

OAK RIDGE CITY COUNCIL MEETING
Municipal Building Courtroom

April 8, 2013—7:00 p.m.

AGENDA

I. INVOCATION

The Reverend Brian Scott from Robertsville Baptist Church

II. PLEDGE OF ALLEGIANCE

III. ROLL CALL

IV. APPEARANCE OF CITIZENS

V. PROCLAMATIONS AND PUBLIC RECOGNITIONS

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

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

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

VI. SPECIAL REPORTS

VII. CONSENT AGENDA

- a. Approval of the March 18, 2013 City Council meeting minutes.
- b. A resolution awarding a contract (COR 13-08) to Rogers Group, Inc., Oak Ridge, for street milling and resurfacing of designated city streets in the estimated amount of \$645,056.61.

VIII. RESOLUTIONS

- a. A resolution amending the contract (COR 96-01) between the City and Waste Connections of Tennessee, Inc., to eliminate the rewards portion of the City's recycling program for an annual cost savings of approximately \$123,972.00.
- b. A resolution approving updated bylaws for the Senior Advisory Board (formerly the Elder Citizens Advisory Board); amending Resolution 7-75-77, as amended, to eliminate representation on the board by the Coalition of Oak Ridge Retired Employees (CORRE) and to add representation by the Anderson County ADA Oversight Committee, with the total number of board members remaining the same; and appointing Lee Roy Gilliam to serve the remainder of his current term on the board as the representative for the Anderson County ADA Oversight Committee.
- c. A resolution authorizing the Industrial Development Board of the City of Oak Ridge to enter into a five-year one hundred percent (100%) payment in lieu of tax agreement with Protomet corporation for the Phase II expansion of their business.
- d. A resolution adopting updated City Council Rules and Procedures.
- e. A resolution requesting the State of Tennessee to develop a uniform approach to school

security using the City of Oak Ridge as a pilot project to conduct necessary risk assessments and provide accompanying recommendations to improve school security.

IX. PUBLIC HEARINGS AND FIRST READING OF ORDINANCES

Public Hearing

A public hearing for the Program Year 2013/Fiscal Year 2012 Community Development Block Grant (CDBG) Annual Action Plan.

X. FINAL ADOPTION OF ORDINANCES

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

XI. ELECTIONS/APPOINTMENTS, ANNOUNCEMENTS AND SCHEDULING

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

XII. COUNCIL REQUESTS FOR NEW BUSINESS ITEMS OR FUTURE BRIEFINGS

XIII. SUMMARY OF CURRENT EVENTS

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

XIV. ADJOURNMENT

**PROCLAMATIONS
AND
PUBLIC RECOGNITIONS**

CITY CLERK MEMORANDUM

13-15

DATE: April 1, 2013
TO: Honorable Mayor and Members of City Council
FROM: Diana R. Stanley, City Clerk
SUBJECT: PROCLAMATIONS AND PUBLIC RECOGNITIONS FOR APRIL

The following proclamations are presented for the April 8, 2013 City Council meeting for City Council's consideration:

Celebration for the Young Child

Oak Ridge Children's Museum Executive Director Carol Welch requested the proclamation for the April 8 City Council agenda. Ms. Welch will be in attendance to accept the proclamation, along with some visiting children.

National Library Week

Virginia Spence, Reference Assistant for the Oak Ridge Public Library, requested the proclamation for the April 8 City Council agenda.

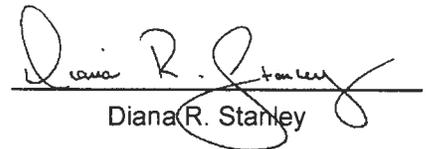
Library Director Kathy McNeilly will be in attendance to accept the proclamation.

Fair Housing Month

Community Development Director Kathryn Baldwin requested the proclamation for the April 8 City Council agenda and Senior Planner Kahla Gentry will accepting to proclamation.

Attachment(s)

Proclamation-National Library Week
Proclamation-Fair Housing Month
Proclamation-Celebration of the Young Child


Diana R. Stanley

PROCLAMATION

WHEREAS, the Children's Museum of Oak Ridge and other local organizations, in conjunction with the National Association for the Education of Young Children, are recognizing the *Celebration for the Young Child* on April 19, 2013; and

WHEREAS, these organizations are working to improve early learning opportunities, which are crucial to the growth and development of young children, and to build a better future for everyone in Oak Ridge; and

WHEREAS, all young children and their families across the country, and in Oak Ridge, deserve access to high-quality early education and care; and

WHEREAS, the Children's Museum of Oak Ridge offers unique opportunities to young children for discovery and enrichment in a playful environment; and

WHEREAS, the Children's Museum supports the family's crucial role in early education, providing opportunities for families to come together to play and learn through many exhibits, festivals, classes, and activities; and

WHEREAS, high-quality early childhood services represent a worthy commitment to our children's future; and

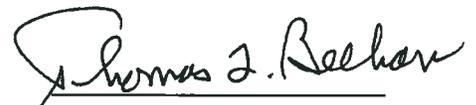
WHEREAS, public policies that support early learning for all young children are crucial to young children's futures.

NOW, THEREFORE, BE IT RESOLVED BY THE COUNCIL OF THE CITY OF OAK RIDGE, TENNESSEE, that April 19, 2013, be proclaimed

CELEBRATION FOR THE YOUNG CHILD

in the City of Oak Ridge, Tennessee, and that all citizens be urged to support the needs of young children in our community and to recognize teachers, organizations, and others who make a difference in the lives of our young children.

IN WITNESS WHEREOF, I have hereunto set me hand and caused the Great Seal of the City of Oak Ridge to be affixed, this the 8th day of April in the year 2013.



THOMAS L. BEEHAN
MAYOR

PROCLAMATION

WHEREAS, libraries have historically served as our nation's great equalizers of knowledge by providing free access to all; 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 professionals, helping people of all ages and backgrounds find and interpret the information they need to live, learn and work in a challenging economy; and

WHEREAS, librarians design and offer programs, facilities, and resources to meet their community's needs, providing residents with access to computers and computer classes, job seeking tools, story times, periodicals, E-Books, and genealogy resources; and

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

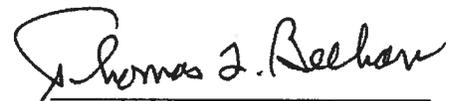
WHEREAS, libraries, librarians, library workers and supporters across America are celebrating National Library Week.

NOW, THEREFORE BE IT RESOLVED BY THE COUNCIL OF THE CITY OF OAK RIDGE, TENNESSEE that the week of April 14-20, 2013 be proclaimed

LIBRARY WEEK

in the City of Oak Ridge, Tennessee, and that all residents be encouraged to visit the Oak Ridge Public Library to take advantage of the wonderful library resources available.
Communities matter at the Oak Ridge Public 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 8th day of April of the year 2013.



THOMAS L. BEEHAN
MAYOR

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

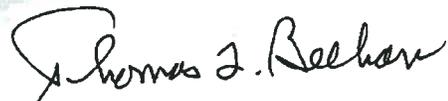
WHEREAS, implementation of that policy requires the continuing positive commitment, involvement, and support of each one of our citizens.

NOW, THEREFORE, BE IT RESOLVED BY THE COUNCIL OF THE CITY OF OAK RIDGE, TENNESSEE, that the month of April 2013 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 8th day of April in the year 2013.



Thomas L. Beehan

THOMAS L. BEEHAN
MAYOR

CONSENT AGENDA

MINUTES OF THE OAK RIDGE CITY COUNCIL

March 18, 2013

The regular meeting of the City Council of the City of Oak Ridge, Tennessee convened at 7:00 p.m. on March 18, 2013, in the Courtroom of the Municipal Building with Mayor Thomas L. Beehan presiding.

INVOCATION

The Invocation was given by Reverend Shane Nivens, Pastor of Hope Covenant Church.

PLEDGE OF ALLEGIANCE

The Pledge of Allegiance to the Flag of the United States of America was led by Ms. Laurel Patrick.

ROLL CALL

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

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

APPEARANCE OF CITIZENS

Mr. Martin McBride, 954 West Outer Drive, explained that City Council might consider completing a lessons learned critique of the Administrative Order (AO). Mayor Beehan requested that the comments be deferred until the resolution pertaining to the AO was being considered by City Council.

PROCLAMATIONS AND PUBLIC RECOGNITIONS

A proclamation designating March as "American Red Cross Month."

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

The proclamation was to be presented during the 14th Annual Humanitarian Awards Luncheon on March 19, 2013 by Mayor Pro Tem Miller.

SPECIAL REPORTS

FY 2012 Independent Audit Report from Mr. Ted Hotz with Pugh & Company, P.C.

Mr. Hotz provided an overview of the highlights of the FY2012 City of Oak Ridge's Audit Report, its components, and key financial figures. Mr. Hotz emphasized that the audit revealed no significant concerns or deficiencies. Mr. Hotz responded to questions and comments of City Council at the conclusion of the presentation.

The presentation was for informational purposes only; no action taken.

CONSENT AGENDA

The City Attorney noted that the retail package store renewal applications resolutions be amended to not include Oak Ridge Package Store, applicant Scott E. Garriott, as Mr. Garriott's legal representation was unable to attend the meeting and wished to be present when his application was being considered. Mr.

Krushenski recommended omitting Mr. Garriott's (Oak Ridge Package Store) approval and that the resolutions would be considered separately in the future for his application. Councilmember Hensley moved that the store be removed from the two (2) resolutions—Resolution No's. 03-16-2013 and Resolution No. 03-17-2013—per the City Attorney's request. The motion was seconded by Councilmember Baughn and approved by unanimous voice vote with Councilmembers Baughn, Garcia Garland, Hensley, Hope, Mosby, Mayor Pro Tem Miller, and Mayor Beehan voting "Aye."

Councilmember Baughn requested that item "d" titled "adoption of a resolution authorizing the City to submit an application to the Tennessee Valley Authority (TVA) under the TVA Valley Sustainable Communities Program to receive certification as a sustainable community and to accept such certification if selected" be removed from the Consent Agenda.

Councilmember Garcia Garland requested that item "e" titled "adoption of a resolution accepting utility infrastructure for Heritage Center ED-5 East Subdivision for perpetual maintenance" be removed from the Consent Agenda.

The City Clerk noted that two corrections needed to occur in the February 11, 2013 City Council meeting minutes. The first correction pertained to Resolution No. 02-09-2013 needing to reflect that Councilmember Garcia Garland abstained, and the second correction to Resolution No. 02-10-2013 needed to show that Councilmember Garcia Garland voted "Aye" in approval of the resolution. Mayor Pro Tem Miller moved, seconded by Councilmember Hope that the minutes be amended as referenced. The motion was approved by unanimous voice vote with Councilmembers Baughn, Garcia Garland, Hensley, Hope, Mosby, Mayor Pro Tem Miller, and Mayor Beehan voting "Aye."

Mayor Pro Tem Miller moved, seconded by Councilmember Hope to approve the remainder of the Consent Agenda as presented below, thereby approving:

- The amended February 11, 2013 City Council meeting minutes.
- The February 25, 2013 City Council special meetings minutes.
- **Resolution No. 03-13-2013** to adopt an updated Occupational Safety and Health Program for the City of Oak Ridge.
- **Resolution No. 03-14-2013** accepting street and utility infrastructure for Woodland Town Center Phase I Subdivision for perpetual maintenance.
- **Resolution No. 03-15-2013** to accept a \$16,000.00 Emergency Management Grant from the State of Tennessee, Department of Military, Tennessee Emergency Management Agency (TEMA).
- Amended **Resolution No. 03-16-2013** granting renewal permits to persons engaged in the retail sale of alcoholic beverages for one year and waiving the residency requirements for nonresident applicants.
- Amended **Resolution No. 03-17-2013** 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.

Resolution No. 03-18-2013

Adoption of a resolution authorizing the City to submit an application to the Tennessee Valley Authority (TVA) under the TVA Valley Sustainable Communities Program to receive certification as a sustainable community and to accept such certification if selected.

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

The City Manager began by providing a brief review of the TVA Valley Sustainable Communities Program.

City Manager Mark Watson and Community Development Director Kathryn Baldwin responded to several questions posed by Councilmember Baughn. Most notably, Ms. Baldwin explained that many of the elements in the Sustainable Communities Program are already being performed by the City, some through the Climate Action Plan and that the certification would demonstrate the City's commitment to sustainability in the view of both commercial and industrial clients. Discussions continued amongst staff and Council regarding staff time and possible amendments to existing ordinances based on future plans of organizations.

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

Resolution No. 03-19-2013

Adoption of a resolution accepting utility infrastructure for Heritage Center ED-5 East Subdivision for perpetual maintenance.

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

City Engineer Steve Byrd provided a brief overview of the transfer, explained the exact location of the utility infrastructure, and provided the time frame of the acceptance of the infrastructure.

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

RESOLUTIONS

Resolution No. 03-20-2013

A resolution awarding a contract (COR 13-07) to First Place Finish, Inc., Oak Ridge, for pedestrian crossing safety improvements along Melton Lake Drive in the estimated amount of \$37,594.00.

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

City Engineer Steve Bryd responded to Council inquiries regarding the location of the pedestrian crossing equipment which includes the three existing crossings.

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

Resolution No. 03-21-2013

A resolution reaffirming Resolution 9-65-2012 and confirming the City's willingness to proceed with the provisions of the Administrative Order set forth by the United States Environmental Protection Agency.

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

Mayor Beehan noted, for the record, that the resolution was based on a recommendation of a recent Environmental Protection Agency (EPA) Ad-Hoc Committee meeting.

Mr. Martin McBride, 954 West Outer Drive, explained that he sees the City's current position as a good opportunity to communicate the City's set of requirements for operating within the Administrative Order (AO) to the EPA, and that negotiations should still be an option.

Ms. Ellen Smith, 116 Morningside Drive, urged City Council to move forward with the sewer project, and

explained that Oak Ridge is not esoteric regarding the rules associated with clean water standards. Ms. Smith concluded by suggestion that the City move forward and follow the direction of the AO.

Discussions amongst city staff and the City Council continued regarding the AO.

Councilmember Baughn moved to defer voting on the resolution until the next regular City Council meeting to allow time to explore the merits of both Dr. McBride's and Mr. [Leonard] Abbatiello's suggestions, as well as the merits of seeking judicial review per Sackett v. EPA. The motion was not seconded.

Councilmember Garcia Garland explained, for the record, that she considered the resolution to be an affirmation to the EPA that the City is on course and that the City had, in fact, negotiated with the EPA and the organization has been fair and reasonable. She further noted that the EPA had acknowledged the City's unique situation in having a large federal agency located within the City limits. Councilmember Garcia Garland explained that she has encouraged both Mr. McBride and Mr. Abbatiello to take suggestions to city staff for review.

City Council and city staff continued to discuss options regarding the AO and the need to proceed.

Councilmember Hope, Chair of the EPA Ad-Hoc Committee, clarified that the resolution was reaffirming the Committee's previous discussion and recommendation that took place during their last meeting.

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

Resolution No. 03-22-2013

A resolution awarding a contract to Adventures Outdoors, Oliver Springs, Tennessee, for a pilot recreational equipment rental program at Melton Lake Park, and authorizing the City to enter into a lease agreement with the company at the conclusion of the pilot program should expectations be met by both parties.

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

Recreation and Parks Department Director Josh Collins explained that the purpose of the pilot program is to determine the need for an equipment rental program, if any. Mr. Collins responded to various questions of City Council that included additional bidders, use of equipment rentals during regattas, and parking issues.

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

PUBLIC HEARINGS AND FIRST READING OF ORDINANCES

(NONE)

FINAL ADOPTION OF ORDINANCES

At the request of the Mayor, the City Manager reviewed the land use amendment and the rezoning for Parcels 40, 41, and 42, Map 106A, Group A.

Ordinance No. 01-2013

AN ORDINANCE TO AMEND THE COMPREHENSIVE PLAN'S LAND USE PLAN BY CHANGING THE DESIGNATION OF PARCELS 40.00, 41.00, AND 42.00, MAP 106A, GROUP A, FROM R, RESIDENTIAL TO B, BUSINESS.

Councilmember Hope moved, seconded by Councilmember Hensley that the ordinance be approved on

second reading.

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

Ordinance No. 02-2013

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 PARCELS 40.00 AND 41.00, MAP 106A, GROUP A, FROM R-2/MDO, LOW DENSITY RESIDENTIAL IN THE MANHATTAN DISTRICT OVERLAY TO UB-2/PUD, UNIFIED GENERAL BUSINESS WITH A PLANNED UNIT DEVELOPMENT OVERLAY, AND PARCEL 42.00, MAP 106A, GROUP A, FROM R-2/MDO, LOW DENSITY RESIDENTIAL IN THE MANHATTAN DISTRICT OVERLAY AND RG-1, RESIDENTIAL, OPEN SPACE, AND RESERVED, TO UB-2/PUD, UNIFIED GENERAL BUSINESS WITH A PLANNED UNIT DEVELOPMENT OVERLAY; AND APPROVING THE PLANNED UNIT DEVELOPMENT PRELIMINARY MASTER PLAN FOR WOODLAND TOWN CENTER PHASE II.

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

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

(Mayor Beehan denoted for the original order of the agenda, given that Councilmember Hope was to soon leave the meeting, to discuss "Council Request for New Business Items or Future Briefings." Specifically, Mayor Beehan inquired about having future discussions with City Council regarding the EPA Ad-Hoc Committee's future status given there may not be a need for the Committee to continue to meet. Councilmember Hope explained that if there is not a current need then the Committee could be temporarily suspended. Councilmember Garcia Garland indicated that the Committee had served its purpose and, if the need arose in the future, then it could come about once again.)

(Councilmember Hope was absent for the remainder of the meeting.)

