

OAK RIDGE CITY COUNCIL MEETING
Municipal Building Courtroom

March 9, 2015 —7:00 p.m.

AGENDA

- I. INVOCATION
Rev. Gary Nistler, Pastor of First Baptist Church.
- II. PLEDGE OF ALLEGIANCE
- III. ROLL CALL
- IV. APPEARANCE OF CITIZENS
- V. PROCLAMATIONS AND PUBLIC RECOGNITIONS
 - a. A proclamation designating April as Fair Housing Month.
 - b. A proclamation designating April 12-18 National Library Week.
- VI. SPECIAL REPORTS
(NONE)
- VII. CONSENT AGENDA
 - a. Approval of the February 9, 2015 City Council meeting minutes.
 - b. Adoption of a resolution granting renewal permits to persons engaged in the retail sale of alcoholic beverages for one year and waiving the residency requirement for nonresident applicants.
 - c. Adoption of a resolution authorizing the Mayor to sign and issues Certificates of Compliance for persons granted permits to engage in the retail sale of alcoholic beverages for two years.
 - d. Adoption of a resolution authorizing the Mayor to execute on behalf of the City of Oak Ridge a Certificate of Good Moral Character for Hope Chadwell, Fraternal Order of Eagles, 1650 Oak Ridge Turnpike.
 - e. Adoption of a resolution authorizing the transfer of tax equivalents from the electric and waterworks funds to the general fund for the fiscal year ending June 30,2015, and to authorize its distribution between the City of Oak Ridge and Anderson and Roane counties in accordance with state law.
 - f. Adoption of a resolution assigning Louise (Lou) Dunlap to the unexpired term of office on the Oak Ridge Industrial Development Board, which term expires on December 31, 2018 and not December 31, 2020 as erroneously noted in the January 12, 2015 Agenda when elections were held.
 - g. Adoption of a resolution making an award to ERMCO Distribution Transformers, C/O Utility Sales Agency, LLC, Lenoir City, Tennessee for the furnishing of twelve(12) Three-Phase Pad Mounted Transformers in various sizes and voltages for the Electric Department in the estimated amount of \$92,727.00.

- h. Adoption of a resolution waiving competitive bids and making an award to Infor(US), Inc., for a three-year renewal of software maintenance of the asset management system in the Public Works Department for fiscal years 2016-2018 in the estimated amount of \$77,331.78.

VIII. RESOLUTIONS

- a. A RESOLUTION AWARDED A CONTRACT (FY2015-220) TO WRIGHT CONTRACTING, INC., KNOXVILLE, TENNESSEE FOR THE REPLACEMENT OF WINDOWS AT THE WATER TREATMENT PLANT IN THE ESTIMATED AMOUNT OF \$150,600.00.
- b. A RESOLUTION AWARDED A CONTRACT (FY2015-238) TO S & W CONTRACTING CO., INC., MURFREESBORO, TENNESSEE FOR THE INSTALLATION OF TRAFFIC SIGNAL ON THE OAK RIDGE TURNPIKE AT THE OAK RIDGE HIGH SCHOOL IN THE ESTIMATED AMOUNT OF \$177,183.00.

IX. PUBLIC HEARINGS AND FIRST READING OF ORDINANCES

Require Public Hearing and First Reading

- a. AN ORDINANCE TO AMEND ORDINANCE NO. 2, TITLED "THE ZONING ORDINANCE OF THE CITY OF OAK RIDGE, TENNESSEE, BY AMENDING ARTICLE VII, TITLED "PARKING AND BUSINESS DISTRICTS" SECTION 7.04, TITLED "UB-2, UNIFIED GENERAL BUSINESS DISTRICTS," AS FOLLOWS: BY DELETING SUBSECTIONS (A)(12), (A)(13), (A)(14) AND (A)(17) WITHOUT REPLACEMENT AND BY ADDING A NEW SUBSECTION (A)(19) TO ADD PUBLIC MUSEUMS AS A PERMITTED PRINCIPAL USE; BY AMENDING THE TITLE OF SUBSECTION (C) TO "SPECIAL EXCEPTIONS" FOR CONSISTENCY WITHIN THE ZONING ORDINANCE; BY AMENDING THE INTRODUCTORY LANGUAGE OF SUBSECTION (C) TO INCLUDE THE WORD "ZONING" IN THE PHRASE "BOARD OF APPEALS;" AND BY AMENDING SUBSECTION (C) TO DELETE PUBLIC MUSEUM; CEMETERY; WHOLESALE, STORAGE AND WAREHOUSE FACILITY, FREEZER AND LOCKER; AND TRANSITIONAL ACCESSORY USES AS SPECIAL EXCEPTIONS AND TO ADD MULTIFAMILY DWELLINGS AS PART OF A PLANNED UNIT DEVELOPMENT AS A SPECIAL EXCEPTION.
- b. AN ORDINANCE TO AMEND ORDINANCE NO. 06-2014, WHICH ORDINANCE IMPOSES A TAX ON ALL PROPERTY WITHIN THE CITY, FIXING THE RATE OF THE TAX, ADOPTING A BUDGET, AND ADOPTING APPROPRIATIONS FOR THE FISCAL YEAR BEGINNING JULY 1, 2014, BY AMENDING SAID APPROPRIATIONS TO ELIMINATE THE SOLID WASTE FUND AND INCREASE THE GENERAL FUND APPROPRIATION TO INCLUDE SOLID WASTE EXPENDITURES.

X. FINAL ADOPTION OF ORDINANCES

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 015.02, ANDERSON COUNTY TAX MAP 100B, GROUP B, (APPROXIMATELY 2.58 ACRES) FROM B-3, ROADSIDE BUSINESS, TO B-2, GENERAL BUSINESS, SAID PARCEL BEING LOCATED ON LABORATORY ROAD.

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

Emergency Purchase of Salt

b. CITY ATTORNEY'S REPORT

XIV. ADJOURNMENT

**PROCLAMATIONS
AND
PUBLIC RECOGNITIONS**

COMMUNITY DEVELOPMENT MEMORANDUM
15-11

DATE: February 20, 2015
TO: Mark Watson, City Manager
FROM: Kathryn G. Baldwin, Community Development Director
SUBJECT: PROCLAMATION

FAIR HOUSING MONTH

The accompanying proclamation is recommended by the U. S. Department of Housing and Urban Development as part of the City's participation in the Community Development Block Grant Program.

Attachment


Kathryn G. Baldwin

PROCLAMATION

WHEREAS, each year since the enactment of the National Fair Housing Law, Title VIII of the Civil Rights Act of 1968, the Federal Government designates April, the anniversary month of said law, as "Fair Housing Month"; and

WHEREAS, because fair housing is consistent with the principle of equality and justice for all – a principle upon which our nation was founded – all of us should share in the fight to ensure that fair housing is a reality for all Americans; and

WHEREAS, fair housing is the policy of the City of Oak Ridge. On April 21, 1969, the Oak Ridge City Council adopted a Fair Housing Ordinance, which was one of the first of its kind in the State of Tennessee; and

WHEREAS, implementation of that policy requires the continuing positive commitment, involvement, and support of each one of our citizens.

NOW, THEREFORE, BE IT RESOLVED BY THE COUNCIL OF THE CITY OF OAK RIDGE, TENNESSEE, that the month of April 2015 be proclaimed

FAIR HOUSING MONTH

in the City of Oak Ridge, Tennessee, and that all Oak Ridgers be urged to join in reaffirming the obligation and commitment to fair housing opportunities for all.

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 9th day of March in the year 2015.

WARREN L. GOOCH
MAYOR

CITY CLERK MEMORANDUM

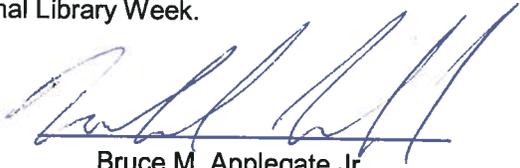
15-03

DATE: January 23, 2015
TO: Honorable Mayor and Members of City Council
FROM: Bruce M. Applegate, Acting City Clerk
SUBJECT: A PROCLAMATION FOR MARCH CITY COUNCIL AGENDA

The following proclamation is presented for the March 9, 2015 City Council meeting for the City Council's consideration.

National Library Week

The accompanying proclamation recognizes April 12-18, 2015 as National Library Week.



Bruce M. Applegate Jr.

PROCLAMATION

WHEREAS, libraries create potential and possibilities in their communities, campuses and schools; and

WHEREAS, libraries work to meet the changing needs of their users, including building collections, expanding outreach services and increasing programming; and

WHEREAS, our nation's libraries provide a forum for diverse ideas and points of view that help us better understand each other and ourselves; and

WHEREAS librarians are trained, tech-savvy professionals, providing technology training and access to downloadable content like e-books; and

WHEREAS librarians design and offer programs, facilities, and resources to meet their community's needs, providing residents with access to computers, Internet, and Wi-Fi, job seeking tools, homework help, Electronic Databases, story times, periodicals, senior book deliveries, local history archives, and genealogy resources; and

WHEREAS libraries are part of the American dream, places for education, opportunity and lifelong learning; and

WHEREAS libraries continuously grow and evolve in how they provide for the needs of every member of their communities.

NOW, THEREFORE, BE IT RESOLVED BY THE COUNCIL OF THE CITY OF OAK RIDGE, TENNESSEE, that the week of April 12-18, 2015 be proclaimed

LIBRARY WEEK

in the City of Oak Ridge, Tennessee, and that all residents be encouraged to visit the library this week to take advantage of the wonderful library resources available @ your library. "Unlimited possibilities @ your library®."

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 9th day of March in the year 2015.

WARREN L. GOOCH
MAYOR

CONSENT AGENDA

MINUTES OF THE OAK RIDGE CITY COUNCIL MEETING

February 9, 2015

The regular meeting of the City Council of the City of Oak Ridge convened at 7:00 p.m. on February 9, 2015, in the Courtroom of the Municipal Building with Mayor Warren L. Gooch presiding.

INVOCATION

The Invocation was delivered by Reverend Mark Walton, Pastor of Glenwood Baptist Church.

PLEDGE OF ALLEGIANCE

The Pledge of Allegiance to the Flag of the United States of America was led by Councilmember Hope.

ROLL CALL

Upon roll call the following councilmembers were present: Councilwoman Trina Baughn; Councilmember Kelly Callison; Councilmember Rick Chinn, Jr.; Mayor Warren L. Gooch; Councilmember L. Charles Hensley; Councilmember Charles J. Hope, Jr.; Mayor Pro Tem Ellen D. Smith.

Also present were Mark S. Watson, City Manager; Kenneth R. Krushenski, City Attorney; Janice E. McGinnis, Finance Director; Bruce M. Applegate Jr., Acting City Clerk.

APPEARANCE OF CITIZENS

Mike Marsh, 132 Timbercrest Lane, comments regarding the need to evaluate the merit of allegations against police chief, as well as objection to the use of censure on any councilmember.

Jeff Collins, 124 Tabor Rd., comments on a firefighter friend who had been allegedly reprimanded and lost accrual of longevity pay due to said reprimand.

Reverend Walter Ghosten, representative of NAACP for Anderson County and Oak Ridge, sought to make comments on behalf of the police department but was informed to bring up with corresponding agenda item later in the meeting/

Lynn Mayes, 10,017 West Toomey Rd., commented regarding his perception of the illegality of the rental inspection program occurring within Oak Ridge.

Jim Horton, 106 Carson Ln., commented regarding the change in the property tax due date.

Evelyn Armstrong, 21 Rivers Court, commented on concern about the continued exposure of negative events in Oak Ridge to the world community.

Kay Williams, 420 Jefferson Ave., commented on concerns of the Alpha Five cleanup, and the labelling of the area as a dump site.

Andy Marathe, 121 Westlook Circle, commented he was unhappy with the lack of change in population, and interest in the council making the city more welcoming for new potential residents.

PROCLAMATIONS AND PUBLIC RECOGNITIONS

A proclamation was made designating March 6, 2015 as Arbor Day.

Mayor Pro Tem Smith moved, seconded by Councilmember Chinn, that the proclamation be adopted. Unanimous approval by the councilmembers "aye" vote.

A proclamation was made in recognition of the achievements of the Allies for Substance Abuse Prevention group.

Councilmember Chinn moved, seconded by Councilmember Smith, that the proclamation be adopted. Unanimous approval by the councilmembers “aye” vote. Michael Foster accepted the proclamation on behalf of the group, and made remarks as to the successes of the organization.

A proclamation was made in recognition of the community contribution made by Boyce Griffith.

Councilmember Hensley moved, seconded by Councilmember Baughn, that the proclamation be adopted. Unanimous approval by the councilmembers “aye” vote. A moment of silence was held via the Mayor’s request.

SPECIAL REPORTS

Auditors’ Report

CONSENT AGENDA

Councilmember Smith moved, seconded by Councilmember Hope, to approve the Consent Agenda, thereby:

- Approving the January 12th, 2015 City Council Meeting minutes.
- Adopting **Resolution No. 2-10-2015** authorizing the City to sign the Anderson County Basic Emergency Operations Plan.
- Adopting **Resolution No. 2-11-2015** authorizing the City to approve an amendment to the Oak Ridge Beer Permit Board’s Rules and Procedures regarding their meeting schedule.
- Adopting **Resolution No. 2-12-2015** authorizing the City to apply for a grant from the National Fish and Wildlife Foundation’s Five Star Urban Waters Restoration Grant Program in the estimated amount of \$25,000.00, and to accept the grant if awarded.

The consent agenda was approved unanimously with Councilmembers Baughn, Callison, Chinn, Mayor Gooch, Hensley, Hope, and Mayor Pro Tem Smith voting “Aye.”

Items Removed from the Consent Agenda

(None)

RESOLUTIONS

Resolution 2-[13]-2015

A RESOLUTION ESTABLISHING THE CITY’S COMMITMENT TO REMEDIATE THE LEAD BASED EXTERIOR PAINT AT THE OAK RIDGE PRESCHOOL BUILDING IN ACCORDANCE WITH EPA GUIDELINES AND PROCEDURES.

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

City Manager Mark Watson comments on the upcoming expenses associated with carrying out the project.

