positions during Fiscal Year 2015; and

WHEREAS, six (6) proposals were received from Alternate Staffing, Inc.; Express Employment Professionals; First Place Finish; Robert Half International (Accountemps and Office Team); Staffing Solutions; and Temp Systems, Inc.; and

WHEREAS, two (2) of the six (6) proposals (Alternate Staffing, Inc. and First Place Finish) were responsive to the RFP for general labor temporary workers and all six (6) proposals were responsive to the RFP for clerical/office temporary workers; and

WHEREAS, the City Manager recommends awards be made to the six (6) responsive companies for as needed temporary employment services, and to allow awards to qualified firms such as RecruitWise when more technical skill sets are needed for temporary workers.

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

That the recommendations of the City Manager are approved and awards are hereby made to Alternate Staffing Inc., Knoxville, and First Place Finish, Oak Ridge, for furnishing as needed general labor temporary workers; to Alternate Staffing Inc., Knoxville; Express Employment Professionals, Knoxville; First Place Finish, Oak Ridge; Robert Half International (Accountemps and Office Team), Knoxville; Staffing Solutions, Oak Ridge; and Temp Systems, Inc., Knoxville; for furnishing as needed clerical/office temporary workers; and to qualified firms such as RecruitWise for furnishing as needed temporary workers when more technical skill sets are needed; said services for Fiscal Year 2015 and in the estimated amount of \$175,000.00.

BE IT FURTHER RESOLVED that, since the employment of temporary workers is sometimes needed on an urgent rather than pre-planned basis, the City Manager is hereby authorized to execute the appropriate legal instruments to accomplish the same.

This the 8th day of September 2014.

APPROVED AS TO FORM AND LEGALITY:


Kenneth R. Krushenski, City Attorney

Thomas L. Beehan, Mayor

Diana R. Stanley, City Clerk

PUBLIC WORKS MEMORANDUM

14-32

DATE: August 22, 2014
TO: Mark S. Watson, City Manager
THROUGH: Gary M. Cinder, P.E., Director of Public Works 
FROM: Steven R. Byrd, P.E., City Engineer
SUBJECT: PROPOSED SOUTH ILLINOIS AVENUE ACCESS TO SERVE PARCEL 39 AND 40

Introduction

An item for City Council's consideration is a resolution approving a right-in/right-out access to South Illinois Avenue (State Route 62) to serve a proposed 15,200 square foot retail development to be located on Parcels 39 (Anderson County Tax Map 106A, Group A) and Parcel 40 (Anderson County Tax Map 106A, Group A). The property owner, Rudd Seeley Wallis, LLC of Nashville, has requested City Council approval of an access to South Illinois Avenue as shown on the attached aerial and site plan drawings. Oak Ridge Zoning Ordinance requires City Council approval of any access to an arterial street. The Tennessee Department of Transportation must also approve the access after staff has approved the development site plan.

Background

The South Illinois Avenue Corridor Study envisioned minimal access locations for new development along South Illinois Avenue with as much vehicular traffic as possible accessing a traffic signal at the Woodland Terrace East intersection. When Aldi was developed east of the proposed site, a common-use access was provided across the lot from Woodland Terrace East to serve the proposed development site. The common-use access will provide full-use traffic access to the site via Woodland Terrace East. A right-in/right-out access located 465 feet north of Woodland Terrace East is also proposed for the site.

A traffic letter prepared by RG Phillips Consulting, LLC evaluated increased site development traffic using the *Trip Generation Manual* publication of the Institute of Transportation Engineers. The total daily traffic trips for the retail site are projected at 649 trips. One vehicle visiting the site represents two traffic trips (1 trip in and 1 trip out). The total trips during the hourly AM peak traffic period are projected at 9 entering and 6 exiting and during the hourly PM peak traffic period are projected at 27 entering and 29 exiting. It is noted that these projected traffic trips are distributed at the right-in/right-out access, as well as, at the Woodland Terrace East access to the site.

It is staff's opinion that the additional traffic generated by the retail development will have minimal impact on the adjacent streets of South Illinois Avenue and Woodland Terrace East and at the South Illinois Avenue/Woodland Terrace East signalized intersection. Left-turn movements desiring to access the site will be made at the signalized intersection and at the joint use access on Woodland Terrace East. The right-in/right-out access to South Illinois Avenue will be designed to physically prohibit left-turn movements, similar to the recently constructed right-in/right-out access at Weigel's.

Recommendation

At the July 15, 2014 meeting, the Traffic Safety Advisory Board recommended approval of the proposed right-in/right-out access. City staff recommends approval of the South Illinois Avenue right-in/right-out access located 465 feet from Woodland Terrace East, subject to TDOT approval of the South Illinois Avenue access.

Attachments (4)

Consultant traffic letter
Aerial drawing
Site plan drawing
TSAB communication


Steven R. Byrd, P.E.



RG Phillips Consulting, LLC
 106 Mission Court, Suite 301
 Franklin, TN 37067
 Office: (615) 719-7826
 Direct: (615) 268-5879
 Fax: (866) 390-4142
 richphillips@rgphillips.net

July 7, 2014

Mr. Randy Perry, P.E.
 Perry Engineering
 100 N. Main Street, Suite F
 Goodlettsville, TN 37206

**RE: Traffic Letter for Oak Ridge Retail
 South Illinois Avenue Site**

Randy,

As requested, I am writing this letter to address any potential traffic issues associated with the development of 15,200 square feet of retail space in Oak Ridge, Tennessee. Specifically the proposed site is located on a tract with frontage on South Illinois Avenue just west of an Aldi's grocery store development.

Trips expected to be generated by the proposed retail space were derived based on data from *Trip Generation*, Ninth Edition, which is a publication of the Institute of Transportation Engineers (ITE). The land use code utilized was LUC 820, which is described as a Shopping Center and typically includes retail space, restaurants, banks, and other similar developments. The table included below shows the average number of trips expected to be generated by the proposed development on a daily basis, as well as during the AM and PM peak traffic hours.

Table 1
Trip Generation for Proposed Oak Ridge Retail Development

Land Use Description	SIZE	Daily Trips	AM Peak Hour Trips			PM Peak Hour Trips		
			Enter	Exit	Total	Enter	Exit	Total
Shopping Center (LUC 820)	15,200 SF	649	9	6	15	27	29	56

As shown in Table 1, the total trips projected to be generated by the proposed development is below the 1,000 trips per day threshold that is typically required for a traffic impact study.

Access for the project is proposed to be provided by a "right-only" driveway connection to South Illinois Avenue and a cross-access driveway connection to the adjacent Aldi's grocery store development located to the southeast of the project site.

The "right-only" driveway connection is proposed to be located approximately 465 feet from the existing traffic signal at Woodland Terrace Drive. This separation is greater than the 125 feet minimum separation required in the City's zoning ordinance.

It should be noted that the proposed driveway access for this project is located on South Illinois Avenue across from an existing National Oceanic and Atmospheric Administration (NOAA) driveway. However, traffic utilizing the proposed project driveway will not interfere with the NOAA driveway, since it will only allow right turning movements.

Furthermore, the cross-access easement will allow the site traffic to utilize the traffic signal located at Woodland Terrace Drive when entering the site from the north or when exiting and travelling south.

In view of the above statements, the amount of traffic that will be generated by the projected development is not expected to create any significant impacts to the existing roadway network in the vicinity of the project site. In addition, the proposed "right-only" driveway on South Illinois Avenue will have adequate separation from the existing traffic signal and should promote safe and efficient access for patrons of the proposed retail site.

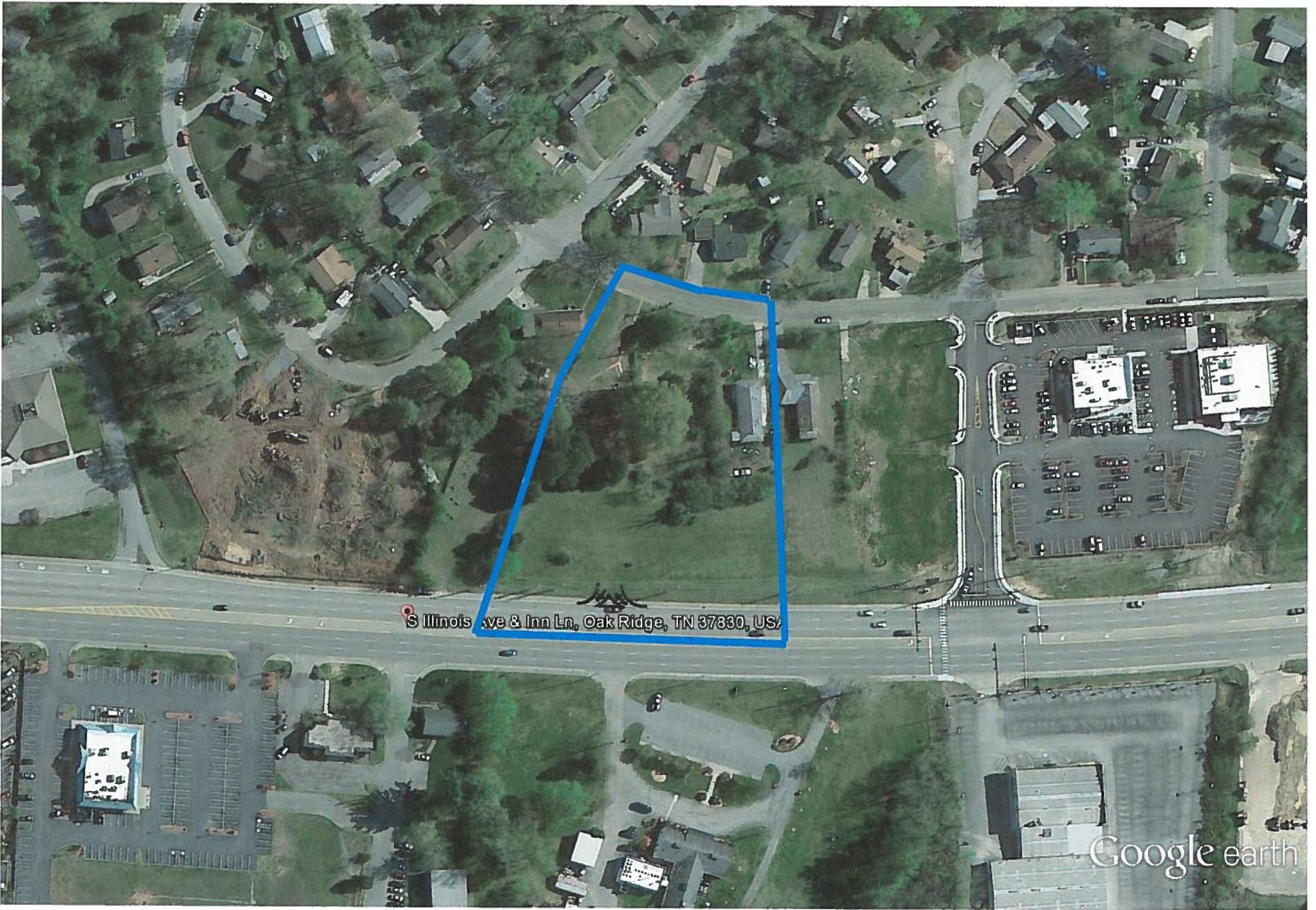
Please let me know if you have any questions or need any additional information.

Sincerely,

A handwritten signature in blue ink, appearing to read "Richard G. Phillips".

Richard G. Phillips, P.E.

File: 14-0701



S Illinois Ave & Inn Ln, Oak Ridge, TN 37830, US

Google earth

Google earth

feet
meters



07-08-14

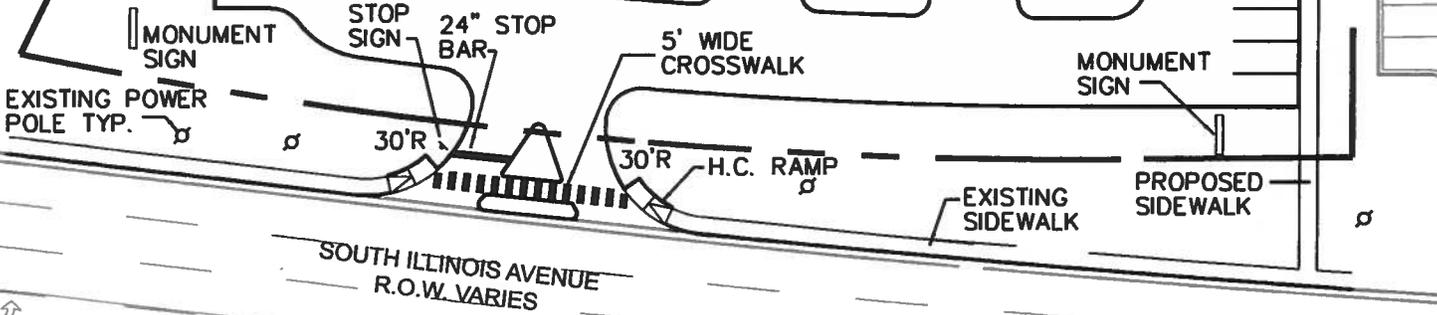
CENTRAL PARK DEVELOPMENT
BOOK 1482, PAGE 2187
LOT 17
CITY OF OAK RIDGE, SUBD PLAN
PC 3, SLIDE 19C

SOUTH PURDUE AVENUE
46' R.O.W.



ONE-STORY
COMMERCIAL
15,200 S.F.

ALDI



EXISTING POWER
POLE TYP.

MONUMENT
SIGN

STOP
SIGN 24" STOP
BAR

5' WIDE
CROSSWALK

30'R H.C. RAMP

MONUMENT
SIGN

EXISTING
SIDEWALK

PROPOSED
SIDEWALK

SOUTH ILLINOIS AVENUE
R.O.W. VARIES

S. ILLINOIS RETAIL
RIGHT-IN-RIGHT-OUT
07-08-14

Byrd, Steve

From: Bill Polfus <polfi1@comcast.net>
Sent: Tuesday, July 15, 2014 10:41 PM
To: Watson, Mark; Stanley, Diana; Garland, Anne Garcia; Hensley, Charles; Hope, Chuck; Mosby, David; Miller, Jane; Beehan, Tom; Baughn, Trina
Cc: Aditya Savara ; Andrew Howe; Ben Redmond; Bill Davis; Byrd, Steve; Gene Dunaway; Jana Humphery; Jane Shelton
Subject: TSAB Recommendation for Approval - Illinois Ave Right - in / Right Out New Access

It was requested that the Traffic Safety Advisory Board (TSAB) make a recommendation to the City Council for consideration of approval for a new right-in / right-out access on Illinois Avenue (SR 62) to serve a proposed retail development on Parcels 39 & 40 (tax Map 106A, Group A). This property is adjacent to the Aldi's Grocery Store and will also have access through their parking lot to the traffic signal for left turns.