City Staff requested that the two ordinances below be deferred given that the Road Access Agreement for the property owners had not been finalized. Mayor Pro Tem Miller moved, seconded by Councilmember Baughn that the ordinances be removed from the agenda. The motion was approved by unanimous voice vote with Councilmembers Baughn, Garcia Garland, Hensley, Mosby, Mayor Pro Tem Miller, and Mayor Beehan voting "Aye."

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

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

ELECTIONS/APPOINTMENTS, ANNOUNCEMENTS AND SCHEDULING

Elections/Appointments

Elect one (1) member to the Elder Citizens Advisory Board

Councilmember Garcia Garland moved, seconded by Mayor Pro Tem Miller that Mrs. Lynne Burchell be elected to the Elder Citizens Advisory Board for a term of office ending on December 31, 2014 as the representative for the Anderson County Office on Aging by acclamation. The motion was approved by unanimous voice vote with Councilmembers Baughn, Garcia Garland, Hensley, Mosby, Mayor Pro Tem Miller, and Mayor Beehan voting "Aye."

Announcements

Scheduling

COUNCIL REQUESTS FOR NEW BUSINESS ITEMS OR FUTURE BRIEFINGS

SUMMARY OF CURRENT EVENTS

CITY MANAGER'S REPORT

Update on status of Recycle Bank Incentive Program and proposed change (update, no action)

The City Manager and Public Works Director Gary Cinder explained the proposed changes to the Recycle Bank Incentive Program. The City Manager explained that options, additional explanations, and information will be brought forward to City Council upon further review by city staff.

Change of March 25, 2013 Work Session to Council Retreat on Economic Development

The City Manager explained that Mr. Darryl Akins has agreed to serve as the facilitator again for a City Council Retreat with a focus on economic development and further details would be forthcoming.

CITY ATTORNEY'S REPORT

The City Attorney explained that back tax delinquent notifications would begin soon.

ADJOURNMENT

The meeting adjourned at 9:00 p.m.

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

PUBLIC WORKS MEMORANDUM
13-07

DATE: March 27, 2013
TO: Mark S. Watson, City Manager
FROM: Gary M. Cinder, P.E., Director of Public Works
SUBJECT: STREET RESURFACING CONTRACT COR 13-08

Introduction

An item for City Council's consideration is a resolution authorizing a contract in the estimated amount of \$645,056.61 to Rogers Group, Inc. for street resurfacing.

Funding

Funding for the subject contract is available in the FY13 budget.

Background/Analysis/Review/Consideration

From 1995 to 2006, funds for resurfacing of streets used unit prices that were contained in a one-year contract that was renewable on an annual basis and that contained a cost escalation clause based on the consumer price index. This allowed staff to know in advance what the cost would cover and a list was developed based on funds available in any given year's budget. In 2007, Rogers Group, Inc. citing increasing material cost related to climbing oil prices choose to terminate the contract. Since that time, the City has had to bid each year's resurfacing project separately and has seen a 48 percent increase in resurfacing cost over that time. Funding has basically remained flat causing the ability to resurface streets to diminish.

When this year's street list was prepared, it was based on an anticipated unit cost and an assumed increase over previous years. The actual total bid price received was less than expected and under budget. The contract as originally bid provided resurfacing for 5.41 center line miles at a cost of \$533,449.65. The original contract also includes correcting drainage problems and resurfacing a portion of Wisconsin Avenue. The favorable pricing allowed staff to add four streets, totaling 1.21 miles in length to the resurfacing list. The added cost for the four streets is \$111,606.96 bringing the total contract amount to \$645,056.61 for 6.62 centerline miles. The total project cost is within the amount of funds available.

Recommendation

This project was publically advertised and solicitation for bids were provided to four local firms qualified to provide street resurfacing services. Two bids were received with Rogers Group, Inc. submitting the lowest and best bid. Staff is comfortable with the unit prices and is pleased with the contractor's past performance.

Staff recommends approval of this contract.

Attachment(s)

A list of the streets in the original contract along with those proposed to be added is attached.



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

4-2-13

Date

MILLING AND PAVING SCHEDULE

Name	From street	To street
WENDOVER CIRCLE	WEST OUTER DRIVE	WEST OUTER DRIVE
VERMONT AVENUE	NEW YORK AVENUE	VIENNA ROAD
VERMONT AVENUE	VIENNA ROAD	PENNSYLVANIA ROAD
ARKANSAS AVENUE	ALGER ROAD	ATHENS ROAD
TALMEDA ROAD	TYLER ROAD	CENTRAL AVENUE
NORTH RUTGERS AVENUE	OAK RIDGE TURNPIKE	VERMONT AVENUE
BROADWAY AVENUE	MICHIGAN AVENUE	KENTUCKY AVENUE
OSAGE ROAD	OXARD ROAD	OUTER DRIVE
OXFORD ROAD	OSAGE ROAD	OUTER DRIVE
KENTUCKY AVENUE	BROADWAY AVENUE	WEST TENNESSEE AVENUE
VIOLA ROAD	VERMONT ROAD	VISTA ROAD
VISTA ROAD	VIOLA ROAD	VERMONT AVENUE
HAMPTON ROAD	WILBERFORCE AVENUE	SPELLMAN AVENUE
HAMPTON ROAD	WILBERFORCE AVENUE	TUSKEGEE DRIVE
EAST TYRONE ROAD	TYLER ROAD	CENTRAL AVENUE
PEIDMONT ROAD	PARSONS ROAD.	NEWBERRY CIRCLE
NORTON ROAD	UNDERWOOD ROAD	NEW YORK AVENUE
UNDERWOOD ROAD	UTAH ROAD	NORTON ROAD
ORCHARD LANE	ORKNEY ROAD	OUTER DRIVE
BRIARWOOD DRIVE	SCENIC DRIVE	TIMBERCREST DRIVE
MARSHALL CIRCLE	MANHATTAN AVENUE	MANHATTAN AVENUE
LA SALLE ROAD	LOUISIANA AVENUE	LIVINGSTION ROAD
LA SALLE ROAD	LIVINGSTION ROAD	ROBERTSVILLE ROAD
HICKORY HOLLOW DRIVE	TIMBERCREST DRIVE	BRAIRWOOD DRIVE
1,450 FEET OF WISCONSIN AVENUE		

ADDED STREETS TO BE PAVED

AUDUBON ROAD	EAST DRIVE	ALGER ROAD
AMHERST LANE	ALGER ROAD	ANDOVER CIRCLE
ANDOVER CIRCLE	AMHERST LANE	AMHERST LANE
ALHAMBRA ROAD	ALBANY ROAD	ALBANY ROAD

CITY OF OAK RIDGE, TENNESSEE
Abstract of Bids

COR # 13-08
OPENING DATE: March 7, 2013 11:00 A.M.

DESCRIPTION	QTY	UNIT	BIDDER: Rogers Group, Inc. 250 Union Valley Road Oak Ridge, TN 37830		BIDDER: Duracap Asphalt Paving Co., Inc. 2535 Asbury Road Knoxville, Tn 37950		BIDDER:	
			UNIT COST	TOTAL	UNIT COST	TOTAL	UNIT COST	TOTAL
FURNISH ALL LABOR, MATERIALS, TOOLS, AND EQUIPMENT NECESSARY TO PERFORM ALL WORK AND SERVICES REQUIRED FOR STREET MILLING AND RESURFACING PROJECT PER THE SPECIFICATIONS PROVIDED BY THE CITY OF OAK RIDGE PUBLIC WORKS DEPARTMENT			\$	533,449.65	\$	927,718.62		
ADDITIONAL STREET WORK NEGOTIATED WITH THE LOWEST BIDDER AFTER BID OPENING BASED ON UNIT PRICES SUBMITTED IN ORIGINAL BID			\$	111,606.96				
TOTAL PRICE			\$	645,056.61	\$	927,718.62		\$
TERMS				Net 30		Net 30		
DELIVERY				per Contract		per Contract		
F.O.B.				Oak Ridge		Oak Ridge		
VIA				Best Way		Best Way		
OTHER BIDDERS CONTACTED:			BIDS OPENED AND RECORDED BY---					
Blalock Companies - Sevierville, TN			Lynn Majeski Accounting Division Manager					
Harrison Construction Company - Knoxville, TN			BIDS REVIEWED BY---					
REASON FOR AWARD			RECOMMEND AWARD BE MADE TO:					
ONLY BID RECEIVED			Rogers Group, Inc.					
LOW PRICE			250 Union Valley Road					
BETTER OR REQUIRED DESIGN			Oak Ridge, TN 37830					
EARLY DELIVERY								
LOWEST TOTAL COST			<input type="checkbox"/> ONLY BID RECEIVED <input type="checkbox"/> LOW PRICE <input type="checkbox"/> BETTER OR REQUIRED DESIGN <input type="checkbox"/> EARLY DELIVERY <input checked="" type="checkbox"/> LOWEST TOTAL COST					

RESOLUTION

A RESOLUTION AWARDING A CONTRACT (COR 13-08) TO ROGERS GROUP, INC., OAK RIDGE, FOR STREET MILLING AND RESURFACING OF DESIGNATED CITY STREETS IN THE ESTIMATED AMOUNT OF \$645,056.61.

WHEREAS, the City of Oak Ridge has issued invitations to bid for the furnishing of all labor, tools, materials, equipment and supplies necessary for a street milling and resurfacing project; and

WHEREAS, bids were received and publicly opened on March 7, 2013, with Rogers Group, Inc., submitting the lowest and best bid, which bid the City Manager recommends be accepted; and

WHEREAS, due to the favorable bid price, City Staff negotiated with Rogers Group for four (4) additional streets under the contract, which total is significantly under the next lowest bidder's price for the initial work alone.

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 to Rogers Group, Inc., 250 Union Valley Road, Oak Ridge, Tennessee 37830, for the furnishing of all labor, tools, materials, equipment and supplies necessary to perform all work and services for the milling and resurfacing of designated city streets; said award in strict accordance with COR 13-08, the required specifications, the bid as publicly opened on March 7, 2013, and the additional negotiated work, and in the estimated amount of \$645,056.61.

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

This the 8th day of April 2013.

APPROVED AS TO FORM AND LEGALITY:



Kenneth R. Krushenski, City Attorney

Thomas L. Beehan, Mayor

Diana R. Stanley, City Clerk

RESOLUTIONS

PUBLIC WORKS MEMORANDUM

13-08

DATE: March 26, 2013
TO: Mark S. Watson, City Manager
FROM: Gary M. Cinder, P.E., Director of Public Works
SUBJECT: SOLID WASTE CONTRACT AMENDMENT

Introduction

An item for City Council's consideration is an amendment to the existing contract with Waste Connections, Inc., COR 96-01, to eliminate the RecycleBank Rewards Program effective April 15, 2013.

Funding

The elimination of the RecycleBank Rewards Program will result in a reduction of the amount paid by the City to Waste Connections, Inc., by \$0.84 per household per month, which would be approximately \$10,331 savings for the City per month, \$123,972 per year.

Background

The RecycleBank Reward Program began in March 2009. Waste Connections, Inc. contracts with Recyclebank to offer the reward program which provides points so those participants may redeem at local merchants for discounts on a variety of products and services. As presently configured, each homes recycling is weighed at the curb during collection and those weights are converted by RecycleBank into reward points.

RecycleBank has recently notified Waste Connections that it will discontinue the individual reward program on April 15, 2013 and convert to a community-based program. The community-based program gives each recycling household on each route the average of all recyclables (weights) collected, based on the total load tonnage each day. For example, if there are 600 homes to be collected on a one-route day and 500 of those homes set out recycling carts that day, the RFID tags on the 500 carts are read and those 500 homes would each receive 1/500 of the total weight collected on that day's route.

Waste Connections has offered that their customers may choose to either remain with RecycleBank as a community-based program or elect to drop the reward program entirely. They will continue the single stream curbside recycling program with the same materials being accepted and the brown carts remaining at the residence, but there will no longer be a rewards program. Waste Connections has offered to reduce their invoice to the City by the same amount that RecycleBank invoiced them for the program, \$0.84 per household per month, totaling \$123,972 annually. RecycleBank has committed that all accumulated points will remain accessible to participants until the account is exhausted or the account has been inactive for a period of one-year at which time the account would be closed.

You will recall recently that the Waste Connection contract was amended to include an additional 654 homes resulting in an additional cost per year of \$110,656.80. Because of this extra cost and the pressures it will exert on next year's budget, staff is proposing the elimination of the RecycleBank program and diverting those savings to offset the cost of the higher house count.

Recommendation

Staff recommends amending the contract with Waste Connections, Inc., COR 96-01, for the elimination of the Recyclebank Rewards Program and reducing the monthly per household fee by \$0.84, effective April 15, 2013 at an estimated annual cost savings to the City of \$123,972. The revised monthly per household fee for refuse and recycling collection would become \$13.26 for the remainder of FY13.

Attachment(s)

Letter from Waste Connections, Inc.
Letter from Recyclebank



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

4-2-13

Date



March 12, 2013

WASTE CONNECTIONS OF TENNESSEE, INC.
Connect with the Future®



Mr. Mark Watson
City Manager
City of Oak Ridge
PO Box 1
Oak Ridge, TN 37831

Dear Mr. Watson,

This letter is in regards to changes to our Curbside Recycling Program with the Recyclebank Rewards Program.

Recyclebank has given Waste Connections, Inc. notice that all our Individual Based Rewards Programs across the Country will be changing effective April 15, 2013 to a Community Based Rewards Program.

Waste Connections has no control over this matter.

As you know the current Individual based program gives each person their reward points based on what recycling their home generates in pounds each week.

The Community based program gives everyone on each route by day the average of all weights collected based on the total load tonnage each day. To explain better; if there are a 1000 homes to be collected on one route day and 800 homes set out recycling carts that day, then the RFID tags on the 800 carts are read by the truck mounted computer and those 800 homes would receive 1/800 of the poundage collected that day.

We believe Recyclebank is doing this because their computer system and employees are getting overwhelmed with individual reward issues and the Community Based Rewards would reduce this by a large margin. The bottom line is they are migrating to this new community based program by eliminating the process they are currently using.

We know the City has other options; we hope your citizens and your City Council feel you have been getting great service with our collection of recycling. The Single Stream program we brought to the City of Oak Ridge has worked very well, with over a 400% increase in volume tonnages collected under this program as to the prior system used.

We propose the following options for the City's consideration:

1. The City agrees to go to the Community Based Rewards Program with all rewards being shared by each route each day collected, there will still be a Rewards program and the current rate of \$2.00 per home will remain in place.
2. Keep the curbside recycling program but stop the Recyclebank Rewards program on their effective date and we will reduce your cost by \$ 0.84 per home per month. On April 1, 2013 the home count will be 12,299 units so $12,299 \times \$ 0.84 = \$ 10,331.16$ savings to the City per month. There will be no rewards for the citizens.

We have enclosed the official letter from Recyclebank which addresses their reasons for their requirement to go to the Community Based Rewards Program.

We are truly sorry to bring this matter to you and the City Council to have to resolve this matter. Waste Connections will work with your staff to amend our contract as to recycling once the City informs us as to their decision in this matter. We will be happy to attend any workshop or City Council meeting that you would want us to attend to explain this letter and answer any questions. Please let me know.

Sincerely,
Waste Connections of Tennessee, Inc.



Douglas McGill
Divisional Municipal Marketing Manager

CC: Gary Cinder-Public Works Director
Attachments

March 8, 2013

Mr. Douglas McGill
Municipal Marketing Manager
Waste Connections of Tennessee, Inc.
2400 Chitman St.
Knoxville, TN 37917

Dear Mr. McGill,

Recyclebank is making changes to its programs to improve the experience for clients and members. Making these changes will eliminate some technical hurdles for the client/hauler and provide more value to the members. The changes are primarily consumer facing and our partners will experience little if any major differences (except for sending route level weight data vs individual weight data).

In the current individually-weight based program, we receive RFID and weight data from Waste Connections of Tennessee for each individual household on a route. This has created a member/client experience which is not ideal due to persistent truck technology issues. In order to mitigate these issues, we are moving our individually-weight based communities to a program which is less technology intensive, but still based on recorded participation. We have had this program in place for several year and it has proven to be more stable than our individually-weight based program. In our community-weight based program, point calculation is route based.

Going forward we will continue to collect RFID reads from Waste Connections – but would ask that you send us route level weight data vs. the original individual weights collected. We will send Waste Connections a suggested format for this data in a separate communication. We will then take the route data, convert it to points and allocate those points to those that have set out their bins. Everything else will remain the same.

Members will be notified via email 1-2 weeks before the switch occurs and our Customer Care Center (available at 1-888-727-2978 or via email at info@recyclebank.com) will be available to answer any concerns from residents. Attached please find a more detailed service overview of the new program.

In summary, we do not anticipate a change to recycling activity within your community or to the amount of points residents are earning. In addition, we do not anticipate a change to your resident's redemption behavior as a result of this change. These changes should require very little, if any, additional operational burden on Waste Connections and no additional burden on the municipalities you serve. In the end, this will make for a much smoother execution for us and for Waste Connections and, ultimately, result in a far better experience for our members.

Per our conversation, we'd like to begin the migration process in the latter part of April to take effect on April 15, 2013. Please let me know if you have any questions. We appreciate your ongoing partnership and look forward to our continued collaboration. Please do not hesitate to contact me with any questions. I can be reached at 512-970-3990.

Regards,



Gillan Taddune
Vice President of Client Services

RESOLUTION

A RESOLUTION AMENDING THE CONTRACT (COR 96-01) BETWEEN THE CITY AND WASTE CONNECTIONS OF TENNESSEE, INC., TO ELIMINATE THE REWARDS PORTION OF THE CITY'S RECYCLING PROGRAM FOR AN ANNUAL COST SAVINGS OF APPROXIMATELY \$123,972.00.