Public Comment, Andy Marathe 121 Westlook Circle, comments on the maintenance departments need to expand their efforts, and make sure to take the financial aspects of the pre-K project into consideration.

The resolution was approved with Councilmembers Baughn, Callison, Mayor Gooch, Hensley, Hope, and Mayor Pro Tem Smith voting "Aye." Councilmember Chinn abstained due to a potential conflict of interest.

Resolution No. 2-[14]-2015

A RESOLUTION SUPPORTING THE DEVELOPMENT OF REPLACEMENT OPTIONS AND SOLUTIONS FOR THE OAK RIDGE PRESCHOOL/SCHOOL ADMINISTRATION BY CITY COUNCIL AND THE OAK RIDGE BOARD OF EDUCATION THROUGH THE ESTABLISHMENT OF A JOINT COMMITTEE; AND TO PRIORITIZE JOINT CITY/SCHOOL PROPOSED CAPITAL IMPROVEMENT PROJECTS(CIP).

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

City Manager Mark Watson addressed questions from Council regarding the cost and scope of the proposed committee's work to be completed.

Comments from Superintendent Bruce Borchert supporting the action taken by the city manager on addressing the current issues with the preschool, and the level of action taken to integrate school board and city activities.

Comments from Anne Garcia-Garland suggesting the need to include residents with experience related to architecture design, school needs.

Comments from Joseph Lee, 99 E. Pasadena Dr. thanking the city staff and councilmembers work to achieve positive outcomes together.

The resolution was approved with Councilmembers Baughn, Callison, Mayor Gooch, Hensley, Hope, and Mayor Pro Tem Smith voting "Aye." Councilmember Chinn abstained due to a potential conflict of interest.

Resolution No. 2-[15]-2015

A RESOLUTION AWARDDING A CONTRACT (FY2015-222) TO B & B SERVICES, INC., KNOXVILLE, TENNESSEE, FOR MOWING NON-RIGHTS-OF-WAY FOR THE PUBLIC WORK'S DEPARTMENT IN THE ESTIMATED AMOUNT OF \$81,927.23.

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

City Manager Mark Watson addressed concerns from councilmembers regarding the lack of additional respondents beyond the sole winning bidder.

Gary Cinder identified that B&B would be a first time contractor for the city with the provision of this award.

The resolution was approved with Councilmembers Baughn, Callison, Mayor Gooch, Hensley, Hope, and Mayor Pro Tem Smith voting "Aye." Councilmember Chinn abstained due to a potential conflict of interest.

Resolution No. 2-[16]-2015

A RESOLUTION AWARDDING A CONTRACT (FY2015-177) TO FIRST PLACE FINISH, INC., OAK RIDGE, TENNESSEE, FOR THE INSTALLATION OF LIGHTING AT THE OAK RIDGE PUBLIC LIBRARY IN THE ESTIMATED AMOUNT OF \$64,678.00.

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

Comments from councilmember Baughn identified that the proposed resolution came in significantly under the initial expectation, and along with Councilmember Chinn highlighted the positive savings compared with previous cost expectations.

The resolution was approved unanimously with Councilmembers Baughn, Callison, Chinn, Mayor Gooch, Hensley, Hope, and Mayor Pro Tem Smith voting “Aye.”

Resolution No. 2-[17]-2015

A RESOLUTION AUTHORIZING TRANSMITTAL OF THE COMMENTS TO THE U.S DEPARTMENT OF ENERGY REGARDING THE CONCEPTUAL DESIGN OF THE K-25 HISTORY MUSEUM AT FIRE STATION #4, THE PROPOSED EQUIPMENT BUILDING, AND RELATED INTERPRETIVE PROJECTS AT THE EAST TENNESSEE TECHNOLOGY PARK.

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

City Manager Mark Watson updated the councilmembers on the current status of the proposed K-25 history museum plan.

Councilmembers brought forth concerns about the location of the hub, in the hub and spoke model. Requesting additional emphasis be put into project materials stating that the hub will be centralized in the core of Oak Ridge. Additional concerns were brought up addressing the price tag of the project.

The resolution was approved unanimously with Councilmembers Baughn, Callison, Chinn, Mayor Gooch, Hensley, Hope, and Mayor Pro Tem Smith voting “Aye.”

Resolution No. 2-[18]-2015

A RESOLUTION ACKNOWLEDGING THE CITY’S RECEIPT OF CORRESPONDENCE FROM THE STATE OF TENNESSEE COMPTROLLER OF THE TREASURY’S OFFICE OF STATE AND LOCAL FINANCE REGARDING THE SOLID WASTE FUND AND TO STATE THE CITY’S INTENT TO DISSOLVE THE SOLID WASTE FUND AND TRANSFER ALL SOLID WASTE OPERATIONAL ACTIVITY BACK INTO THE GENERAL FUND BEGINNING WITH FISCAL YEAR 2015.

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

City Manager Mark Watson updated councilmembers on the request being made by the State Comptroller’s office.

Councilmember Hope acknowledged Janice McGinnis’s update at the previous Budget and Finance Committee meeting.

The resolution was approved with Councilmembers Baughn, Callison, Chinn, Mayor Gooch, Hensley, Hope, and Mayor Pro Tem Smith voting “Aye.”

Resolution No. 2-[19]-2015

A RESOLUTION CREATING A SEVEN(7) MEMBER SPECIAL EVENTS ADVISORY TASK FORCE FOR THE PURPOSE OF PROVIDING RECOMMENDATIONS ON PLANNING, FUNDING REVIEW, AND EXECUTION OF ALL SPECIAL EVENTS MANAGED OR SUPPORTED BY THE CITY, WITH THE TASK FORCE PROVIDING CITY COUNCIL WITH A WRITTEN REPORT IN AUGUST 2015, AND TO APPOINT MEMBERS TO THE TASK FORCE.

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

Mayor Pro Tem Smith moved to amend the resolution by removing Councilmember Baughn as the chair, seconded by Councilmember Hensley.

Comments from the public, Andy Marathe comment regarding the need for increased professionalism from the council.

David Johnson, 505 Emory Valley Rd., comments regarding the need to reevaluate members being brought to the council's task forces, due to their role in representation of the city.

Anne Garcia Garland, 120 Outer Dr. commented regarding a perceived availability of quality volunteers who could be selected for the city council's task force.

Linda Maybury, 106 Montana Ave., commented to volunteer for the task force.

Joseph Lee, 99 E. Pasadena Dr., commented to identify he would not volunteer for the task force.

Motion to amend was voted down with Councilmember's Baughn, Callison, Chinn, Mayor Gooch, and Hope voting "nay". Councilmember Hensley and Mayor Pro Tem Smith voted "aye".

Councilmember Callison nominated Ray Smith to the task force. Councilmember Hensley nominated Charlie Huey. Councilman Hope nominated Michelle Ward. Councilmember Baughn nominated Mike Brown. Councilmember Chinn nominated Ben Arnold. Mayor Gooch nominated Kate Groover.

Vote on acceptance of the six nominees to the special events advisory task force:

Nominees were approved unanimously with Councilmembers Baughn, Callison, Chinn, Mayor Gooch, Hensley, Hope, and Mayor Pro Tem Smith voting "Aye."

Councilmember Baughn moves to appoint Linda Maybury to the vacancy resultant of Mayor Pro Tem Smith's deferred appointment, seconded by Councilmember Chinn.

Vote on acceptance of Linda Maybury fails. Councilmembers Baughn, and Chinn voting "aye". Councilmembers Callison, Mayor Gooch, Hensley, Hope, and Mayor Pro Tem Smith voting "nay".

Councilmember Callison moves to appoint Judi Gray, seconded by Councilmember Hensley. Vote on acceptance of Judi Gray passes, with unanimous councilmember support. Mayor clarifies he voted "aye" due to problems with his vote showing up.

Vote to create the Special Events Advisory Task Force passes with unanimous councilmember support.

PUBLIC HEARINGS AND FIRST READING OF ORDINANCES

First Reading of Ordinances

(None)

FINAL ADOPTION OF ORDINANCES

Ordinance No. 2-2015

AN ORDINANCE TO AMEND ORDINANCE NO. 2, TITLED "THE ZONING ORDINANCE OF THE CITY OF OAK RIDGE, TENNESSEE," BY AMMENDING THE ZONING MAP WHICH IS MADE A PART OF THE ORDINANCE BY CHANGING THE ZONING DISTRICT OF PARCEL 015.02, ANDERSON COUNTY TAX MAP 100B, GORUP B, (APPROXIMATELY 2.58 ACRES) FROM B-3, ROADSIDE BUSINESS, TO B-2, GENERAL BUSINESS, SAID PARCEL BEING LOCATED ON LABORATORY ROAD.

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

Mayor Gooch opened the floor to public comment for the public hearing, and Mayor Gooch requested citizen input. After a reasonable time, seeing and hearing no citizen input, the Mayor ended the public hearing on the ordinance.

The ordinance was approved unanimously on first reading with Councilmembers Baughn, Callison, Chinn, Mayor Gooch, Hensley, Hope, and Mayor Pro Tem Smith voting “Aye.”

ELECTIONS/APPOINTMENTS, ANNOUNCEMENTS AND SCHEDULING

Elections/Appointments

Elections
(none)

Announcements

Councilmember Hensley brought up the resignation of Aditya Savara, and discussion of his replacement was slated to take place at the upcoming work session.

Scheduling

City Manager S. Mark Watson, brought up the Budget and Finance Advisory committee was meeting the following morning at 9am.

COUNCIL REQUESTS FOR NEW BUSINESS ITEMS OR FUTURE BRIEFINGS

Resolution and Amendments failed for following resolution

A RESOLUTION INITIATING AN INVESTIGATION PURSUANT TO ARTICLE II, SECTION 9, OF THE CHARTER OF THE CITY OF OAK RIDGE, TENNESSEE.

Councilmember Hope moved to bring up for discussion, seconded by Councilmember Baughn.

Comments from Councilmember Baughn indicating her pursuance of citizens concerns about a culture of fear existing within the Oak Ridge Police Department. Identifies the respect she holds for the officers, and regards the review of the department to be a must for the City Council.

Councilmember Callison moved to provide a substitute for the resolution seconded by Councilmember Hensley.

Mayor Gooch outlined for the councilmembers and public that Councilmember Baughn's amendments to the original resolution would need to be addressed prior to progression on Councilmember Callison's substitute resolution.

Councilmember Baughn moved to amend the original resolution to include an evaluation of the relationship between Chief Akagi and City Manager Mark Watson prior to the Chief's hiring. The move was seconded by Councilmember Hope for discussion.

Comments from Mayor Pro Tem Smith, and Councilmember Callison identifying the positive attributes of the police Department, and listing the achievements made under the leadership of police Chief Akagi. Additional descriptions of the hiring process were brought forth to highlight the large number of opportunities for public involvement in the hiring process. Councilmember Callison further identified his belief that the previous relationship between the Chief and City Manager Watson to be a non-issue.

Comments from Councilmember Baughn on the first amendment to the resolution being targeted at the relationship between the City Manager and Chief Akagi not the performance of the police department.

Councilmember Hensley commented to agree with Councilmember Callison on the successes of the police department and the non-issue of the police chief and city managers prior relationship.

Comments from public:

Commented on the need for an investigation of the police department:

Kristin Thomas, 182 Wade In.
Anne Garcia Garland, 120 Outer Dr.
Clarice Watson, 115 West Farragut
Andy Marathe, 121 Westlook Circle.
Anthony Allen, 109 N. Bedford Ln.
Gary Carver, 117 N. Purdue Dr.
Kate Williamson, 427 Jefferson Ave.
Phillip Nall, Clinton, Tennessee Resident
Linda Maybury, 106 Montana Ave.
Myra Mansfield, 103 Hendrix Dr.
David Johnson 8505 Emory Valley Rd.

Commented in defense of the police department and against the need for an investigation.

Parker Hardy, 123 Amanda Dr.
Rev. Walter Ghosten, 228 Park Meade. In
Ms. Eden Koczocha, 107 Wesley Ln.
Joseph Lee, 99 E. Pasadena Dr.
Chuck Agle, 101 W. Melbourne
David Kitzmiller, 144 Wellington Circle
Charlie Jernigan, 118 Claiborne Ave.
Tom Beehan, 113 Liberty Court
Randy Tedford, 100 Gordon Rd.

Comments from Sheila Calwell Massey, 214 S. Purdue Dr. regarding the need for fair treatment for all citizens by the police department regardless of background.

Comments from Councilmember Hensley directing attention to the upcoming substituted resolution and identifying it as the focal point.

Comments from Councilmember Chinn supporting original resolution and the proposed amendments as a means of clearing the names of the individuals involved.

Comments from Councilmember Smith regarding the costs associated with undertaking an investigation of this sort.

Vote on 1st amendment failed with Councilmember Baughn and Chinn voting 'aye', and Councilmembers Callison, Mayor Gooch, Hensley, Hope and Mayor Pro Tem Smith voting "nay".

Councilmember Baughn moved to amend the original resolution to include an investigation into the potential violation of a recent order of protection against the chief, seconded for discussion by Councilmember Chinn.

City Attorney Ken Krushenski commented to identify the reason information was not disseminated to councilmembers, citing he felt uncomfortable passing on what he perceived to be the personal divorce proceedings occurring in Chief Akagi's life.

Comments from the councilmembers centered on the violation or lack of a violation which was explored by the Attorney General.

Comments from the public:

Comments regarding an investigation into the protective order merits:

Myra Mansfield, 103 Hendrix Dr.
Kay Williamson, 427 Jefferson Ave.
Tracy Stout Powers, 103 Norton Rd.
Joe Stevens, 507 Black Oak
Anthony Allen, 109 N. Bedford Ln.
Martha Lee, 113 Tilden Rd.
Charlie Jernigan, 118 Claymore Ave.

Comments regarding the unacceptable activity being carried out by the Council:

Joseph Lee, 99 E. Pasadena Dr.
Evelyn Armstrong, 21 Rivers Court.
Andy Murathe, 121 Westlook Circle.
Marci Willison, 106 West Pawley Rd.