Following a motion to recommend for approval of the right-in / right-out access and discussion **the TSAB voted 7-1 for approval.**

Details of right-in / right-out access were provided by the TSAB Staff Liaison Steve Byrd with support from Bill Seeley representing the developer of the property. The TSAB felt that the right-in / right-out access would provide better access to the businesses on the property without adversely affecting traffic on Illinois Avenue (SR 62). Opposing vote based on SR 62 is a highway and should have minimal access points so traffic can flow faster.

Respectfully submitted,

Bill Polfus
Chairman
Oak Ridge Traffic Safety Advisory Board
865-567-0375 (cell)

RESOLUTION

A RESOLUTION APPROVING A RIGHT-IN/RIGHT-OUT ACCESS TO SOUTH ILLINOIS AVENUE FROM ANDERSON COUNTY TAX MAP 106A, GROUP A, PARCELS 39.00 AND 40.00, SUBJECT TO APPROVAL BY THE TENNESSEE DEPARTMENT OF TRANSPORTATION.

WHEREAS, the property owner of Anderson County Tax Map 106A, Group A, Parcels 39.00 and 40.00, has requested an access to South Illinois Avenue that will serve said parcels for a proposed retail development; and

WHEREAS, South Illinois Avenue is an arterial road requiring City Council approval of access; and

WHEREAS, South Illinois Avenue is also a state route requiring Tennessee Department of Transportation approval of access; and

WHEREAS, the proposed access has been reviewed by the Traffic Safety Advisory Board at its July 15, 2014 meeting, which Board recommended approval; and

WHEREAS, the proposed access location is recommended by the City Manager.

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 right-in/right-out access to South Illinois Avenue from Anderson County Tax Map 106A, Group A, Parcels 39.00 and 40.00, as shown on the drawing attached hereto, dated July 8, 2014, is hereby approved subject to approval of the access by the Tennessee Department of Transportation.

This the 8th day of September 2014.

APPROVED AS TO FORM AND LEGALITY:



Kenneth R. Krushenski, City Attorney

Thomas L. Beehan, Mayor

Diana R. Stanley, City Clerk

RECREATION & PARKS MEMORANDUM
14-03

DATE: August 21, 2014
TO: Mark S. Watson, City Manager
FROM: Josh Collins, Recreation & Parks Director
SUBJECT: **Friendship Bell House Grant**

Introduction

An item for City Council's consideration is a Resolution authorizing the submission of a grant application to The Japan World Exposition 1970 Commemorative Fund for matching funds to rebuild the Friendship Bell House. The Commemorative Fund supports projects that "contribute to international cultural exchange and international goodwill."

Funding

The City is requesting \$100,000 from The Japan World Exposition 1970 Commemorative Fund to match \$50,000 from the City's Capital Projects Fund and \$50,000 from private and community contributions and donations. The grant application outlines a 50/50 match requirement if the request is approved.

Background

In November 2013, Tetra Tech Engineers performed a preliminary evaluation of the Friendship Bell House at the request of City staff. Several of the support beams were showing signs of deterioration and cracks were developing on adjacent support walls. As a result of the evaluation, wooden timbers were placed under the bell to support the weight.

In February 2014, City staff commissioned Tetra Tech to perform an in depth evaluation of the structure. The inspection determined between 65-70% of the wooden support beams in the bell house were compromised and showed substantial deterioration. For the safety of park visitors, the engineer recommended the installation of construction fencing and closing the bell house to the public.

At the May 27, 2014, City Council work session, the Tetra Tech engineer and City staff presented an overview of the bell house report and looked at possible options. At the City Manager's suggestion, the bell house report was referred to the Recreation and Park Board for a recommendation. At its June 19, 2014, meeting, the Recreation and Park Board recommended a short-term solution that would result in the removal of the bell house and the placement of the bell on a concrete pad at its original location. This work was accomplished by City staff in early August.

At the September 11, 2014, meeting, the Recreation and Park Board will discuss a timeline for rebuilding the Friendship Bell house. The timeline will include two public meetings to discuss potential bell house designs and review construction estimates. At its October 9 meeting, the Recreation and Park Board is scheduled to review several potential design options with accompanying cost estimates. The board plans to work with community leaders to create a Friendship Bell fund-raising committee in an effort to build support for the project and raise the necessary funds to match the grant funding.

Recommendation

Staff recommends approval of the accompanying Resolution as submitted. Staff will work with community volunteers to complete the grant application.


Josh Collins

Attachments

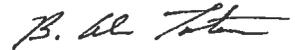
RECREATION AND PARKS ADVISORY BOARD MEMORANDUM

14-01

DATE: August 1, 2014

TO: Mark Watson, City Manager

FROM: B. Alan Tatum, Chairman, Recreation and Parks Advisory Board



SUBJECT: International Friendship Bell Recommendations

Tetra Tech, Inc. submitted an "Inspection Report of the International Friendship Bell" to the City of Oak Ridge in April 2014. Subsequently, you requested that the Recreation and Parks Advisory Board evaluate the report, develop options on how to proceed with repairs, and evaluate potential locations if the Bell is moved.

The Board reviewed and discussed the report, found it to be quite thorough and informative, and agreed that the "Do Nothing" option was not acceptable. Consequently, during the June 19, 2014 Board meeting, the Recreation and Parks Department staff presented short term recommendations that would alleviate public safety concerns associated with further deterioration of the Bell structure, and restore public access to the Bell.

Following a period of discussion, the Board approved a short term recommendation to temporarily remove the Bell, dismantle the Bell structure, and replace the Bell on the existing concrete pad until the City has an agreed upon a long term solution. The cost estimate for this effort was approximately \$10,000 with an estimated schedule of completion of less than one week. That work has now been successfully completed.

The Recreation and Parks Advisory Board has begun the process of evaluating long term options, and we look forward to discussing those options with you, your staff, and the community in the near future.

Thank you for the opportunity to engage in this important process and project for the City of Oak Ridge.

RESOLUTION

A RESOLUTION AUTHORIZING THE CITY TO APPLY FOR A GRANT FROM THE JAPAN WORLD EXPOSITION 1970 COMMEMORATIVE FUND FOR MATCHING FUNDS TO REBUILD THE FRIENDSHIP BELL HOUSE, SAID GRANT REQUIRING A 50/50 MATCH.

WHEREAS, due to signs of deterioration, the Friendship Bell House was evaluated by engineers earlier this year who found substantial deterioration and recommended closure for public safety; and

WHEREAS, the bell house has since been removed and is in need to replacement; and

WHEREAS, the Recreation and Parks Advisory Board will soon meet to discuss a timeline for rebuilding the bell house, which will include public meetings to discuss potential designs and review construction estimates; and

WHEREAS, the Kansai Osaka 21st Century Association is now accepting grant applications for the FY2015 Japan World Exposition 1970 Commemorative Fund (JEC Fund) for projects that contribute to the promotion of public interest and international mutual understanding, such as projects that contribute to international cultural exchange and international goodwill; and

WHEREAS, the City desires to seek a \$100,000.00 JEC Fund grant, which grant will require a 50/50 match; and

WHEREAS, matching funds are proposed to come equally from the Capital Projects Fund (\$50,000.00) and private/community contributions (\$50,000.00); and

WHEREAS, the Recreation and Parks Advisory Board plans to work with community leaders to create a fundraising committee in an effort to build support for the project and raise necessary funds to match the grant funding.

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

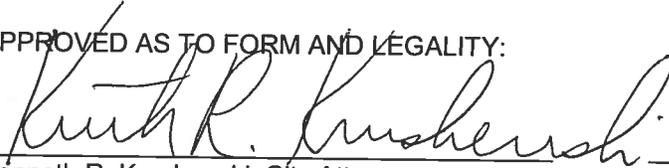
That the City is hereby authorized to submit an application in the amount of \$100,000.00 to the Kansai Osaka 21st Century Association for a FY2015 Japan World Exposition 1970 Commemorative Fund grant in the amount of \$100,000.00 for matching funds to rebuild the Friendship Bell House, said grant requiring a 50/50 match.

BE IT FURTHER RESOLVED that if said application is approved, the grant will be brought back to City Council for approval of the grant and matching funds.

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

This the 8th day of September 2014.

APPROVED AS TO FORM AND LEGALITY:



Kenneth R. Krushenski, City Attorney

Thomas L. Beehan, Mayor

Diana R. Stanley, City Clerk

PUBLIC WORKS DEPARTMENT MEMORANDUM
14-31

DATE: August 25, 2014

TO: Mark S. Watson, City Manager

FROM: Gary M. Cinder, P.E., Public Works Director

**SUBJECT: EPA REMEDIATION PLAN PROJECT – CONTRACT FY2015-005
EQUALIZATION BASINS**

Introduction

An item for City Council's consideration is award of the construction contract for the construction of three equalization basins and associated mechanical, electrical and instrumentation appurtenances, Contract FY2015-005, in accordance with the EPA Remediation Plan, to Morgan Contracting, Inc. in the estimated amount of \$6,472,000.

Funding

The low bid received was approximately 12% over the projected amount for the construction of the equalization basins. In an effort to reduce the cost of this project, the City's Program Manager, LDA Engineering, along with Morgan Contracting and their subcontractors continue to define reductions and savings in the bid price for the contract. The final negotiated price reduction (currently approximately \$400,000) will result in a field work order adjusting the contracted amount. In the interest of time and to concurrently begin the SRF approval process for award, as well as to thoroughly review and evaluate all possible bid reductions, the full bid amount is being presented for City Council approval with the attached resolution. The field work order stating the reduced contract amount will be presented to City Council for approval during the October 13, 2014 meeting.

Attached to this memo is the current cost analysis of the EPA Remediation Plan. The estimated amount of the engineering services and construction for the EPA Remediation Plan is \$23,090,800. The approval of this construction contract in the amount bid will leave a balance of \$1,153,927 to commit to the remaining projects.

The funding for this project will be from the TDEC State Revolving Fund, loan 2013-325, approved by City Council Resolution 2-12-2013 on February 25, 2013 in the amount of \$14,000,000.

Background

The construction contract recommended for approval will include the construction of three equalization basins to be located near Cairo Road, Emory Valley Road and Scarboro Road. The purpose of these basins is to allow for better flow control in the sewer system during wet weather events. The work in general consists of the following:

1. Construction of 2.0 MG East Plant Equalization Basin, civil, mechanical, electrical instrumentation and all necessary supporting work to form a complete functional facility.
2. Construction of 2.0 MG Emory Valley Equalization Basin civil, mechanical, electrical instrumentation and all necessary supporting work to form a complete functional facility.
3. Construction of 1.0 MG Scarboro Lane Equalization Basin civil, mechanical, electrical instrumentation and all necessary supporting work to form a complete functioning facility.
4. Piping, electrical, grading, drainage, and erosion and sediment control.
5. Final site grading, drainage, fencing, paving and other necessary supporting work

Construction for this project is currently scheduled to begin in early November 2014, with completion of the project by September 2015. Staff continues to remain confident that the current project schedule will allow us to meet the September 2015 deadline of the EPA Administrative Order. Please see the attached EPA Remediation Plan Project Status for a listing of each project and the next milestone to accomplish and the associated date.

Background, continued

The contractors that attended the prebid conference, held plans for this project, but did not submit a bid, were contacted and asked why they chose not to bid. Several indicated they had recently taken on a significant amount of new work in both sewer and water activities. The increase in similar work in the region, coupled with the high demand for materials was mentioned by the participating bidders as contributing to the bid prices being higher than the projected amount.

Recommendation

A requirement of the SRF loan is to forward the contract documents to TDEC for review and approval. Therefore, final award of this contract is subject to TDEC authorization. Staff recommends approval of the accompanying resolution.



Gary M. Cinder, P.E.

Attachments

EPA Remediation Plan Cost Analysis
EPA Remediation Plan Project Status

**EPA Remediation Plan Cost Analysis
As Of August 25, 2014**

<u>PROJECT</u>	<u>REF</u>	<u>REMEDIA- TION PLAN BUDGET</u>	<u>APPROVED</u>	<u>RES</u>	<u>SPENT</u>	<u>PROJECT FUNDS REMAINING</u>	<u>REMEDIA- TION PLAN FUNDS REMAINING</u>
							\$ 23,090,800
East Plant I (COR 12-16)	1	\$ 1,075,800	\$ 1,098,253	a,b	\$ 893,375	\$ -	\$ 22,197,425
East Plant II (COR 12-17)	1	\$ 984,610	\$ 859,365	a,b	\$ 701,725	\$ 8,750	\$ 21,486,950
East Plant III (COR 13-06)	2	\$ 4,025,000	\$ 3,872,890	a,c,d	\$ 2,934,963	\$ 937,927	\$ 17,614,060
East Plant IV (Contract FY2014-35)	2	\$ 4,535,790	\$ 4,886,803	a,c,e	\$ 2,274,764	\$ 2,612,039	\$ 12,727,257
Central City I (Contract FY2014-98)	3	\$ 2,165,900	\$ 2,361,203	a,f	\$ 134,911	\$ 2,226,292	\$ 10,366,054
Y-12 I (Contract FY2014-99)	3	\$ 744,700	\$ 1,385,697	a,g	\$ 49,650	\$ 1,336,047	\$ 8,980,357
EQ Basins (Contract FY2015-005)	2	\$ 6,114,900 *	\$ 7,071,000	c,j	\$ 171,500	\$ 6,899,500	\$ 1,909,357
West End I	3	\$ 744,700 **	\$ 273,430	a,c,d	\$ 43,930	\$ 229,500	\$ 1,635,927
Turtle Park I	4	\$ 2,699,400	\$ 482,000	c,h	\$ 99,038	\$ 382,962	\$ 1,153,927
TOTAL		\$ 23,090,800	\$ 22,290,641		\$ 7,303,856	\$ 14,633,017	\$ 1,153,927

*Pending City Council Approval

**The West End I project will be constructed by Hurst Excavating with remaining authorized funds from the East Plant III project.

Projects shaded in gray above are active with East Plant II near project close-out; and East Plant III substantially complete.