WHEREAS, by Resolution 4-52-96, City Council awarded a contract (COR 96-01) to Browning-Ferris Industries of Tennessee, Inc., (BFI) for weekly residential backdoor refuse pickup and curbside recycling, refuse pickup at City facilities, annual leaf pickup, annual cleanup campaign, and convenience center operation; and

WHEREAS, by Resolution 10-136-02, City Council assigned the contract to Waste Connections of Tennessee, Inc. (Waste Connections); and

WHEREAS, by Resolutions 11-161-98, 8-107-06, 10-100-08, and 02-07-2013, City Council amended and extended the contract, with said contract terminating on June 30, 2021; and

WHEREAS, by Resolution 10-100-08, City Council amended the contract to provide for a new single stream curbside recycling rewards program in conjunction with Recycle Bank, Inc., that increased the amount of waste recycled while also offering rewards to those who participate; and

WHEREAS, Recycle Bank is eliminating the individual reward program on April 15, 2013 and is converting to a community based rewards program; and

WHEREAS, Waste Connections has offered the City the option of converting to the community based program at no cost to the City or eliminating the rewards program completely for a reduction in the contract cost; and

WHEREAS, due to budgetary constraints, the City elects to eliminate the rewards portion of the City's recycling program completely which will reduce the City's overall cost for refuse and recycle collection under the contract by approximately \$123,972.00 per year; and

WHEREAS, elimination of the rewards portion of the recycling program will not affect the single stream curbside recycling residential customers currently enjoy with the larger recycling bins and will only eliminate the ability to accumulate rewards points effective April 15, 2013; and

WHEREAS, Recycle Bank has committed to the City that all accumulated rewards points will remain accessible to participants and, provided their account does not remain inactive for a period of one year, customers can continue to exchange their points for rewards through Recycle Bank until the account is exhausted; and

WHEREAS, the City Manager recommends elimination of the rewards portion of the City's recycling program.

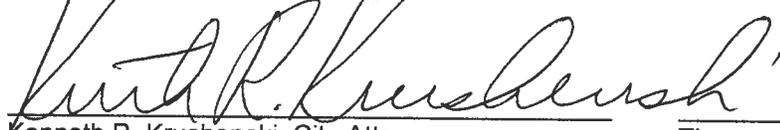
NOW, THEREFORE, BE IT RESOLVED BY THE COUNCIL OF THE CITY OF OAK RIDGE, TENNESSEE:

That the recommendation of the City Manager is approved and the contract (COR 96-01) between the City and Waste Connections of Tennessee, Inc., is hereby amended to eliminate the rewards portion of the City's recycling program effective April 15, 2013 with a cost reduction in the overall contract of \$0.84 per household per month for an estimated annual savings of \$123,972.00.

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

This the 8th day of April 2013.

APPROVED AS TO FORM AND LEGALITY:



Kenneth R. Krushenski, City Attorney

Thomas L. Beehan, Mayor

Diana R. Stanley, City Clerk

RECREATION & PARKS MEMORANDUM

13-01

DATE: April 1, 2013
TO: Mark S. Watson, City Manager
FROM: Josh Collins, Recreation & Parks Director
SUBJECT: ELDER CITIZENS ADVISORY BOARD BYLAWS CHANGES

Introduction

An item for City Council's consideration is a resolution approving updated bylaws for the newly named Senior Advisory Board as recommended by the Board.

Funding

Approval of the Elder Citizen's Advisory Board recommendation has no financial impact on the City.

Consideration

During the last several meetings of the Elder Citizens Advisory Board, several amendments were approved to the board's bylaws (see attached bold/strikethrough version). Many of the amendments are housekeeping in nature, as the changes update the bylaws to reflect the current policies and practices of the City, such as the election of officers at the regular January meeting and compliance with the current Boards and Commissions Attendance Policy, while others were to provide clarification and updates on duties and responsibilities of the officers, meeting dates, and the function of the board. Additionally, the board has received requests from two different organizations—the Coalition of Oak Ridge Retired Employees (CORRE) and the Anderson County ADA Oversight Committee—that affect membership by removing CORRE and adding the Anderson County ADA Oversight Committee. Since a current member, Lee Roy Gilliam, is a representative of both the aforementioned organizations, it has been recommended the Mr. Gilliam's representative membership change from CORRE to Anderson County ADA Oversight Committee.

Once the proposed changes were reviewed in their entirety, additional clarification of the proposed changes needed to be conducted. The Board reevaluated those changes at their April 1, 2013 board meeting, and approved a set of bylaws that reflected the changes proposed over the last several months and with the added clarification.

Several attachments have been included for City Council's review that provides background information regarding the proposed changes.

Recommendation

The Elder Citizens Advisory Board recommends approval of the accompanying Resolution as submitted. Chairperson Batchelor will be in attendance at the April City Council meeting to respond to City Council questions.

Attachments

- 1) CORRE Letter
- 2) Anderson County ADA Letter
- 3) Communication from Board Chair
- 4) Bold/Strikethrough Version of Bylaws
- 5) Updated Bylaws
- 6) Resolution 7-75-77
- 7) Resolution


Josh Collins

City Manager's Comments:

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


Mark S. Watson

4-2-13
Date

Coalition of Oak Ridge Retired Employees (CORRE)

P. O. Box 4266
Oak Ridge, Tennessee 37831-4266

RECEIVED
2012 DEC 14 AM 9:33

December 12, 2012

OFFICE OF THE CITY CLERK

The Honorable Mayor Beehan
and All Council Members
City of Oak Ridge
P. O. Box 1
Oak Ridge, Tennessee 37830

Dear Mayor Beehan and Council Members:

Representative on Elder Citizens Advisory Board (ECAB)

This is to inform you that CORRE no longer wishes to have a representative on the ECAB.

CORRE has enjoyed having a representative on the ECAB, but we have come to believe that the work of ECAB is best carried out by people and/or organizations that reside in or are strongly connected with Oak Ridge. CORRE represents a large number of people who reside in areas surrounding the City, as well as those who live inside the City.

We appreciate the use of the existing Senior Center very much. We have held our monthly Board meetings there for many years. We commend the Center's staff for the accommodating and hospitable manner in which they treat those who use the facility.

Sincerely,



Wilbur D. Shults
President

CC: City Clerk
Linda Jackson

**Working for Fair and Equitable Retirement Benefits for Former Employees of
K-25, ORNL, and Y-12, and Grandfathered Employees of UCOR and WSI.**

Louise McKown
102 Emory Lane
Oak Ridge, TN 37830
Home Telephone: (865) 483-1822
Email address: lamckown@bellsouth.net
Chair of the Anderson County Commissioners' ADA Oversight Committee

Mayor Tom Beehan and Oak Ridge City Council members:

At the Anderson County ADA Oversight committee meeting on December 10th, Leroy Gilliam told us that the Elderly Citizens Advisory Board was rewriting its bylaws. They want to include a member of the Anderson County's ADA Oversight committee on the board to address any ADA issues that could arise. Our committee agreed to send someone to represent the county.

Leroy Gilliam has long attended the Elderly Citizens Advisory Board meetings, so he knows what they do and what their goals are. He also knows the Americans with Disability Act. He lives in the City of Oak Ridge. He is also willing to serve on this Board. None of the rest of the members of the ADA committee has the time to work with the advisory board in this capacity. We hope that you will accept Leroy to serve on the board.

Sincerely,



Louise McKown

DATE: January 28, 2013
TO: Honorable Mayor and Members of City Council
FROM: Elizabeth Batchelor, Chairman, Elder Citizens Advisory Board
SUBJECT: Motions from the Elder Citizens Advisory Board and an Update of the Elder Citizens Advisory Board Bylaws

At the December 3, 2012 meeting of the Elder Citizens Advisory Board (ECAB) a motion was made by member Barbara Gunn to increase the board membership by one position and to designate that position for a representative from the Anderson County ADA Oversight Committee. The motion was seconded by member Elizabeth Batchelor and a vote was passed with 7 members voting for the motion and 2 members abstaining. Also submitted later in the month of December was the resignation letter of the Coalition of Oak Ridge Retired Employees (CORRE) to be removed from the ECAB. The City Council is respectfully asked to consider this removal of the CORRE position and addition of the Anderson County ADA Oversight Committee to better serve the senior citizens of Oak Ridge.

Also at the January 7, 2013 meeting a newly revised version of the Elder Citizens Advisory Board Bylaws was approved by the board and is being forwarded along with this letter as attachment one. These Bylaw changes are being submitted for the approval of City Council.

The final item included with this letter is a list of motions and recommendations from the Elder Citizens Advisory Board that had been included in the minutes of the past year's meetings. These are presented to City Council to review and discuss and is being sent with this letter as a separate attachment.

Sincerely,

A handwritten signature in cursive script that reads "Elizabeth Batchelor".

Elizabeth Batchelor, Chairman

**CITY OF OAK RIDGE, TENNESSEE
ELDER-CITIZENS SENIOR ADVISORY BOARD**

BYLAWS

- I. Name. The name of the organization is: ~~Elder-Citizens~~ **Senior** Advisory Board
- II. Membership. **The number of Board members is established by resolution of City Council. Additionally, by resolution City Council establishes a list of designated groups or organizations that are represented on the Board because of their connection to seniors or senior issues, and also designates the number of at-large members from the community. Although a member may be elected as a representative from a particular senior organization, he or she serves on the Board as a representative of all senior citizens of Oak Ridge. Each member is elected for a three-year term of office. Any vacancies occurring during the year will be filled in accordance with current city policies and procedures.**
- III. Functions and Powers. The function of the Board shall be to advise and assist the City Council in the continual development and reassessment of the program of ~~Elder-Citizen~~ **Senior** Activities and Services.

In performance of its functions, the Board is authorized to:

- a. Conduct any studies or reviews it deems worthwhile regarding development and maintenance of a program of activities and services which meet the needs and wishes of ~~elder~~ **senior** citizens in Oak Ridge.
- b. Cooperate with any group or organization in any way that it judges will aid in fulfilling its functions.
- c. Make recommendations regarding a policy for (1) use of the Senior Center by non-~~elder~~-**senior** citizens and (2) the reserving of certain hours for exclusive use by ~~elder~~ **senior** citizens.
- d. Adopt any rules and procedures it feels advisable for the conduct of its meetings.
- e. **Act as a sounding board for senior citizens in the community who seek new or altered opportunities for activities, education, policies, and services.**
- f. **Support the use of the Senior Center as a source of education and programming for senior health, nutrition, and safety.**

III-IV. Meetings.

- A. The Board shall meet the first Monday of each month ~~or, as it shall designate, in the lounge at the Senior Center, unless it is a city holiday and then the Board shall meet on the second Monday of the month.~~
- B. Special meetings may be called upon the request of the Chairperson or any three members of the Board. The notice of a special meeting shall be given at least 24 hours prior to the meeting and shall state the subject matter to be considered and no other matter shall be before the Board.
- C. In the event there is no matter to be considered, the Chairperson may dispense with a meeting by notifying **the Board's staff liaison** and each Board member at least 24 hours prior to the time set for the meeting.

IV- V. Quorum. A majority of the Board shall constitute a quorum for the transaction of business, and all actions shall require the concurring vote of ~~no less than five (5) members~~ **a majority of members present.**

V. Attendance. ~~Any member of the Board with three consecutive unexcused absences from regularly scheduled meetings shall cease to hold office as a member of the Board. Excused absence shall be defined as an absence caused by illness or absence from the city. In order~~

~~to qualify for an excused absence, the member must notify the chairperson or secretary prior to the meeting for which the excused absence is requested. The majority of the members present shall be empowered to determine whether or not any particular absence shall be excused.~~

VI. Absences. Absences shall be treated in accordance with the established City Council attendance policy for boards and commissions.

~~VI.-VII. Officers. There shall be elected at the regular July meeting from among the members of the Board the following officers: Chairperson, Vice Chairperson, and Secretary. The Chairperson shall preside at all meetings of the Board, decide all points of order, appoint membership to such temporary committees as deemed necessary, sign documents on behalf of the Board, and call regular or special meetings of the Board. The Vice Chairperson shall assume all the duties of the Chairperson in his or her absence. The Secretary shall conduct all official correspondence of the Board and keep a record of all official meetings and actions of the Board. A member shall be eligible for reappointment to one of these offices as long as he or she remains on the Board.~~

At the regular January meeting after all newly-elected or reelected members have taken the oath of office, the Board shall elect a Chairperson and a Vice Chairperson for one-year terms beginning immediately. A member shall be eligible for reappointment to one of these offices as long as he or she remains on the Board.

Duties of Officers

The Chairperson shall preside at all meetings of the Board, decide all points of order, appoint membership to such temporary committees as deemed necessary, sign documents on behalf of the Board, and call regular or special meetings of the Board.

The Vice Chairperson shall assume all the duties of the Chairperson in his or her absence.

The Board's staff liaison will record the minutes of the meeting and be responsible for their distribution to Board members and appropriate city offices.

~~VII.-VIII. Agenda. At least 48 hours prior to each meeting, the members shall be furnished with an agenda reflecting items to be considered. The Chairperson or such other person designated by the Board shall be responsible for preparation and distribution of the agenda.~~ **The Board's staff liaison is responsible for preparation and distribution of the agenda and the minutes of the previous meeting, as well as any other materials relative to the upcoming agenda. The order of business of all regular meetings shall be as follows:**

1. **Call to Order**
2. **Approval of Minutes**
3. **Reports**
4. **Unfinished Business**
5. **New Business**
6. **Announcements**
7. **Adjournment**

Under each heading shall be listed the items scheduled for consideration at the meeting. (See attached example.)

~~VIII. IX. Notice. Adequate notice of all meetings and matters to be discussed shall be given to the public and appropriate City offices, and shall be posted at the Senior Center. All meetings shall be open to the public.~~

~~IX. Order of Business. The order of business of all regular meetings shall be as follows:~~

- ~~1. Call to Order~~
- ~~2. Approval of Minutes~~
- ~~3. Reports~~
- ~~a. Senior Center Director's Report~~

- ~~_____~~ b. ~~Organizational Reports~~
- ~~_____~~ c. ~~Committee Reports~~
- ~~_____~~ d. ~~Other Reports~~
- ~~_____~~ 4. ~~Unfinished Business~~
- ~~_____~~ 5. ~~New Business~~
- ~~_____~~ 6. ~~Announcements~~
- ~~_____~~ 7. ~~Adjournment~~

- X. Annual Report. The Board will prepare an annual written report of its activities and recommendations for submission to City Council by June 30 of each year.
- XI. Amendment. These bylaws may be amended by majority vote of the members of the Board. An amendment to the bylaws shall be voted on at the next regular meeting after the regular meeting at which the amendment is proposed.

APPROVED BY THE ELDER-CITIZENS SENIOR
ADVISORY BOARD

Chairperson

Date of Meeting

Approved by City Council by Resolution _____
Effective Date for Bylaws: _____

Attachment: Sample Agenda

EXAMPLE OF AGENDA FOR SENIOR ADVISORY BOARD

1. Call to Order - Chairperson _____
2. Approval of Minutes - January 8, 2013
3. Appearance of Citizens (Items not on the Agenda)
4. Reports
 - a. Senior Center Manager's Report
 - b. Secretary's Review of Correspondence or other Actions
 - c. Recent Actions of City Council
 - d. Oak Ridge Senior Foundation Report
5. Unfinished Business
Construction of New Senior Center
6. New Business
New Funding Opportunities
7. Announcements
8. Adjournment

CITY OF OAK RIDGE, TENNESSEE
SENIOR ADVISORY BOARD

BYLAWS

- I. Name. The name of the organization is: Senior Advisory Board
- II. Membership. The number of Board members is established by resolution of City Council. Additionally, by resolution City Council establishes a list of designated groups or organizations that are represented on the Board because of their connection to seniors or senior issues, and also designates the number of at-large members from the community. Although a member may be elected as a representative from a particular senior organization, he or she serves on the Board as a representative of all senior citizens of Oak Ridge. Each member is elected for a three-year term of office. Any vacancies occurring during the year will be filled in accordance with current city policies and procedures.
- III. Functions and Powers. The function of the Board shall be to advise and assist the City Council in the continual development and reassessment of the program of Senior Activities and Services.

In performance of its functions, the Board is authorized to:
 - a. Conduct any studies or reviews it deems worthwhile regarding development and maintenance of a program of activities and services which meet the needs and wishes of senior citizens in Oak Ridge.
 - b. Cooperate with any group or organization in any way that it judges will aid in fulfilling its functions.
 - c. Make recommendations regarding a policy for (1) use of the Senior Center by non-senior citizens and (2) the reserving of certain hours for exclusive use by senior citizens.
 - d. Adopt any rules and procedures it feels advisable for the conduct of its meetings.
 - e. Act as a sounding board for senior citizens in the community who seek new or altered opportunities for activities, education, policies, and services.
 - f. Support the use of the Senior Center as a source of education and programming for senior health, nutrition, and safety.
- IV. Meetings.
 - A. The Board shall meet the first Monday of each month at the Senior Center, unless it is a city holiday and then the Board shall meet on the second Monday of the month.
 - B. Special meetings may be called upon the request of the Chairperson or any three members of the Board. The notice of a special meeting shall be given at least 24 hours prior to the meeting and shall state the subject matter to be considered and no other matter shall be before the Board.
 - C. In the event there is no matter to be considered, the Chairperson may dispense with a meeting by notifying the Board's staff liaison and each Board member at least 24 hours prior to the time set for the meeting.
- V. Quorum. A majority of the Board shall constitute a quorum for the transaction of business, and all actions shall require the concurring vote of a majority of members present.
- VI. Absences. Absences shall be treated in accordance with the established City Council attendance policy for boards and commissions.
- VII. Officers. At the regular January meeting after all newly-elected or reelected members have taken the oath of office, the Board shall elect a Chairperson and a Vice Chairperson for one-year terms beginning immediately. A member shall be eligible for reappointment to one of these offices as long as he or she remains on the Board.

Duties of Officers

The Chairperson shall preside at all meetings of the Board, decide all points of order, appoint membership to such temporary committees as deemed necessary, sign documents on behalf of the Board, and call regular or special meetings of the Board.