Vote on 2nd amendment failed with Councilmembers Baughn and Hope voting “aye” and Councilmembers Callison, Chinn, Mayor Gooch, Hensley, Hope, and Mayor Pro Tem Smith voting “nay”.

Resolution No.2-[20]-2015

A RESOLUTION AUTHORIZING AN INDEPENDENT THIRD PARTY REVIEW OF THE TURNOVER, MORALE, AND ADMINISTRATIVE POLICIES IN THE OAK RIDGE POLICE DEPARTMENT PURSUANT TO ARTICLE II, SECTION 9, OF THE CHARTER OF THE CITY OF OAK RIDGE, TENNESSEE.

Councilmember Callison moved to substitute the following resolution for Councilmember Baughn’s resolution, seconded by Councilmember Hensley. Councilmember Hope moved to amend the wording of the resolution to include morale and administrative policies to the scope of third party review. Councilmember Hope’s amendment was unanimously approved by “aye” vote of the councilmembers..

Public Comment

Andy Murathe, 121 Westlook Circle, commented suggesting that public input be limited to their communication with the council.
Mary Brewer, 102 Nantucket Way, commented to ask for information about the dissemination of materials collected from the investigation.
Rebecca Kindle, 105 E. Hunter Circle, commented requesting that anonymity be assured for officers participating in the investigation.

Comments made by Councilmembers Chinn, and Baughn questioning the use of the Whistleblower Act to cover those individuals who come forth with information.

Public Comments

Tracy Stout Powers, 103 Norton Rd., commented about early comments made by Mr.Collins.

Vote to substitute the resolution is approved unanimously by “aye” vote of the councilmembers. Move for substituted resolution to go forward is unanimously approved by “aye” vote from councilmembers.
Vote to adopt the resolution is approved unanimously by “aye” vote of the councilmembers. Move for substituted resolution to go forward is unanimously approved by “aye” vote from councilmembers.

Resolution as follows was withdrawn

A RESOLUTION EXPRESSING CITY COUNCIL’S DISAPPROVAL OF COUNCILMEMBER TRINA BAUGHN’S RECENT ACTIONS OF PROVIDING ONE SIDED INFORMATION TO THE PUBLIC AND MEDIA PRIOR TO CONSIDERATION OF ALL SIDES OF THE ISSUE BY CITY COUNCIL AS A WHOLE AND REMOVING COUNCILMEMBER BAUGHN FROM ALL COMMITTEE ASSIGNMENTS.

Councilmember Hope moved to bring the resolution up for discussion, and was seconded by Councilmember Hensley.

Comments by Councilmember Hensley identifying the requests by constituents for a resolution to be put forth to address the negative approaches to issues made by Councilmember Baughn.

Comments by Councilmember Chinn shares in frustration of negative information and press coming out of the city council now and previously. Believes current resolution exacerbates problems within the city, and should be withdrawn.

Comments between Councilmember Baughn and Councilmember Hensley regarding the directives given by Councilmember Baughn to city staff and their legality under the charter.

Comments by Mayor Pro Tem Smith focused on the inability to follow up on current issues due to the current issues being brought forth to the media.

Comments by Councilmember Hope expresses concern that Councilmember Baughn does not feel goals can be accomplished by working with the City Council. Continues to reassure that the council works extremely well, and will continue to be the best mode of achieving goals for Councilmember Baughn, citizens of Oak Ridge, and the other councilmembers.

Councilmember Baughn commented to acknowledge Councilmember Hopes points and looks forward to working more cohesively with the council as a whole, but felt justified in the current action due to the perceived informational control held by the city.

Public Comments

Andy Murathe, 121 Westlook Circle, commented on the need for continued improvement by the council to avoid negative output in the media.

Mike Mahathy, 113 Fallberry St., commented on needing to end the nastiness currently being displayed by the council, and was concerned with Councilmember Baughn's commentary about his own personal internet group.

Angie Agle, 101 W. Melbourne Rd., comments identified sadness at the lack of "teeth" in the resolution. Concerned about a future member of the council going rogue and doing terrible damage to the city's reputation by pursuing own agenda.

David Kitzmiller, 144 Wellington Circle., commented on the need to have a positive viewpoint from all councilmembers to increase the benefits to the city of Oak Ridge.

Candy Atkinson, 109 Regent Circle., commented on disappointment in the current city councils activity.

Anthony Allen, 109 N. Bedford Ln., commented that social media should be looked at positively as a means of increasing communication amongst city members.

Joe Stevens, 507 Black Oak Dr., Clinton, commented that centralization of power is akin to fascism.

Ebony Capshaw, 125 Spillman Ave., commented on the need for increased transparency from the council.

Nolen Mayes, 418 Jefferson Ave., commented to thank Councilmember Baughn for her work as a councilmember.

Joseph Lee, 97 Pasadena Dr. Commented to thank Mayor Gooch for his work, and to demand an apology from councilmember Baughn.

Resolution was withdrawn by Councilmember Hope, and seconded by Councilmember Hensley.

SUMMARY OF CURRENT EVENTS

CITY MANAGER'S REPORT

City Manager Mark Watson postponed manager's report until the upcoming work session.

CITY ATTORNEY'S REPORT

(none)

ADJOURNMENT

The meeting adjourned at 11:59 p.m.

Bruce M. Applegate Jr., Acting City Clerk
CITY OF OAK RIDGE, TENNESSEE

APPROVED BY CITY COUNCIL
March 9, 2015

Warren L. Gooch, Mayor

LEGAL MEMORANDUM
15-06

DATE: February 20, 2015
TO: Honorable Mayor and Members of City Council
FROM: Kenneth K. Krushenski, City Attorney
SUBJECT: RETAIL PACKAGE STORE RENEWAL APPLICATIONS

Introduction

Two items for City Council's consideration are (1) a resolution granting renewal permits to persons engaged in the retail sale of alcoholic beverages for one year and waiving the residency requirement for nonresident applicants; and (2) a resolution authorizing the Mayor to sign and issue Certificates of Compliance for persons granted permits to engage in the retail sale of alcoholic beverages for two years.

Background:

The Retail Package Stores permits for the sale of alcoholic beverages in the city expire every year on March 31 and it is necessary that renewal permits be issued before that date. The State required Certificates of Compliance for those granted such permits are good for two years and expire every other year on March 31. All applications are for renewal of current permits. A list of permitted stores and any significant changes in the applications from last year is provided below:

Store Number

- | | |
|-----|---|
| 131 | <u>Ridge Liquor's, Inc.</u> Two applicants, Donald R. Knight and Brenda S. Roach, reside outside the city limits of Oak Ridge, Tennessee. One applicant, Michael L. Knight, resides inside the city limits. No changes. |
| 149 | <u>Turnpike Wine & Spirits, Inc.</u> Two applicants, Patricia B. Gettys and Catherine D. Pattison, reside outside the city limits of Oak Ridge, Tennessee. No changes. |
| 151 | <u>JB's Wine & Spirits, Inc.</u> The applicant, Jeanette Bowen, resides outside the city limits of Oak Ridge, Tennessee. No changes. |
| 152 | <u>Lizz's Wine & Spirits.</u> The applicant, Kenneth L. Montgomery, resides outside the city limits of Oak Ridge, Tennessee. No changes. |
| 154 | <u>Hilltop Wine & Spirits.</u> The applicant, Troy Joseph Howe, resides inside the city limits of Oak Ridge, Tennessee. No changes. |

In accordance with Council's previous instructions, all nonresident applicants have been requested to be present at the March 9, 2015 Council meeting.

Recommendation

Approval of the attached resolutions is recommended.



Kenneth R. Krushenski

Attachments

City Manager's Comments:

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

Mark S. Watson 3/2/15
Mark S. Watson Date

RESOLUTION

A RESOLUTION GRANTING RENEWAL PERMITS TO PERSONS ENGAGED IN THE RETAIL SALE OF ALCOHOLIC BEVERAGES FOR ONE YEAR AND WAIVING THE RESIDENCY REQUIREMENT FOR NONRESIDENT APPLICANTS.

WHEREAS, the individuals listed hereinafter were granted a permit to engage in the retail sale of alcoholic beverages in accordance with the ordinance of the City of Oak Ridge, and

WHEREAS, said permits will expire on March 31, 2015, and it is necessary that renewal permits be issued before that date, and

WHEREAS, the individuals listed hereinafter have made application for permits for the year 2015-2016, and

WHEREAS, said applicants meet all the requirements and necessary conditions of the laws of the City of Oak Ridge and the State of Tennessee, and

WHEREAS, the City Council is authorized to waive the residency requirement for those applicants who possess sufficient contacts with the City which would permit Council to verify the good moral character of those nonresident applicants.

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

That the following persons are hereby granted a permit to engage in the retail sale of alcoholic beverages in the city at the indicated locations, for the year 2015-2016, and that the Mayor is authorized to sign said permits on behalf of the city:

<u>City Permit No.</u>	<u>Name of Applicant</u>	<u>Store and Location</u>
131	Donald R. Knight Brenda S. Roach Michael L. Knight	Ridge Liquor's, Inc. 858 Oak Ridge Turnpike
149	Patricia B. Gettys Catherine D. Pattison	Turnpike Wine & Spirits, Inc. 331 Oak Ridge Turnpike
151	Jeanette Bowen	JB's Wine & Spirits, Inc. 202 S. Illinois Avenue
152	Kenneth Montgomery	Lizz's Wine & Spirits 1505 Oak Ridge Turnpike
154	Troy Joseph Howe	Hilltop Wine & Spirits 346 N. Illinois Avenue

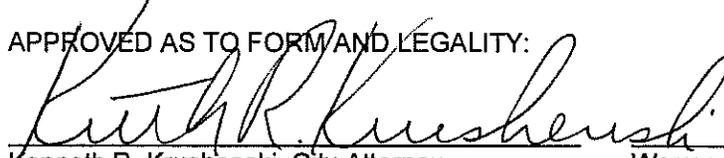
BE IT FURTHER RESOLVED that the Council does hereby waive the residency requirement for the following nonresident applicants:

Donald R. Knight
Patricia B. Gettys
Jeanette Bowen

Brenda S. Roach
Catherine D. Pattison
Kenneth Montgomery

This the 9th day of March 2015.

APPROVED AS TO FORM AND LEGALITY:



Kenneth R. Krushenski, City Attorney

Warren L. Gooch, Mayor

Bruce M. Applegate, Jr., Acting City Clerk

NUMBER _____

RESOLUTION

A RESOLUTION AUTHORIZING THE MAYOR TO SIGN AND ISSUE CERTIFICATES OF COMPLIANCE FOR PERSONS GRANTED PERMITS TO ENGAGE IN THE RETAIL SALE OF ALCOHOLIC BEVERAGES FOR TWO YEARS.

WHEREAS, after diligent inquiry and careful investigation of certain applicants, City Council has found their general character to be good, and

WHEREAS, City Council feels assured that said applicants will refrain from any violation of Title 8, Chapter 4, of the Oak Ridge Code of Ordinances, and Title 57, Chapters 1, 6, 7, and 8, of the Tennessee Code Annotated (Chapter No. 49, Public Acts, 1939), which are the alcoholic beverage laws, or any statutory amendment thereof or any rule or regulation promulgated pursuant thereto, and

WHEREAS, City Council has granted the necessary permits to said applicants for the retail sale of alcoholic beverages for one year beginning April 1, 2015, thereby signifying full compliance with the ordinances of the City of Oak Ridge, and

WHEREAS, City Council is of the opinion that said applicants are entitled to the State license applied for.

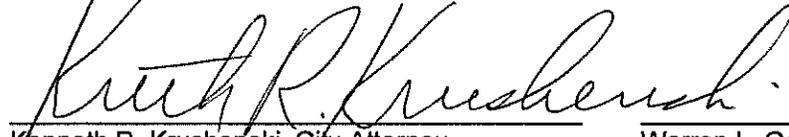
NOW, THEREFORE, BE IT RESOLVED BY THE COUNCIL OF THE CITY OF OAK RIDGE, TENNESSEE:

That the Mayor is hereby authorized to sign and issue certificates of compliance for the following persons, City Council finding that said persons have not been convicted of a felony, that all local regulations have been complied with, and that they will refrain from any violations hereinabove set forth:

<u>City Permit No.</u>	<u>Name of Applicant</u>	<u>Store and Location</u>
131	Donald R. Knight Brenda S. Roach Michael L. Knight	Ridge Liquor's, Inc. 858 Oak Ridge Turnpike
149	Patricia B. Gettys Catherine D. Pattison	Tumpike Wine & Spirits, Inc. 331 Oak Ridge Turnpike
151	Jeanette Bowen	JB's Wine & Spirits, Inc. 202 S. Illinois Avenue
152	Kenneth Montgomery	Lizz's Wine & Spirits 1505 Oak Ridge Turnpike
154	Troy Joseph Howe	Hilltop Wine & Spirits 346 North Illinois Avenue

This the 9th day of March 20015.

APPROVED AS TO FORM AND LEGALITY:

A handwritten signature in cursive script, appearing to read "Kenneth R. Krusherski".

Kenneth R. Krusherski, City Attorney

Warren L. Gooch, Mayor

Bruce M. Applegate, Jr., Acting City Clerk

LEGAL MEMORANDUM
15-07

DATE: February 20, 2015

TO: Honorable Mayor and Members of City Council

FROM: Kenneth R. Krushenski, City Attorney

SUBJECT: CERTIFICATE OF GOOD MORAL CHARACTER FOR HOPE CHADWELL,
FRATERNAL ORDER OF EAGLES, 1650 OAK RIDGE TURNPIKE

Introduction

An item for City Council's consideration is a resolution authorizing the Mayor to execute on behalf of the City of Oak Ridge a Certificate of Good Moral Character for Hope Chadwell, Fraternal Order of Eagles, 1650 Oak Ridge Turnpike.