<u>REF (Reference):</u>		<u>RES (Resolutions):</u>	
1	Primarily funded by TMBF loan	a	7-67-11 approved 7/11/2011 for engineering services \$ 1,000,000.00
2	Primarily funded by SRF 2013-325 (\$14,000,000 loan)	b	10-78-2012 approved 10/8/2012 for construction \$ 1,655,917.50
3	Primarily funded by SRF 2013-324 (\$4,000,000 loan)	c	6-39-2013 approved 6/10/2013 for LDA services \$ 1,432,000.00
4	Primarily funded by SRF 2014-337 (\$3,000,000 loan)	d	08-75-2013 approved 8/12/2013 for construction \$ 3,334,437.50
		e	10-100-2013 approved 10/14/2013 for construction \$ 4,205,603.00
		f	05-37-2014 approved 5/12/2014 for construction \$ 2,130,083.00
		g	06-45-2014 approved 6/2/2014 for construction \$ 1,170,565.00
		h	07-66-2014 approved 7/14/2014 for engineering \$ 350,000.00
		j	pending approval for construction \$ 6,472,000.00



EPA Remediation Plan Project Status As Of August 25, 2014

Project Name	Current Status	Upcoming Milestone	Projected Date
East Plant I	Project Complete	N/A	8/15/2014
East Plant II	Project Complete	N/A	8/15/2014
East Plant III	Substantial Completion	Project Complete	9/1/2014
East Plant IV	Construction Underway	Complete Construction	11/30/2014
Central City I	Construction Underway	Complete Construction	4/30/2015
Y-12 I	Scheduled Start Date	Begin Construction	9/2/2014
West End I	Scheduled Start Date*	Begin Construction	9/2/2014
EQ Basins	Recommend Construction Award	Send to TDEC for Approval	9/17/2014
Turtle Park I	75% Design Complete	Send to TDEC for Review	10/10/2014

It has been decided that the West End I project will be constructed with the remaining authorized funding from the East Plant III project. To ensure that the West End I project is completed with the authorized funding available, a small section of the West End sewer shed has been removed from the West End I project and will be included in the Turtle Park I project, which is currently scheduled to begin construction in February 2015. The streets of the section to be included in the Turtle Park I project are:

- Macaw Lane
- Mallard Lane
- Maltese Lane
- Meadowlark Lane
- W. Melbourne Road
- Mockingbird Lane
- Montana Avenue
- Nantucket Way
- Nathan Lane
- New Bedford Lane
- New Hope Lane
- Newcastle Lane
- Newport Drive

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

FY2015-005

OPENING DATE: August 12, 2014 11:00 A.M.

FOR --- New Equalization Basins Project			BIDDER: Morgan Contracting, Inc. 6575 Hwy 189 North Baker, FL 32531		BIDDER: Smith Contractors, Inc. 1241 Bypass North Lawrenceburg, KY 40342		BIDDER: Haren Construction Company, Inc. 1715 Hwy 411 North Etowah, TN 37331		BIDDER:		
DESCRIPTION	ITEM	QUANTITY	UNIT COST	TOTAL	UNIT COST	TOTAL	UNIT COST	TOTAL	UNIT COST	TOTAL	
THE FURNISHING OF ALL LABOR, TOOLS, EQUIPMENT AND SUPPLIES NECESSARY TO PERFORM ALL WORK AND SERVICES NECESSARY FOR NEW EQUALIZATION BASINS PROJECT PER THE SPECIFICATIONS PROVIDED BY THE CITY OF OAK RIDGE, PUBLIC WORKS DEPARTMENT				\$ 6,472,000.00		\$ 6,989,000.00		\$ 9,439,000.00			
TOTAL PRICE			\$ 6,472,000.00		\$ 6,989,000.00		\$ 9,439,000.00		\$ -		
TERMS			Net 30		Net 30		Net 30				
DELIVERY			Per Contract		Per Contract		Per Contract				
F.O.B.			Oak Ridge		Oak Ridge		Oak Ridge				
VIA			Vendor		Vendor		Vendor				
OTHER VENDORS CONTACTED / PLANHOLDERS: Rogers Group, Inc. - Oak Ridge, TN Jack Southard Co., LLC - Clinton, TN Charles Blalock & Sons, Inc. - Sevierville, TN Frizzell Construction - Bristol, TN W&O Construction - Livingston, TN W Rogers Company - Lexington, KY					Adams & Sons - Sevierville, TN T&B Contractors, Inc. - Bristol, TN Precon Corporation - Newberry, FL The Crom Corporation - Gainesville, FL					BIDS OPENED AND RECORDED BY--- <i>Lyn Majeski</i> Lyn Majeski Accounting Division Manager	
REASON FOR AWARD:			RECOMMEND AWARD BE MADE TO:					BIDS REVIEWED BY---			
ONLY BID RECEIVED <input type="checkbox"/> LOW PRICE <input type="checkbox"/> BETTER OR REQUIRED DESIGN <input type="checkbox"/> EARLY DELIVERY <input type="checkbox"/> LOWEST TOTAL COST <input checked="" type="checkbox"/>			Morgan Contracting, Inc. 6575 Hwy 189 North Baker, FL 32531					<i>Janice McGinnis</i> Janice McGinnis Finance Director			

RESOLUTION

A RESOLUTION AWARDING A CONTRACT (FY2015-005) TO MORGAN CONTRACTING, INC., BAKER, FLORIDA, FOR CONSTRUCTION OF THREE (3) NEW EQUALIZATION BASINS AND ASSOCIATED MECHANICAL, ELECTRICAL, AND INSTRUMENTATION APPURTENANCES IN THE ESTIMATED AMOUNT OF \$6,472,000.00.

WHEREAS, the City is under an Administrative Order with the United States Environmental Protection Agency (EPA) which requires the City to eliminate sanitary sewer overflows by September 2015; and

WHEREAS, a component for eliminating sanitary sewer overflows is the construction of three equalization basins to hold the flow of the sewer system after significant rainfall; and

WHEREAS, site locations were approved by City Council through Resolution 09-91-2013, Resolution 09-92-2013, and Resolution 09-93-2013; and

WHEREAS, the City of Oak Ridge has issued an invitation to bid for the furnishing of all labor, tools, materials, equipment and supplies necessary for construction of three (3) new equalization basins and associated mechanical, electrical, and instrumentation appurtenances; and

WHEREAS, bids were received and publicly opened on August 12, 2014, with Morgan Contracting, Inc., Baker, Florida, submitting the lowest and best bid, which bid the City Manager recommends be accepted.

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

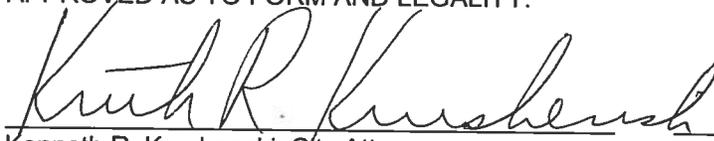
That the recommendation of the City Manager is approved and award is hereby Morgan Contracting, Inc., 6575 Hwy 189 North, Baker, Florida 32531, for the furnishing of all labor, tools, materials, equipment and supplies necessary for construction of three (3) new equalization basins and associated mechanical, electrical, and instrumentation appurtenances; said award in strict accordance with contract number FY2015-005, the required specifications, and the bid as publicly opened on August 12, 2014, and in the estimated amount of \$6,472,000.00.

BE IT FURTHER RESOLVED that approval of this contract is contingent upon contract approval by the Tennessee Department of Environment and Conservation.

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 September 2014.

APPROVED AS TO FORM AND LEGALITY:



Kenneth R. Krushenski, City Attorney

Thomas L. Beehan, Mayor

Diana R. Stanley, City Clerk

CITY COUNCIL MEMORANDUM
14-30

DATE: August 19, 2014
TO: Honorable Mayor and Members of City Council
FROM: Mark S. Watson, City Manager
SUBJECT: REQUEST FROM COUNCILMAN MOSBY

Introduction

An item for City Council's consideration is a resolution to create a Budget and Finance Committee, to establish monthly activity reports and quarterly reports to Council by the City Manager, and to establish access by Council to the Mayor's calendar of City activities and events.

Funding

None.

Background

The Oak Ridge City Council has conducted several policy forums for the purpose of establishing expected policies and guidance by the Council. Five Councilmembers attended the last policy forum—August 14, 2014—and they all agreed upon a need for the creation of a Budget and Finance Committee and the aforementioned reports to enhance communication among the Members of City Council. On behalf of that group, Councilman Mosby has asked that this item be placed on the September 8, 2014, agenda.


Mark S. Watson

Attachments

Meyers, LaVern

From: mosby1@aol.com
Sent: Friday, August 15, 2014 12:57 PM
To: Watson, Mark
Cc: City Council; Stanley, Diana; Krushenski, Ken; Sexton, Sandy
Subject: Septmber Council Meeting Agenda

Mark,

At the third Policy Forum on August 14th, some clarity of purpose began to emerge. Council attendees included Anne Garcia Garland, Trina Baughn, Chuck Hope, Charley Hensley, and myself. Margaret Norris facilitated the meeting and will provide detailed minutes. Representing the Councilors in attendance, I request that following Process Policy actions be placed on the September Council Agenda:

- Reestablishment of Budget and Finance Committee
- Monthly Activity/Progress Reports (written) from the City Manager to Council
- Quarterly Financial Reports from the City Manager to Council
- Mayor's Calendar (activities while representing the Council and/or City only)

The Council's relationship with the DOE and it's pending and upcoming activities were also discussed, but policy formation was delayed until the next meeting.

Respectfully,

David Mosby

RESOLUTION

A RESOLUTION TO CREATE A BUDGET AND FINANCE COMMITTEE, TO ESTABLISH MONTHLY ACTIVITY REPORTS AND QUARTERLY REPORTS TO COUNCIL BY THE CITY MANAGER, AND TO ESTABLISH ACCESS BY COUNCIL TO THE MAYOR'S CALENDAR OF CITY ACTIVITIES AND EVENTS.

WHEREAS, per Resolution 06-53-2014, City Council met on August 14, 2014 in a work session for the specific purpose of discussing policy and strategic planning in order to provide direction to the City Manager; and

WHEREAS, at this meeting, certain requests were made by councilmembers present regarding re-establishment of the former Budget and Finance Committee, monthly activity reports and quarterly financial reports to City Council from the City Manager, and access to the Mayor's activity calendar by City Council; and

WHEREAS, by Council's Rules and Procedures, no official action could be taken at this meeting, however, direction of the City Council could be provided by way of a resolution at a regular voting meeting of Council.

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

That, pursuant to Section V of the Rules and Procedures of the Oak Ridge City Council, a Budget and Finance Committee is hereby created as follows:

- The Committee's mission shall be to assist City Council in providing guidance to the City Manager with respect to budget preparation, as required by Article V, Section 10, of the City Charter.
- The Committee shall be composed of three (3) members of City Council who shall be initially appointed in October and annually appointed thereafter in July, in accordance with Resolution 11-106-07 which establishes a practice for appointment of councilmembers to committees to ensure an equal opportunity to serve.
- The charge of the Committee is to work with staff to maintain the City's fiscal responsibility, to develop budgeting and finance policy recommendations for City Council's consideration, to develop recommended strategies for funding City services and employee raises, to work with staff in actively seeking expanded revenue streams, and to develop strategies for communicating factual information to the public about the financial position of the City and the elements that drive the tax rate.
- The City Manager shall provide staff support for the Committee.
- The Committee shall continue to exist for four budget cycles unless extended or dissolved prior to that time by action of City Council.

BE IT FURTHER RESOLVED that the City Manager will provide monthly activity reports and quarterly financial reports to City Council.

BE IT FURTHER RESOLVED that the City Manager will develop a means by which City Council will have access to view the Mayor's calendar of city activities and events.

This the 8th day of September 2014.

APPROVED AS TO FORM AND LEGALITY:



Kenneth R. Krushenski, City Attorney



Thomas L. Beehan, Mayor

Diana R. Stanley, City Clerk

**PUBLIC HEARINGS
AND
FIRST READING OF
ORDINANCES**

COMMUNITY DEVELOPMENT MEMORANDUM
PLANNING DIVISION
14-35

DATE: August 22, 2014
TO: Mark Watson, City Manager
FROM: Kathryn G. Baldwin, Community Development Director 
SUBJECT: EQAB By-Laws

Introduction

In item for City Council's consideration is a request to amend the By-Laws for the Environmental Quality Advisory Board (EQAB). By-Laws are amended by Resolution; however, the amendments requested by EQAB affect the organizational structure of the Board, which necessitates changes to the Ordinance establishing EQAB as a Board. Therefore, the Ordinance has been submitted for consideration in the September 2014 meeting with the Resolution amending the By-Laws considered concurrent with second reading of the Ordinance in October.

Attached please find a bold/strikethrough Ordinance addressing Title #2, Chapter #2, amending the following issues:

- Composition of the Environmental Quality Advisory Board
- Designation of Officers
- Required Quorum
- Annual Reports
- Eliminate Duplication of Council Requirements

Funding

No funding is necessary for this item.

Analysis

Many of the changes requested by Ordinance are to increase the flexibility of EQAB in addition to eliminating duplication of Council requirements such as quorum and attendance policies. Another issue is to eliminate the requirement for a Planning Commission representative in addition to any reference to that representative. These changes should clarify and streamline many of EQAB's activities.

Recommendation

These amendments are recommended by staff in addition to formal request by both the membership of EQAB and the Planning Commission.

Attachments

COMMUNITY DEVELOPMENT MEMORANDUM
PLANNING DIVISION
14-22

DATE: July 1, 2014
TO: Diana R. Stanley, City Clerk
FROM: Kathryn G. Baldwin, Community Development Director 
SUBJECT: PLANNING COMMISSION APPOINTMENT TO THE ENVIRONMENTAL QUALITY ADVISORY BOARD

Historically, the Oak Ridge Planning Commission has appointed a member to serve on the Environmental Quality Advisory Board (EQAB). This position was long held by Chuck Agle, whose term as a Planning Commissioner expired on December 2013. Since that time no one on the Planning Commission expressed a desire to serve as the Commission representative on EQAB. During discussion on a representative, board members felt representation on both boards was not necessary, and that in the event the EQAB needed feedback or input from the Planning Commission, the board could make the Commission aware of that need.

Based on this discussion, the Planning Commission members voted unanimously to request City Council for an amendment to the composition of EQAB to remove the requirement for a representative of Planning Commission to serve a dual term on the Environmental Quality Advisory Board.

This request will be presented to City Council during the August meeting.

cc: Mark S. Watson, City Manager
Kenneth R. Krushenski, City Attorney

BOLD-STRIKETHROUGH OF PROPOSED CHANGES TO ORDINANCE

TITLE 2
BOARDS AND COMMISSIONS, ETC.

CHAPTER 2
ENVIRONMENTAL QUALITY ADVISORY BOARD

§2-201. Definition.

As used in this chapter, the term board shall mean the environmental quality advisory board created by this chapter.

§2-202. Created; composition.