The Vice Chairperson shall assume all the duties of the Chairperson in his or her absence.

The Board's staff liaison will record the minutes of the meeting and be responsible for their distribution to Board members and appropriate city offices.

VIII. Agenda. At least 48 hours prior to each meeting, the members shall be furnished with an agenda reflecting items to be considered. The Board's staff liaison is responsible for preparation and distribution of the agenda and the minutes of the previous meeting, as well as any other materials relative to the upcoming agenda. The order of business of all regular meetings shall be as follows:

1. Call to Order
2. Approval of Minutes
3. Reports
4. Unfinished Business
5. New Business
6. Announcements
7. Adjournment

Under each heading shall be listed the items scheduled for consideration at the meeting. (See attached example.)

IX. Notice. Adequate notice of all meetings and matters to be discussed shall be given to the public and appropriate City offices, and shall be posted at the Senior Center. All meetings shall be open to the public.

X. Annual Report. The Board will prepare an annual written report of its activities and recommendations for submission to City Council by June 30 of each year.

XI. Amendment. These bylaws may be amended by majority vote of the members of the Board. An amendment to the bylaws shall be voted on at the next regular meeting after the regular meeting at which the amendment is proposed.

APPROVED BY THE SENIOR ADVISORY BOARD

Chairperson

April 1, 2013
Date of Meeting

Approved by City Council by Resolution _____
Effective Date for Bylaws: _____

Attachment: Sample Agenda

EXAMPLE OF AGENDA FOR SENIOR ADVISORY BOARD

1. Call to Order - Chairperson _____
2. Approval of Minutes - January 8, 2013
3. Appearance of Citizens (Items not on the Agenda)
4. Reports
 - a. Senior Center Manager's Report
 - b. Secretary's Review of Correspondence or other Actions
 - c. Recent Actions of City Council
 - d. Oak Ridge Senior Foundation Report
5. Unfinished Business
Construction of New Senior Center
6. New Business
New Funding Opportunities
7. Announcements
8. Adjournment

RESOLUTION

NUMBER 7-75-77

WHEREAS, the City Council of Oak Ridge desires the establishment of a program of elder citizen activities and services which meet the wishes and needs of elder citizens; and

WHEREAS, the priority use of the Senior Center by elder citizens and secondary use by other citizens is deemed proper as a means to achieve full utilization of this publicly-owned facility; and

WHEREAS, the existence in Oak Ridge of organized elder citizen groups and interested individuals is recognized as a valuable community asset which can contribute positively to the desired program of activities and services; and

WHEREAS, the City Council is authorized to establish Advisory Boards under City Charter, Article III, Section 5.

NOW, THEREFORE, BE IT RESOLVED BY THE MAYOR AND COUNCILMEN OF THE CITY OF OAK RIDGE, TENNESSEE:

Section 1. There is hereby created an Elder Citizens' Advisory Board for the City of Oak Ridge consisting of nine (9) members all of whom shall be citizens of Oak Ridge. The Board shall include one official representative from each of the following organizations:

American Association of Retired Persons
Forty Plus Club
National Association of Retired Federal Employees
Retired Teachers Association
Senior Citizens Club
Anderson County Council on Aging

Representatives shall be nominated by their respective organizations for three-year terms and confirmed by the City Council. The remaining places on the Board shall also be for three-year terms and appointments shall be made entirely at the discretion of the City Council. If any of the five elder citizens organizations or the Anderson County Council on Aging fails to nominate a representative for City Council confirmation within three months following a vacancy in that organization's seat on the Board, the City Council may appoint an individual to that seat without regard to organizational affiliation.

Section 2. Of the members first appointed, three (3), including the representatives of the American Association of Retired Persons and the Forty Plus Club, shall serve until July 1, 1978; three (3) including the representatives of the National Association of Retired Federal Employees and the Retired Teachers Association, shall serve until July 1, 1979; and three (3), including the representatives of the Senior Citizens Club and Anderson County Council on Aging, shall serve until July 1, 1980.

Thereafter, all appointments to the Board shall be for terms of three (3) years and all terms shall commence on July 1. If a successor has not been named at the expiration of a member's term, he shall continue to serve until his successor is appointed. Whenever a vacancy occurs, an appointment shall be made for the remainder of the unexpired term.

Section 3. A Chairman, a Vice-Chairman, a Secretary, and other officers, as deemed appropriate by the Board, shall be elected by the Board for one-year terms beginning July 1 of each year. A member shall be eligible for reappointment to one of these offices as long as he remains on the Board.

Section 4. Members of the Elder Citizens' Advisory Board may be excused from attendance at Board meetings whenever the Board deems that such absence is justified. Any member with three consecutive unexcused absences from regularly-scheduled meetings shall automatically cease to be a member of said Board.

Section 5. The functions of the Board shall be to advise and assist the City Council in the continual development and reassessment of the program of elder citizen activities and services.

Section 6. The Board shall hold meetings at such regular intervals as it may designate. All meetings of the Board shall be open to the public and meeting notices shall be posted at the Senior Center. A majority of the Board shall constitute a quorum for the transaction of business and all actions will be passed by the affirmative vote of at least five members.

Section 7. The Board shall annually prepare a written report of its activities and recommendations to the City Council, which shall be retained as a part of the official City records.

Section 8. In performance of its functions, the Board is authorized to:

- a. Conduct any studies or reviews it deems worthwhile regarding development and maintenance of a program of activities and services which meet the needs and wishes of elder citizens in Oak Ridge.
- b. Cooperate with any group or organization in any way that it judges will aid in fulfilling its functions.
- c. Make recommendations regarding a policy for (1) use of the Senior Center by nonelder citizens and (2) the reserving of certain hours for exclusive use by elder citizens.

- d. Adopt any rules and procedures it feels advisable for the conduct of its meetings.

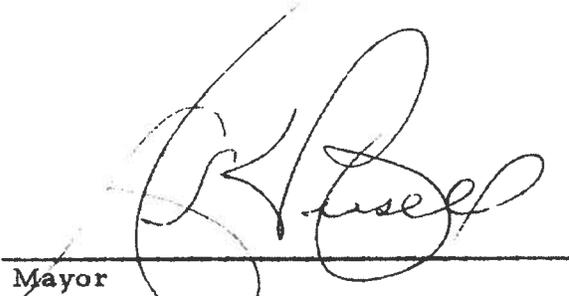
Section 9. Members of the Elder Citizens' Advisory Board shall serve without compensation, but may be reimbursed for all necessary expenses incurred in the discharge of their duties in accordance with appropriations made by City Council. The Board is not otherwise authorized to make expenditure of City funds.

This the 18th day of July, 1977.

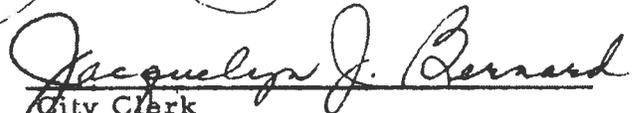
APPROVED AS TO FORM
AND LEGALITY:



City Attorney



Mayor



City Clerk

RESOLUTION

A RESOLUTION APPROVING UPDATED BYLAWS FOR THE SENIOR ADVISORY BOARD (FORMERLY THE ELDER CITIZENS ADVISORY BOARD); AMENDING RESOLUTION 7-75-77, AS AMENDED, TO ELIMINATE REPRESENTATION ON THE BOARD BY THE COALITION OF OAK RIDGE RETIRED EMPLOYEES (CORRE) AND TO ADD REPRESENTATION BY THE ANDERSON COUNTY ADA OVERSIGHT COMMITTEE, WITH THE TOTAL NUMBER OF BOARD MEMBERS REMAINING THE SAME; AND APPOINTING LEE ROY GILLIAM TO SERVE THE REMAINDER OF HIS CURRENT TERM ON THE BOARD AS THE REPRESENTATIVE FOR THE ANDERSON COUNTY ADA OVERSIGHT COMMITTEE.

WHEREAS, the Bylaws for the Elder Citizens Advisory Board were last updated on March 2, 1987; and

WHEREAS, at recent meetings, the Board voted to update the bylaws and voted on April 1, 2013 to finalize those changes for City Council's approval; and

WHEREAS, specifically said changes are: a name change from Elder Citizens Advisory Board to Senior Advisory Board; additional functions and powers pertaining to being a sounding board for senior citizens in the community and supporting the Senior Center for use as a source of education and programming for senior health, nutrition, and safety; providing for a meeting date in the event the regularly scheduled meeting date is a holiday; providing for the responsibilities of the staff liaison and eliminating the position of Secretary; updating the provision on the number of concurring votes it takes for board action; referencing City Council's attendance policy for boards and commissions; providing for officers to be elected each January; and establishing a new agenda format; and

WHEREAS, the board also voted to accept the Coalition of Oak Ridge Retired Employees' (CORRE) request to no longer have a representative on the board; and

WHEREAS, the board voted to replace CORRE's representation on the board with representation by the Anderson County ADA Oversight Committee, and the Anderson County ADA Oversight Committee agreed to such representation; and

WHEREAS, the Anderson County ADA Oversight Committee recommended to the board to allow Lee Roy Gilliam to serve as their representative.

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

That the attached Bylaws for the Senior Advisory Board are hereby approved.

BE IT FURTHER RESOLVED that Resolution 7-75-77, as amended, and specifically as amended by Resolution 10-101-09, is hereby amended to remove the representation of the Coalition of Oak Ridge Retired Employees (CORRE) per CORRE's request, and replace it with representation by the Anderson County ADA Oversight Committee.

BE IT FURTHER RESOLVED that Lee Roy Gilliam is currently serving on the board as the representative for the Coalition of Oak Ridge Retired Employees (CORRE) with a term expiring on December 31, 2015, and the Anderson County ADA Oversight Committee has requested Leroy Gilliam's continued presence on the board as their representative.

BE IT FURTHER RESOLVED that City Council hereby appoints Lee Roy Gilliam to serve the remainder of his current term on the board as the representative for the Anderson County ADA Oversight Committee.

This the 8th day of April 2013.

APPROVED AS TO FORM AND LEGALITY:



Kenneth R. Krushenski, City Attorney

Thomas L. Beehan, Mayor

Diana R. Stanley, City Clerk

CITY OF OAK RIDGE, TENNESSEE
SENIOR ADVISORY BOARD

BYLAWS

- I. Name. The name of the organization is: Senior Advisory Board
- II. Membership. The number of Board members is established by resolution of City Council. Additionally, by resolution City Council establishes a list of designated groups or organizations that are represented on the Board because of their connection to seniors or senior issues, and also designates the number of at-large members from the community. Although a member may be elected as a representative from a particular senior organization, he or she serves on the Board as a representative of all senior citizens of Oak Ridge. Each member is elected for a three-year term of office. Any vacancies occurring during the year will be filled in accordance with current city policies and procedures.
- III. Functions and Powers. The function of the Board shall be to advise and assist the City Council in the continual development and reassessment of the program of Senior Activities and Services.

In performance of its functions, the Board is authorized to:
 - a. Conduct any studies or reviews it deems worthwhile regarding development and maintenance of a program of activities and services which meet the needs and wishes of senior citizens in Oak Ridge.
 - b. Cooperate with any group or organization in any way that it judges will aid in fulfilling its functions.
 - c. Make recommendations regarding a policy for (1) use of the Senior Center by non-senior citizens and (2) the reserving of certain hours for exclusive use by senior citizens.
 - d. Adopt any rules and procedures it feels advisable for the conduct of its meetings.
 - e. Act as a sounding board for senior citizens in the community who seek new or altered opportunities for activities, education, policies, and services.
 - f. Support the use of the Senior Center as a source of education and programming for senior health, nutrition, and safety.
- IV. Meetings.
 - A. The Board shall meet the first Monday of each month at the Senior Center, unless it is a city holiday and then the Board shall meet on the second Monday of the month.
 - B. Special meetings may be called upon the request of the Chairperson or any three members of the Board. The notice of a special meeting shall be given at least 24 hours prior to the meeting and shall state the subject matter to be considered and no other matter shall be before the Board.
 - C. In the event there is no matter to be considered, the Chairperson may dispense with a meeting by notifying the Board's staff liaison and each Board member at least 24 hours prior to the time set for the meeting.
- V. Quorum. A majority of the Board shall constitute a quorum for the transaction of business, and all actions shall require the concurring vote of a majority of members present.
- VI. Absences. Absences shall be treated in accordance with the established City Council attendance policy for boards and commissions.
- VII. Officers. At the regular January meeting after all newly-elected or reelected members have taken the oath of office, the Board shall elect a Chairperson and a Vice Chairperson for one-year terms beginning immediately. A member shall be eligible for reappointment to one of these offices as long as he or she remains on the Board.

Duties of Officers

The Chairperson shall preside at all meetings of the Board, decide all points of order, appoint membership to such temporary committees as deemed necessary, sign documents on behalf of the Board, and call regular or special meetings of the Board.

The Vice Chairperson shall assume all the duties of the Chairperson in his or her absence.

The Board's staff liaison will record the minutes of the meeting and be responsible for their distribution to Board members and appropriate city offices.

VIII. Agenda. At least 48 hours prior to each meeting, the members shall be furnished with an agenda reflecting items to be considered. The Board's staff liaison is responsible for preparation and distribution of the agenda and the minutes of the previous meeting, as well as any other materials relative to the upcoming agenda. The order of business of all regular meetings shall be as follows:

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IX. Notice. Adequate notice of all meetings and matters to be discussed shall be given to the public and appropriate City offices, and shall be posted at the Senior Center. All meetings shall be open to the public.

X. Annual Report. The Board will prepare an annual written report of its activities and recommendations for submission to City Council by June 30 of each year.

XI. Amendment. These bylaws may be amended by majority vote of the members of the Board. An amendment to the bylaws shall be voted on at the next regular meeting after the regular meeting at which the amendment is proposed.

APPROVED BY THE SENIOR ADVISORY BOARD

Chairperson

April 1, 2013
Date of Meeting

Approved by City Council by Resolution _____
Effective Date for Bylaws: _____

Attachment: Sample Agenda

EXAMPLE OF AGENDA FOR SENIOR ADVISORY BOARD

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Construction of New Senior Center
6. New Business
New Funding Opportunities
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**CITY COUNCIL MEMORANDUM
13-04**

TO: Honorable Mayor and Members of City Council
FROM: Mark S. Watson, City Manager
DATE: April 1, 2013
SUBJECT: PILOT RECOMMENDATION FOR PROTOMET

Introduction

An item for City Council's consideration is a resolution authorizing the Industrial Development Board (IDB) to enter into a five-year one hundred percent (100%) payment in lieu of tax agreement with Protomet Corporation for the Phase II expansion of their business.

Analysis

The City Manager's office received an application from the Protomet Corporation requesting a 5-year PILOT for an expansion of their business. Previously, the City had provided a PILOT for expanding their original building in 2005. Since this project does not fit within the standard matrix, the IDB has forwarded a positive recommendation for City Council's consideration.

According to the rules governing PILOT recommendations, the City Manager may review the actions of the IDB before going to the City Council. I would concur with the recommendation of the IDB to the City Council for a 5-year/100% PILOT for the Protomet Corporation. The company presently has purchased a complimentary business in Chattanooga and is in the process of moving that businesses' processes and assets to Oak Ridge thus requiring a Phase II expansion of their facility. The business will double in size and add 16 additional employees. A concentration on local hires has been suggested to Protomet, which currently has 40% of its employees from Oak Ridge.

Usually, the City's PILOT programs reserve these amounts for 50% of the projected taxes with an average length of ten years. The request for a 100% abatement for 5 years is roughly equivalent for the same amount, which I believe to be acceptable. Taxes will continue to be paid on the Phase I portion of the business at \$25,993.21 in property taxes.

Protomet produces heavy duty rear view mirror units for large boats and yachts. Its origins started with the incubator at Tech 20/20. As a local business that has grown outside of the normal Department of Energy (DOE) related businesses, the City Manager's Office supports this PILOT request.

Recommendation

Adoption of the attached resolution is recommended.


Mark S. Watson

Attachments:

- 1) Protomet PILOT Application
- 2) IDB Recommendation
- 3) Resolution



Protomet Corporation

- Markets served: automotive, medical, homeland security, marine, recreational, housing
- 2012 revenues are 5 times that of 2005, expecting to double again by end of 2015.
- Currently employs 45, 40% of Protomet employees live in Anderson County.
- Consolidating operations from Blount County.
- Will add 30+ new positions in the Oak Ridge location during the next 3 years.
- Engaged in a culture of constant improvement, increasing productivity and capacity, assisting to drive innovation and growth in Anderson county
- At completion of Phase II, Protomet will maintain almost 40,000 sq ft of office/production (currently 15,360 sq ft) space
- 95% of production directed to private sector, non-governmental customers
- In 2013, Protomet will pay more than \$38K in city and county property taxes and will continue to pay taxes on the existing property throughout the abatement period.
- The tax abatement only applies to the expanded portion of the operation.