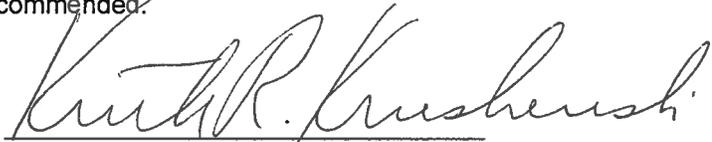
Analysis

State statute requires that as a condition for any club seeking a license to sell alcoholic beverages for consumption on the premises, the person in the actual charge of the sale of alcoholic beverages shall submit to the state a certificate stating that he/she is of good moral character.

A request for a Certificate of Good Moral Character for Hope Chadwell, Fraternal Order of Eagles, 1650 Oak Ridge Turnpike, has been submitted and a notice has been published in The Oak Ridger advising that consideration of the issuance of a certificate would be made at the March 9, 2015, City Council meeting. A police background check on Ms. Chadwell has been conducted and no record that would prohibit her from obtaining a certificate was reported.

Recommendation

Adoption of the attached resolution is recommended.



Kenneth R. Krushenski

Attachment

City Manager's Comments:

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



Mark S. Watson



Date

RESOLUTION

A RESOLUTION AUTHORIZING THE MAYOR TO EXECUTE ON BEHALF OF THE CITY OF OAK RIDGE A CERTIFICATE OF GOOD MORAL CHARACTER FOR HOPE CHADWELL, FRATERNAL ORDER OF EAGLES, 1650 OAK RIDGE TURNPIKE.

WHEREAS, Tennessee Code Annotated §57-4-201(c)(2) requires that as a condition for obtaining a license to sell alcoholic beverages for consumption on the premises that a club obtain a Certificate of Good Moral Character for the person who will be responsible for the operation of the establishment; and

WHEREAS, Hope Chadwell, on behalf of the Fraternal Order of Eagles, 1650 Oak Ridge Turnpike, has made application to the City of Oak Ridge for such Certificate of Good Moral Character.

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

That the Mayor is hereby authorized to execute on behalf of the City of Oak Ridge a certificate of Good Moral Character for Hope Chadwell, Fraternal Order of Eagles, 1650 Oak Ridge Turnpike, the City Council having made an investigation of the general character of Ms. Chadwell and from such investigation her character is found to be good.

This the 9th day of March 2015.

APPROVED AS TO FORM AND LEGALITY:



Kenneth R. Krushenski, City Attorney

Warren L. Gooch, Mayor

Bruce M. Applegate, Jr., Acting City Clerk

FINANCE DEPARTMENT MEMORANDUM

15-04

DATE: February 20, 2015
TO: Mark S. Watson, City Manager
FROM: Janice E. McGinnis, Finance Director
SUBJECT: TAX EQUIVALENTS

Introduction

An item for City Council's consideration is a resolution that authorizes tax equivalent payments from the Electric Fund to the General Fund and to Anderson and Roane Counties and a tax equivalent payment from the Waterworks Fund to the General Fund.

Funding

Funding is budgeted and will be provided by the Electric and Waterworks Fund.

Review

Tennessee Code Annotated (TCA) authorizes and establishes guidelines for municipal operated utility systems to pay tax equivalent payments to the General Fund of the municipality. Basically, this is an in-lieu of property tax payment paid by the City's utility systems. This is comparable to the property taxes that a private business that provided a similar service would be required to pay the City.

The City Electric Fund's tax equivalent payment is calculated utilizing guidelines set forth in Sections 7-52-301 and 7-52-307 of the TCA and Section 2 – Terms and Conditions, Revision 1987, of the TVA contract. The tax equivalent is calculated utilizing the net asset value of the Electric System's physical plant (i.e. electric lines, land, traffic signals, street lights, vehicles and substations) on a cost basis and a three-year average of the system's operating revenues, excluding purchased power. The net asset value of the system's property is \$45,488,024 in the Anderson County portion of the City and \$7,482,995 in the Roane County portion of the City. Based on the calculations specified in Section 2 of the TVA contract, the tax equivalent payment from the Electric Fund for fiscal 2015 is \$1,915,786.76.

State law requires City Council to annually approve the amount of the Electric Fund's tax equivalent payments and to allocate 77.5% of the total tax equivalent to the City's General Fund, with the remaining 22.5% allocated to the county taxing jurisdictions. Computations in accordance with these formulas result in the following Electric Fund tax equivalent payments as follows:

Portion to Oak Ridge General Fund (77.5%)	\$1,484,734.74
Portion to Counties (22.5%)	
distributed based on plant value:	
Anderson County	370,159.10
Roane County	<u>60,892.92</u>
Total Electric Fund Tax Equivalent	<u>\$1,915,786.76</u>

The Waterworks Fund disburses tax equivalent payments to the City's General Fund under authorization of TCA 7-34-115. The code provides for a maximum tax equivalent payment to the General Fund not to exceed the amount of taxes payable on privately owned property of a similar nature. The tax equivalent payment can be established at any level below that maximum amount. There is no provision for the Waterworks Fund's tax equivalent payment to be shared with the counties. Tennessee code does require City Council to annually approve the Waterworks Fund tax equivalent payment. This calculation is based on the net book value of waterworks fixed assets at the public utility assessment ratio of 55%, which equates to the assessed value, at the City's equalized property tax rate per \$100 of assessed value. The amount of the tax equivalent payment will fluctuate each year based on the value of new assets added versus depreciation and changes in the appraisal ratio. The appraisal ratio is currently 100%. The amount of tax equivalent on the waterworks system comparable to that of a private enterprise for fiscal 2015 is \$1,346,585.99.

TCA 7-34-115 also provides for an equity investment charge payable to the General Fund from the waterworks system at a 6% per annum rate. The General Fund's initial investment in the Waterworks system at the 6% rate equates to an annual payment of \$250,445.25

The Waterworks Fund's payment to the General Fund would be \$1,597,031.24, which is the total of these two charges.

Recommendation

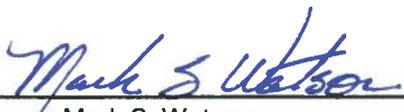
Adoption of the attached resolution is recommended reflecting the tax equivalent payment as provided for under State law.

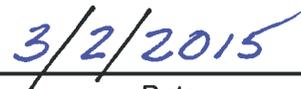
Attachment


Janice McGinnis

City Manager's Comments:

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


Mark S. Watson


Date

RESOLUTION

A RESOLUTION AUTHORIZING THE TRANSFER OF TAX EQUIVALENTS FROM THE ELECTRIC AND WATERWORKS FUNDS TO THE GENERAL FUND FOR THE FISCAL YEAR ENDING JUNE 30, 2015, AND TO AUTHORIZE ITS DISTRIBUTION BETWEEN THE CITY OF OAK RIDGE AND ANDERSON AND ROANE COUNTIES IN ACCORDANCE WITH STATE LAW.

WHEREAS, Chapter 237 of the Public Acts of 1969 (Tennessee Code Annotated §7-52-301, §7-52-307, and §7-34-115) provides for the transfer of tax equivalents from the Electric Fund and the Waterworks Fund to the General Fund of the owning municipality; and

WHEREAS, said law further provides that the governing body of the municipality shall determine the amounts to be transferred for each fiscal year to the municipality's General Fund, not to exceed specified limits; and

WHEREAS, the City Council of the City of Oak Ridge now desires to establish such payment for the fiscal year ending June 30, 2015, and accordingly authorize its distribution between the City and Anderson and Roane Counties, in accordance with State law.

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

That the City of Oak Ridge, Tennessee pay from its Electric Fund and its Waterworks Fund to the General Fund and that such funds then be distributed to the respective taxing jurisdictions, in accordance with State law (Chapter 237 of the Public Acts of 1969), in the estimated amounts shown below:

<u>Electric Fund</u>	
City of Oak Ridge	\$1,484,734.74
Anderson County	\$370,159.10
Roane County	\$60,892.92
 <u>Waterworks Fund</u>	
City of Oak Ridge	\$1,597,031.24

This the 9th day of March 2015.

APPROVED AS TO FORM AND LEGALITY:



 Kenneth R. Krushenski, City Attorney

 Warren L. Gooch, Mayor

 Bruce M. Applegate, Jr., Acting City Clerk

LEGAL DEPARTMENT MEMORANDUM
15-04

DATE: February 19, 2015
TO: Mark S. Watson, City Manager
FROM: Kenneth R. Krushenski, City Attorney
SUBJECT: REQUEST FROM OAK RIDGE INDUSTRIAL DEVELOPMENT BOARD TO ASSIGN LOUISE (LOU) DUNLAP TO THE UNEXPIRED TERM OF OFFICE ENDING DECEMBER 31, 2018

Introduction

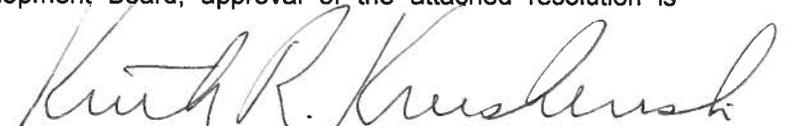
An item for the agenda is a resolution assigning Louise (Lou) Dunlap to the unexpired term of office on the Oak Ridge Industrial Development Board ending December 31, 2018.

Background

At the January 12, 2015 meeting, City Council elected four members to serve on the Oak Ridge Industrial Development Board for full terms of office; however, one of those terms of office is actually to serve an unexpired term of office ending December 31, 2018. The error in the agenda packet was not noted until after elections were held. Lou Dunlap, one of the members elected on January 12, 2015, has offered to serve the remainder of the unexpired term of office. The Oak Ridge Industrial Development Board met on February 2, 2015 and approved a resolution recommending Lou Dunlap be allowed to fill the unexpired term of office.

Recommendation

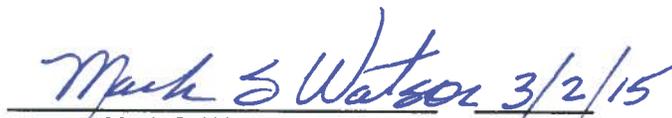
On behalf of the Oak Ridge Industrial Development Board, approval of the attached resolution is recommended.


Kenneth R. Krushenski

Attachments: IDB Resolution 2-2-15
Resolution

City Manager's Comments:

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


Mark S. Watson Date 3/2/15

RESOLUTION

WHEREAS, on January 12, 2015 City Council elected the following individuals to seats on the Industrial Development Board (IDB): David Wilson, Harold Trapp, Louise (Lou) Dunlap, and Phillip Yager;

WHEREAS, the terms were announced as six-year terms; and

WHEREAS, one seat filled was intended to replace Melissa Freidrich who resigned and whose term was to expire on December 31, 2018; and

WHEREAS, in order to correct this oversight in the term expiration of Ms. Freidrich, Board Member Lou Dunlap has agreed to fill the unexpired term of Ms. Freidrich which will expire on December 31, 2018.

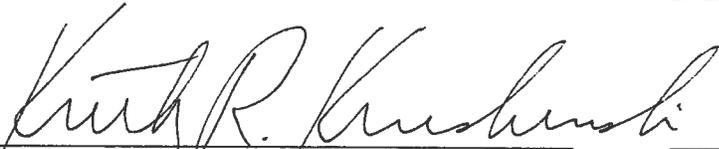
NOW THEREFORE, BE IT RESOLVED that the IDB hereby recommends that Lou Dunlap be allowed to fill the unexpired term of Melissa Freidrich which is set to expire on December 31, 2018.

BE IF FURTHER RESOLVED this recommendation be submitted to City Council for approval.

This the 2nd day of February 2015.

APPROVED:

INDUSTRIAL DEVELOPMENT BOARD


Kenneth R. Krushenski of Counsel


David E. Wilson, Chairman


Chris Johnson, Secretary/Treasurer

RESOLUTION

A RESOLUTION TO ASSIGN LOUISE (LOU) DUNLAP TO THE UNEXPIRED TERM OF OFFICE ON THE OAK RIDGE INDUSTRIAL DEVELOPMENT BOARD, WHICH TERM EXPIRES ON DECEMBER 31, 2018 AND NOT DECEMBER 31, 2020 AS ERRONEOUSLY NOTED IN THE JANUARY 12, 2015 AGENDA WHEN ELECTIONS WERE HELD.

WHEREAS, on January 12, 2015 City Council elected four citizens to serve on the Oak Ridge Industrial Development Board (IDB) for full six year terms ending December 31, 2020; and

WHEREAS, one of those terms of office was erroneously noted as a full term when it was actually an unexpired term of office ending December 31, 2018; and

WHEREAS, Louise (Lou) Dunlap, a member elected on January 12, 2015 by City Council to the IDB, has offered to serve the unexpired term of office;

WHEREAS, by IDB Resolution 2-2-15, the IDB recommends Lou Dunlap be allowed to fill the unexpired term of office; and

WHEREAS, the City Manager recommends City Council's assignment of Lou Dunlap to the unexpired term of office.

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

That the January 12, 2015 elections contained an error for the terms of office for the Oak Ridge Industrial Development Board (IDB) in that one of the four terms elected was actually to serve the remainder of an unexpired term of office ending December 31, 2018.

BE IT FURTHER RESOLVED that Louise (Lou) Dunlap, one of the members elected on January 12, 2015 to serve on the IDB, has graciously offered to serve the remainder of the unexpired term of office to which the IDB has agreed, and City Council hereby assigns Lou Dunlap to the serve the unexpired term of office ending December 31, 2018.

This the 9th day of March 2015.

APPROVED AS TO FORM AND LEGALITY:



Kenneth R. Krushenski, City Attorney

Warren L. Gooch, Mayor

Bruce M. Applegate, Jr., Acting City Clerk

ELECTRIC DEPARTMENT MEMORANDUM

15-05

DATE: February 20, 2015
TO: Mark S. Watson, City Manager
FROM: Jack L. Suggs, Electric Director
SUBJECT: AWARD OF BIDS FOR THREE PHASE PAD MOUNTED TRANSFORMERS

Introduction

An item for City Council's consideration is a resolution making an award to ERMCO Distribution Transformers c/o Utility Sales Agency, LLC, Lenoir City, Tennessee, in the estimated amount of \$92,727.00 for the purchase of twelve three-phase pad mounted transformers in the sizes and voltages specified.

Funding

The funding for this purchase is through the Electric Fund.