There is hereby created an environmental quality advisory board for the city consisting of twelve (12) members who shall be appointed by the city council. Two (2) members of the board shall be high school students ~~and one member shall be nominated by the Oak Ridge Regional Planning Commission from the membership of said commission.~~ All members shall have one vote ~~for all actions of the board requiring a vote~~ except the two (2) high school students shall share one vote, either from a consensus if both are present at the meeting or individually if only one student is present. ~~If no consensus is possible, then no vote shall be recorded for the students.~~ **For clarification purposes, the board has eleven (11) possible total votes due to the student members sharing one (1) vote.**

§2-203. Terms of members.

Of the members first appointed to the board, four (4) shall serve until September 30, 1974; three (3) until September 30, 1975; and three (3) until September 30, 1976. Thereafter all appointments to the board, with the exception of the high school student members, shall be for terms of three (3) years and all terms shall commence on October 1. The high school student members of the board shall serve two-year terms of office. Of the students first appointed after the adoption of this amendment, one (1) shall serve until May 31, 1999, and one shall serve until May 31, 2000. Thereafter, all appointments of high school student members shall be for two years and all terms shall commence on June 1. If a successor has not been named at the expiration of a member's term, the member shall continue to serve until his or her successor is appointed. Whenever a vacancy occurs, an appointment shall be made for the remainder of the unexpired term. ~~In no case shall the planning commission member serve when his or her term upon the planning commission has expired. In such a case, the planning commission shall nominate to city council a member of the board who shall upon appointment serve the remaining portion of the term of the planning commission member of this board.~~

As of April 1, 2011, all current members' terms (except for student members which shall remain unchanged) shall be extended through to the following December 31, and all subsequent terms shall commence on a date established by resolution of City Council with the term lengths and staggered appointments remaining the same.

§2-204. Designation and term of chairperson and vice-chairperson.

The board shall elect from its membership a chairperson, vice-chairperson and secretary. ~~The member appointed from the Oak Ridge Regional Planning Commission shall be excluded from serving as an officer of the board.~~

§2-205. Compensation.

Members of the board shall serve without compensation but may be reimbursed for all necessary expenses incurred in the course of their duties in accordance with the appropriations made by the city council.

§2-206. Functions.

The function of the board shall be to serve as an advisory body to the city council. When requested by city council, the board shall give advice and assistance in matters contributing to a quality environment; and further, upon request, it shall advise the city manager and the ~~regional~~ **municipal** planning commission on specific environmental matters.

§2-207. Meetings; quorum.

~~A legal quorum of the board shall be considered the lesser of the majority of full votes or majority of seats currently duly occupied. The quorum is based on 11 votes if all twelve members are present. The board shall hold public meetings at such regular intervals and places as it may designate. A majority of the board shall constitute a quorum for the transaction of business, and all action shall require the concurring vote of a majority of the members present.~~
The board shall hold public meetings at such regular intervals and places at it may designate. Six (6) members A majority of the board shall constitute a quorum. For purposes of a quorum, the student members count as only one member because they share one vote and cannot vote separately. For clarification purposes, if one or both student members are present at a meeting, five other members must be present for there to be a quorum of the board. All actions shall require the concurring vote of a majority of the members present at a duly constituted meeting, with the student members again counting as only one member for the purposes of calculating a majority vote. For example, if eight members are present at a meeting, including both student members, a majority for voting purposes is four instead of five because the students only count as one regardless of

whether one or both are present at the meeting and regardless of whether or not there is a consensus for the student members' vote.

§2-208. Powers.

In the performance of its function, the board is authorized to adopt bylaws and rules of procedure for the conduct of its authorized activities; the board will recommend for approval and authorization by the city council a proposed annual work program involving studies for the preservation and improvement of the environment, it shall issue reports and findings on such studies. The board is further authorized to make specific recommendations on environmental questions referred by the city council, city manager, or regional **municipal** planning commission.

§2-209. Annual report to council.

~~A compendium of the previous year's minutes of the public meetings shall~~ The board shall annually prepare ~~serve as a~~ **The board shall annually prepare a** written report of its ~~the board's~~ activities and recommendations ~~and a recommended program of work for the ensuing year for submission to the city council by September 30, of each year which shall be published as a part of the official city records.~~ **and a recommended program of work for the ensuing year for submission to the city council by September 30, of each year which shall be published as a part of the official city records.**

§2-210. Availability of city facilities and personnel to assist the board.

Subject to the approval of the city manager, the facilities and personnel of the city shall be made available to assist the board in carrying out its functions.

§2-211. Forfeiture of membership by failure to attend meetings; absences; appointment of successor.

~~Any member of the board who is absent without excuse for three (3) regular meetings during the board year shall cease to hold office as a member of the board. "Excused absence" shall be defined as an absence caused by illness or job requirement which necessitates absence from the city. In order to qualify for an excused absence, the member must notify the chairperson prior to the meeting for which the excused absence is requested. The majority of the members present shall be empowered to determine whether or not any particular absence shall be excused. Appointment of successor by city council shall be for the unexpired term of such member.~~

Attendance policy.

Members of the board are subject to the attendance policy adopted by city council for boards and commissions.

BOLD-STRIKETHROUGH BYLAW CHANGES

ENVIRONMENTAL QUALITY ADVISORY BOARD
BYLAWS

- I. Name. The name of the organization is: Environmental Quality Advisory Board
- II. Functions and Powers. The function of the Board is to serve as an advisory body to City Council in accordance with City Code Title 2 Chapter 2. ~~When requested by City Council, the Board will give advice and assistance in matters contributing to a quality environment. Further, upon request, the Board will advise the City Manager and the Oak Ridge Regional Municipal Planning Commissions on specific environmental matters (Sec. 2-106 City Code §2-206). The Board will recommend for approval and authorization by City Council a proposed annual work program involving studies for the preservation and improvement of the environment; it will issue reports and findings on such studies (Sec. 2-108 City Code §2-208). The Board will prepare an annual written report of its activities and recommendation for submission to City Council (Sec. 2-109).~~
- III. Meetings.
 - A. The Board shall hold meetings at regular monthly intervals as it shall designate.
 - B. Special meetings may be called upon the request of the Chairperson or any three members of the Board. The notice of special meetings shall be given at least 24 hours prior to the meeting and shall state the subject matter to be considered and no other matter shall be before the Board.
 - C. In the event there is no matter to be considered, the Chairperson may dispense with a meeting by notifying each Board member at least 24 hours prior to the time set for the meeting.
 - D. The Board may form ad hoc working groups to meet for a designated project and the ad hoc working group shall establish a regular meeting schedule. ~~Ad hoc working groups shall provide a written update on their work to the staff liaison for inclusion in the agenda packet for the next available regular meeting of the Board. Ad hoc working groups dissolve automatically once the action items for the project have been completed.~~ Ad hoc working group meetings are open to the public and, as such, non-EQAB members are allowed to attend and may participate in the discussions as allowed by the working group.
- IV. Quorum. ~~A majority of the Board Six (6) members shall constitute a quorum for the transaction of business, however, the student members count as only one member for purposes of calculating a quorum. and all All action shall require the concurring vote of a majority of the members present, with the student members again counting as only one member (Sec. 2-107 City Code §2-207).~~ Quorum requirements are established by City Code §2-207.
- V. Attendance. ~~When a member of the Board is absent from three (3) regularly scheduled or regularly called meetings during the Board's term year, the Chairman shall request that the member provide a written explanation of the absences. The Board shall determine whether to accept or reject the explanation by a majority vote. If the Board votes to accept the explanation, the absences shall be considered "excused" and will not accrue for the purposes of removal from the Board. If the Board votes to reject the explanation, the absence will accrue for purposes of removal. If a member is absent from three (3) meetings and makes no effort to comply with the Chairman's request for an explanation, those absences will accrue for purposes of removal. Accrual of four (4) unexcused absences shall result in removal from the Board.~~

~~When a member is absent from four (4) regularly scheduled or regularly called meetings during the Board's term year and, consistent with the procedure set forth, the Board rejects the explanation of absences or no explanation is forthcoming, the member shall be notified that he/she has been removed from the Board by a vote of his/her peers. The Chairperson of the Board or Commission shall notify City Council of the vacancy by letter, and the City Clerk shall schedule an election to fill the vacancy in the customary manner. All members shall adhere to the attendance policy established by City Council.~~

- VI. Officers. There shall be elected at the regular ~~October~~ January meeting from among the members of the Board the following officers: Chairperson, Vice Chairperson, and Secretary. The Chairperson shall preside at all meetings of the Board, decide all points of order, appoint membership to such temporary committees as deemed necessary, sign documents on behalf of the Board, and call regular or special meetings of the Board. The Vice Chairperson shall assume all of the duties of the Chairperson in his or her absence. The Secretary shall conduct all official correspondence of the Board and keep a record of all official meetings and actions of the Board.
- VII. Agenda. At least **forty-eight (48)** hours prior to each meeting, the members shall be furnished an agenda reflecting items to be considered. The Chairperson or such other person designated by the Board shall be responsible for preparation and distribution of the agenda. **The Board shall vote to approve the agenda at the beginning of each meeting.**
- VIII. Notice. Adequate public notice of all meetings and matters to be discussed shall be given to the public. All meetings shall be open to the public.
- IX. ~~Order of Business.~~ ~~The order of business of all regular meetings shall be as follows:~~
- a) ~~Call to Order~~
 - b) ~~Reading of minutes of previous meetings~~
 - c) ~~Communications~~
 - d) ~~Staff reports~~
 - e) ~~Unfinished business~~
 - f) ~~New business~~
 - g) ~~Adjournment~~
- X. Amendment. These Bylaws may be amended by majority vote of the members of the Board. An amendment to the bylaws shall be voted on at the next regular meeting after the regular meeting at which the amendment is proposed. **All amendments to the bylaws also require approval of City Council before becoming effective.**

Approved by EQAB

Chairperson

Meeting Date

Approved by City Council
Resolution _____

TITLE

AN ORDINANCE TO AMEND TITLE 2, TITLED "BOARDS AND COMMISSIONS," OF THE CODE OF ORDINANCES, CITY OF OAK RIDGE, TENNESSEE, BY DELETING CHAPTER 2, TITLED "ENVIRONMENTAL QUALITY ADVISORY BOARD," AND SUBSTITUTING THEREFORE A NEW CHAPTER 2 OF THE SAME TITLE TO ADDRESS UPDATES REQUESTED BY EQAB.

WHEREAS, the Environmental Quality Advisory Board (EQAB) has requested changes to their bylaws, which changes require an amendment to their enabling ordinance; and

WHEREAS, the changes to the enabling ordinance are: elimination of the Oak Ridge Municipal Planning Commission representative, clarification regarding quorum and voting due to the shared vote by the two student members, elimination of the annual report due to Council, and simplification of the attendance policy to reference City Council's policy for boards and commissions; and

WHEREAS, the requested changes to the bylaws will be presented to City Council by resolution for approval along with second reading of this ordinance.

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

Section 1. Title 2, titled, "Boards and Commissions," of the Code of Ordinances, City of Oak Ridge, Tennessee, is hereby amended by deleting Chapter 2, titled "Environmental Quality Advisory Board," in its entirety and substituting therefor a new Chapter 2, titled "Environmental Quality Advisory Board," which new title shall read as follows:

TITLE 2
BOARDS AND COMMISSIONS, ETC.

CHAPTER 2
ENVIRONMENTAL QUALITY ADVISORY BOARD

§2-201. Definition.

As used in this chapter, the term board shall mean the environmental quality advisory board created by this chapter.

§2-202. Created; composition.

There is hereby created an environmental quality advisory board for the city consisting of twelve (12) members who shall be appointed by the city council. Two (2) members of the board shall be high school students. All members shall have one vote except the high school students shall share one vote, either from a consensus if both are present at the meeting or individually if only one student is present. If no consensus is possible, then no vote shall be recorded for the students. For clarification purposes, the board has eleven (11) possible total votes due to the student members sharing one (1) vote.

§2-203. Terms of members.

Of the members first appointed to the board, four (4) shall serve until September 30, 1974; three (3) until September 30, 1975; and three (3) until September 30, 1976. Thereafter all appointments to the board, with the exception of the high school student

members, shall be for terms of three (3) years and all terms shall commence on October 1. The high school student members of the board shall serve two-year terms of office. Of the students first appointed after the adoption of this amendment, one (1) shall serve until May 31, 1999, and one shall serve until May 31, 2000. Thereafter, all appointments of high school student members shall be for two years and all terms shall commence on June 1. If a successor has not been named at the expiration of a member's term, the member shall continue to serve until his or her successor is appointed. Whenever a vacancy occurs, an appointment shall be made for the remainder of the unexpired term.

As of April 1, 2011, all current members' terms (except for student members which shall remain unchanged) shall be extended through to the following December 31, and all subsequent terms shall commence on a date established by resolution of City Council with the term lengths and staggered appointments remaining the same.

§2-204. Designation and term of chairperson and vice-chairperson.

The board shall elect from its membership a chairperson, vice-chairperson and secretary.

§2-205. Compensation.

Members of the board shall serve without compensation but may be reimbursed for all necessary expenses incurred in the course of their duties in accordance with the appropriations made by the city council.

§2-206. Functions.

The function of the board shall be to serve as an advisory body to the city council. When requested by city council, the board shall give advice and assistance in matters contributing to a quality environment; and further, upon request, it shall advise the city manager and the municipal planning commission on specific environmental matters.

§2-207. Meetings; quorum.

The board shall hold public meetings at such regular intervals and places at it may designate. Six (6) members of the board shall constitute a quorum. For purposes of a quorum, the student members count as only one member because they share one vote and cannot vote separately. For clarification purposes, if one or both student members are present at a meeting, five other members must be present for there to be a quorum of the board. All actions shall require the concurring vote of a majority of the members present at a duly constituted meeting, with the student members again counting as only one member for the purposes of calculating a majority vote. For example, if eight members are present at a meeting, including both student members, a majority for voting purposes is four instead of five because the students only count as one regardless of whether one or both are present at the meeting and regardless of whether or not there is a consensus for the student members' vote.

§2-208. Powers.

In the performance of its function, the board is authorized to adopt bylaws and rules of procedure for the conduct of its authorized activities; the board will recommend for approval and authorization by the city council a proposed annual work program involving studies for the preservation and improvement of the environment, it shall issue reports and findings on such studies. The board is further authorized to make specific recommendations on environmental questions referred by the city council, city manager, or municipal planning commission.

§2-209. Availability of city facilities and personnel to assist the board.

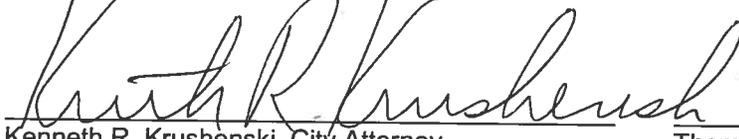
Subject to the approval of the city manager, the facilities and personnel of the city shall be made available to assist the board in carrying out its functions.