1997 Founded

1998 Started in Tech 20/20 business incubator, as an engineering/design consultancy

1999 First contract – Mercedes Benz, 1 million parts, re-designed and re-engineered to save MB 40%, won production contract

2000 Rented manufacturing space in Bethel Valley Industrial Park.

2005 Chose Oak Ridge as permanent home of Protomet Corporation

2005 Phase I Corporate headquarters in Oak Ridge – partnership with OR Economic Partnership

2007 Enters marine industry as an OEM supplier

2010 Phase I abatement expires.

2010 Protomet purchases assets of finish processing company, creating 4 Final Finish, a division of Protomet Corporation, saving 10 jobs, and fortifying a finishing operation

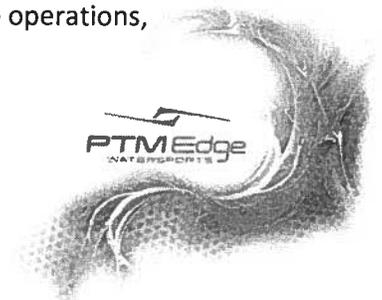
2011 Introduces PTM Edge branded products

2012 Develops add-on products to proprietary line, increasing sales of branded product

2012 PTM Edge products named 2 of 13 most innovative products in boating for 2013

2013 Distributes Protomet's PTM Edge products through more than 145 dealers/distributors/retailers worldwide

2013 Engaged Phase II expansion project to increase capacity, consolidate operations, improve efficiencies.



Appendix D
Application for PILOT (Payment In Lieu of Taxes) / Grant Assistance
Industrial Development Board
of the
City of Oak Ridge, Tennessee

I. Applicant:

Company Name: Protomet Corporation
Mailing Address: 1010 Larsen Dr
City: Oak Ridge State: TN Zip: 37830
Telephone: 865.425.0600
Federal Employer Identification Number: 62-1726859

Company Representative to be contacted:
Name: Jeff Bohanan Title: President
Mailing Address: 1010 Larsen Dr
City: Oak Ridge State: TN Zip: 37830
Telephone: 865.207.4444
E-mail address: jeff.bohanan@protomet.com

Description of Principal Business: Engineering Design, Product Development, Precision Manufacturing
SIC/NAICS (if known): 332710 Legal Structure: C-Corp
If a corporation, state of incorporation: Tennessee
If foreign corporation, is it registered to do business in Tennessee? _____ Yes _____ No

Principal Owner (if applicable):
Company Name: _____ N/A _____

II. Name and address of any of the following involved in the project:

Legal Counsel

Name: Larry Perry Title: Lawyer Esq.
Mailing Address: 11464 Saga Ln, Suite 400
City: Knoxville State: TN Zip: 37931
Telephone: 865-927-8474 Fax: _____
E-mail address: _____
Name: _____ Title: _____
Mailing Address: _____
City: _____ State: _____ Zip: _____
Telephone: _____ Fax: _____
E-mail address: larryperry11@comcast.net

Project Engineer(s)

Name: Matt Reid Title: Engineering Manager
Mailing Address: Same as company
City: _____ State: _____ Zip: _____
Telephone: _____ Fax: _____
E-mail address: _____

Name: _____ Title: _____
Mailing Address: _____
City: _____ State: _____ Zip: _____
Telephone: _____ Fax: _____
E-mail address: _____

Project Architect(s)

Name: Stacy Cox Title: Partner
Mailing Address: 414 Clinch Ave
City: Knoxville State: TN Zip: 37902
Telephone: 865.523.5001
E-mail address: scox@s4dinc.com

Name: _____ Title: _____
Mailing Address: _____
City: _____ State: _____ Zip: _____
Telephone: _____ Fax: _____
E-mail address: _____

General Contractor(s)

Name: Jenkins & Stiles – Cary Ratliff Title: VP of Construction
Mailing Address: 10617 Deerbrook Dr
City: Knoxville State: TN Zip: 37922
Telephone: 865.671.0130 Fax: _____
Email address: cratliff@jenkinsstiles.com

Name: _____ Title: _____
Mailing Address: _____
City: _____ State: _____ Zip: _____
Telephone: _____ Fax: _____
Email address: _____

Does applicant or sponsor of the project have an application pending or intend to apply for industrial revenue bond financing for this or a similar project with any other board in the City of Oak Ridge?

Yes No **If yes, please attach a detailed explanation.**

Does applicant or sponsor have present plans to incur indebtedness or other financial obligations, which would materially affect its financial condition other than the financing applied hereby?

Yes No **If yes, please attach a detailed explanation.**

Does applicant or sponsor of the project know of any proposed or pending tender offers, mergers, or acquisitions by or affecting applicant or sponsor of the project or any other materially significant corporate event in any way affecting application or sponsor of the project?

Yes No **If yes, please attach a detailed explanation.**

III. Project Location/Ownership:

Street address: 1010 Larsen Dr
City: Oak Ridge County: Anderson State: TN

Vicinity Map: *Please attach with general location of site shown.*

Attach a copy of deed (or surveyor's description) detailing property's metes and bounds description or other legal description.

Who owns the property at this time? Jeff Bohanan

Does applicant have an option to purchase the property if not already owned by applicant?
 Yes No

Are there presently outstanding any options or liens with regard to the property?
 Yes No

Give a brief description of the activities to be performed at this location, including a description of products to be produced and/or services to be provided:

Engineering Design, Product Development, Precision Manufacturing, Aluminum Finishing, Assembly, Sales and Marketing

Current Zoning: Light Industrial

Is the property zoned appropriately for intended use by this project? Yes No

IV. Tax Information:

Obtain the latest property tax statement from the Anderson or Roane County Assessor's Office (include both real and any existing tangible personal property).

Real Property

Tax parcel ID number (s): 30BZ-3

Current assessment: _____

Current tax: _____

Will this project result in the subdivision of any current tax parcel? Yes No

Tangible Personal Property

Tax parcel ID number (s): 01700P

Current assessment: _____

Current tax: _____

Are there any assessments under appeal? Yes No

If yes, please describe:

V. Capital Investment:

Land: Acreage: 8 Cost: Already Owned

Site Preparation Cost: \$ 191,580

Real Property (Building): Square Footage 21,500 Cost: \$ \$1.11 Million

Personal Property Cost: \$1.85 Million

Indicate total capital investment forecast by year:

Year 1: \$ 2.00 Million

Year 2: \$ 0.85 Million

Year 3: \$ 0.30 Million

Total = \$ 3.15 Million

Briefly describe these investments (types of tangible personal property, type of site development planned for this location and other improvements):

Expansion Includes 21,500 sq ft addition to the current 15,360 sq ft

Finished Total Sq Ft = 36,870 sq ft

VI. Construction Estimate:

Start Date: Month: May Year: 2013

Completion Date: Month: Dec Year: 2013

Describe any off-site infrastructure proposed for new public investments:

Describe below construction estimates and anticipated infrastructure requirements:

Water:

Sanitary Sewer:

Electric:

Streets:

Storm Sewer:

Other:

Have project utility requirements been reviewed by the appropriate local utility providers?
 Yes No

Certified Energy Efficiency construction, such as LEED®:
Will project be Certified Energy Efficiency construction? Yes No
If yes, Certification information shall be provided with your application.

All properties subject to this PILOT application will meet the Federal and State of Tennessee
ADA (American with Disabilities Act) regulations at the time of construction. Yes

VII. Wages/Jobs/ Residency:

Attach number of jobs listing by year, as formatted below, and the average per capita wages by major employment type category (Officials and Administrators, Professionals, Technicians, Protective Service Workers, Paraprofessionals, Administrative Support, Skilled Craft Workers, Service-Maintenance, Others).

	Current Ave Salary	No of Jobs 2014	No of Jobs 2015	No of Jobs 2016
Professional	\$105,999		2	2
Admin	\$58,927		1	1
Skilled Craft	\$37,784	14	5	6
Total Jobs		14	8	9

Residency: Currently 40% of employees live in City of OR or Anderson County. Protomet will target to increase this statistic to 50% of new hires = 16 in 3 years.

Wages, jobs and residency requirements shall be achieved as set out in the PILOT agreement between the applicant and the Industrial Development Board. An annual report of achievement is required by December 31 each year for the term of the PILOT agreement.

VIII. Environmental Impacts:

Phase 1 Environmental Audit performed by Environmental Property Investigations, Inc is included.

IX. Type of Assistance Requested

PILOT (fully describe PILOT requested): 5 Yr 100% Tax Abatement of New Investments

Grant (fully describe grant requested): _____

Justification for PILOT/Grant request:

Protomet has used the recession to gain market share as well as strategic position and is poised for above average rapid growth of 20 – 25% per annum for the next 5 years. Protomet provides opportunities for high income professionals as well as develops lower income blue collar workers into knowledge workers.

Community Support - 40% of Protomet's workforce lives in the City of Oak Ridge and/or Anderson County, providing additional consumer activity and an increasing tax base. Protomet's average salary is 50% above the average per capita income for Anderson County. Protomet has supported the Oak Ridge school system's TSA program by providing CNC machines at no charge as well as student mentoring. The company also hosts local community colleges and UT entrepreneurial classes for field trips. As requested, the company president, Jeff Bohanan, provides his time to speak at community events in support of entrepreneurial initiatives.

Workforce Development and Training - Protomet has been investing approximately \$50K per year in training. The high technology product development activities at Protomet provide an excellent venue for training tomorrow's knowledge workers. Low income blue collar workers have the potential to double and triple their earnings income potential by taking advantage of the opportunities for growth provided through the company.

Capital Expansion - The company has invested heavily in new technology and has aggressive plans for capital expansion. For Protomet, this capital provides the tools for high technology work and is critical to maintain a competitive advantage relative to foreign competition. For Anderson County and Oak Ridge, this capital provides an ever-increasing tax base.

Technology Commercialization - Protomet has leveraged Oak Ridge based technologies into commercially viable products and is currently shipping these products internationally. Also, the company provides an excellent venue to support the product development efforts of local technology companies. Clients include numerous high technology startups, e.g., TrakLok, IdleAire, HEAT, Protein Discovery, Sunlight Direct, LED North America, Atmospheric Glow Tech, etc. as well as established companies that are based on Oak Ridge technologies, e.g., NuSAFE, FLIR, Canberra, American Magnetics, Delta M, PIPs, etc...

Product Development and Innovation Factory of the Future – Protomet is aggressively investing in people and equipment to build a long term sustainable product development company. Protomet is effectively using training dollars to employ Lean Manufacturing Consultants as we build a future workforce capable of working in a state of the art factory.

In summary, in 2005 and in cooperation with the OR IDB, Protomet pursued a Phase 1 expansion that met or exceeded all stated goals for number of employees hired and capital invested. With the success of this cooperative endeavor, Protomet has been able to build a foundation for a Phase 2 expansion that further solidifies this company as a significant contributor to the East Tennessee region. Last year, Protomet paid \$33,600 in property taxes and, even with a 100%, 5 year abatement for Phase 2 expansion, Protomet will continue to pay property taxes based on the Phase 1 investments.

Protomet will continue to serve as a product development factory of the future as we facilitate taking new products to market. As an Oak Ridge based resource, the company serves as a hub of product development and innovation for East Tennessee and The Southeast. It is Protomet's desire to continue this cooperative partnership with the OR IDB and the City of Oak Ridge such that we can continue to build on this foundation.

X. Financial Information:

Attach copies of the most recent, preferably audited financial statements. If publicly held corporation, attach a certified statement of the corporation's net worth with corresponding disclosure notes as provided in the applicant's latest approved/audited financial statement.

XI. Certifications:

This application is made in order to induce the City of Oak Ridge, Tennessee and the Industrial Development Board of the City of Oak Ridge to grant financial incentives to applicant and sponsor. Applicant and sponsor represent and warrant that the statements contained herein or attached hereto are true and correct to the best of their knowledge and include all information materially significant to the board and its consideration of this application.

Applicant and sponsor have read and agree to comply with all requirements of the application procedures and policies of the City of Oak Ridge, Tennessee and the Industrial Development Board of the City of Oak Ridge. Applicant specifically agrees to pay all reasonable costs, fees and expenses incurred by the Board in connection with this application, whether or not the financial incentives are granted or this project built.

Protomet Corporation
Applicant

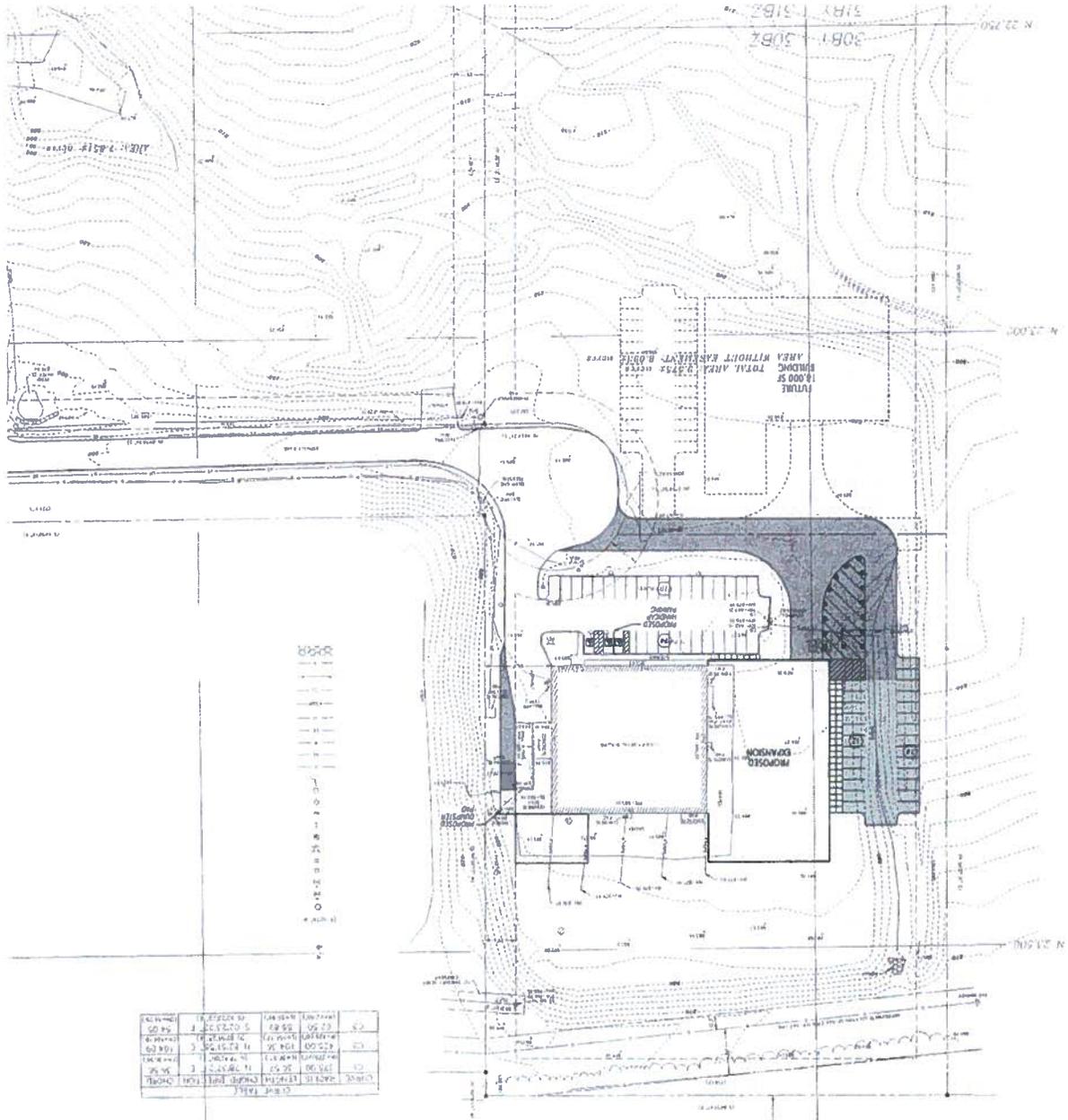
3/13/13
Date

Jeff S Bohanan
Owner
Jeff S Bohanan

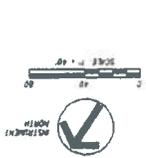
3/13/13
Date

Attachment

Section 3 – Site Map



NO.	DESCRIPTION	AMOUNT	UNIT	TOTAL
1	CONCRETE	100	YD	100
2	STEEL	50	TON	50
3	BRICK	1000	1000	1000
4	CEMENT	50	TON	50
5	AGGREGATE	100	YD	100
6	PAINT	100	GAL	100
7	LABOR	1000	HOUR	1000
8	EQUIPMENT	100	HOUR	100
9	PERMITS	100	DOLLAR	100
10	INSURANCE	100	DOLLAR	100
11	UTILITIES	100	DOLLAR	100
12	LAND	1000	DOLLAR	1000
13	TOTAL			3000



BETHEL VALLEY ROAD

0+00 0+20 0+40 0+60 0+80 1+00 1+20 1+40 1+60 1+80 2+00 2+20 2+40 2+60 2+80 3+00 3+20 3+40 3+60 3+80 4+00 4+20 4+40 4+60 4+80 5+00 5+20 5+40 5+60 5+80 6+00 6+20 6+40 6+60 6+80 7+00 7+20 7+40 7+60 7+80 8+00 8+20 8+40 8+60 8+80 9+00 9+20 9+40 9+60 9+80 10+00

Attachment

Section 8 – Environmental Assessment



Environmental Property Investigations, Inc

**ASTM E1527-00
COMMERCIAL REAL ESTATE
Phase One Report**

January 22, 2005

**Undeveloped Site (ProtoMet)
Clarence Larson Rd.
Bethel Valley Industrial Park
Oak Ridge, TN 37830**

Prepared For:

COPY

**Ms. Nancy Bowen
Regions Bank
8351 E. Walker Springs Lane
Knoxville, TN 37923**

Project ID: EPI-TN-0171

208 Scenic Drive, Oak Ridge, TN 37830 865.909-3447 / FAX 865.483-1268



Environmental Property Investigations, Inc

**ASTM E1527-00
COMMERCIAL REAL ESTATE
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Environmental Property Investigations, Inc
Offices in, Colorado, Tennessee, Texas, California

**Summary of
Findings - Recommendations - Conclusions
January 22, 2005**

➤ Client Information

Environmental Property Investigations, Inc. has been contracted to perform a Phase 1 environmental site assessment (ESA 1527-00) at an undeveloped site located at the end of Clarence Larson Rd. in the Bethel Industrial Park in Oak Ridge, TN. The property is identified in Plat 30-BZ-3, Block #30BZ. This report is provided for the exclusive use of Ms. Nancy Bowen of Regions Bank, Knoxville, TN and/or Assigns. The expressed purpose of this report is to identify and assess environmental issues associated with this site and is not to be relied upon by or transmitted to other parties without the express written consent of Regions Bank.