Background

The electric system uses distribution transformers to provide power at voltages needed by its customers. We purchase three different types of transformers, single-phase pole mounts, single-phase pad mounts and three-phase pad mount units. We strive to maintain a reasonable stock of the various sizes and voltage configurations available in these units both for new customers and for emergency replacements.

Three-phase pad mounted transformers are used primarily to serve larger commercial and industrial loads. Typical loads for these sizes and types of transformers include the new buildings at Wescott Center. The units being ordered will be placed in stock for new loads and used for system maintenance and emergency replacement purposes. Demand for the units depends a great deal on the development taking place and the severity of the weather. Based on our experience, we believe the number of units purchased will meet our needs for the next 12 to 18 months. The last similar order was placed in February of 2012.

Transformer bids are not evaluated on the basis of low bid but rather based on the Total Life Cycle Cost. Total Life Cycle Cost includes not only the purchase price of the unit, but also the value of the energy used by the unit itself over its lifetime (termed losses). Typically, more efficient transformers cost more to manufacture than those that have poor energy efficiency. Using Total Life Cycle Cost as the award criteria balances the two factors to the economic benefit of the system. As a side benefit, more efficient transformers are generally quieter and may resist mechanical failure better. This technique for transformer award is a standard industry practice of which the bidders are advised before the bid.

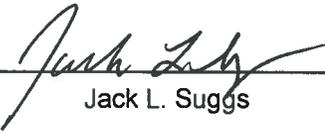
You will note in examining the Bid Abstract that bids from Power Supply Company, Chattanooga, Tennessee were not considered due to multiple exceptions in the bid. Bid exceptions included charging extra fees for certified test reports, not being willing to make financial compensation to the City should supplied units not meet the requirements set forth in the contract (if a supplied transformer is less efficient than bid, the unit is either returned or a penalty is exacted), physical irregularities regarding size of the units, objections to the purchase conditions listed and other problems. Although the Department frequently works with bidders to remove these irregularities, we were unable to reach accommodation with this bidder. The bidder has NOT been disqualified from future bids, but staff does not consider the current bid responsive to the specifications and therefore has removed it from consideration in fairness to the other bidders.

Note also that Stuart C. Irby made an error in their bid, bidding a smaller unit for Item 7 than that specified. The bid was complete enough so as to demonstrate that when this item is removed, ERMCO's bid is a better value for the City.

Failure to approve this resolution will result in the Electric Department either making purchases at higher cost under emergency conditions or not meeting our customer's electric needs.

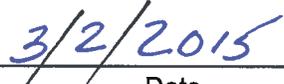
Recommendation

Approval of the attached resolution is recommended.



Jack L. Suggs

cc: Lyn Majeski, Accounting Division Manager
Margaret Elgin, Electrical Engineering Division Manager

<p>City Manager's Comments:</p> <p>I have reviewed the above issue and recommend Council action as outlined in this document.</p> <p> _____ Mark S. Watson</p> <p> _____ Date</p>

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

OPENING DATE: FEBRUARY 12, 2015 2:00 P.M.

FOR: THREE PHASE PAD MOUNTED TRANSFORMERS			BIDDER: ERMCO Distribution Transformers c/o Utility Sales Agency. LLC 1209 East Broadway Lenoir City, TN 37771																					
DESCRIPTION THE FURNISHING OF THREE PHASE PAD MOUNTED TRANSFORMERS PER THE SPECIFICATIONS PROVIDED BY THE CITY OF OAK RIDGE ELECTRIC DEPARTMENT.	ITEM #	QUANTITY	UNIT COST / LIFE CYCLE UNIT COST	TOTAL																				
	MANUFACTURER:		ERMCO																					
3-PAD-75-208/120 75 kVA <i>Evaluated Life Cost (Memo Only)</i>	1	3	\$ 5,983.00 \$ 8,647.60	\$ 17,949.00 \$ 25,942.80																				
3-PAD-112.5-208/120 112.5 kVA <i>Evaluated Life Cost (Memo Only)</i>	2	1	\$ 6,827.00 \$ 10,195.00	\$ 6,827.00 \$ 10,195.00																				
3-PAD-150-208/120 150 kVA <i>Evaluated Life Cost (Memo Only)</i>	3	2	\$ 7,037.00 \$ 11,544.70	\$ 14,074.00 \$ 23,089.40																				
3-PAD-150-480 150 kVA <i>Evaluated Life Cost (Memo Only)</i>	4	1	\$ 7,222.00 \$ 11,321.40	\$ 7,222.00 \$ 11,321.40																				
3-PAD-225-477/280 225 kVA <i>Evaluated Life Cost (Memo Only)</i>	5	2	\$ 8,583.00 \$ 14,015.45	\$ 17,166.00 \$ 28,030.90																				
3-PAD-300-208/120 300 kVA <i>Evaluated Life Cost (Memo Only)</i>	6	2	\$ 9,298.00 \$ 17,017.00	\$ 18,596.00 \$ 34,034.00																				
3-PAD-500-480/277 500 kVA <i>Evaluated Life Cost (Memo Only)</i>	7	1	\$ 10,893.00 \$ 21,823.60	\$ 10,893.00 \$ 21,823.60																				
EVALUATED LIFE COST/TOTAL PRICE				\$ 92,727.00																				
AWARD EVALUATED LIFE COST/AWARD PRICE				\$ 154,437.10																				
TERMS				NET 30 DAYS																				
DELIVERY				10-12 WEEKS																				
F.O.B.				OAK RIDGE, TN																				
VIA				BEST WAY																				
OTHER BIDDERS CONTACTED: Power Supply Company LLC - Chattanooga, TN - UNRESPONSIVE (Multiple Exceptions) Stuart C. Irby - Johnson City, TN - UNRESPONSIVE (Bid different item) Border States Electric - Johnson City, TN Stansberry & Associates - New Market, TN Moloney Electric Inc. - Toronto, ON Yoder Sales Agency - Chattanooga, TN					BIDS OPENED AND RECORDED BY--- <i>Lyn Majeski</i> Lyn Majeski Accounting Division Manager																			
<table border="0" style="width:100%;"> <tr> <td style="width:30%;">REASON FOR AWARD:</td> <td style="width:20%;"></td> <td style="width:50%;">RECOMMEND AWARD, BASED ON LOWEST LIFE CYCLE COST, BE MADE TO:</td> </tr> <tr> <td>ONLY BID RECEIVED</td> <td><input type="checkbox"/></td> <td rowspan="5" style="vertical-align: top;">ERMCO Distribution Transformers c/o Utility Sales Agency. LLC 1209 East Broadway Lenoir City, TN 37771</td> </tr> <tr> <td>LOW PRICE</td> <td><input type="checkbox"/></td> </tr> <tr> <td>BETTER OR REQUIRED DESIGN</td> <td><input type="checkbox"/></td> </tr> <tr> <td>EARLY DELIVERY</td> <td><input type="checkbox"/></td> </tr> <tr> <td>LOWEST TOTAL COST</td> <td><input type="checkbox"/></td> </tr> <tr> <td>LOWEST EVALUATED LIFE COST</td> <td><input checked="" type="checkbox"/></td> <td></td> </tr> </table>					REASON FOR AWARD:		RECOMMEND AWARD, BASED ON LOWEST LIFE CYCLE COST, BE MADE TO:	ONLY BID RECEIVED	<input type="checkbox"/>	ERMCO Distribution Transformers c/o Utility Sales Agency. LLC 1209 East Broadway Lenoir City, TN 37771	LOW PRICE	<input type="checkbox"/>	BETTER OR REQUIRED DESIGN	<input type="checkbox"/>	EARLY DELIVERY	<input type="checkbox"/>	LOWEST TOTAL COST	<input type="checkbox"/>	LOWEST EVALUATED LIFE COST	<input checked="" type="checkbox"/>		BIDS REVIEWED BY--- <i>Jamie McGinnis</i> Jamie McGinnis Finance Director		
REASON FOR AWARD:		RECOMMEND AWARD, BASED ON LOWEST LIFE CYCLE COST, BE MADE TO:																						
ONLY BID RECEIVED	<input type="checkbox"/>	ERMCO Distribution Transformers c/o Utility Sales Agency. LLC 1209 East Broadway Lenoir City, TN 37771																						
LOW PRICE	<input type="checkbox"/>																							
BETTER OR REQUIRED DESIGN	<input type="checkbox"/>																							
EARLY DELIVERY	<input type="checkbox"/>																							
LOWEST TOTAL COST	<input type="checkbox"/>																							
LOWEST EVALUATED LIFE COST	<input checked="" type="checkbox"/>																							

RESOLUTION

A RESOLUTION MAKING AN AWARD TO ERMCO DISTRIBUTION TRANSFORMERS, C/O UTILITY SALES AGENCY, LLC, LENOIR CITY, TENNESSEE FOR THE FURNISHING OF TWELVE (12) THREE-PHASE PAD MOUNTED TRANSFORMERS IN VARIOUS SIZES AND VOLTAGES FOR THE ELECTRIC DEPARTMENT IN THE ESTIMATED AMOUNT OF \$92,727.00.

WHEREAS, the City of Oak Ridge operates an electric distribution utility, providing electricity to its citizens, such system requiring transformers for the delivery of electric power at usable voltages; and

WHEREAS, the City of Oak Ridge has issued invitations to bid for the purchase of three-phase pad mounted transformers for use in its electric distribution system; and

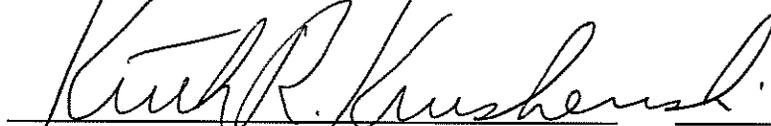
WHEREAS, bids were received and publicly opened on February 12, 2015, with ERMCO Distribution Transformers, c/o Utility Sales Agency, LLC, Lenoir City, Tennessee, submitting the best bids with the lowest total cost of ownership for twelve (12) three-phase pad mounted transformers in various sizes and voltages; which bids the City Manager recommends be accepted.

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

That the recommendation of the City Manager is approved and award is hereby made to ERMCO Distribution Transformers, c/o Utility Sales Agency, LLC, 1209 East Broadway, Lenoir City, Tennessee 37771, for the furnishing of twelve (12) three-phase pad mounted transformers in various sizes and voltages; said award in strict accordance with the bid as received and publicly opened on February 12, 2015, and the required specifications, and in the estimated amount of \$92,727.00.

This the 9th day of March 2015.

APPROVED AS TO FORM AND LEGALITY:



Kenneth R. Krushenski, City Attorney

Warren L. Gooch, Mayor

Bruce M. Applegate, Jr., Acting City Clerk

PUBLIC WORKS DEPARTMENT MEMORANDUM
15-0

DATE: March 13, 2015
TO: Mark S. Watson, City Manager
FROM: Gary M. Cinder, P.E., Public Works Director
SUBJECT: ANNUAL MAINTENANCE – ASSET MANAGEMENT SOFTWARE

Introduction

An item for City Council's consideration is the recommendation for the expenditure of funds for the provision of computer software maintenance for the asset management system, to Infor (US), Inc., for FY2016, FY2017 and FY2018 in the estimated amount of \$77,331.78.

Funding

Funding for this expense will be budgeted in the waterworks fund in each fiscal year.

Analysis

The Infor software is used for documenting and tracking all service calls within the Public Works Department. The asset management software is used for tracking sewer assets, with stormwater assets anticipated to be added during FY2016.

Infor (US), Inc. is the sole provider for software maintenance for their product. The City's original purchase agreement for the software allows for an annual increase of up to 6% for software maintenance. Infor (US), Inc. has offered the City a three year renewal agreement with an annual increase of 4% per year, saving the City 2% each fiscal year. Below are the software maintenance costs for the three year renewal period.

- FY2016 \$24,773.12
- FY2017 \$25,764.05
- FY2018 \$26,794.61

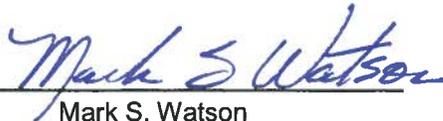
Recommendation

Staff recommends approval of the attached resolution as submitted. As this recommendation is a waiver of soliciting competitive bids due to Infor (US), Inc. being the sole provider of software maintenance for their product. Council is reminded that a unanimous vote is required for approval.

Gary M. Cinder, P.E.

City Manager's Comments:

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



Mark S. Watson



Date

RESOLUTION

A RESOLUTION WAIVING COMPETITIVE BIDS AND MAKING AN AWARD TO INFOR (US), INC., FOR A THREE-YEAR RENEWAL OF SOFTWARE MAINTENANCE OF THE ASSET MANAGEMENT SYSTEM IN THE PUBLIC WORKS DEPARTMENT FOR FISCAL YEARS 2016-2018 IN THE ESTIMATED AMOUNT OF \$77,331.78.

WHEREAS, the City's Public Works Department utilizes an asset management software system to track sewer assets and plans to incorporate tracking stormwater assets as well beginning in Fiscal Year 2016; and

WHEREAS, Infor (US), Inc., is the sole provider for maintenance of their product; and

WHEREAS, Infor (US), Inc., has offered the City a discount over the current annual price adjustment if the City agrees to a three-year renewal agreement (4% price increase per year during a three-year renewal versus a 6% price increase during an annual renewal); and

WHEREAS, the City desires to utilize the cost savings of the offered discount; and

WHEREAS, the City Manager recommends that competitive bids be waived and award be made to Infor (US), Inc.

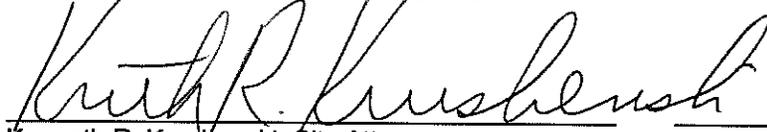
NOW, THEREFORE, BE IT RESOLVED BY THE COUNCIL OF THE CITY OF OAK RIDGE, TENNESSEE:

That the recommendation of the City Manager that competitive bids be waived is approved and award is hereby made to Infor (US), Inc., as the sole supplier of software maintenance for the asset management system software for the next three fiscal years (FY2016-FY2018), in the estimated amount of \$77,331.78.