§2-210 Attendance policy.

Members of the board are subject to the attendance policy adopted by city council for boards and commissions.

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: _____
Publication Date: _____
Second Reading: _____
Publication Date: _____
Effective Date: _____

**FINAL ADOPTION
OF
ORDINANCES**

**COMMUNITY DEVELOPMENT MEMORANDUM
PLANNING DIVISION
14-30**

DATE: July 22, 2014

TO: Mark Watson, City Manager

FROM: Monica Austin Carroll, Community Development Division Manager *MAC*

THROUGH: Kathryn Baldwin, Community Development Director *KBR*

SUBJECT: Land Use Plan Amendment – Parcels 039.00, Map 106A, Group A Located on South Illinois Avenue, West of Panera Bread and Aubrey's

Introduction

An item for City Council's consideration is an ordinance to approve a major amendment to the Land Use Plan by changing the designation for Anderson County Tax Map 106A, Group A, Parcel 039.00 from R, Residential to B, General Business.

Funding

No funding is necessary for this item.

Analysis

The subject property is approximately 1.49 acres and is located adjacent to the Woodland Town Center, Phase II PUD, located between South Purdue Avenue and South Illinois Avenue near Woodland Terrace East. By changing this amendment, the Land Use Plan map will be changed to coincide with the proposed zoning for this property. The proposed rezoning is also on the agenda for consideration along with the Preliminary PUD Master Plan.

Staff recommends approval of an amendment to the Land Use Plan Map changing the designation for the subject property from R, Residential to B, General Business due to the location being within a planned growth corridor in the central area of the city, frontage on a major thoroughfare and in an area with existing commercial development. The proposed amendment is consistent with Comprehensive Plan policies to locate commercial development in the city center with access to major thoroughfares and to support the development of retail sales as an important component of the Oak Ridge economic development strategy. Consideration for access to South Illinois Avenue will be discussed during the second reading scheduled for September 8, 2014.

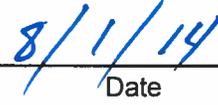
Recommendation

A public hearing was held by the Planning Commission on June 26, 2014. No one from the general public attended the public hearing. The Land Use Amendment was also discussed and recommended to City Council for approval by a vote of 8 – 0 during the regularly scheduled Planning Commission meeting on June 26, 2014.

City Manager's Comments:

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


Mark S. Watson


Date

RESOLUTION OF THE OAK RIDGE MUNICIPAL PLANNING COMMISSION

A RESOLUTION TO REQUEST CITY COUNCIL'S CONSIDERATION AND APPROVAL OF AN AMENDMENT TO THE COMPREHENSIVE PLAN'S LAND USE PLAN, AS A MAJOR AMENDMENT, BY CHANGING THE DESIGNATION OF PARCEL 039.00, ANDERSON COUNTY TAX MAP 106A, GROUP A, FROM R, RESIDENTIAL, TO B, GENERAL BUSINESS.

WHEREAS, the Oak Ridge Municipal Planning Commission has received a request to amend the Comprehensive Plan's Land Use Plan, as a major amendment, by changing the designation of Parcel 039.00, Anderson County Tax Map 106A, Group A, from R, Residential to B, General Business; and

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

WHEREAS, the Oak Ridge Municipal Planning Commission has approved the requested amendment; and

WHEREAS, the Oak Ridge Municipal Planning Commission hereby requests City Council's consideration and approval of the requested amendment.

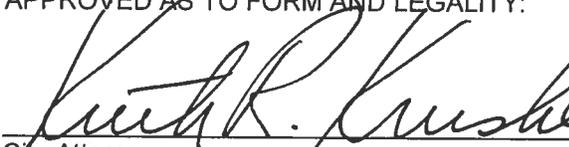
NOW, THEREFORE, BE IT RESOLVED BY THE OAK RIDGE MUNICIPAL PLANNING COMMISSION:

That the Oak Ridge Municipal Planning Commission hereby requests City Council's consideration and approval of an amendment to the Comprehensive Plan's Land Use Plan, as a major amendment, by changing the designation of Parcel 039.00, Anderson County Tax Map 106A, Group A, from R, Residential to B, General Business.

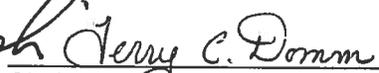
This the 26th day of June 2014.

APPROVED AS TO FORM AND LEGALITY:

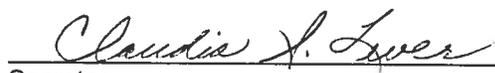
OAK RIDGE MUNICIPAL PLANNING
COMMISSION



City Attorney

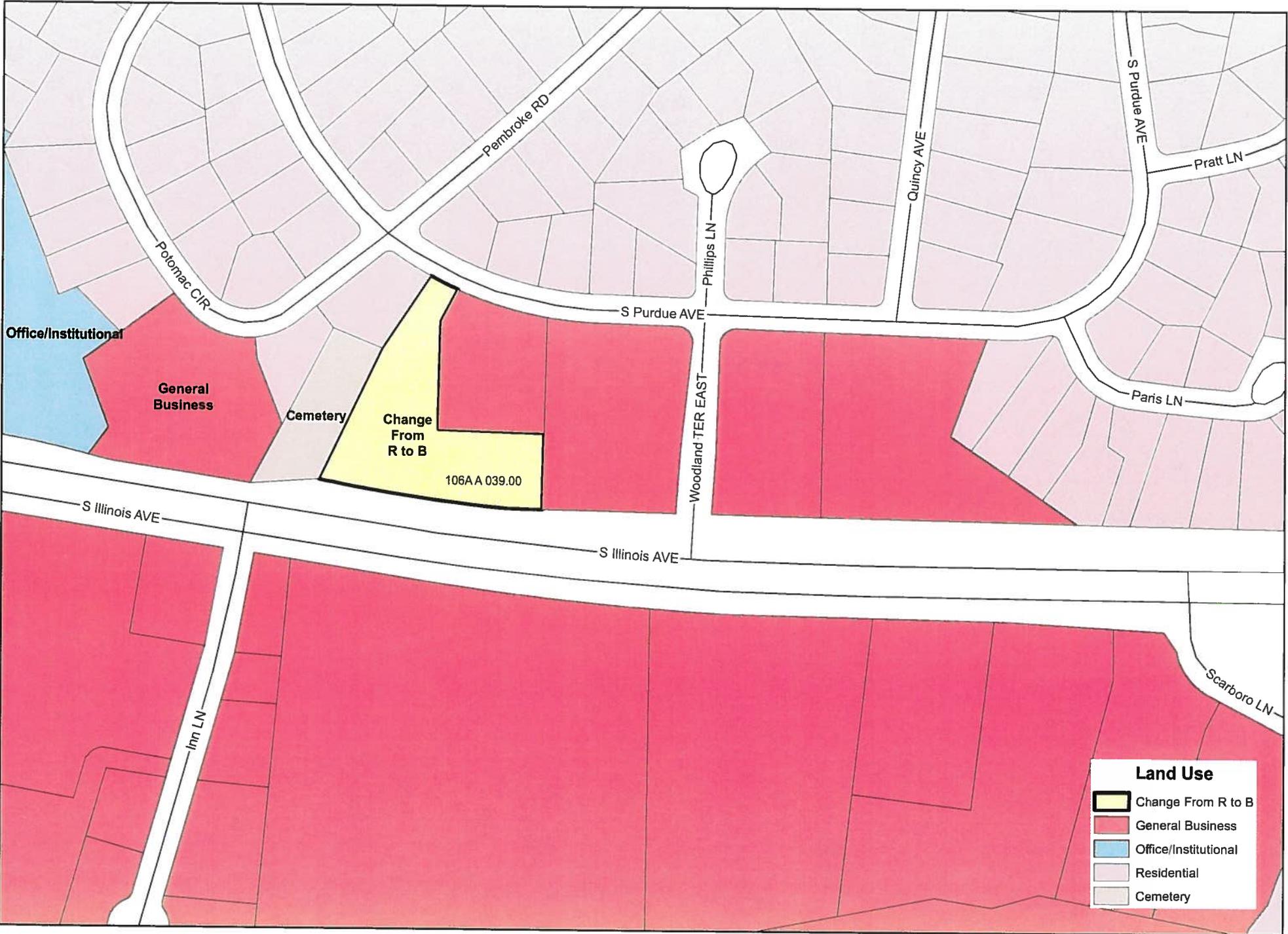


Chairman



Secretary

Current Land Use Designation



ORDINANCE NO. _____

TITLE

AN ORDINANCE TO AMEND THE COMPREHENSIVE PLAN'S LAND USE PLAN BY CHANGING THE DESIGNATION OF PARCEL 039.00, ANDERSON COUNTY TAX MAP 106A, GROUP A, FROM R, RESIDENTIAL TO B, GENERAL BUSINESS.

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

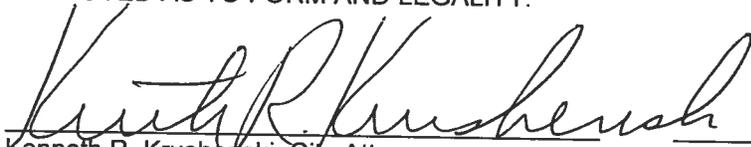
WHEREAS, a public hearing thereon has been held as required by law.

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

Section 1. The Comprehensive Plan's Land Use Plan is hereby amended, as a major amendment, by changing the designation of Parcel 039.00, Anderson County Tax Map 106A, Group A, from R, Residential to B, General Business.

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

APPROVED AS TO FORM AND LEGALITY:



Kenneth R. Krushenski, City Attorney

Thomas L. Beehan, Mayor

Public Hearing: 08/11/2014
Publication Date: 07/08/2014
First Reading: 08/11/2014
Publication Date: _____
Second Reading: _____
Publication Date: _____
Effective Date: _____

Diana R. Stanley, City Clerk

**COMMUNITY DEVELOPMENT MEMORANDUM
PLANNING DIVISION
14-31**

DATE: July 22, 2014

TO: Mark Watson, City Manager

FROM: Monica Austin Carroll, Community Development Division Manager

THROUGH: Kathryn Baldwin, Community Development Director 

SUBJECT: Rezoning of Parcel 039.00 and Parcel 040.00, Map 106A, Group A and Approval of Preliminary Planned Unit Development (PUD) Master Plan, Located on South Illinois Avenue, West of Panera Bread and Aubrey's

Introduction

An item for City Council's consideration is a request to approve the Preliminary PUD Master Plan for South Illinois Retail Development. Included as part of the South Illinois Avenue Retail Development plan is a request to rezone Parcel 039.00, Map 106A, Group A, from R-2/MDO, Low Density Residential in the Manhattan District Overlay and RG-1, Residential, Open Space and Reserved to UB-2, Unified General Business PUD and Anderson County Tax Map 106A, Group A, Parcel 040.00 from R-2/MDO, Low Density Residential in the Manhattan District Overlay to UB-2, Unified General Business PUD. The parcels total approximately 2.29 acres and are located between South Illinois Avenue and South Purdue Avenue on the west side of Woodland Terrace East.

Funding

No funding is necessary for this item.

Analysis

The Planning Commission approval also included several variances. These variances are as follows:

-A variance to allow the minimum PUD size of five (5) acres be waived; the proposed Preliminary PUD Plan is only 2.29 acres. It should be noted that this is the last phase of the adjacent PUD subdivisions and as a whole the overall area is larger than 5 acres.

-A variance to waive the requirement to submit a Final Master PUD Plan.

-Variance to waive the buffer (nuisance screening) requirements along South Illinois Avenue due to the large rights-of-way associated with this 7-lane major arterial street. It should be noted that the Streetscape requirements will be provided along South Illinois Avenue.

The proposed rezoning is consistent with the Comprehensive Plan policies encouraging commercial development on South Illinois Avenue and the central city area. The proposed rezoning is also consistent with the South Illinois Avenue Corridor Study plan for commercial development on the northeast side of South Illinois Avenue. The rezoning and the Preliminary PUD Plan is also in conformity with zoning and land uses along South Illinois Avenue adjacent to and across from the subject property.

Recommendation

The Preliminary PUD Master Plan and the rezoning request was discussed and recommended for approval to City Council for approval by a vote of 8 – 0 during the regularly scheduled Planning Commission meeting on July 17, 2014.

City Manager's Comments:

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



Mark S. Watson



Date

PUD MASTER PLAN FOR: SOUTH ILLINOIS RETAIL DEVELOPMENT

TAX MAP 106A, GROUP A, PARCELS 39 AND 40 SOUTH ILLINOIS AVENUE OAK RIDGE, ANDERSON COUNTY, TENNESSEE

DEVELOPER:

RUDD, SEELEY, WALLIS
1720 WEST END AVENUE, SUITE 530
NASHVILLE, TN 37203
PHONE: 615-742-9955
CONTACT: MR. BILL SEELEY

SURVEYOR:

YOUNG, HOBBS AND ASSOCIATES
1202 CROSSLAND AVENUE
CLARKSVILLE, TN 37040
PHONE: 931-645-2524
CONTACT: MR. DAVID YOUNG

CIVIL ENGINEER:

PERRY ENGINEERING, LLC
100 NORTH MAIN ST., SUITE F
GOODLETTSVILLE, TN 37072
PHONE: 615-855-2220
CONTACT: MR. RANDY PERRY, P.E.