Dr. Todd L. Hardt, of our Oak Ridge, Tennessee office, performed the site assessment. The site inspection was conducted at approximately 5:00 PM EST on January 21, 2005. The weather at the time of inspection was sunny and cool with dry surface conditions. The interview was conducted with the property owner, Mr. Jeff Bohanan. The site reconnaissance was performed on foot and the area reconnaissance was conducted both on foot and by automobile. There was no impediment to the visual inspection of the property or any of the adjacent sites. A site location map and photography of the subject property are located in sections 2 and 4 of this report, respectively.

➤ Purpose of Site Assessment

This assessment is in compliance with the ASTM standard E1527-00 and is used to determine the recognized environmental conditions that would indicate past or current violations of state or federal regulations that pertain to CERCLA liability. The term "recognized environmental condition" means the presence or likely presence of any hazardous substances or petroleum products on the subject property under conditions that indicate an existing release, a past release or a material threat of a release of any hazardous substances or petroleum products into the structures on the property or into the ground, groundwater or surface water of the subject property.

➤ Scope of Services

1. ASTM Transaction Screen Questionnaire and Interview performed by a registered environmental professional from our office
2. An on-site physical inspection of the property by the environmental professional
3. The ASTM 1-mile radius search of all State and Federal databases
4. Digital photography of the site and all recognized environmental conditions on the site and potential adjacent impactors
5. A summary of non-scope environmental conditions such as asbestos and lead based paint



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6. Historical use search to 1940 or the earliest developed date prior to 1940
7. Executive summary of the database, historical use and recognized environmental conditions existing on the site and adjacent sites

➤ Physical Location and Property Description / Site Inspection and Observations

The subject site comprises approximately 8 acres of land located at the end of a new cul-de-sac on Clarence Lawson Rd. In the Bethel Valley Industrial Park of Oak Ridge. The site has been graded and prepared for construction. It is located at the base of Haw Ridge and originally sloped to the north. Soil burden has been taken from the southern part of the site to fill the northern part providing a level building site. Fill at the northernmost edge of the site is approximately 15 feet deep. At the time of this assessment, there was no vegetative soil cover on most of the site. Some grass and woodland was still evident on the western edge of the eight acre tract. An electrical transmission line runs along the southeastern edge of the site.

The site inspection included walking across all open areas of the property. During the site visit, there was no evidence of any chemical spills, stained or discolored soils, or distressed vegetation on the subject property. There was no evidence of burial activities or dumping on the site. There are no surface water bodies, surface impoundments, holding ponds, springs or streams present on the subject site. A high pressure underground gas pipeline traverses the northern edge of the property near Bethel Valley Rd.

There were no recognized environmental conditions noted during the physical inspection of this property.

➤ Environmental Setting

Land use in the vicinity of the subject site is comprised of light industrial facilities located in the industrial park. The subject property has never been recorded as ever having had underground or above ground storage tanks.

● Topography

Northeast trending valleys and ridges characterize the local topography. The subject property and its immediate vicinity are located in Bethel Valley at the base of the northwest slope of Haw Ridge. Topographic maps showing this area are located in section four of this report.

● Geology

The area in which this property is located is primarily in the middle portion of the Southern Appalachian Valley and Ridge Physiographic Province of eastern Tennessee. The characteristic northeast-southwest trending valleys and ridges of this area result from lithologic variations of the rock formations and subsequent weathering. Typically, the more resistant shales and sandstones form the ridges and the more soluble limestones and dolomites form the valleys. The soils in this area generally consist of dark brown to reddish-brown silty clay residuum overlaying the deep-bedded layers of siliceous dolomite and magnesium limestone formations. The site is identified in the Lovell TN USGS 7.5 Minute Topographic Quadrangle located at 35° 58' 26.8N / -84° 14' 12.5W.



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● **Hydrology**

The majority of rainfall in the region travels by sheet run-off to the streams on the valley floor and eventually drain into the Clinch River. In general, both surface and groundwater flow directions are controlled by the contours of the landforms in the area with flow occurring perpendicular to the contours from high elevation to low. The surface water from the subject site drains locally to the northwest following the topography of the area towards a drainage ditch along Bethel Valley Rd. Rainfall which permeates into the soils of this area, is either lost to transpiration or migrates vertically to the soil/bedrock interface. Typically, the shallowest aquifer is at or near the soil/bedrock interface. This aquifer generally mirrors the ground surface in terms of gradient and flow direction. Thus, the groundwater flow in the vicinity of the site is also predicted to follow the local topography of the area to the northwest. Depth to groundwater is estimated to be less than 50 feet; however, local variations may exist.

➤ **Historical Occupancy and Past Uses**

Historical occupancy is researched through multiple resources including county property records, City Directories, existing Sanborn Fire Insurance Maps and historical topographic maps of the area. In 1942 the area in which the subject site sits was acquired by the US government for its World War II Manhattan Project Oak Ridge Reservation. The site was part of the area that was utilized as a buffer area between the Manhattan Project plants and the public lands outside the Project boundaries.

Anderson County Property records, and historical topographic maps dating back to 1941 indicate that there has been no construction in the area of the site prior to the development of the industrial park. An aerial photograph taken in 1992 shows the early development of the industrial park and the subject site in particular. There appear to be no recognized environmental conditions with the historical use of this property.

➤ **Aerial Photography and Sanborn Maps**

An aerial photograph from 1992 was reviewed for this report and can be found in Section 4. Sanborn Fire Insurance Maps do not exist for this area as documented in section four (4) of this report.

➤ **Database Review**

The database report contained in section three (3) of this report summarizes those databases that are maintained by state and federal agencies. The subject site was not identified in any of the databases reviewed for this report. Two (2) sites were identified in the database search as a potential concern to the subject site. These are:

- The US DOE Oak Ridge Reservation (ORR) Oak Ridge National Laboratory site is listed in multiple databases including CERCLIS, RCRIS, CORRACTS and the National Priority List (NPL). Activities at the three ORR facilities have resulted in releases of hazardous substances and radioactive contamination. The Oak Ridge National Laboratory is located approximately eight miles west of the subject site and the Y-12 facility is about 1 mile distant. The nearest ORR site of concern is the Kerr Hollow Quarry located about ½ mile west of the subject site. The quarry has been used in the past as a treatment for hazardous waste to remove the hazardous characteristics of the materials. This use ended in 1988 and containers, cylinders and other materials have been removed from the bottom of the quarry. Although still restricted to human use, area wildlife uses the water in and from



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the quarry. The quarry site is geologically down gradient from the subject site and is not suspected to have had any environmental impact on the site. Therefore, the environmental risk due to the subject property from the DOE site is considered to be de-minimus.

- Advanced Labelworx is a Conditionally Exempt Small Quantity Generator of hazardous materials located adjacent to and east of the subject site. Advanced Labelworx has no record of RCRA violations and is geologically cross-gradient to the subject site. Therefore, the Advanced Labelworx facility is not suspected or predicted to have had any environmental impact on the subject site.

No other sites were identified within the database search radius. There were no orphan sites identified in the database that have had any impact on the subject site. There were no recognized environmental conditions resulting from the database search.

➤ Adjacent Property Identification

An off-site visual reconnaissance of the immediately adjacent properties was conducted during the site visit and was limited to properties that were visible from the perimeter of the site as well as areas that were readily accessible by public roads near the subject site.

Northwest: The adjacent property located northwest of the subject site, across Bethel Valley Rd., is undeveloped forestland. This property is down gradient with respect to the subject site.

Northeast: The property located to the northeast of the subject site is the Advanced Labelworx facility discussed above. This site is considered to be cross gradient with respect to the subject site.

Southeast: The adjacent property located southeast of the subject site is Haw Ridge and is undeveloped woodland. This property is sharply up gradient with respect to the subject site.

Southwest: The property located to the southwest of the subject site is undeveloped land. This property is considered to be cross gradient with respect to the subject site.

None of the immediately adjacent properties are observed or known to have had an adverse environmental impact on the subject site

➤ Summary of Non-Scope Issues

Phase 1 investigations are directed at looking for recognized environmental conditions pursuant to CERCLA. A summary sheet contained in section 4 of this report outlines specific environmental conditions that may also have an adverse impact on the property, but not governed by CERCLA statutes. There are no identified non-scope issues that would have an impact on the subject property or the area.

➤ Conclusions

The site, originally part of the Manhattan Project and the Oak Ridge Reservation, is currently being developed as part of the Bethel Valley Industrial Park. There are no recognized environmental conditions observed or found with the subject property or any other property adjacent to this site.



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➤ Recommendations

It is recommended that no other environmental investigation is needed or required for this property. This is my professional opinion and summary of findings and recommendations.

Respectfully submitted,

Todd L. Hardt, Ph.D.
Sr. Environmental Scientist



**Industrial
Development
Board
of the City of
Oak Ridge**

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Tennessee
37831-0001

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Buzz Patrick

Sandy B. Sexton
Executive Assistant

March 26, 2013

Honorable Mayor and Members of City Council
City of Oak Ridge
PO Box 1
Oak Ridge, TN 37831

RE: Protomet PILOT Application

At its March 25, 2013 Special Meeting of the Oak Ridge Industrial Development Board voted to recommend to City Council a 5 year PILOT abatement incentive of 100% for the proposed Protomet Phase II expansion.

Currently, 40% of Protomet's employees live in City of Oak Ridge or Anderson County. Protomet will target to increase this statistic to 50% or more of new hires = 16 in 3 years.

In 2005, Protomet pursued a Phase I expansion that met or exceeded all stated goals for number of employees hired and capital invested. With the success of this cooperative endeavor, Protomet has been able to build a foundation to the East Tennessee region. Last year, Protomet paid \$25,993.21 in property taxes and, even with a 100%, 5 year abatement for Phase II expansion, Protomet will continue to pay property taxes based on the Phase I investments.

Protomet will continue to serve as a product development factory of the future as they facilitate taking new products to market. As an Oak Ridge based resource, the company serves as a hub of product development and innovation for East Tennessee and the Southeast. It is Protomet's desire to continue this cooperative partnership with the Oak Ridge Industrial Development Board and the City of Oak Ridge such that they can continue to build on this foundation.

We respectfully request your acceptance of the Industrial Development Boards carefully considered recommendation.

Sincerely,

David Wilson
Chair

Enclosure (1) – Appendix A Industrial/Office Evaluation Matrix Protomet Expansion 2013

cc: Industrial Development Board Members
Mark Watson, City Manager, City of Oak Ridge
Ken Krushenski, City Attorney, City of Oak Ridge
Jeff Bohanan, Protomet President
Janice McGinnis, Finance Director, City of Oak Ridge
Parker Hardy, President, Chamber of Commerce
Kim Denton, President, Oak Ridge Economic Partnership
G. Mark Mamontov, Esq., Bass, Barry & Sims, PLC

RESOLUTION

A RESOLUTION AUTHORIZING THE INDUSTRIAL DEVELOPMENT BOARD OF THE CITY OF OAK RIDGE TO ENTER INTO A FIVE-YEAR ONE HUNDRED PERCENT (100%) PAYMENT IN LIEU OF TAX AGREEMENT WITH PROTOMET CORPORATION FOR THE PHASE II EXPANSION OF THEIR BUSINESS.

WHEREAS, by Resolution 10-99-10, City Council approved the 2010 PILOT Reauthorization documents for use by the Industrial Development Board of the City of Oak Ridge (IDB) as a guideline for tax abatements and payments in lieu of taxes for qualifying entities in Oak Ridge through December 31, 2013 in an effort to generate economic growth within Oak Ridge; and

WHEREAS, Protomet Corporation, a local business that originated from the Tech2020 incubator building, has requested consideration by the City for a five-year one hundred percent (100%) payment in lieu of tax agreement for the Phase II expansion of their existing business; and

WHEREAS, at the March 25, 2013 meeting, the IDB unanimously recommended acceptance and approval of the request, however, since the project does not fit the standard matrix outlined in the guidelines the request it is being presented to City Council for approval; and

WHEREAS, property taxes will continue to be paid on the Phase I portion of the business estimated at \$25,993.21 annually; and

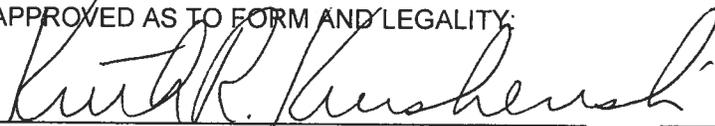
WHEREAS, the City Manager recommends approval of the request.

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

That City Council hereby authorizes the Industrial Development Board of the City of Oak Ridge (IDB) to enter into a five-year one hundred percent (100%) payment in lieu of tax (PILOT) agreement with Protomet Corporation for the proposed Phase II business expansion, as recommended by the IDB at their March 25, 2013 meeting, with property taxes continuing to be paid on the Phase I portion of the business estimated at \$25,993.21 annually.

This the 8th day of April 2013.

APPROVED AS TO FORM AND LEGALITY:



Kenneth R. Krushenski, City Attorney

Thomas L. Beehan, Mayor

Diana R. Stanley, City Clerk

RULES AND PROCEDURES COMMITTEE MEMORANDUM

DATE: April 2, 2013

TO: Fellow Members of City Council

FROM: Rules and Procedures Committee
Councilmember Trina Baughn, Chair
Councilmember David N. Mosby

SUBJECT: RULES AND PROCEDURES COMMITTEE RECOMMENDATIONS

During the November 19, 2012 Work Session, discussions were held regarding City Council's process for conducting meetings in accordance with the Rules and Procedures of City Council. At that time, councilmembers discussed the need to perform a review of the Rules and Procedures and provide needed updates to which Councilmembers Mosby and Baughn volunteered to complete the assessment.

The Rules and Procedures Committee met on several occasions with city staff—January 23, March 18, and April 1—to review and discuss the current Rules and Procedures of City Council and to determine what changes needed to occur for the efficiency of City Council business.

Several changes are being recommended to City Council for the Rules and Procedures. Many of the changes are grammatical in order to provide more coherent language and to present an easier flow of information—for the convenience of both City Council and the public. The Committee has also provided additional examples and language to sections throughout the Rules and Procedures so as to provide better clarity to City Council regarding the agenda format, preparation of the agenda, and conduct of meetings.

Other guidelines have been updated to provide more proficient and current means of conducting City Council business since the guidelines were last updated in 2011. For example, the Rules were never updated to reflect new, needed measures for when the boards and commission's end-of-year election processes and practices were implemented. The new language presented in those subjects focuses on efficiency through savings in resources, funds, time, and methods.

Several changes have also occurred to City Council's travel policies with an emphasis on deadline expansion and clarification, as well as highlighting the importance of using available city resources, such as city vehicles to conserve funds.

Below are some examples of the more significant suggested changes to City Council's Rules and Procedures that will take effect immediately upon council approval:

Meetings—Minutes of Meetings:

In accordance with T.C.A. § 8-44-104, minutes shall be recorded of all City Council meetings, including those meetings in which no action is taken, and will have the appropriate signatures.

The purpose of including this language was to further comply with the state statute and was added as a recommendation from the City of Oak Ridge's Municipal Technical Advisory Service (MTAS) Consultant as minutes provide a *permanent* record that a meeting of governmental body has occurred, even work sessions.

Proclamations

Guidelines were added to proclamations out of consideration for processing and drafting time expended by city staff. The language also helps to provide a focus from Council on the intent of a proclamation.

Deadlines (Work Sessions and City Council Regular Meetings)

The Rules and Procedures Committee recommends that city staff provide council and the public with the agenda for regular meetings at least one (1) week in advance to allow for adequate time to review and submit inquiries to the City Manager. The Work Session agendas will still need to be provided in advance—at least three (3) days—but allows the City Manager more time to collect and present information to City Council.

Included with this memo is a red, strike-through that details the changes recommended by the Committee, as well as the final, draft version of City Council's Rules and Procedures. Committee minutes, agendas, and other supporting documentation are available in the City Clerk's Office for City Council's perusal.

All of the recommended changes were approved unanimously by the Rules and Procedures Committee.

Respectfully submitted,

A handwritten signature in blue ink that reads "Trina Baughn". The signature is written in a cursive style and is positioned above a solid blue horizontal line.

Trina Baughn, Chair
Rules and Procedures Committee, 2013

Attachments

- 1) Red, strike-through of City Council's Rules and Procedures
- 2) Final, draft version of City Council's Rules and Procedures
- 3) Resolution

RULES AND PROCEDURES
OF THE
OAK RIDGE CITY COUNCIL
PROPOSED CHANGES

JANUARY 2013

RULES AND PROCEDURES - OAK RIDGE CITY COUNCIL

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RULES AND PROCEDURES
OAK RIDGE CITY COUNCIL

I. Meetings

A. Meetings Open to the Public

All Council meetings shall be open to the public and citizens shall have a reasonable opportunity to be heard. The Council shall exercise its powers only at public meetings. [Charter, Article II, Section 3]

1. Voting Record of Council

A vote upon all proposed ordinances and resolutions shall be taken by "yea" and "nay" vote, indicated either orally or by use of the electronic voting system. The vote of each Council member shall be entered upon the journal (minutes). The journal shall also report the names of the council members present and absent, each motion considered, and the title of each ordinance or resolution considered. [Charter, Article II, Section 8]

a. Use of the Electronic Voting System

It is acceptable for all questions (ordinances, resolutions, and motions) to be put to a voice vote; however, in the event the voice vote is not unanimous, the Chair may choose to use the electronic (roll call) voting system. The Chair activates the system by depressing the "ready ballot" button and the members of Council then present may vote "yea" or "nay" during the time the lamp is on. A Council member may have the opportunity to change his/her vote if the request is made prior to recording of the results. If a Council member fails to cast an electronic vote, the Chair shall ascertain if it is his/her desire to abstain.

b. Clearing the Electronic Voting Board

After votes have been recorded, the electronic voting board shall be cleared.