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

This the 9th day of March 2015.

APPROVED AS TO FORM AND LEGALITY:



Kenneth R. Krushenski, City Attorney

Warren L. Gooch, Mayor

Bruce M. Applegate, Jr., Acting City Clerk

RESOLUTIONS

PUBLIC WORKS DEPARTMENT MEMORANDUM
15-04

DATE: February 20, 2015
TO: Mark S. Watson, City Manager
FROM: Gary M. Cinder, P.E., Public Works Director
SUBJECT: WATER TREATMENT PLANT WINDOW REPLACEMENT

Introduction

An item for City Council's consideration is award of a construction contract (Contract FY2015-220) for the replacement of the windows at the Water Treatment Plant to Wright Contracting, Inc., Knoxville, Tennessee in the estimated amount of \$150,600.

Funding

In accordance with the contract with the Department of Energy for capital maintenance of the Water Treatment Plant, the City's share of the project cost is \$70,029 (46.5%) with the DOE project share being \$80,571 (53.5%). Funding for the City's portion of the project is available in the FY2015 Waterworks Fund budget.

Consideration

The original windows in this seventy plus (70+) year old building are in need of replacement. The existing windows consist of thirty (30) windows; most open for ventilation, approximately 2,100 square feet of glass block for lighting and as an architectural feature. Most of the existing windows no longer function and have no screens. The glass block is cracked, broken or missing throughout the building.

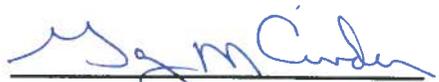
Fifty (50) new windows will be installed that are manufactured to withstand the moist and chlorinated atmosphere of the filter gallery. These windows with screens will easily open and close to provide ventilation in the warmer months and keep the area warmer in the colder weather. The windows will also provide ample natural light during the daylight hours.

The work for this contract in general consists of the following:

1. Removal of the existing glass block, sash windows, double-hung and other windows
2. Surface preparation and painting of existing steel framework
3. Installation of concrete masonry units and grout filler
4. Installation of new single-hung windows and additional intermediate supports
5. Patch any existing areas damaged by construction

Recommendation

The sealed bid process was followed with seven (7) contractors attending the mandatory prebid conference / site visit and four (4) bids received. The recommended contractor submitted the lowest price bid. Adoption of the attached resolution is recommended.



Gary M. Cinder

City Manager's Comments:

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



Mark S. Watson

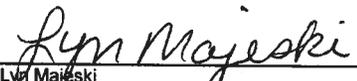
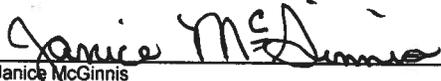
3/2/2015

Date

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

FY2015-220

OPENING DATE: February 20, 2015 1:00 P.M.

FOR --- Water Treatment Plant Window Replacement			BIDDER: Wright Contracting, Inc. 116 Farrington Drive Knoxville, TN 37923		BIDDER: Christopoulos & Kennedy Construction, Inc. 2301 Hatcher Drive Knoxville, TN 37921		BIDDER: Design & Construction Services, Inc. 6020 Industrial Heights Drive Knoxville, TN 37909		BIDDER: Construction Service Group & Anderson Lumber Company 780 Louisville Road Alcoa, TN 37701	
DESCRIPTION			TOTAL		TOTAL		TOTAL		TOTAL	
THE FURNISHING OF ALL LABOR, TOOLS, EQUIPMENT AND SUPPLIES NECESSARY TO PERFORM ALL WORK AND SERVICES NECESSARY FOR THE REPLACEMENT OF WINDOWS AT THE WATER TREATMENT PLANT PER THE SPECIFICATIONS PROVIDED BY THE CITY OF OAK RIDGE, PUBLIC WORKS DEPARTMENT			\$ 150,600.00		\$ 173,815.00		\$ 209,000.00		\$ 230,000.00	
TOTAL PRICE			\$ 150,600.00		\$ 173,815.00		\$ 209,000.00		\$ 230,000.00	
TERMS			Net 30		Net 30		Net 30		Net 30	
DELIVERY			Per Contract		Per Contract		Per Contract		Per Contract	
F.O.B.			Oak Ridge		Oak Ridge		Oak Ridge		Oak Ridge	
VIA			Vendor		Vendor		Vendor		Vendor	
OTHER BIDDERS CONTACTED:						BIDS OPENED AND RECORDED BY---				
Merit Construction, Inc. - Knoxville, TN		Johnson & Gaylon Construction - Knoxville, TN		Riikola Construction - Oak Ridge, TN		 Lynn Majeski Accounting Division Manager				
Rick Cox Construction Co. - Harriman, TN		Buckhead Construction - Knoxville, TN		RTC General Contractors - Knoxville, TN						
GEM Technologies - Knoxville, TN		H-S Whitson Construction Co - Knoxville, TN		Stethen-Smith Construction - Knoxville, TN		 Janice McGinnis Finance Director				
Tim Duncan Builders, Inc. - Clinton, TN		Southern Contractors, Inc. - Knoxville, TN		Citadel Construction - Sevierville, TN						
East Tennessee Mechanical Contractors - Knoxville, TN		Cozy Excavation and Contracting - Clinton, TN		J. S. Ridenour Construction, Inc. - Knoxville, TN		BIDS REVIEWED BY---				
Hickory Construction - Alcoa, TN		Rich Construction - Lenoir City, TN								
REASON FOR AWARD:			RECOMMEND AWARD BE MADE TO:							
ONLY BID RECEIVED <input type="checkbox"/> LOW PRICE <input type="checkbox"/> BETTER OR REQUIRED DESIGN <input type="checkbox"/> EARLY DELIVERY <input type="checkbox"/> LOWEST TOTAL COST <input checked="" type="checkbox"/>			Wright Contracting, Inc. 116 Farrington Drive Knoxville, TN 37923							

RESOLUTION

A RESOLUTION AWARDING A CONTRACT (FY2015-220) TO WRIGHT CONTRACTING, INC., KNOXVILLE, TENNESSEE FOR THE REPLACEMENT OF WINDOWS AT THE WATER TREATMENT PLANT IN THE ESTIMATED AMOUNT OF \$150,600.00.

WHEREAS, the City of Oak Ridge issued an invitation to bid for the furnishing of all labor, tools, materials, equipment and supplies necessary for the window replacement at the Water Treatment Plant; and

WHEREAS, bids were received and publicly opened on February 20, 2015, with Wright Contracting, Inc. Knoxville, Tennessee, submitting the lowest and best bid, which bid the City Manager recommends be accepted.

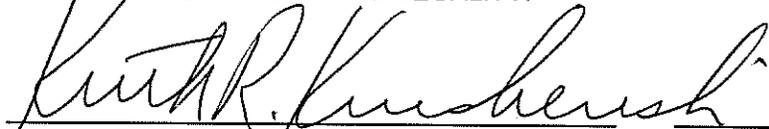
NOW, THEREFORE, BE IT RESOLVED BY THE COUNCIL OF THE CITY OF OAK RIDGE, TENNESSEE:

That the recommendation of the City Manager is approved and award is hereby made to Wright Contracting, Inc., 1116 Farrington Drive, Knoxville, Tennessee 37923, for the furnishing of all labor, tools, materials, equipment and supplies necessary to perform all work and services for window replacement at the Water Treatment Plant; said award in strict accordance with FY2015-220, the required specifications, and the bid as publicly opened on February 20, 2015, and in the estimated amount of \$150,600.00.

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

This the 9th day of March 2015.

APPROVED AS TO FORM AND LEGALITY:



Kenneth R. Krushenski, City Attorney

Warren L. Gooch, Mayor

Bruce M. Applegate, Jr., Acting City Clerk

PUBLIC WORKS DEPARTMENT MEMORANDUM
15-03

DATE: February 23, 2015

TO: Mark S. Watson, City Manager

FROM: Steven R. Byrd, P.E., City Engineer

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

SUBJECT: OAK RIDGE TURNPIKE / OAK RIDGE HIGH SCHOOL TRAFFIC SIGNAL

Introduction

An item for City Council's consideration is a resolution approving a contract (Contract FY2015-238) with S&W Contracting Co. Inc., Murfreesboro, TN, for the installation of a traffic signal at the Oak Ridge Turnpike (State Route 95) / Oak Ridge High School intersection in the estimated amount of \$177,183.

Funding

Oak Ridge City Council Resolution 4-30-11 authorized approval of expenditures from the Special Programs Fund for transportation enhancement projects for traffic capacity/safety, school crossing, and bicycle/pedestrian safety. In July 2014, Council approved the installation of a traffic signal at the Oak Ridge Turnpike/Oak Ridge High School intersection, Resolution 08-80-2014. Adequate funds are available in the Special Programs Fund for this project.

Background

In March 2014, City Council requested the Traffic Safety Advisory Board (TSAB) to review possible traffic control alternatives to improve safety for the Oak Ridge Turnpike/Oak Ridge High School pedestrian crossing. Over several months of reviewing options, in July 2014, TSAB recommended to Council the installation of a traffic signal at the intersection.

In August 2014, City staff retained the engineering firm of Cannon & Cannon, Inc. of Knoxville for design of the traffic signal based on the firm's past experience with the City on pedestrian safety improvements within the City. TSAB provided input on the signal design during their review of improvement options.

The design is shown on the enclosed drawing and includes a fully activated traffic signal with an all-red signal phase that allows pedestrians to cross, while the Turnpike and side street traffic movements are stopped. The duration of the all-red phase is set to allow enough time for pedestrians to safely cross the Turnpike and side street. The need for a crossing guard can be eliminated with this all-red pedestrian phase. The signal design includes provisions to upgrade the traffic signal in the event that a fourth leg of the intersection is desired from the Civic Center at some future date. Such provisions include locating the signal mast arm poles farther apart to not interfere with future construction and oversizing underground conduit to allow for future signal wiring.

The Tennessee Department of Transportation has reviewed and approved the signal design and is in the process of executing the Memorandum of Understanding that assigns the perpetual maintenance responsibility to the City. Such Memoranda are required on any new electrical or solar powered traffic control devices that are installed on a state right-of-way.

Traffic signal projects generally take approximately six months to complete from issuance of the Notice to Proceed. A significant portion of this six month period is needed for manufacturing traffic signal poles. The estimated time to complete the traffic signal is August 2015. There should be no interruption to school traffic or school activities if the signal is not completed by the start of school.

Public Works Department Memorandum

15-03

Page 2

Recommendation

The sealed bid process was followed, two (2) bids were received with award recommended to the lowest bid provided. Cannon & Cannon, Inc., and City staff reviewed the low bid and found it to be acceptable and below the Engineer's estimate. Staff recommends approval of the accompanying resolution as submitted.


Steven R. Byrd

Attachment – Intersection design

cc: Jack Suggs, Electric Department Director
Ken Krushenski, City Attorney
Roger Flynn, P.E., Senior Civil Engineer

City Manager's Comments:

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



Mark S. Watson

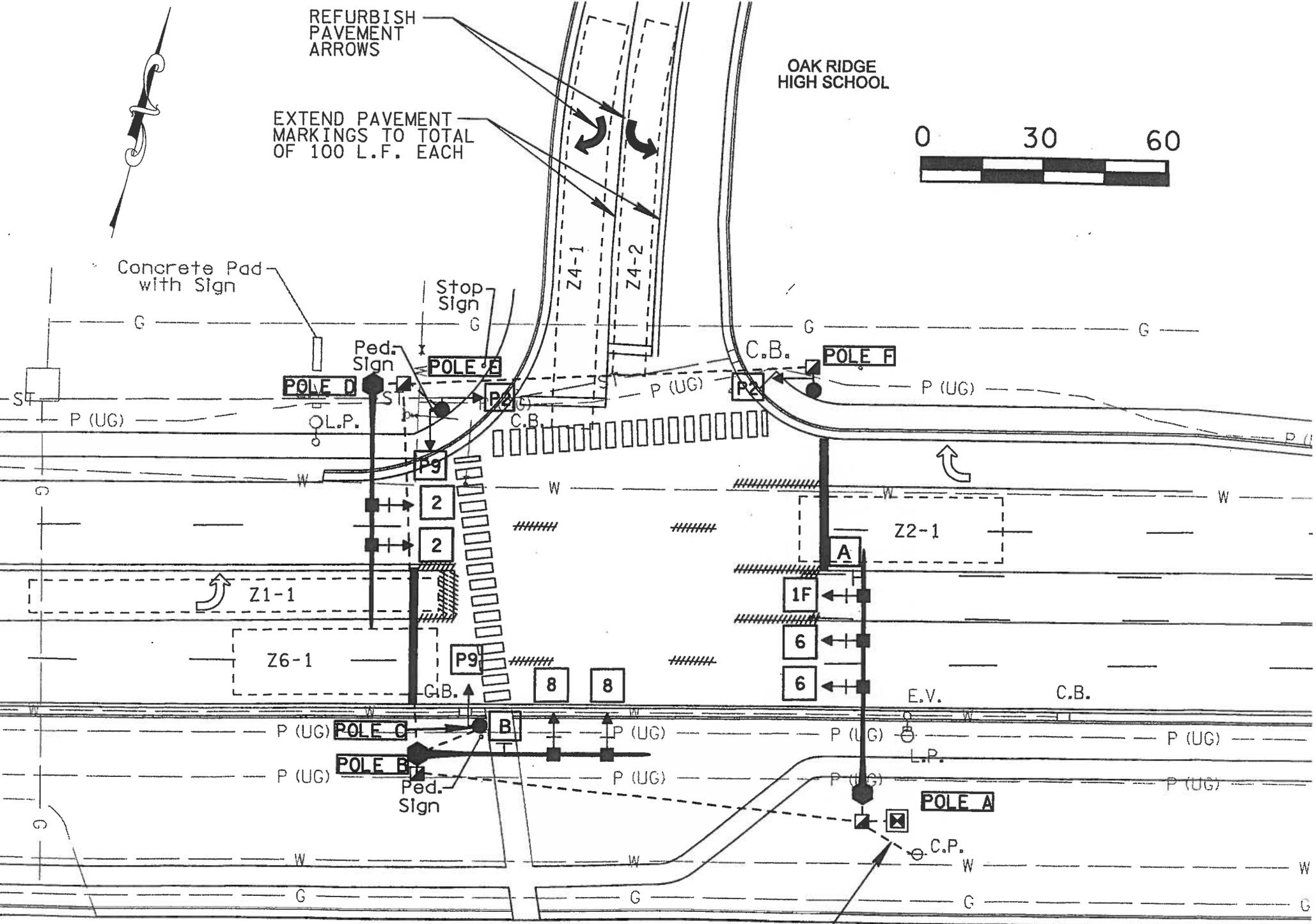
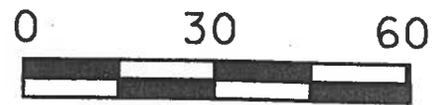


Date

REFURBISH
PAVEMENT
ARROWS

EXTEND PAVEMENT
MARKINGS TO TOTAL
OF 100 L.F. EACH

OAK RIDGE
HIGH SCHOOL



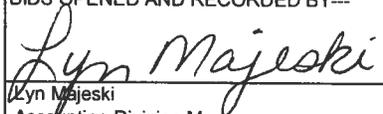
CONDUIT AND RISER
FOR HARDWARE
INTERCONNECT

COR PUBLIC WORKS ENGINEERING\SRB\CCB
FEBRUARY 19, 2015

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

FY2015-238

OPENING DATE: February 20, 2015 1:30 P.M.