LANDSCAPE ARCHITECT:

KITA LANDSCAPE DESIGN
2101 MASTERS DRIVE
SPRINGFIELD, TN 37172
PHONE: 615-469-1222
CONTACT: MR. KEVIN REFF

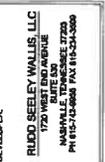


LOCATION MAP

NOT TO SCALE

DRAWING INDEX:

P-0.0	_____	COVER SHEET
P-1.0	_____	EXISTING CONDITIONS
P-2.0	_____	PUD PLAN
A-1	_____	BUILDING ELEVATIONS



PUD MASTER PLAN FOR:
SOUTH ILLINOIS RETAIL DEVELOPMENT
SOUTH ILLINOIS AVENUE
OAK RIDGE, TENNESSEE

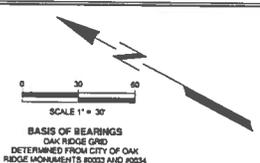
REVISIONS:

PROJ. NO.: 108-071

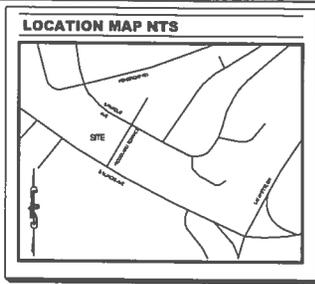
Cover Sheet

P-0.0

DATE: 07-16-14
SUBJ: PUD RESUBM

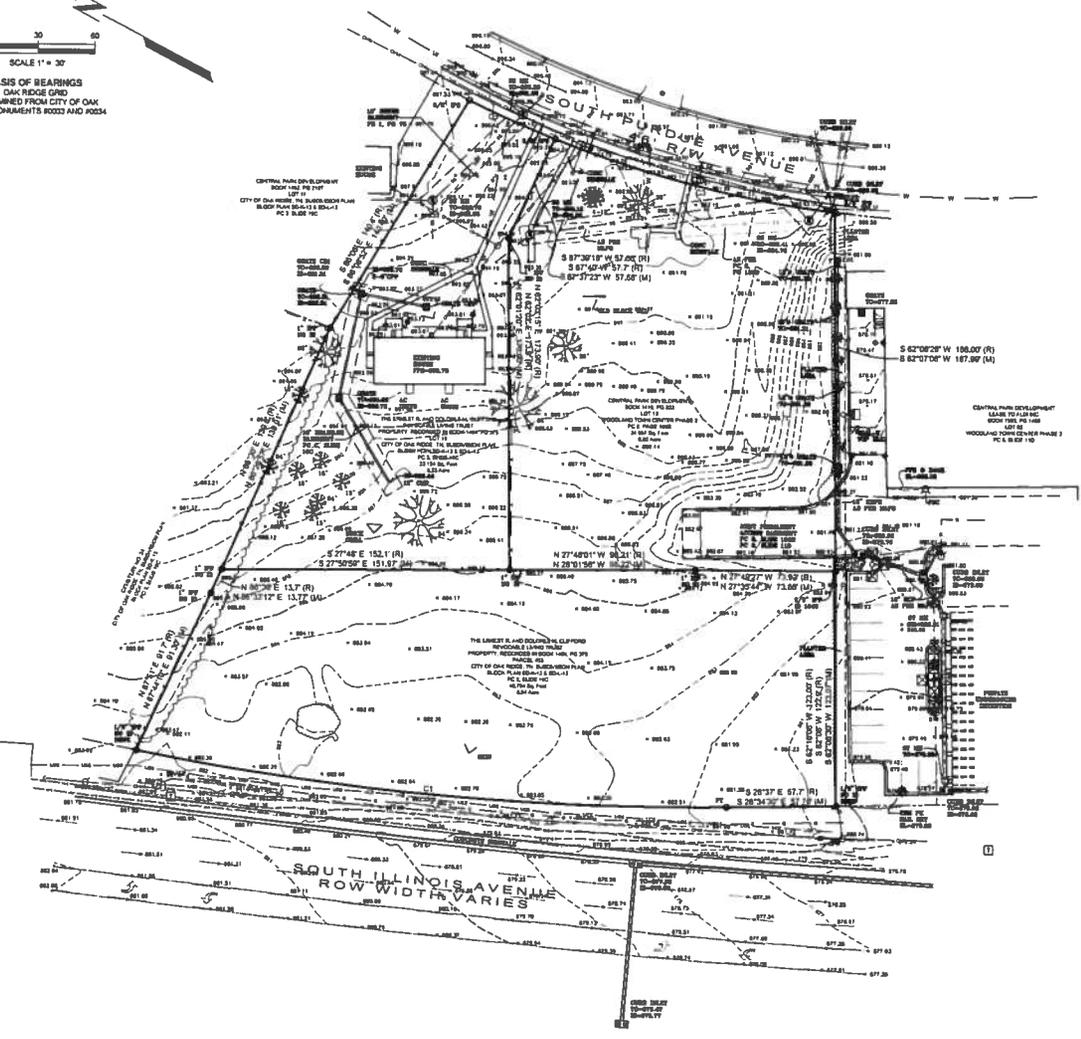


BASIS OF BEARINGS
OAK RIDGE GRID
DETERMINED FROM CITY OF OAK
RIDGE MONUMENTS 9033 AND 9034



**YOUNG - HOBBS
AND
ASSOCIATES**
1202 CHICKLAND AVE.
CLARKSVILLE, TN 37040
PHONE 931-645-2524
FAX 931-645-2768

DAVID R. YOUNG, PLS.
DAVE H. HOBBS, PLS.



LEGEND

ST	STORM SEWER PIPE, AS NOTED	---	LEASE LINES
IE	INVERT ELEVATION	---	PROPERTY LINE
CCP	CORRUGATED PIPE	---	SARMENT LINE
CCM	CORRUGATED METAL PIPE	---	RETRACT LINES
PCP	REINFORCED CONCRETE PIPE	---	CONTROL LINE 2 INCH
○	IRON PIN SET (P/S)	---	CONTROL LINE 6 INCH
○	IRON PIN POINT, AS NOTED	---	OVERHEAD WIRE
△	F. C. HALL SET (P/S)	---	OVERHEAD CABLE
△	SEAMAN MARK, AS NOTED	---	SAINTARY BEWER, AS NOTED
○	PIPE HYDRANT	---	WATER LINE, AS NOTED
○	WATER VALVE	---	STORM SEWER PIPE, AS NOTED
○	POC PULL BOX	---	FENCE LINS
○	CURB ISLET	---	CAN LINE, AS NOTED
○	SPOT ELEVATION	---	RIER OPTIC CABLE
○	STORM MANHOLE	---	UNDERGROUND ELECTRIC
○	GLUY WIRE	---	OVERHEAD ELECTRIC
○	TELEPHONE BOX	---	UNDERGROUND TELEPHONE
○	SEWER CLEAN OUT		
○	GIS AS NOTED		
○	LITILITY POLE		
○	WATER METER		
○	ELECTRIC METER		
○	GAS METER		
○	ELECTRIC BOX		
○	OUTLET (SEWER)		
○	TRMA		
○	LIGHT POLE (H-1)		
○	LIGHT POLE (H-1)		
○	LIGHT POLE (H-1)		

SURVEY NOTES:

INFORMATION REGARDING THE PRESENCE, SIZE AND LOCATION OF UNDERGROUND UTILITIES IS SHOWN HEREON. THIS INFORMATION HAS BEEN OBTAINED BASED ON THE LOCATION OF SHOWN'S GROUND APPURTENANCES, AVAILABLE DESIGN PLANS, AND FLAGS AND PAINT PLACED BY THE UNDERGROUND PROTECTION SERVICE. NO GUARANTEE IS MADE AS TO THE ACCURACY OF THROUGH-ADDRESS OF THE INFORMATION CONCERNING UNDERGROUND UTILITIES AND STRUCTURES SHOWN HEREON. (TENNESSEE ONE CALL SERVICE, INC. 1-800-331-1111)

CONTACT PROPERTY AUTHORITIES TO OBTAIN BUILDING DEAR UTILITY LINES FOR SARMENT WIDTH AND RESTRICTIONS. UTILITIES ARE APPROXIMATE AND SHOULD BE VERIFIED PRIOR TO ANY CONSTRUCTION.

THIS SURVEY HAS BEEN PREPARED FOR THE EXCLUSIVE USE OF THE PERSON ENTITLED HEREIN. NO EXPRESS OR IMPLIED WARRANTIES WITH RESPECT TO THE INFORMATION SHOWN HEREON IS TO BE EXTENDED TO ANY PERSONS OR ENTITIES OTHER THAN THOSE SHOWN HEREON. THIS PROPERTY IS SUBJECT TO ALL EASEMENTS, RIGHT OF WAY, RESTRICTIONS AND COVENANCES OR RECORD IN EXISTENCE.

CONTROLS WERE OBTAINED FROM NATIONAL SHOTS AND LEVEL CROSS SECTION. ELEVATIONS SHOWN HEREON ARE BASED ON CITY OF OAK RIDGE MONUMENT NETWORKS. MONUMENT NUMBER 9034 A F BRASS MARKER IN THE CONCRETE BASE OF A TRAFFIC LIGHT SUPPORT POLE, STAMPED CITY OF OAK RIDGE, MON. 0507, LEVIN-TOMBERLIN OWNERS.

THE PROPERTY IS CURRENTLY ZONED RVC AND LIES WITHIN THE WASHINGTON DISTRICT OVERLAY. THE CURRENT RESTRICTIONS ARE:
FRONT YARD: 5'
SIDE YARD: 5'
REAR YARD: 5'

NO PRIVATE UTILITY LOCATE WAS PERFORMED ON THIS SITE AT THE TIME OF THIS SURVEY.

THE PROPERTY DESCRIBED HEREON LIES WITHIN ZONE "P" AS DETERMINED BY THE NATIONAL FLOOD INSURANCE PROGRAMAL FLOOD INSURANCE RATE MAP FOR ANDERSON COUNTY TENNESSEE, PANEL NUMBER 47010202P, EFFECTIVE DATE OF JANUARY 17, 2007.

THE SURVEY SHOWN HEREON WAS MADE IN ACCORDANCE WITH CHAPTER 880A, STANDARD OF PRACTICE AS ADOPTED BY THE TENNESSEE STATE BOARD OF SURVEYORS FOR LAND SURVEYING.

UNLESS STATED OTHERWISE, ANY MONUMENT REFERRED TO HEREIN AS A "IRON PIN SET" IS A SET 5" OR DIAMETER REBAR, 16" IN LENGTH, WITH A YELLOW PLASTIC CAP STAMPED "YOUNG-HOBBS".

I HEREBY CERTIFY THAT THIS SURVEY HAS BEEN MADE USING THE RECORDED INFORMATION SHOWN AND THAT THIS SURVEY IS CONDUCTED TO THE BEST OF MY KNOWLEDGE AND BELIEF. THIS LOT IS SUBJECT TO ANY RIGHTS RECORDED AND THE PRESENCE OF AN ACCURATE TITLE SEARCH AND HEREBY CERTIFY THAT THIS IS A SATISFACTORY SURVEY AND THAT THE NATURE OF PRECISION OF THE UNADJUSTED TRAVERSE IS BETTER THAN 1 IN 8000 AS SHOWN HEREON.

CURB MARK LENGTH	MARKS	DATA MARK	CHORD BEARING	CHORD LENGTH
61 W 133.45	1478.20	1729.57	S 2° 32' 20" W	317.68
61 W 134.40	1478.20	N/A	N/A	N/A
61 W 151.10	1508.40	2.48.30	S 79° 53' 51" E	456.81
63 W 115.81	1508.40	174.20.28	S 13° 24' 38" E	119.39

CLIENT:
Perry Engineering LLC
100 North Main Street,
Suite F
Goodlettsville,
Tennessee 37072
615-855-2220

BOUNDARY & TOPGRAPHIC SURVEY

OWNER INFORMATION
AS TO PARCEL 105A A 0400-
ERNEST CLIFORD TRUST,
RECORDED IN DEED BOOK
194, PAGE 375;
AS TO PARCEL 105A A 0200-
CENTRAL PARK
DEVELOPMENT, RECORDED IN
DEED BOOK 194, PAGE 375;
CITY OF OAK RIDGE
COUNTY OF ANDERSON
STATE OF TENNESSEE

DRAWN BY: CTH
APPROVED BY: NAB
DATE (FIELD): 4/10/2014
DATE (OFFICE): 4/10/2014
VIA PROJ.# 033-14



PERKINS+WILL
ARCHITECTS
100 NORTH MAIN STREET, SUITE F
OAK RIDGE, TENNESSEE 37830
PH 615-528-2229 FAX 615-528-2221

DEVELOPER
RUD SEELY WALLS, LLC
1720 WEST END AVENUE
NASHVILLE, TENNESSEE 37203
PH 615-428-9865 FAX 615-234-3388

PUD MASTER PLAN FOR:
SOUTH ILLINOIS RETAIL DEVELOPMENT
OAK RIDGE, TENNESSEE

PERSONS

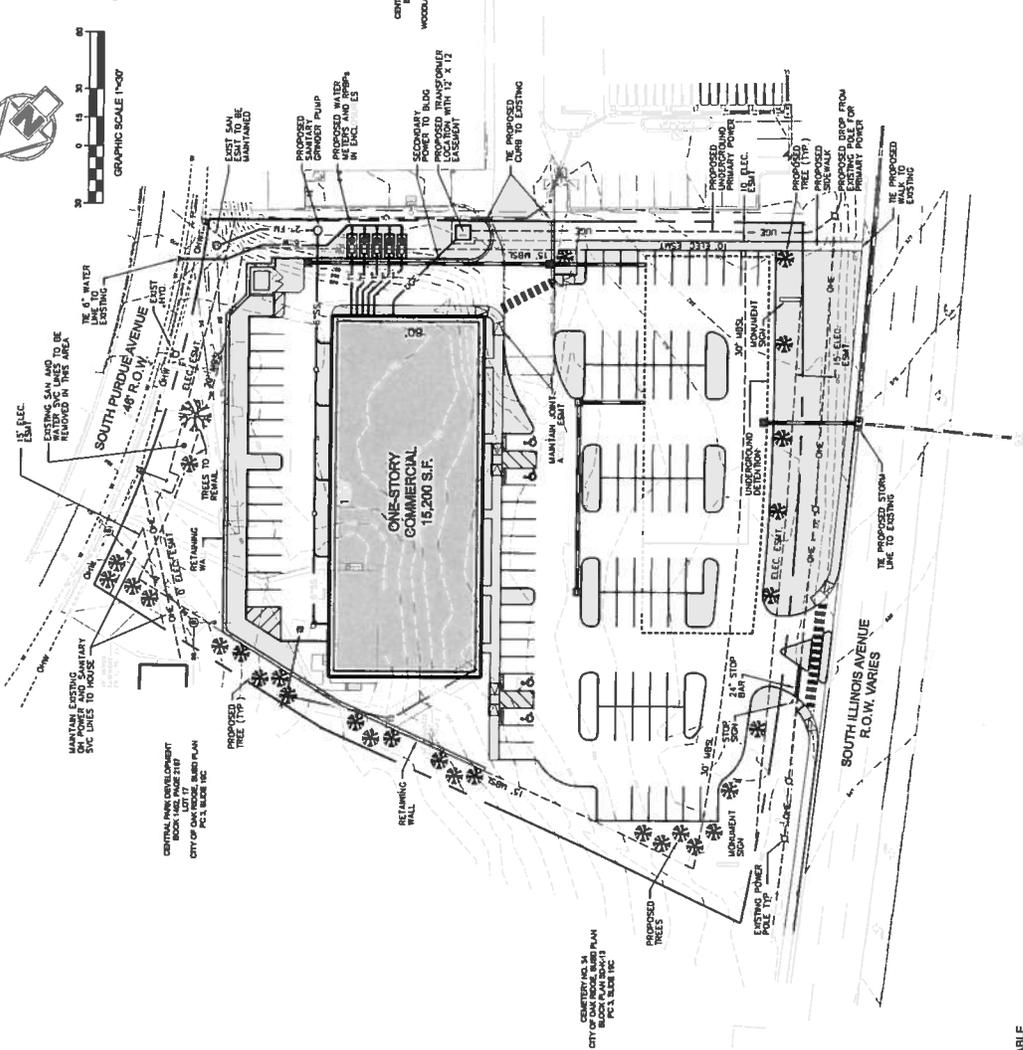
PROJECT NO.	108-071
-------------	---------