2. Minutes of Meetings

There shall be a journal of proceedings (minutes) of all Council meetings signed by the Mayor and City Clerk and to which the public shall have access at all reasonable times. The journal (minutes) shall report the names of the Council members present and absent, each motion considered, and the title of each ordinance or resolution considered. [Charter, Article II, Section 8]

In accordance with T.C.A. § 8-44-104, minutes shall be recorded of all City Council meetings, including those meetings in which no action is taken, and will have the appropriate signatures.

An indexed audio recording of each meeting shall be maintained for a ~~five~~ **ten**-year period of time and video recording shall be maintained for one year. A copy of the approved minutes shall be distributed to each member of City Council.

3. Publication of Minutes

A summary of Council proceedings shall be published in the official city newspaper within 15 days after a meeting, showing the substance of each Council action.

[Charter, Article II, Section 8]

B. Types of Meetings

1. Regular Meetings

The Council shall hold regular meetings in Oak Ridge at least once monthly. Increased frequency, time of day, and place of its meetings shall be established by resolution.

[Charter, Article II, Section 1]

2. Special Meetings

Special meetings shall be called by the City Clerk on the written request of the Mayor, the City Manager, or any two (2) Council members by providing each Council member with twenty-four (24) hours written notice served personally or left at his or her usual place of residence. Business transacted at any special meeting shall be limited to subjects recited in the notice of such meetings.

[Charter, Article II, Section 2]

3. Work Sessions and Other Miscellaneous Meetings of City Council

~~The Council shall may hold regular work sessions miscellaneous meetings as scheduled by the City Manager. These meetings are scheduled on an as needed basis as a means to allow for discussions and interactions of City Council on particular subjects, updates, and for the exchange of information. A schedule of meeting times and dates are established annually, although nothing precludes the holding of a special work session as the need may dictate. A brief summary of the agenda shall be made available to all Council members, along with supporting information/documentation whenever possible. The work session agenda with associated materials will be available in an electronic medium as soon as possible prior to the work session. No official action shall be taken at work sessions.~~ An agenda shall be made available to all Council members, along with supporting information/documentation at least three (3) business days prior to the meeting.

C. Quorum of Council

At least a majority of the members of the Council then in office shall be a quorum for the transaction of business at all Council meetings, but in the absence of a quorum, two (2) members may adjourn the meeting to a later date.

[Charter, Article II, Section 4]

D. Official Council Business

The affirmative vote of at least a majority of the members of the Council then in office shall be required to approve any proposed action other than those listed in Sections B.2 and C of these Rules and Procedures.

[Charter, Article II, Section 8]

When voting for any contested appointment, the vote shall be taken by written ballot, each of which shall be invalid unless signed by the voting member who marked it.

E. Appointments to Boards and Commissions

1. Election Notice

~~City Council and the news media shall be notified of an expiration of a term of office for a Board or Commission, or a vacancy due to resignation, by placement of an election notice on the agenda for the Council meeting immediately preceding the election date.~~

City Council and the public shall be notified of current and end-of-year vacancies through the City Clerk's Office. The City Clerk shall prepare an election notice either via a legal notice to the paper or as a press release prior to the scheduled election. Terms shall be determined, reviewed, and established by City Council.

2. Filing Deadline

A resident of the City desiring to be a candidate for Council appointment to a board or commission shall submit a résumé to City Council at the office of the City Clerk at least ten (10) days prior to the Council meeting at which the election is to occur. the required application to the City Clerk. Additionally, the applicant(s) may submit resumes, cover letters, and other documents. All material must be submitted to the City Clerk's Office by the deadline specified in the notice.

3. Conduct of Elections

The resumes of all candidates applicant's information shall be placed in the agenda packet for the meeting at which the election is to occur, along with a ballot, if needed, that which lists the names of all candidates and offers the opportunity to abstain. The resumes of incumbent candidates applicant's information shall be accompanied by a report indicating the incumbent's total time in office and his/her attendance record for at least the most recent term of office.

Applicants are encouraged to attend the election meeting and may be given an opportunity to speak.

4. Notification of Election Results

Following the election, appropriate letters shall be sent to all candidates and outgoing board members applicants and outgoing board members from the City Clerk. over the Mayor's signature, and an updated roster shall be sent to City Council members, the relevant board members, and concerned City staff members.

F. Ordinances

Each ordinance, before being adopted, shall be read at least by title at two meetings not less than one (1) week apart, and shall take effect ten (10) days after its adoption, except that, where an emergency exists and the public safety and welfare requires it, an ordinance containing a full statement of the facts and reasons for the emergency may be made effective upon its adoption if approved by a majority of the members of the Council on two (2) readings on successive days. At least the title of each ordinance, except an emergency ordinance, shall be published in the official city newspaper at least one (1) week before its adoption and within ten (10) days after its adoption, either separately or as part of the published proceedings of the Council. The newspaper publication shall include locations where the ordinance is available for public review. The entire ordinance shall be published on the City's web site at least one (1) week before its adoption and shall remain on the website for a minimum of 30 days after its adoption. [Charter, Article II, Section 12]

If an ordinance is amended on first reading, it shall be presented in its amended form at the time of second reading. City Council also has the option to defer the ordinance on second reading.

G. Proclamations

The Mayor shall be empowered to issue proclamations when circumstances such as timing contraindicate their consideration at a regular Council meeting. These proclamations shall then be distributed to City Council as items of information only.

Overview: Proclamations are issued to proclaim certain events, causes, or achievements that positively impact the community and convey an affirmative message to the City of Oak Ridge residents. Proclamations which are political, religious, or

controversial in nature, or that would not likely enjoy a high level of community interest or support will not be supported by the City of Oak Ridge. Submission of a proclamation request does not guarantee issuance.

Proclamations issued by the City are ceremonious in nature and not considered an official endorsement by the City of Oak Ridge. The Mayor will be the signatory of all proclamations issued by the City of Oak Ridge.

Guidelines:

- 1) National organizations that do not have a local contact person, i.e. Oak Ridge affiliation, will not be granted.
- 2) The City Clerk's Office reserves the right to modify (change and/or delete) any language provided for a proclamation.
- 3) Requests not received in the fourteen (14) day timeframe will be prepared based upon staff availability.
- 4) A requesting party does not have exclusive rights to the day, week, or month of the proclamation.
- 5) Proclamations presented outside of the City Council meetings will be placed on the Consent Agenda (title only) for City Council's information only based on historical and for record keeping purposes.
- 6) Proclamations will not be processed after the event date for that year.
- 7) Other means of individual recognition, such as honorary letters or certificates will be considered as an alternative to proclamations.

Preparation:

- 1) Requests should be submitted in writing to the City Clerk's Office at least fourteen (14) days prior to the event. Early notification is appreciated.
- 2) The request should specify if the proclamation is expected to be presented during a City Council meeting or at a non-city event, although a request to be on the City Council meeting agenda is not guaranteed.
- 3) The request should include the requestor's first and last name, address, telephone number, and organizational name (if warranted).
- 4) A brief summary and/or background of the event or organization should be provided, as well as draft text for the proclamation, including, but not limited to the "whereas" clauses.
- 5) The requestor should provide a date when the proclamation is needed, as well as the name of the day" and date of the day, week, month that the event is proclaimed.

II. Conduct of Meetings

A. Maintaining Order

Council members shall preserve order and shall do nothing to interrupt or delay the proceedings of Council.

B. Sergeant-At-Arms

~~Upon the Chair's request,~~ The City Manager shall designate a police officer to serve as the Sergeant-At-Arms of the Council.

C. Permission to Speak Before Council

1. Right to Speak

a. City Council Members

The Chair shall recognize the right of City Council members to speak before the body. A Council member shall initiate his/her right to speak by depressing the "call for floor" button. The Chair shall maintain a sequential list of the callers.

b. Members of the Public

The Chair shall recognize a citizen's ~~right~~ opportunity to comment on items that are under consideration by the Council as part of the formal agenda. A citizen ~~may exercise that right by raising~~ will raise his/her hand and/or proceed to the public lectern and, after recognition by the Chair, stating his/her name and address.

The Chair shall recognize members of the public ~~only~~ after all Council members have been given an opportunity to be heard on the subject. Upon recognition by the Chair, members of the public may speak for a ~~maximum of~~ up to three (3) minutes. Written statements may also be filed with the City Clerk who shall distribute them to the Council at the earliest possible time.

2. Discussion of Motion

The Council member proposing a motion that has been duly seconded has the right to open the debate. Other members may then address the issue upon recognition by the Chair. Council members should strive to maintain reasonable time limits and to keep their discussion germane to the motion under consideration.

3. Call for the Question

Council members may indicate that they are ready to vote by depressing the "call for question" button. ~~The Chair is allowed a voting opportunity for the "call for the question."~~ When a majority of those members present have called for the question ~~by pushing the button~~, the Chair may close the discussion and put the question to a vote.

4. City Manager and City Attorney

The City Manager and City Attorney may speak on any subject ~~when recognized by the Chair~~. They may answer questions raised by members of City Council or ask another officer to answer for them. All questions about the internal operation of the municipal corporation shall be directed to the City Manager.

5. Right of Appeal

Council members shall have the right to appeal from a decision of the Chair. The Chair will give its reasons for the decision and the injured party will defend his/her position. A majority of the Council will determine the matter.

D. Right to Speak Uninterrupted

A Council member, duly recognized, shall be allowed to speak on the topic under discussion and may be interrupted only if a point of order is raised. If the Council member is judged to be in order he/she may continue on the subject. If determined to be out of order, the Council member must change his/her remarks or surrender the right to continue speaking.

E. Temporary Recess (Break)

~~The Chair will, at intervals of approximately 1½ hours and following completion of a subject item, call for a recess.~~

Following completion of a business item, the Chair may call for a recess. A recess may not be

called prior to a vote.

F. Signs Not Allowed in Chambers

Signs, posters, and placards may be carried outside the Council's meeting room, but shall not be allowed within, unless it is necessary for official business related to the agenda.

G. Use of Tobacco Prohibited at Council Meetings

The use of tobacco in any form shall not be allowed during the course of a City Council meeting regardless of location. This rule shall apply to all meetings of the Council.

III. Order of Business

A. Agenda Format

Each item of the agenda will have an abstract after the title when such an abstract is clearly indicated. The order of business shall be as follows:

- I. Invocation
- II. Pledge of Allegiance
- III. Roll Call
- IV. Appearance of Citizens (See Note 1)
- V. Proclamations and Public Recognitions
- VI. Special Reports
- VII. Consent Agenda (See Note 2)
- VIII. Resolutions
- IX. Public Hearings and First Reading of Ordinances
- X. Final Adoption of Ordinances
- XI. Elections/Appointments, Announcements and Scheduling (See Note 3)
- XII. Council Requests for New Business Items or Future Briefings
- XIII. Summary of Current Events
 - a. City Manager's Report
 - b. City Attorney's Report
- XIV. Adjournment

In order to allow flexibility to conduct city business, the City Clerk, with approval from the City Manager, may reorder the above agenda format on a per meeting basis.

Note 1: Appearance of Citizens: Citizens shall be permitted to address City Council about matters that are not on the formal agenda. For the city record, the City Clerk may require a sign up card for citizen appearances. Any citizen wishing to do so shall raise his/her hand and/or proceed to the public lectern and, after recognition by the Chair, state his/her name and address, and the purpose for his/her appearance before the Council. Comments shall generally be limited to three (3) minutes and shall relate to matters of City business. They shall not generally result in a formal response or action at the time of presentation because in most cases neither the Council nor the staff will be prepared to respond effectively; however, the Chair may answer questions or direct the City Manager to do so, or the City Manager may be requested to work with the citizen to effect resolution of the matter.

Statements that are purely political in nature will not be allowed, such as campaign speeches or announcements of candidacy for office, nor will announcements of a civic or social event that is unrelated to City business.

Note 2: Consent Agenda: Those items on the Council agenda which are considered routine by the City Manager – e.g., approval of minutes; certain standard form

resolutions such as those extending the time for the oath of office; confirmation of certain appointments such as Council committees, the Oak Ridge Utility District, and the Youth Advisory Board, and routine purchases; shall be listed on the Consent Agenda and, unless a member of Council has *specifically* requested that an item be removed therefrom and Council action taken separately, these items shall be approved, adopted, accepted, etc., by a single motion of the Council followed by a roll call vote.

City Councilmember will be afforded an opportunity following approval of the Consent Agenda to comment on any of the business items approved.

Note 3: Elections/Appointments, Announcements, and Scheduling: Nominations, elections, and appointments related to city and non-city boards, Council committees, and etc. shall occur under the "Elections/Appointments" category. "Announcements" will provide City Councilmembers with an opportunity to discuss attendance at recent and/or future conferences, participation at community events, or to express appreciation for recent volunteer efforts or community participation.

B. Preparation of the Agenda

The agenda will be prepared by the City Manager.

1. Material for Agenda

All items for action shall be checked with the City Attorney for legality and with the administrative staff for adequacy where necessary.

2. Council Requests for New Business Items

The Mayor and City Council are urged to advise the City Manager of New Business Items prior to the posting of the agenda. If the items are not provided in advance then City Council can use this opportunity to provide direction to the City Manager regarding business requests and briefings during the City Council meeting. Those items will advance with a consensus from the Council.

3. Emergency Items

Materials concerning emergency items shall be furnished Council members at the earliest time possible.

4. The Finished Agenda

The finished agenda with associated material for regular Council meetings will be available in an electronic medium by close of business ~~the Wednesday prior to the meeting~~ exactly one (1) week or seven (7) days prior to the meeting. ~~An electronic copy of the agenda shall be made available to the news media at the same time, and shall be placed on the City's web site at the earliest possible time.~~ The agenda packet shall be placed on the City's website immediately upon completion and the City Clerk' Office will distribute copies of the agenda to the media.

IV. Motions

City Council adheres to Robert's Rules of Order except for the following:

A. Motion to Adjourn

A motion to adjourn is out of order prior to three (3) hours following commencement of the meeting if all items on the agenda have not been completed. An unqualified motion to adjourn

shall not be debatable.

B. To Lay Question on the Table

A motion to lay on the table is not debatable and precludes amendments or debate of the subject under consideration. If the motion prevails, consideration of the matter tabled resumes only if a member of the majority voting in favor of the motion to table makes a motion to bring the matter off the table and it is seconded, and a majority of the members vote in favor of it.

C. Motion Asking for Previous Question

This motion is not debatable. When the previous question is called for there shall be no further amendments or debate and pending amendments shall be taken in their order before the main question.

D. To Postpone to Another Time

This motion is debatable and may be amended as to time.

E. To Refer to Committee or Individual

This is debatable.

F. Amendments

An amendment may be amended but further amendments are out of order. Any amendments must be germane to the original motion.

G. Motions to be Stated by the Chair

When debate is completed, the motion shall be restated by the Chair before voting.

H. Withdrawal of Motion

1. A motion may be withdrawn by the person making the motion with the consent of the person seconding the motion if debate has not begun.
2. A motion may be withdrawn after debate with consent of the majority of Council.

I. Public Hearing

Public hearings shall occur in the order as indicated in the above **Agenda Format**. A motion must be made each time for both the opening and the closing of a public hearing, followed by a vote of City Council.

V. Officers and Committees of Council

A. Mayor

The Council, at its first regular meeting following a regular city election and after all newly-elected members have been duly qualified, shall elect one of its members Mayor for a term of two (2) years. Whenever a vacancy occurs in the office of the Mayor, the Council shall elect one of its members to serve until the time fixed herein for the regular election of Mayor. The Mayor shall preside at meetings of the Council, shall have a vote on all matters but no veto power, shall have the same right as any other Council member to speak on an issue, shall be the ceremonial head of the City, shall sign ordinances and resolutions on their final passage, shall sign deeds, bonds and contracts when authorized by the Council to do so, shall be the officer to accept process against the City, shall not have any regular administrative duties, and

shall perform only such duties as shall be specifically conferred or required by law.

[Charter, Article II, Section 6]

B. Mayor Pro Tem

The Council shall choose one of its members Mayor pro tem who shall act in the temporary absence or disability of the Mayor.

[Charter, Article II, Section 7]

The Mayor pro tem shall be chosen immediately following the election of the Mayor.

C. Committees

1. The Mayor or any member of Council, with the advice and consent of Council, may appoint committees whose membership may include persons not on Council. Officers of appointed committees shall be determined by appointed members of that committee unless City Council specifies otherwise.

2. Committees will be appointed to study specific matters. They shall be provided with a defined charge and a time limit shall be placed on the length of the study. The committee will make a report to the Council at a predetermined time. All committee reports upon which action is expected shall be in written form and copies shall be made available to each member of the Council. A committee shall cease to exist following acceptance of its report unless the Council takes action to extend its term for a defined period.

3. The affirmative vote of a majority of the members of Council then in office shall be required to make any authorized appointment or to remove such appointees.

[Charter, Article II, Section 8]

4. Committee appointees shall be residents of the City unless otherwise specified by City Council.

5. There shall be no standing committee of the Council.

[Charter, Article II, Section 8]

(This section does not relate to Boards and Commissions who will convene in accordance with their enabling legislation.)

~~6. The City Clerk shall annually prepare for the Council a list of outstanding Council-appointed committees showing membership and status. It shall be the responsibility of the Mayor to recommend dissolution of committees or other appropriate action as indicated.~~

D. Appointment of Members to Non-City Committees

The Mayor, with the advice and consent of Council, may appoint members to other established bodies, as desired or deemed necessary.

VI. Expenses Incurred in the Conduct of Official Business

It shall be the policy of the Council to maintain the cost of all phases of Council operations at the most economical level consistent with satisfactory conduct of City affairs. To this end, City money shall be used to reimburse Council members and board, commission or committee members elected or appointed by the Mayor or City Council for expenses incurred in the conduct of City business. The City budget shall determine availability of funding for City reimbursed travel. While it shall be the policy of the Council to assume all reasonable costs associated with the conduct of such business, the following considerations shall be the basis for determining the reasonableness of such costs:

A. Prior Approval or Notification

1. City Council

Overnight travel shall be subject to prior approval or notification in the following manner:

- a. Submission of a request for approval at a Council meeting before the planned trip, or
- b. ~~Distribution of advance notification in writing to all Council members.~~ A councilmember must complete the Travel Notification Form and distribute to all members of City Council via the City Clerk with at least 24-hours advance notice.