FOR --- Traffic Signal Project Oak Ridge Turnpike at Oak Ridge High School			BIDDER: S & W Contracting Co., Inc. 952 New Salem Road Murfreesboro, TN 37129			BIDDER: Progression Electric, LLC 2823 Thorngrove Pike Knoxville, TN 37914			BIDDER:			BIDDER:		
DESCRIPTION			TOTAL			TOTAL			TOTAL			TOTAL		
THE FURNISHING OF ALL LABOR, TOOLS, EQUIPMENT AND SUPPLIES NECESSARY TO PERFORM ALL WORK AND SERVICES NECESSARY FOR TRAFFIC SIGNAL PROJECT OAK RIDGE TURNPIKE AT OAK RIDGE HIGH SCHOOL PER THE SPECIFICATIONS PROVIDED BY THE CITY OF OAK RIDGE, PUBLIC WORKS DEPARTMENT			\$ 177,183.00			\$ 183,313.43								
TOTAL PRICE			\$ 177,183.00			\$ 183,313.43								
TERMS			Net 30			Net 30								
DELIVERY			Per Contract			Per Contract								
F.O.B.			Oak Ridge			Oak Ridge								
VIA			Vendor			Vendor								
OTHER BIDDERS CONTACTED: Stansell Electric Company - Nashville, TN NABCO Electric Company, Inc. - Chattanooga, TN David H Elliott Company, Inc. - Lexington, KY									BIDS OPENED AND RECORDED BY---  Lyn Majeski Accounting Division Manager					
REASON FOR AWARD: 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"/>			RECOMMEND AWARD BE MADE TO: S & W Contracting Co., Inc. 952 New Salem Road Murfreesboro, TN 37129						BIDS REVIEWED BY---  Janice McGinnis Finance Director					

RESOLUTION

A RESOLUTION AWARDING A CONTRACT (FY2015-238) TO S & W CONTRACTING CO., INC., MURFREESBORO, TENNESSEE FOR THE INSTALLATION OF TRAFFIC SIGNAL ON THE OAK RIDGE TURNPIKE AT THE OAK RIDGE HIGH SCHOOL IN THE ESTIMATED AMOUNT OF \$177,183.00.

WHEREAS, the City of Oak Ridge issued an invitation to bid for the furnishing of all labor, tools, materials, equipment and supplies necessary for the installation of a traffic signal on the Oak Ridge Turnpike at the Oak Ridge High School; and

WHEREAS, bids were received and publicly opened on February 20, 2015, with S & W Contracting Co, Inc., Murfreesboro, Tennessee, submitting the lowest and best bid, which bid the City Manager recommends be accepted.

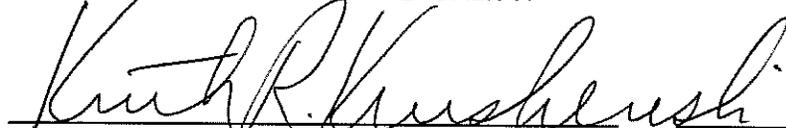
NOW, THEREFORE, BE IT RESOLVED BY THE COUNCIL OF THE CITY OF OAK RIDGE, TENNESSEE:

That the recommendation of the City Manager is approved and award is hereby made to S & W Contracting Co., Inc., 952 New Salem Road, Murfreesboro, Tennessee 37129, for the furnishing of all labor, tools, materials, equipment and supplies necessary for the installation of a traffic signal on the Oak Ridge Turnpike at the Oak Ridge High School; said award in strict accordance with FY2015-238, the required specifications, and the bid as publicly opened on February 20, 2015, and in the estimated amount of \$177,183.00.

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

This the 9th day of March 2015.

APPROVED AS TO FORM AND LEGALITY:



Kenneth R. Krushenski, City Attorney

Warren L. Gooch, Mayor

Bruce M. Applegate, Jr., Acting City Clerk

**PUBLIC HEARINGS
AND
FIRST READING OF
ORDINANCES**

**COMMUNITY DEVELOPMENT MEMORANDUM
PLANNING DIVISION
15-10**

DATE: February 20, 2015
TO: Mark Watson, City Manager
FROM: Kathryn G. Baldwin, Community Development Director 
SUBJECT: ZONING ORDINANCE AMENDMENTS

Introduction

An item for City Council's consideration is a Zoning Text Amendment which applies to the Unified General Business District (UB-2) Zone District.

Funding

No funding is necessary for this item.

Analysis

An emerging trend in the Planning field that affects development is the establishment of zone districts comprised of a mix of commercial, residential, service and/or recreational uses. These developments are pedestrian oriented and do not necessitate additional vehicular trips to shop, work, or for entertainment purposes. At this time, the City of Oak Ridge does not have a zone district that allows this type of land use to be easily integrated into an existing built environment. The Traditional Neighborhood District (TND) is predicated on a large development, which is centered on residential construction. The TND designation works very well on an expansive tract of land that is primarily greenfield development. However, the TND designation does not lend itself well to infill development utilizing existing street patterns and taking advantage of adjacent non-mixed use improvements.

In an effort to address this issue and allow mixed use within our commercial core, City staff has drafted a zoning text amendment utilizing the Unified General Business District (UB-2) zone designation. The proposed text amendment adds multi-family dwellings as a special exception when included in a project utilizing a Planned Unit Development (PUD) overlay district. In addition, land uses that require a large open expanse of property or typically generate single visitation trips have been eliminated as permitted uses. These permitted uses include: mortuary establishments; bus passenger stations; commercial greenhouse or nursery; and car dealerships. Another change is the relocation of public museums from a use requiring approval of the Board of Zoning Appeals to the status of a permitted use.

Staff feels that these text amendments collectively will create an environment with complementary uses conducive to pedestrian circulation. The introduction of multi-family structures truly creates a mixture of uses in which one can live, work, and play in the same geographic area, if not the same building structure. The requirement for a PUD overlay provides a level of quality in the final product considered in the broader context of adjacent properties. In addition, an approved Master PUD Plan ensures complementary architectural design and building materials, adequate landscaping that enhances the built environment, and

provides a framework for vehicular and pedestrian circulation and connectivity to existing community assets. The amended UB-2 zoning designation can be used as a stand-alone district typically associated with greenfield development or in combination with other zone districts in an infill setting.

The proposed Zoning Text Amendment will facilitate redevelopment of the Main Street site, as well as provide a wide variety of development possibilities for other sites currently zoned UB-2 and properties selected to promote a walkable commercial/residential mixed use concept.

Recommendation

The UB-2 Text Amendment was reviewed by the Oak Ridge Planning Commission and recommended for approval to City Council by a vote of 9-0 during the regularly scheduled meeting on February 19, 2015.

Attachment


Kathryn G. Baldwin
Community Development Director

City Manager's Comments:

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


Mark S. Watson


Date

Section 7.04 UB-2, Unified General Business Districts

The following regulations shall apply in UB-2, Unified General Business District.

(a) Permitted Principal Uses:

1. Any retail business, whose principal activity is the sale of merchandise in an enclosed building.
2. Office building uses resulting from any of the following occupations: executive, administrative, professional, accounting, banking, writing, clerical, stenographic, drafting, graphic arts, printing, and sales, including computer, electronic and video sales and services.
3. Office, showroom and workshop of a plumber, electrician, decorator, dressmaker, tailor, baker, printer, upholsterer, or an establishment doing photographic reproduction, laundering, dyeing, cleaning, radio or home appliance repair, and similar establishments that require a retail adjunct of no more objectionable character subject to the following provisions: not more than five (5) persons shall be employed at any time in the manufacturing or processing activities of such establishments.
4. Restaurant, tea room, cafe, or other place serving food or beverage.
5. Enclosed theater, radio and television studio, assembly hall, concert hall, dance hall, bowling alley, skating rink, or similar recreation use or place of assembly.
6. Service establishments such as:
 - Self-service laundromat
 - Self-service dry cleaning
 - Shoe repair and shoe shine shops
 - Barber shops
 - Beauty shops
7. Church, school, public library.
8. Clinic, mental health clinic, but excluding animal hospital, penal or correctional institution.
9. Community buildings and meeting rooms, nonprofit school, religious, educational, charitable, philanthropic, civic, or professional club except where a principal activity thereof is a service customarily carried on as a business.
10. Filling station, off-street parking lot, and general garage.
11. Public and semipublic uses: Municipal use, state or federal uses, public utility building, telephone exchange, electric transmission towers, pumping station, gas regulation station, transformer station with service yard but without storage yard.
- ~~12. Mortuary establishment.~~
- ~~13. Bus passenger station.~~
- ~~14. Commercial greenhouse or nursery.~~

15. Hotel, motel, or tourist home.
16. Research laboratory including incidental pilot plant processing operations that will not be incompatible with the general business character of the district and will not create any more dangerous or objectionable elements than are characteristic of other uses expressly permitted.
- ~~17. Car dealerships whose site plans were approved by the Oak Ridge Regional Planning Commission, or which were rezoned from B-3 to UB-2, prior to December 31, 1985.~~

~~—————(Ord. No. 11-90 Revised Effective 5/17/90)~~

18. Family day care home, child care center, and private education institution.
(Ord. No. 16-90 Revised Effective 7/5/90)

19. Public Museum

(b) Permitted Accessory Uses:

1. Any use customarily incidental to permitted principal uses.
2. Signs (see Article XIV)
(Ord. No. 31-86 Revised Effective 1/1/87)
3. Automobile parking (see Section 11.02).
4. Single dwelling unit as quarters for a watchman, caretaker or custodian on the premises.

(c) ~~Uses Requiring Board of Appeals Permit:~~ **Special Exceptions** - Under such conditions as the Board of **Zoning Appeals** may impose to ensure that the following uses will not cause undue traffic congestion; create a traffic hazard; or otherwise impair the public health, safety, morals, convenience, comfort, prosperity, or other aspects of the general welfare.

1. Public recreation uses such as parks, playgrounds, golf courses, ball fields, athletic fields, and stadiums; providing the proposed use will have adequate water supply, waste disposal, and other necessary facilities; and will not cause undue traffic congestion or create a traffic hazard.
2. ~~Public museum.~~ **Multifamily dwellings allowed only when part of an overall Planned Unit Development (PUD) zone designation.**
3. Hospital, provided that the lots shall have two thousand five hundred (2,500) square feet for each bed in such hospital, and precautions of building location and other precautions necessary to preserve the character of the district.
- ~~4. Cemetery, providing such use will have a minimum lot area of 200,000 square feet, will have a setback of fifty (50) feet from all property lines in which monuments and all other structures are prohibited and will not cause undue traffic congestion, or create a traffic hazard.~~
- ~~5. Wholesale, storage and warehouse facility, freezer and locker.~~

6. Veterinarian clinic and small animal hospital, provided there be no animal pens or runs outside a building.

(Ord. No. 26-91 Revised Effective 12-19-91)

7. Depot for the collection and delivery of articles and merchandise, including facilities for the storage and servicing of vehicles and equipment used in connection therewith.

8. Helicopter passenger station.

- ~~9. Transitional Accessory Uses (see Section 4.08 for Criteria).~~

~~(Ord. No. 4-98 Revised Effective 1/15/98)~~

10. Night Clubs, Dance Clubs, Taverns, Clubs (private), Lodges and Similar Uses.

(Ord. No. 6-99 Revised Effective 5/13/99)

(d) Area, Height, Bulk, and Placement Regulations:

Maximum Usable Floor Area to Lot Area: 80%.

Minimum Size of District: None.

Minimum Required Setback Dimensions in Feet: Front - 30 ft.;

Side -30 ft. where the side yard in a UB-2 Zone adjoins a different zoning district.

Side setback where the side yard adjoins property zoned UB-2 - none required, provided that building placement is compatible with existing site development on the adjacent parcel, and that for the purposes of fire protection there is a usable corridor on the lot from front to rear of not less than 6 feet in width for access to the rear of any building on such lot, unless such access to the site is otherwise provided;

Rear - 30 ft. where the rear yard in a UB-2 Zone adjoins a different zoning district.

Rear setback where the rear yard adjoins property zoned UB-2 - none required, provided that building placement is compatible with existing site development on the adjacent parcel, and that for the purposes of fire protection there is a usable corridor on the lot along the rear of the lot not less than 6 feet in width for access to the building on such lot, unless such access to the site is otherwise provided.

Maximum Height in Feet: 35.

Maximum Height in Stories: 3.

(Ord. No. 1-94 Revised Effective 1/13/94)

NOTE: See Articles XIII and XVI of this ordinance for applicable site plan review regulations.