PUD PLAN
P-2.0

DATE: 07-16-14
DRAWN: PUD DESIGN



TENNESSEE ONE CALL
1 800 361-1111
CALL BEFORE YOU DIG
IN THIS AREA



LEGEND

CATCH BASIN	■
STORM DRAIN PIPE	—
EXISTING POWER POLE	○
PROPOSED POWER POLE	○
EXISTING SANITARY SEWER MANHOLE	○
PROPOSED DRENCHER PUMP	○
PROPOSED WATER METER AND TRIP	○

- ELECTRICAL NOTES:**
- NO CONSTRUCTION OF BUILDINGS OR SIGNS OR INSTALLATION OF LANDSCAPING SHALL TAKE PLACE UNTIL ALL SIGNIFICANT WITHOUT LANDSCAPING HAS BEEN APPROVED. LANDSCAPING SHALL COMPLY WITH COVERED STANDARDS AND LATEST REVISIONS. FOUNDATION SHALL BE COORDINATED WITH CITY.
 - LANDSCAPING, IMPROVEMENTS, AND CONSTRUCTION WITH UTILITY EASEMENTS ARE FORWARDED AT THE RISK OF THE OWNER. RESPONSIBLE CARE WILL BE TAKEN BY UTILITIES TO PRESERVE IMPROVEMENTS AND LANDSCAPING WITHIN SUBJECT EASEMENTS. EASEMENTS THAT MAY BE DAMAGED WHILE PERFORMING WORK WITHIN THE EASEMENT.
- LANDSCAPING NOTES:**
- PER SECTION 13.02 (b) SCREENING (D) DESIGN STANDARDS (S) BUFFERS SHALL BE "V" TYPE ALONG S. PURDUE AVENUE.
 - PER SECTION 13.02 (b) LANDSCAPE (D) STREETSIDE. LANDSCAPING ALONG S. ILLINOIS AVENUE SHALL MEET MINIMUM STREETSIDE REQUIREMENTS.
- OUTDOOR STORAGE NOTE:**
- PER SECTION 14.12, ALL STORAGE SHALL COMPLY WITH SIGNS FOR COMMUNITY BUSINESS DISTRICTS STANDARDS.
- SIGNAGE NOTE:**
- ALL SIGNAGE AND POINT-OF-ENTRY SIGNAGE SHALL REQUIRE A SEPARATE SIGN PERMIT.

PARKING DATA

USE	REQUIRED PARKING	PROVIDED PARKING	ALLOWABLE BUILDING AREA
RESTAURANT	1 PER 150 S.F.	67	14,500 S.F.
OFFICE	1 PER 250 S.F.	57	15,300 S.F.
MEDICAL/DENTAL	1 PER 100 S.F.	87	14,600 S.F.

USE TABLE

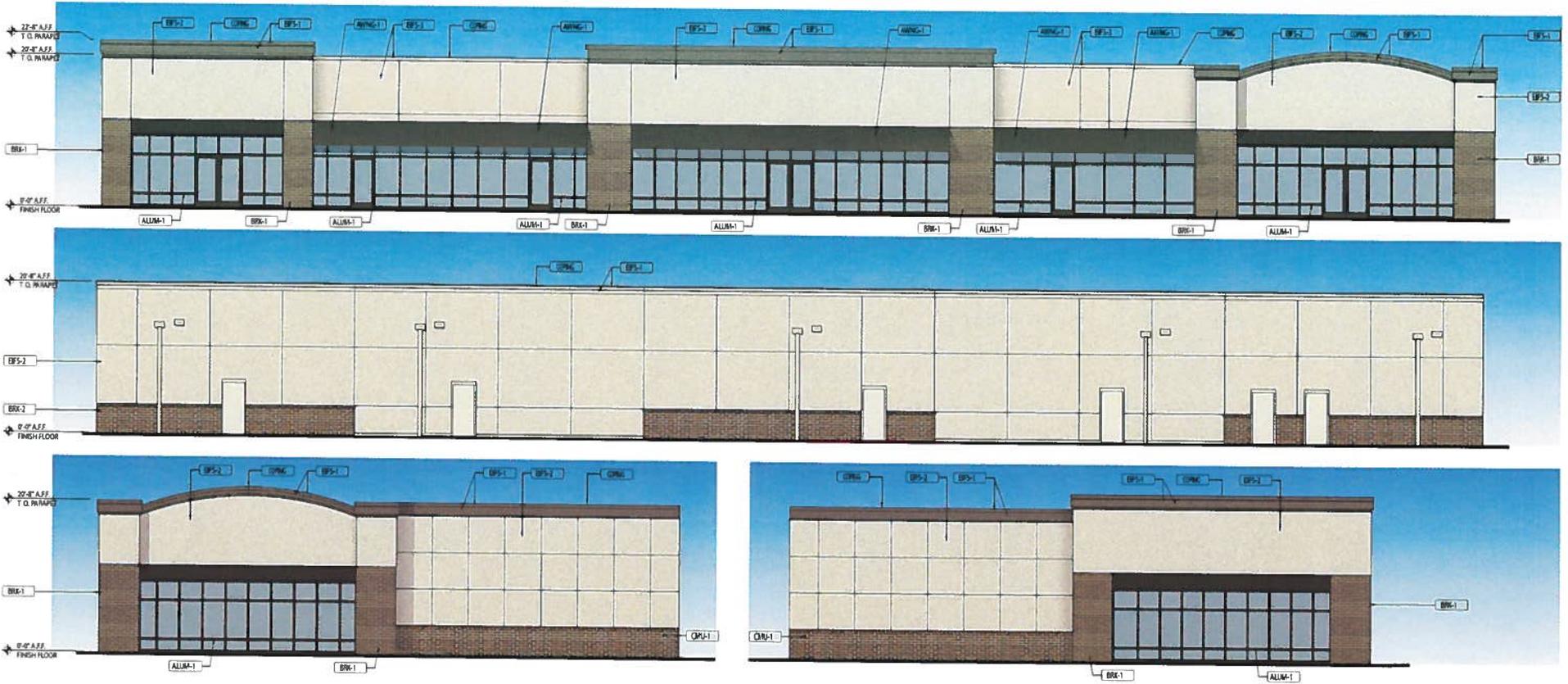
USES ALLOWED PER SECTION 7.04.02 ZONING ORDINANCE:

RETAIL BUILDING	
OFFICE BROWSESHOP	
RESTAURANT	
SERVICE ESTABLISHMENT	
CLINIC, MEDICAL, DENTAL	
PUBLIC AND SEMI-PUBLIC USE	
COMMERCIAL UNDERHOUSE OR MANSURTY	
RESEARCH LAB	
FAMILY DAYCARE	

GENERAL DATA:

SUBDIVISION/DEVELOPMENT: WOODLAND TOWN CENTER
 MAP 100A, GROUP A, PARCEL 048.00
 EXISTING ZONING: RTIC 100A, GROUP A, PARCEL 048.00
 PROPOSED ZONING: COMMERCIAL
 AREA OF SITE: 2.27 ACRES
 APPLICANT: PERKINS+WILL
 100 NORTH MAIN STREET, SUITE F
 OAK RIDGE, TN 37830
 PHONE: 615-528-2229
 FAX: 615-528-2221

MINIMUM LOT SIZE REQUIRED: 0.481 AC
 MINIMUM LOT SIZE PROVIDED: 0.481 AC
 MINIMUM FLOOR AREA RATIO: 0.80
 MINIMUM LOT WIDTH: 30'
 MAXIMUM BUILDING HEIGHT: 30'
 STAGING SCHEDULE: 100% CONSTRUCTION IN ONE STAGE AND CONSTRUCTION IN ONE STAGE



EXTERIOR FINISH SCHEDULE				
KEY	MATERIAL	MANUF	COLOR	REMARKS
BRK-1	TRU BRICK	BRICK	INDUSTRIAL BRICK A	NOT TO BE ESTIMATED
BRK-2	TRU BRICK	BRICK	INDUSTRIAL BRICK B	NOT TO BE ESTIMATED
EPS-1	EIFS	GRUVE		MATCH BRK-1
EPS-2	EIFS	GRUVE		MATCH BRK-2
EPS-3	EIFS	GRUVE		MATCH BRK-3
PT-1	EXTERIOR PAINT	SHERWIN WILLIAMS	MATCH EPS-1	
PT-2	EXTERIOR PAINT	SHERWIN WILLIAMS	PAINT	MATCH BRK-1
AWING-1	CAVARS	SUNBELLA	T&O	
ALUM-1	ALUM. STOREFRONT	AMERON	DRUM BRUSH ANODIZED	TOP OF RETIRE @ 10' AFF
COPING	PRE-FINISHED METAL COPING			PAINT TO MATCH BRK-1
OS-1	PRE-FINISHED METAL DOWNPOUT			PAINT TO MATCH BRK-1

PREPARED BY:

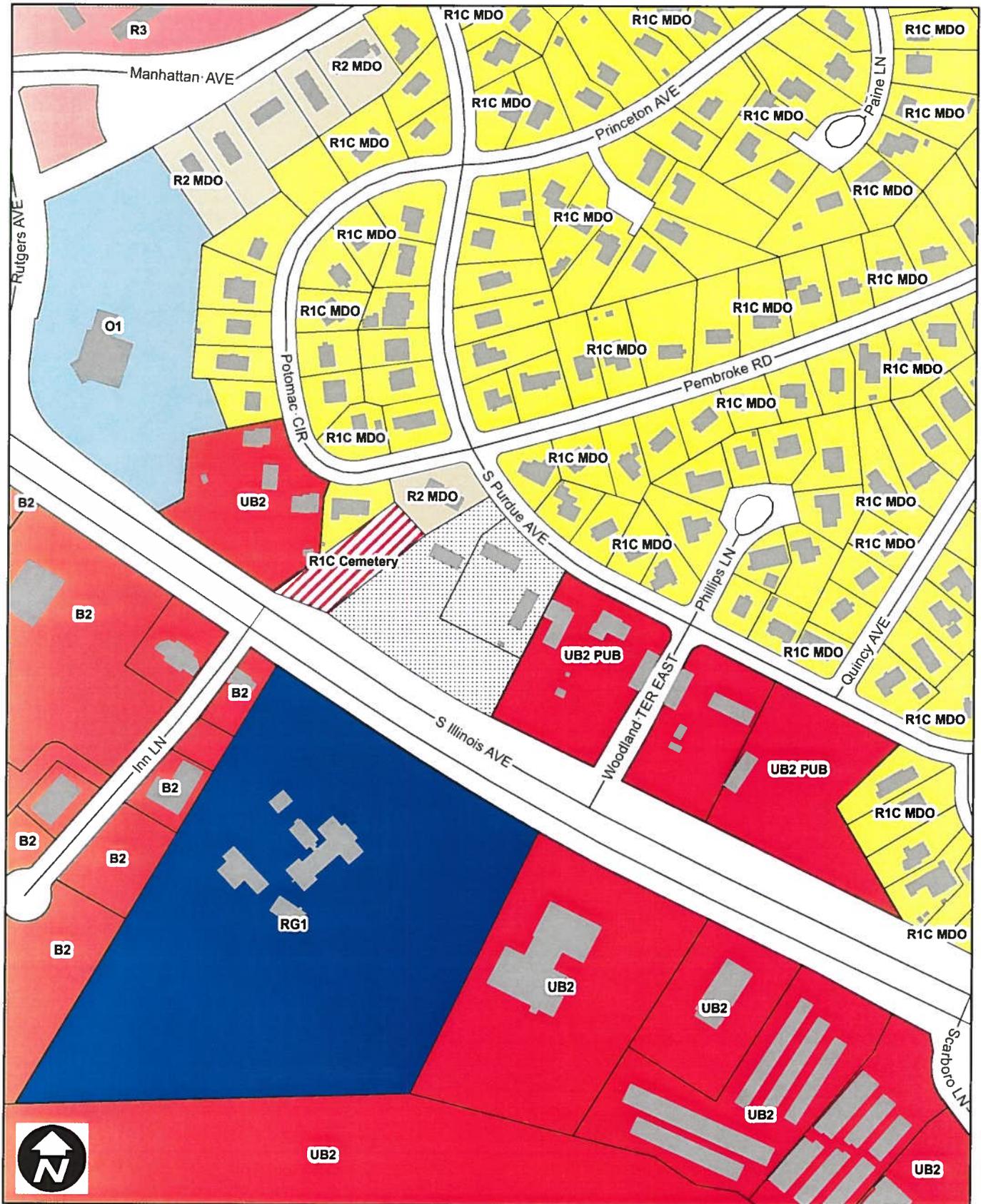


MJM ARCHITECTS, 400 Broadway, 4th Floor, Nashville, TN 37203
 Phone: 615-264-8170 Fax: 615-264-8141 www.mjmarch.com

OAK RIDGE, TN



Rezoning – Zoning Map for South Illinois Retail Development PUD



1 inch = 250 feet

 Rezone to UB-2, Unified General Business PUD

TITLE

AN ORDINANCE TO AMEND ORDINANCE NO. 2, TITLED "THE ZONING ORDINANCE OF THE CITY OF OAK RIDGE, TENNESSEE," BY AMENDING THE ZONING MAP WHICH IS MADE A PART OF THE ORDINANCE BY CHANGING THE ZONING DISTRICT OF PARCEL 039.00, ANDERSON COUNTY TAX MAP 106A, GROUP A, FROM R-2 MDO, LOW DENSITY RESIDENTIAL IN THE MANHATTAN DISTRICT OVERLAY, AND RG-1, RESIDENTIAL, OPEN SPACE, AND RESERVED, TO UB-2 PUD, UNIFIED GENERAL BUSINESS WITH A PLANNED UNIT DEVELOPMENT OVERLAY; CHANGING THE ZONING DISTRICT OF PARCEL 040.00, ANDERSON COUNTY TAX MAP 106A, GROUP A, FROM R-2 MDO, LOW DENSITY RESIDENTIAL IN THE MANHATTAN DISTRICT OVERLAY, TO UB-2 PUD, UNIFIED GENERAL BUSINESS WITH A PLANNED UNIT DEVELOPMENT OVERLAY; AND APPROVING THE PLANNED UNIT DEVELOPMENT PRELIMINARY MASTER PLAN FOR SAID PARCELS.