(Ord. No. 25-93 Revised Effective 9/30/93)

TITLE

AN ORDINANCE TO AMEND ORDINANCE NO. 2, TITLED "THE ZONING ORDINANCE OF THE CITY OF OAK RIDGE, TENNESSEE, BY AMENDING ARTICLE VII, TITLED "PARKING AND BUSINESS DISTRICTS" SECTION 7.04, TITLED "UB-2, UNIFIED GENERAL BUSINESS DISTRICTS," AS FOLLOWS: BY DELETING SUBSECTIONS (A)(12), (A)(13), (A)(14) AND (A)(17) WITHOUT REPLACEMENT AND BY ADDING A NEW SUBSECTION (A)(19) TO ADD PUBLIC MUSEUMS AS A PERMITTED PRINCIPAL USE; BY AMENDING THE TITLE OF SUBSECTION (C) TO "SPECIAL EXCEPTIONS" FOR CONSISTENCY WITHIN THE ZONING ORDINANCE; BY AMENDING THE INTRODUCTORY LANGUAGE OF SUBSECTION (C) TO INCLUDE THE WORD "ZONING" IN THE PHRASE "BOARD OF APPEALS;" AND BY AMENDING SUBSECTION (C) TO DELETE PUBLIC MUSEUM; CEMETERY; WHOLESALE, STORAGE AND WAREHOUSE FACILITY, FREEZER AND LOCKER; AND TRANSITIONAL ACCESSORY USES AS SPECIAL EXCEPTIONS AND TO ADD MULTIFAMILY DWELLINGS AS PART OF A PLANNED UNIT DEVELOPMENT AS A SPECIAL EXCEPTION.

WHEREAS, the City of Oak Ridge desires to amend the permitted principal uses and special exceptions (formally referred to as "Uses Requiring Board of Appeals Permit") for UB-2, Unified General Business districts; and

WHEREAS, the amendments delete four permitted principal uses (mortuaries, bus passenger stations, commercial greenhouses/nurseries, and car dealership) and add one new permitted principal use (public museums); and

WHEREAS, the amendments delete four uses requiring special exception from the board (public museum; cemetery; wholesale, storage and warehouse facility, freezer and locker; and transitional accessory uses) and add one use (multifamily dwellings as part of an overall Planned Unit Development zone designation) requiring special exception from the board; 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 VII, titled "Parking and Business Districts," Section 7.04, titled "UB-2, Unified General Business Districts," is hereby amended by deleting subsections (a)(12), (a)(13), (a)(14), and (a)(17) without replacement and adding a new subsection (a)(19) which new subsection shall read as follows:

**ARTICLE VII
PARKING AND BUSINESS DISTRICTS**

Section 7.04. UB-2, Unified General Business Districts

The following regulations shall apply in UB-2, Unified General Business District.

(a) Permitted Principal Uses:

19. Public museum.

Section 2. 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," is hereby amended by changing the title of subsection (c) from "Uses Requiring Board of Appeals Permit" to "Special Exceptions."

Section 3. Ordinance No. 2, titled "The Zoning Ordinance of the City of Oak Ridge, Tennessee," Article VII, titled "Parking and Business Districts," Section 7.04, titled "UB-2, Unified General Business Districts," subsection (c), titled "Special Exceptions," is hereby amended by inserting the word "Zoning" in between the words "Board of" and "Appeals."

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," is hereby amended by deleting subsection (c)(2) and substituting therefor a new subsection (c)(2) which new subsection shall read as follows:

**ARTICLE VII
PARKING AND BUSINESS DISTRICTS**

Section 7.04. UB-2, Unified General Business Districts

The following regulations shall apply in UB-2, Unified General Business District.

(c) Special Exceptions:

2. Multifamily dwellings allowed only when part of an overall Planned Unit Development (PUD) zone designation.

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," is hereby amended by deleting subsections (c)(4), (c)(5), and (c)(9) without replacement.

Section 6. 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

Warren L. Gooch, Mayor

Bruce M. Applegate, Jr., Acting City Clerk

Public Hearing: _____
Publication Date: _____
First Reading: _____
Publication Date: _____
Second Reading: _____
Publication Date: _____
Effective Date: _____

FINANCE DEPARTMENT MEMORANDUM

15-03

DATE: February 23, 2015
TO: Mark S. Watson, City Manager
FROM: Janice E. McGinnis, Finance Director
SUBJECT: FISCAL 2015 BUDGET APPROPRIATION AMENDMENT

Introduction

An item for City Council's consideration is an amendment to the fiscal 2015 Budget Appropriation Ordinance to eliminate the \$2,704,000 budgeted appropriation of the Solid Waste Fund and increase the budgeted appropriation of the General Fund by the same amount for a total appropriation of \$23,221,510.

Funding

There will be no impact to overall budgeted funding levels.

Background

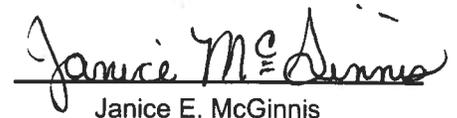
Through fiscal 1992, the City accounted for solid waste collection activities in the General Fund. At that time, state law changes required the City to account for solid waste collection activities in a special revenue fund. In fiscal 1993, the City established the Solid Waste Fund, a special revenue fund, in compliance with state law.

In fiscal 2011, Governmental Standards Account Board (GASB) Statement Number 54 *Fund Balance Reporting and Governmental Fund Type Definitions* better defined when the utilization of a special revenue fund would be permitted for reporting purposes. Based on GASB 54, the Solid Waste Fund would not meet the criteria to be classified as a special revenue fund for reporting purposes. Based on guidance provided from the Comptroller's Office at that time, the City continued to budget solid waste activities in the Solid Waste Fund in order to comply with state law, however, for reporting purposes the operations of the Solid Waste Fund were incorporated into the General Fund in the City's Comprehensive Annual Financial Report as required by GASB standards. State law has subsequently changed to allow accounting for solid waste activities in the General Fund when it is prohibited in a special revenue fund under accounting principles, as would be the case under the City's current funding structure for solid waste activities.

Recommendation

Resolution 2-18-2015 adopted by City Council on February 9, 2015, stated the City's intent to dissolve the Solid Waste Fund and transfer all solid waste operational activity back into the General Fund beginning with fiscal year 2015. This budget appropriation amendment would accomplish this action. The amendment aligns budgeting and reporting activity for solid waste activities in the General Fund and alleviates the concerns expressed by the Comptroller's Office regarding cash flow in the Solid Waste Fund.

Attachment


Janice E. McGinnis

City Manager's Comments:

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

Mark S. Watson
Mark S. Watson

3/2/2015
Date

TITLE

AN ORDINANCE TO AMEND ORDINANCE NO. 06-2014, WHICH ORDINANCE IMPOSES A TAX ON ALL PROPERTY WITHIN THE CITY, FIXING THE RATE OF THE TAX, ADOPTING A BUDGET, AND ADOPTING APPROPRIATIONS FOR THE FISCAL YEAR BEGINNING JULY 1, 2014, BY AMENDING SAID APPROPRIATIONS TO ELIMINATE THE SOLID WASTE FUND AND INCREASE THE GENERAL FUND APPROPRIATION TO INCLUDE SOLID WASTE EXPENDITURES.

WHEREAS, there exists a need to provide for an amendment to the original appropriations for Fiscal Year 2015 and for the accomplishment of the same, a public hearing has been held before the City Council after ten (10) days' notice thereof published in The Oak Ridger, the official newspaper, as provided by law; and

WHEREAS, State law has changed to allow the accounting of solid waste operational activity in the General Fund; and

WHEREAS, the City desires to eliminate the Solid Waste Fund and to increase the General Fund appropriation to include solid waste expenditures; and

WHEREAS, the City Manager has certified in writing that a sufficient amount of unappropriated revenue will be available for the needed amendment.

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

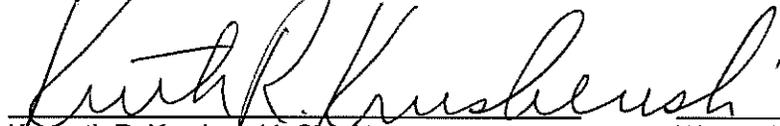
Section 1. Ordinance No. 06-2014, which adopts appropriations for Fiscal Year 2015, is hereby amended by revising Section 3 so that the same, as revised, will read as follows:

Section 3. In accordance with Article V, Section 13, of the Charter of the City of Oak Ridge, the following amounts shall be and hereby are adopted as appropriations by funds for the operation of the City of Oak Ridge, Tennessee, for Fiscal Year 2015:

General Fund, Municipal Operations	\$ 23,221,510
Debt Service (Bond and Interest Redemption Fund)	\$ 8,000,000
State Street Aid Fund	\$ 2,221,000
Streets and Public Transportation Fund	\$ 260,000
Drug Enforcement Program Fund	\$ 255,200
Grant Fund	\$ 3,553,188
General Purpose School Fund	\$ 56,088,127
Golf Course Fund	\$ 1,292,112
Capital Projects Fund	\$ 2,797,272
West End Fund	\$ 2,729,522
Special Programs Fund	\$ 830,000

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

Warren L. Gooch, Mayor

Bruce M. Applegate, Jr., Acting City Clerk

Publication Date: _____
Public Hearing: _____
First Reading: _____
Publication Date: _____
Second Reading: _____
Publication Date: _____
Effective Date: _____

**FINAL ADOPTION
OF
ORDINANCES**

**COMMUNITY DEVELOPMENT MEMORANDUM
PLANNING DIVISION
15-02**

DATE: January 6, 2015
TO: Mark Watson, City Manager
FROM: Monica Austin Carroll, Community Development Division Manager *mac*
THROUGH: Kathryn Baldwin, Community Development Director *KCB*
SUBJECT: REZONING OF PARCEL 015.02, MAP 100B, GROUP B, LOCATED ON LABORATORY ROAD

Introduction

An item for City Council's consideration is a request to approve the rezoning of Parcel 015.02, Map 100B, Group B, from B-3, Roadside Business District to B-2, General Business District. The parcel totals approximately 2.58 acres and is located at 115 Laboratory Road.

Funding

No funding is necessary for this item.

Analysis

The proposed rezoning does not require a Land Use Plan Map Amendment. The proposed zoning district is consistent with the commercial land use designation and is consistent with Comprehensive Plan policies to allow for community-scale retail development.

The property is currently zoned B-3 Roadside Business District, which is intended to serve arterial streets where business establishments are properly located to serve large sections of the city and surrounding areas through vehicular traffic. Such businesses generally require considerable growth area, do not cater to pedestrians or adjacent neighborhoods, and exhibit a highly visible and accessible location convenient for motorists. The list of permitted uses within this district is somewhat limited, and very few properties are zoned B-3.

The proposed B-2, General Business District is more conducive to developing this site for a broad range of commercial establishments, which will maximize economic opportunities and are more compatible with surrounding properties.

The subject property was originally part of the Sexton Automotive business; however, this lot was subdivided some time ago. The surrounding area consists of a mixture of commercial properties (Home Depot, Ace Hardware and Sexton Automotive) and office uses (medical office, Universalist Unitarian Church and the Federal DOE Administration building). The proposed B-2 zoning is consistent with the character of the surrounding area.

Recommendation

The rezoning request was reviewed and discussed by the Oak Ridge Planning Commission and recommended for approval to City Council by a vote of 9 – 0 during the regularly scheduled meeting on December 18, 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

Jan 30, 2015
Date

**February 2015 City Council Meeting
Rezoning Request
B3 to B2**

 **115 Laboratory Rd**



0 112.5 225 450 Feet



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 015.02, ANDERSON COUNTY TAX MAP 100B, GROUP B, (APPROXIMATELY 2.58 ACRES) FROM B-3, ROADSIDE BUSINESS, TO B-2, GENERAL BUSINESS, SAID PARCEL BEING LOCATED ON LABORATORY ROAD.

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:

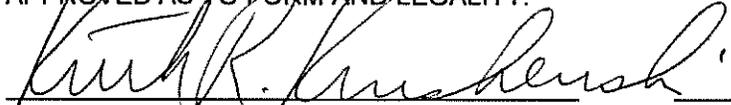
Section 1. The district boundaries of the zoning map attached to and made a part of Ordinance No. 2, as amended, are revised in the following particulars:

<u>Property Description</u>	<u>Location</u>	<u>Present Zoning District</u>	<u>New Zoning District</u>
Parcel 015.02 Map 100B, Group B (± 2.58 Acres)	115 Laboratory Road	B-3, Roadside Business	B-2, General Business

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

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

APPROVED AS TO FORM AND LEGALITY:



Kenneth R. Krushenski, City Attorney

Warren L. Gooch, Mayor

Bruce M. Applegate, Jr., Acting City Clerk

- Public Hearing: _____
- Publication Date: _____
- First Reading: _____
- Publication Date: _____
- Second Reading: _____
- Publication Date: _____
- Effective Date: _____

CITY MANAGER'S REPORT

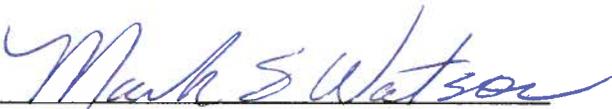
**CITY COUNCIL MEMORANDUM
15-12**

DATE: February 27, 2015
TO: Honorable Mayor and Members of City Council
FROM: Mark S. Watson, City Manager
SUBJECT: CITY MANAGER'S REPORT – MARCH 9, 2015

Emergency Purchase of Salt

Council Action Recommended: None, for information only.

On February 25, 2015 the City placed an emergency order for 500 tons of salt. Resolution 07-75-2014 authorized the fiscal 2015 purchase of warehouse salt stock from State of Tennessee contract awarded vendor(s) in the estimated amount of \$32,000. In fiscal 2015, 380.45 tons had already been purchased from the state contract vendor at \$78.04 per ton for a total of \$29,690.32. Due to the unusual length of the recent ice and snow events and additional snow forecasted for the evening of February 25, 2015 it was anticipated that salt stock would fall below required maintenance levels. Additionally, with the heavy usage of salt by all area entities, availability of bulk salt supply for purchase can be an issue. The salt was purchased from the state contract vendor at \$78.04 per ton for a total of \$39,020. Initial deliveries of the salt began on the morning of February 26.



Mark W. Watson