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

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

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

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

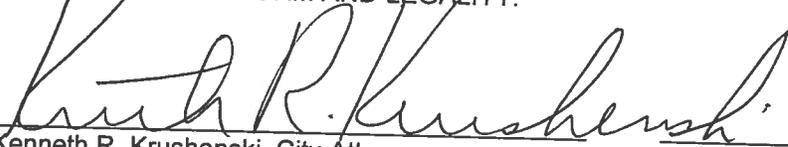
<u>Property Description</u>	<u>Location</u>	<u>Present Zoning District</u>	<u>New Zoning District</u>
Parcel 039.00 Anderson County Tax Map 106A, Group A (± 1.49 Acres)	Between S. Illinois Avenue and S. Purdue Avenue on the west side of Woodland Terrace East	R-2 MDO, Low Density Residential with a Manhattan District Overlay, and RG-1, Residential, Open Space, and Reserved	UB-2 PUD, Unified General Business with a Planned Unit Development Overlay
Parcel 040.00 Anderson County Tax Map 106A, Group A (± 0.80 Acres)	Between S. Illinois Avenue and S. Purdue Avenue on the west side of Woodland Terrace East	R-2 MDO, Low Density Residential with a Manhattan District Overlay	UB-2 PUD, Unified General Business with a Planned Unit Development Overlay

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

Section 3. The Planned Unit Development Preliminary Master Plan for said parcels, as approved by the Oak Ridge Municipal Planning Commission on July 17, 2014, is hereby approved.

Section 4. 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

Public Hearing: 08/11/2014
Publication Date: 07/08/2014
First Reading: 08/11/2014
Publication Date: _____
Second Reading: _____
Publication Date: _____
Effective Date: _____

Diana R. Stanley, City Clerk

**COMMUNITY DEVELOPMENT MEMORANDUM
PLANNING DIVISION
14-28**

DATE: July 22, 2014
TO: Mark Watson, City Manager
FROM: Monica Austin Carroll, Community Development Division Manager
THROUGH: Kathryn Baldwin, Community Development Director
SUBJECT: Zoning Ordinance Amendments



Introduction

An item for City Council's consideration is an ordinance to address regulations for sport shooting ranges. The current zoning Ordinance does not address this use.

Funding

No funding is necessary for this item.

Analysis

The following is a summary of the changes to the Zoning Ordinance:

- 1. The current Zoning Ordinance does not address sport shooting ranges. Currently, the only similar use located within the City is the Oak Ridge Sportsman Association site, which is zoned RG-1. However, adequate safeguards are needed to address commercial sport shooting ranges, including defining such uses. Add the following definitions to Article II:**

INDOOR SPORT SHOOTING RANGE: A fully enclosed building or part of a fully enclosed building specifically designed and operated for the use of rifles, shotguns, pistols, silhouettes, skeet, trap, black powder, archery, or any other shooting activity, but does not include police or military indoor firing ranges operated by any level of government.

OUTDOOR SPORT SHOOTING RANGE: An outdoor area designed and operated for the use of rifles, shotguns, pistols, silhouettes, skeet, trap, black powder, archery, or any other shooting activity, but does not include police or military firing ranges operated by any level of government, and does not include occasional not-for-profit charitable events (commonly called "turkey shoots"); provided, however, that the presence of "Buildings, Unenclosed" and/or "Buildings, Accessory," including, but not limited to, sheltered firing lines, firing ports, stations, pavilions, sheds and canopies, on or within the outdoor area shall be permitted and the presence of such structures shall not cause a sport shooting range to be considered an indoor range.

- 2. Add the following supplementary regulations to Article III General Provisions regarding commercial indoor sport shooting ranges. Currently the Zoning Ordinance does not address this use.**

(a) License Required

No person shall conduct, maintain, operate, or cause to be conducted, maintained or operated, any indoor or outdoor sport shooting range without being licensed through the State of Tennessee Department of Safety and Homeland Security and meet all other applicable state and federal regulations for operating a sport

shooting range. Any licenses or permits required for shooting range activity by any level of government shall be submitted as supporting documentation with the site plan.

(b) Standards, Site Plan

All sport shooting ranges shall be planned, constructed and maintained according to standards that are at least as stringent as the standards contained in the National Rifle Association range manual and the standards set forth by the State of Tennessee Department of Safety and Homeland Security *Handgun Safety School Firing Range Requirements*. The proposed sport shooting range shall be shown on a site plan showing all buildings, firing lines or stations, shooting related activity areas and other areas or structures.

(c) Location

Sport shooting ranges shall be designed to minimize noise to surrounding properties. No indoor sport shooting range shall be located closer than 1,000 feet (measured from property line to property line) from any school, church, hospital, or other indoor sport shooting range, nor in any location that would constitute a nuisance under the City Code, common law or any other applicable law, statute or regulation, or in a location such that the noise from the indoor sport shooting range would constitute such a nuisance or other violation under the City Code.

(d) Hours of Operation

No indoor sport shooting range shall be operated between the hours of 10:00 p.m. and 7:00 a.m. These hours of operation coincide with allowable decibel levels as defined in Section 12.04 of the Zoning Ordinance.

(e) Safety Rules

In the operation of any indoor sport shooting range, the following safety rules shall at all times be observed:

1. Sport shooting ranges shall contain all projectile and shot fall within the property of the sport shooting range.
2. A lead mitigation plan meeting requirements of the Environmental Protection Agency (EPA) shall be submitted with the site plan.
3. It is the sport shooting range operator's responsibility to determine if a shooter is of appropriate age and has the physical and mental ability to safely utilize the sport shooting range and provide their shooters with appropriate qualified supervision.
4. The sport shooting range shall be properly and adequately ventilated and filtered at all times and comply with all applicable OSHA, NIOSH, EPA standards and any other applicable local, state and federal codes, standards, laws and regulations.

Recommendation

The aforementioned changes regarding the proposed amendments to the Zoning Ordinance were discussed and recommended to City Council for approval by a vote of 8 – 0 during the regularly scheduled Planning Commission meeting on July 17, 2014.

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

8/1/2014

Date

TITLE

AN ORDINANCE TO AMEND ORDINANCE NO. 2, TITLED "THE ZONING ORDINANCE OF THE CITY OF OAK RIDGE, TENNESSEE, BY AMENDING THE FOLLOWING: ARTICLE II, TITLED "DEFINITIONS" TO ADD DEFINITIONS FOR "INDOOR SPORT SHOOTING RANGE" AND "OUTDOOR SPORT SHOOTING RANGE;" ARTICLE III, TITLED "GENERAL PROVISIONS," TO ADD A NEW SECTION 3.26, TITLED "SPORT SHOOTING RANGES"; SECTION 7.03, TITLED "B-2, GENERAL BUSINESS DISTRICTS," TO ADD "INDOOR SPORT SHOOTING RANGES" AS A USE REQUIRING SPECIAL EXCEPTION APPROVAL FROM THE BOARD OF ZONING APPEALS; AND SECTION 7.04, TITLED "UB-2, UNIFIED GENERAL BUSINESS DISTRICTS," TO ADD "INDOOR SPORT SHOOTING RANGES" AS A USE REQUIRING SPECIAL EXCEPTION APPROVAL FROM THE BOARD OF ZONING APPEALS; ALL FOR THE PURPOSE OF ESTABLISHING PROVISIONS FOR SPORT SHOOTING RANGES.

WHEREAS, the City of Oak Ridge is continually reviewing the Zoning Ordinance to update provisions and make it more understandable to the general public; and

WHEREAS, the amendments will update the Zoning Ordinance to address sport shooting ranges; and

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

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

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

Section 1. Ordinance No. 2, titled "The Zoning Ordinance of the City of Oak Ridge, Tennessee," Article II, titled "Definitions," is hereby amended by adding the following new definitions in alphabetical order, which new definitions shall read as follows:

**ARTICLE II
DEFINITIONS**

INDOOR SPORT SHOOTING RANGE: A fully enclosed building or part of a fully enclosed building specifically designed and operated for the use of rifles, shotguns, pistols, silhouettes, skeet, trap, black powder, archery, or any other shooting activity, but does not include police or military indoor firing ranges operated by any level of government.

OUTDOOR SPORT SHOOTING RANGE: An outdoor area designed and operated for the use of rifles, shotguns, pistols, silhouettes, skeet, trap, black powder, archery, or any other shooting activity, but does not include police or military firing ranges operated by any level of government, and does not include occasional not-for-profit charitable events (commonly called "turkey shoots"); provided, however, that the presence of "Buildings, Unenclosed" and/or "Buildings, Accessory," including, but not limited to, sheltered firing lines, firing ports, stations, pavilions, sheds and canopies, on or within the outdoor area shall be permitted and the presence of such structures shall not cause a sport shooting range to be considered an indoor range.

Section 2. Ordinance No. 2, titled "The Zoning Ordinance of the City of Oak Ridge, Tennessee," Article III, titled "General Provisions," is hereby amended by adding a new Section 3.36, titled "Sport Shooting Ranges," which new section shall read as follows:

Section 3.36. Sport Shooting Ranges

(a) License Required

No person shall conduct, maintain, operate, or cause to be conducted, maintained or operated, any indoor or outdoor sport shooting range without being licensed through the State of Tennessee Department of Safety and Homeland Security and meet all other applicable state and federal regulations for operating a sport shooting range. Any licenses or permits required for shooting range activity by any level of government shall be submitted as supporting documentation with the site plan.

(b) Standards, Site Plan

All sport shooting ranges shall be planned, constructed and maintained according to standards that are at least as stringent as the standards contained in the National Rifle Association range manual and the standards set forth by the State of Tennessee Department of Safety and Homeland Security *Handgun Safety School Firing Range Requirements*. The proposed sport shooting range shall be shown on a site plan showing all buildings, firing lines or stations, shooting related activity areas and other areas or structures.

(c) Location

Sport shooting ranges shall be designed to minimize noise to surrounding properties. No indoor sport shooting range shall be located closer than 1,000 feet (measured from property line to property line) from any school, church, hospital, or other indoor sport shooting range, nor in any location that would constitute a nuisance under the City Code, common law or any other applicable law, statute or regulation, or in a location such that the noise from the indoor sport shooting range would constitute such a nuisance or other violation under the City Code.

(d) Hours of Operation

No indoor sport shooting range shall be operated between the hours of 10:00 p.m. and 7:00 a.m. These hours of operation coincide with allowable decibel levels as defined in Section 12.04 of the Zoning Ordinance.

(e) Safety Rules

In the operation of any indoor sport shooting range, the following safety rules shall at all times be observed:

1. Sport shooting ranges shall contain all projectile and shot fall within the property of the sport shooting range.
2. A lead mitigation plan meeting requirements of the Environmental Protection Agency (EPA) shall be submitted with the site plan.

3. It is the sport shooting range operator's responsibility to determine if a shooter is of appropriate age and has the physical and mental ability to safely utilize the sport shooting range and provide their shooters with appropriate qualified supervision.
4. The sport shooting range shall be properly and adequately ventilated and filtered at all times and comply with all applicable OSHA, NIOSH, EPA standards and any other applicable local, state and federal codes, standards, laws and regulations.

Section 3. Ordinance No. 2, titled "The Zoning Ordinance of the City of Oak Ridge, Tennessee," Article VII, titled "Parking and Business Districts," Section 7.03, titled "B-2, Unified General Business Districts," Subsection (c), titled "Uses Requiring Board of Appeals Permit," is hereby amended by adding a new subpart 14, which subpart shall read as follows:

Section 7.03. B-2, General Business Districts

(c) Special Exceptions Requiring Board of Zoning Appeals Approval:

14. Indoor Sport Shooting Range.

Section 4. Ordinance No. 2, titled "The Zoning Ordinance of the City of Oak Ridge, Tennessee," Article VII, titled "Parking and Business Districts," Section 7.04, titled "UB-2, Unified General Business Districts," Subsection (c), titled "Uses Requiring Board of Appeals Permit," is hereby amended by adding a new subpart 11, which subpart shall read as follows:

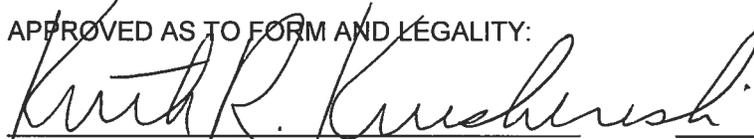
Section 7.04. UB-2, Unified General Business Districts

(c) Special Exceptions Requiring Board of Zoning Appeals Approval:

11. Indoor Sport Shooting Range.

Section 5. This ordinance shall become effective ten (10) days after adoption on second reading, the welfare of the City of Oak Ridge requiring it.

APPROVED AS TO FORM AND LEGALITY:



 Kenneth R. Krushenski, City Attorney

 Thomas L. Beehan, Mayor

 Diana R. Stanley, City Clerk

Public Hearing: 08/11/2014
 Publication Date: 07/24/2014
 First Reading: 08/11/2014
 Publication Date: _____
 Second Reading: _____
 Publication Date: _____
 Effective Date: _____

3. It is the sport shooting range operator's responsibility to determine if a shooter is of appropriate age and has the physical and mental ability to safely utilize the sport shooting range and provide their shooters with appropriate qualified supervision.
4. The sport shooting range shall be properly and adequately ventilated and filtered at all times and comply with all applicable OSHA, NIOSH, EPA standards and any other applicable local, state and federal codes, standards, laws and regulations.

Section 3. Ordinance No. 2, titled "The Zoning Ordinance of the City of Oak Ridge, Tennessee," Article VII, titled "Parking and Business Districts," Section 7.03, titled "B-2, Unified General Business Districts," Subsection (c), titled "Uses Requiring Board of Appeals Permit," is hereby amended by adding a new subpart 14, which subpart shall read as follows:

Section 7.03. B-2, General Business Districts

(c) Special Exceptions Requiring Board of Zoning Appeals Approval:

14. Indoor Sport Shooting Range.

Section 4. Ordinance No. 2, titled "The Zoning Ordinance of the City of Oak Ridge, Tennessee," Article VII, titled "Parking and Business Districts," Section 7.04, titled "UB-2, Unified General Business Districts," Subsection (c), titled "Uses Requiring Board of Appeals Permit," is hereby amended by adding a new subpart 11, which subpart shall read as follows:

Section 7.04. UB-2, Unified General Business Districts

(c) Special Exceptions Requiring Board of Zoning Appeals Approval:

11. Indoor Sport Shooting Range.

Section 5. This ordinance shall become effective ten (10) days after adoption on second reading, the welfare of the City of Oak Ridge requiring it.

APPROVED AS TO FORM AND LEGALITY:


 Kenneth R. Krushenski, City Attorney

 Thomas L. Beehan, Mayor

 Diana R. Stanley, City Clerk

Public Hearing: 08/11/2014
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