The request for travel approval or advance notification shall contain an explanation of the purpose of the trip and the benefit to accrue to the City.

2. Members of Boards, Commissions, or Committees

Overnight travel shall be subject to budget and prior approval of the City Manager. The request for travel approval shall contain an explanation of the purpose of the trip and the benefit to accrue to the City.

B. Transportation

City vehicles ~~may be used~~ **should be the first consideration when used for transportation** while on official City business unless consideration of time or distance would indicate that such use would be unreasonable **or a vehicle is unavailable**. When other modes of travel are to be used, the City shall provide or pay for tickets for rail, air or bus transportation. When transportation tickets are secured by an individual, advantage must be taken of all tax exemptions allowed the City.

Cost of bus, taxi or limousine service from Oak Ridge to railway station or airport and return and at destination from airport, railway or bus terminal to hotel and return shall be an allowable expense. After reaching the hotel at destination, local transportation facilities shall be used, and costs of such use shall be borne by the City. Taxi fares will be allowed if justified on the basis of (1) unavailability of other means of transportation, (2) urgencies due to time schedules, (3) economical advantages to the City. The cost of rental car use may be assumed by the City when justified by the same considerations.

Use of personal automobiles for travel on City business shall be allowed with prior approval **by the City Clerk**. Only the driver of a personal car shall be reimbursed for such travel, and reimbursement shall be at the rate established by the City Manager for all other officers and employees of the City or an amount not to exceed economy airfare, whichever is less expensive. Passengers in such automobile shall not be paid any transportation allowance for such travel. Storage or parking charges resulting from the authorized use of either City or private automobile shall be at the expense of the city. The total transportation expense to be borne by the City when a personal car is used for official travel shall not exceed the amount of expense incurred had commercial air transportation been used when such transportation is available.

C. Lodging

Actual cost of occupancy of hotel or motel room for the Council or Board member shall be at the expense of the City. When a room is occupied by more than one person and the additional occupants are not on official City business, then reimbursement for lodging will be made in the amount that would have been charged for single occupancy of the hotel or motel room.

D. Food

Actual cost of meals while conducting or traveling on City business is reimbursable; however, such costs shall be maintained at the most economical level possible. In lieu of submission of actual expenses for food, the maximum allowed for reimbursement shall be at the daily per diem rate established by the City Manager for all other officers and employees of the City. When traveling, the permissible food reimbursement shall be limited to the food reimbursement amount that would be given using the fastest method of transportation available. For example, when a slower method of transportation is used, such as vehicle travel instead of air travel, the permissible food reimbursement amount will be limited to the number of travel days had air travel been used

E. Registration and Special Event Fees at Meetings and Conventions

Registration and special event fees shall be paid for in advance by the City whenever possible or if paid by the attendee, shall be reimbursable by the City.

F. Receipts

Routinely, all claims for expenses shall be accompanied by paid receipts. However, when traveling on City business, receipts are not required when the item is less than \$5 \$10 or the actual food charges are less than the daily rate established by the City Manager for all other officers or employees of the City.

G. Spousal Expense

All expenses for an accompanying spouse or guest shall be at the expense of the Council or Board member.

H. Advances

Advance payments for travel expenses can only be made to the provider (airline, hotel, conference provider, etc.), but the traveler may be reimbursed after the trip if direct payment to a provider was not made. [Tennessee Code Annotated §6-54-901-907]

I. Accounting

1. City Council

An accounting of travel expenses (Travel Expense Report) shall be filed with the City Clerk within ~~fifteen (15)~~ **twenty (20)** business days after completion of such travel at which time any money properly due the traveler shall be authorized for payment by the City. All such accounting shall be made over the signature of the person making the accounting and an accompanying statement that such accounting is true and accurate. This accounting of expenses shall be signed by the City Manager, and shall be processed in accordance with administrative regulations and made a part of the financial record of the City.

The City Clerk shall prepare an annual report enumerating the travel expenses of each Council member. Copies of the report shall be distributed to the Council.

2. Members of Boards, Commissions, or Committees

An accounting of travel expenses (Travel Expense Report) shall be filed with the City Manager within ~~fifteen (15)~~ **twenty (20)** business days after completion of such travel at which time any money properly due the traveler shall be authorized for payment by the City. All such accounting shall be made over the signature of the person making the accounting and an accompanying statement that such accounting is true and accurate. This accounting of expenses shall be signed by the City Manager, and shall be

processed in accordance with administrative regulations and made a part of the financial record of the City.

VII. Amendments to Rules of Council

The rules of Council may be amended by a resolution adopted by a two-thirds vote of the entire membership of City Council. The resolution shall specify the effective date of the amended rules.

If an unusual occasion arises that a question is not specifically covered by the foregoing fundamental rules, the latest edition of Robert's Rules of Order will apply as interpreted by the City Clerk.

Adopted 1/10/2011 Resolution No. 1-2-11 Effective 1/10/2011

RULES AND PROCEDURES

OF THE OAK RIDGE CITY COUNCIL

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**RULES AND PROCEDURES
OAK RIDGE CITY COUNCIL**

I. Meetings

A. Meetings Open to the Public

All Council meetings shall be open to the public and citizens shall have a reasonable opportunity to be heard. The Council shall exercise its powers only at public meetings. [Charter, Article II, Section 3]

1. Voting Record of Council

A vote upon all proposed ordinances and resolutions shall be taken by "yea" and "nay" vote, indicated either orally or by use of the electronic voting system. The vote of each Council member shall be entered upon the journal (minutes). The journal shall also report the names of the council members present and absent, each motion considered, and the title of each ordinance or resolution considered. [Charter, Article II, Section 8]

a. Use of the Electronic Voting System

It is acceptable for all questions (ordinances, resolutions, and motions) to be put to a voice vote; however, in the event the voice vote is not unanimous, the Chair may choose to use the electronic (roll call) voting system. The Chair activates the system by depressing the "ready ballot" button and the members of Council then present may vote "yea" or "nay" during the time the lamp is on. A Council member may have the opportunity to change his/her vote if the request is made prior to recording of the results. If a Council member fails to cast an electronic vote, the Chair shall ascertain if it is his/her desire to abstain.

b. Clearing the Electronic Voting Board

After votes have been recorded, the electronic voting board shall be cleared.

2. Minutes of Meetings

There shall be a journal of proceedings (minutes) of all Council meetings signed by the Mayor and City Clerk and to which the public shall have access at all reasonable times. The journal (minutes) shall report the names of the Council members present and absent, each motion considered, and the title of each ordinance or resolution considered.

[Charter, Article II, Section 8]

In accordance with T.C.A. § 8-44-104, minutes shall be recorded of all City Council meetings, including those meetings in which no action is taken, and will have the appropriate signatures.

An indexed audio recording of each regular City Council meeting shall be maintained for a ten-year period of time and video recording shall be maintained for one year. A copy of the approved minutes shall be distributed to each member of City Council.

3. Publication of Minutes

A summary of Council proceedings shall be published in the official city newspaper within 15 days after a meeting, showing the substance of each Council action.

[Charter, Article II, Section 8]

B. Types of Meetings

1. Regular Meetings

The Council shall hold regular meetings in Oak Ridge at least once monthly. Increased frequency, time of day, and place of its meetings shall be established by resolution.

[Charter, Article II, Section 1]

2. Special Meetings

Special meetings shall be called by the City Clerk on the written request of the Mayor, the City Manager, or any two (2) Council members by providing each Council member with twenty-four (24) hours written notice served personally or left at his or her usual place of residence. Business transacted at any special meeting shall be limited to subjects recited in the notice of such meetings.

[Charter, Article II, Section 2]

3. Work Sessions and Other Miscellaneous Meetings of City Council

The Council may hold regular miscellaneous meetings as scheduled by the City Manager. These meetings are scheduled on an as needed basis as a means to allow for discussions and interactions of City Council on particular subjects, updates, and for the exchange of information. No official action shall be taken at work sessions. An agenda shall be made available to all Council members, along with supporting information/documentation at least three (3) business days prior to the meeting.

C. Quorum of Council

At least a majority of the members of the Council then in office shall be a quorum for the transaction of business at all Council meetings, but in the absence of a quorum, two (2) members may adjourn the meeting to a later date.

[Charter, Article II, Section 4]

D. Official Council Business

The affirmative vote of at least a majority of the members of the Council then in office shall be required to approve any proposed action other than those listed in Sections B.2 and C of these Rules and Procedures.

[Charter, Article II, Section 8]

When voting for any contested appointment, the vote shall be taken by written ballot, each of which shall be invalid unless signed by the voting member who marked it.

E. Appointments to Boards and Commissions

1. Election Notice

City Council and the public shall be notified of current and end-of-year vacancies through the City Clerk's Office. The City Clerk shall prepare an election notice either via a legal notice to the paper or as a press release prior to the scheduled election. Terms shall be determined, reviewed, and established by City Council.

2. Filing Deadline

A resident of the City desiring to be a candidate for Council appointment to a board or commission shall submit the required application to the City Clerk. Additionally, the applicant(s) may submit resumes, cover letters, and other documents. All material must be submitted to the City Clerk's Office by the deadline specified in the notice.

3. Conduct of Elections

The applicant's information shall be placed in the agenda packet for the meeting at which the election is to occur, along with a ballot, if needed, which lists the names of all candidates and offers the opportunity to abstain. The applicant's information, if an incumbent, shall be accompanied by a report indicating the incumbent's total time in office and his/her attendance record for at least the most recent term of office.

Applicants are encouraged to attend the election meeting and may be given an opportunity to speak.

4. Notification of Election Results

Following the election, appropriate letters shall be sent to all applicants and outgoing board members from the City Clerk.

F. Ordinances

Each ordinance, before being adopted, shall be read at least by title at two meetings not less than one (1) week apart, and shall take effect ten (10) days after its adoption, except that, where an emergency exists and the public safety and welfare requires it, an ordinance containing a full statement of the facts and reasons for the emergency may be made effective upon its adoption if approved by a majority of the members of the Council on two (2) readings on successive days. At least the title of each ordinance, except an emergency ordinance, shall be published in the official city newspaper at least one (1) week before its adoption and within ten (10) days after its adoption, either separately or as part of the published proceedings of the Council. The newspaper publication shall include locations where the ordinance is available for public review. The entire ordinance shall be published on the City's web site at least one (1) week before its adoption and shall remain on the website for a minimum of 30 days after its adoption.

[Charter, Article II, Section 12]

If an ordinance is amended on first reading, it shall be presented in its amended form at the time of second reading. City Council also has the option to defer the ordinance on second reading.

G. Proclamations

Overview: Proclamations are issued to proclaim certain events, causes, or achievements that positively impact the community and convey an affirmative message to the City of Oak Ridge residents. Proclamations which are political, religious, or controversial in nature, or that would not likely enjoy a high level of community interest or support will not be supported by the City of Oak Ridge. Submission of a proclamation request does not guarantee issuance.

Proclamations issued by the City are ceremonious in nature and not considered an official endorsement by the City of Oak Ridge. The Mayor will be the signatory of all proclamations issued by the City of Oak Ridge.

Guidelines:

- 1) National organizations that do not have a local contact person, i.e. Oak Ridge affiliation, will not be granted.
- 2) The City Clerk's Office reserves the right to modify (change and/or delete) any language provided for a proclamation.
- 3) Requests not received in the fourteen (14) business day timeframe will be prepared based upon staff availability.
- 4) A requesting party does not have exclusive rights to the day, week, or month of the proclamation.
- 5) Proclamations presented outside of the City Council meetings will be placed on the Consent Agenda (title only) for City Council's information only based on historical and for record keeping purposes.
- 6) Proclamations will not be processed after the event date for that year.
- 7) Other means of individual recognition, such as honorary letters or certificates will be considered as an alternative to proclamations.

Preparation:

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- 2) The request should specify if the proclamation is expected to be presented during a City Council meeting or at a non-city event, although a request to be on the City Council meeting agenda is not guaranteed.
- 3) The request should include the requestor's first and last name, address, telephone number, and organizational name (if warranted).
- 4) A brief summary and/or background of the event or organization should be provided, as well as draft text for the proclamation, including, but not limited to the "whereas" clauses.
- 5) The requestor should provide a date when the proclamation is needed, as well as the name of the day" and date of the day, week, month that the event is proclaimed.

II. Conduct of Meetings

A. Maintaining Order

Council members shall preserve order and shall do nothing to interrupt or delay the proceedings of Council.

B. Sergeant-At-Arms

The City Manager shall designate a police officer to serve as the Sergeant-At-Arms of the Council.

C. Permission to Speak Before Council

1. Right to Speak

a. City Council Members

The Chair shall recognize the right of City Council members to speak before the body. A Council member shall initiate his/her right to speak by depressing the "call for floor" button. The Chair shall maintain a sequential list of the callers.

b. Members of the Public

The Chair shall recognize a citizen's opportunity to comment on items that are under consideration by the Council as part of the formal agenda. A citizen will raise his/her hand and/or proceed to the public lectern and, after recognition by the Chair, stating his/her name and address.

The Chair shall recognize members of the public after all Council members have been given an opportunity to be heard on the subject. Upon recognition by the Chair, members of the public may speak for up to three (3) minutes. Written statements may also be filed with the City Clerk who shall distribute them to the Council at the earliest possible time.

2. Discussion of Motion

The Council member proposing a motion that has been duly seconded has the right to open the debate. Other members may then address the issue upon recognition by the Chair. Council members should strive to maintain reasonable time limits and to keep their discussion germane to the motion under consideration.

3. Call for the Question

Council members may indicate that they are ready to vote by depressing the "call for the question" button. The Chair is allowed a voting opportunity for the "Call for the question." When a majority of those members present have called for the questions, the Chair may close the discussion and put the questions to a vote.

4. City Manager and City Attorney

The City Manager and City Attorney may speak on any subject when recognized by the Chair. They may answer questions raised by members of City Council or ask another officer to answer for them. All questions about the internal operation of the municipal corporation shall be directed to the City Manager.

5. Right of Appeal

Council members shall have the right to appeal from a decision of the Chair. The Chair will give its reasons for the decision and the injured party will defend his/her position. A majority of the Council will determine the matter.

D. Right to Speak Uninterrupted

A Council member, duly recognized, shall be allowed to speak on the topic under discussion and may be interrupted only if a point of order is raised. If the Council member is judged to be in order he/she may continue on the subject. If determined to be out of order, the Council member must change his/her remarks or surrender the right to continue speaking.

E. Temporary Recess (Break)

Following completion of a business item, the Chair may call for a recess. A recess may not be called prior to a vote.

F. Signs Not Allowed in Chambers

Signs, posters, and placards may be carried outside the Council's meeting room, but shall not be allowed within, unless it is necessary for official business related to the agenda.

G. Use of Tobacco Prohibited at Council Meetings

The use of tobacco in any form shall not be allowed during the course of a City Council meeting regardless of location. This rule shall apply to all meetings of the Council.

III. Order of Business

A. Agenda Format

Each item of the agenda will have an abstract after the title when such an abstract is clearly indicated. The order of business shall be as follows:

- I. Invocation
- II. Pledge of Allegiance
- III. Roll Call
- IV. Appearance of Citizens (See Note 1)
- V. Proclamations and Public Recognitions
- VI. Special Reports
- VII. Consent Agenda (See Note 2)
- VIII. Resolutions
- IX. Public Hearings and First Reading of Ordinances
- X. Final Adoption of Ordinances
- XI. Elections/Appointments, Announcements, and Scheduling (See Note 3)
- XII. Council Requests for New Business Items or Future Briefings
- XIII. Summary of Current Events
 - a. City Manager's Report
 - b. City Attorney's Report
- XIV. Adjournment

In order to allow flexibility to conduct city business, the City Clerk, with approval from the City Manager, may reorder the above agenda format on a per meeting basis.

Note 1: Appearance of Citizens: Citizens shall be permitted to address City Council about matters that are not on the formal agenda. For the city record, the City Clerk may require a sign up card for citizen appearances. Any citizen wishing to do so shall raise his/her hand

and/or proceed to the public lectern and, after recognition by the Chair, state his/her name and address, and the purpose for his/her appearance before the Council. Comments shall generally be limited to three (3) minutes and shall relate to matters of City business. They shall not generally result in a formal response or action at the time of presentation because in most cases neither the Council nor the staff will be prepared to respond effectively; however, the Chair may answer questions or direct the City Manager to do so, or the City Manager may be requested to work with the citizen to effect resolution of the matter.

Statements that are purely political in nature will not be allowed, such as campaign speeches or announcements of candidacy for office, nor will announcements of a civic or social event that is unrelated to City business.

Note 2: Consent Agenda: Those items on the Council agenda which are considered routine by the City Manager – e.g., approval of minutes; certain standard form resolutions such as those extending the time for the oath of office; confirmation of certain appointments such as Council committees, the Oak Ridge Utility District, and the Youth Advisory Board, and routine purchases; shall be listed on the Consent Agenda and, unless a member of Council has *specifically* requested that an item be removed therefrom and Council action taken separately, these items shall be approved, adopted, accepted, etc., by a single motion of the Council followed by a roll call vote.

City Councilmember will be afforded an opportunity following approval of the Consent Agenda to comment on any of the business items approved.

Note 3: Elections/Appointments, Announcements, and Scheduling: Nomination, elections, and appointments related to city and non-city boards, Council committees, and etc. shall occur under the “Elections/Appointments” category. “Announcements” will provide City Councilmembers with an opportunity to discuss attendance at recent and/or future conferences, participation at community events, or to express appreciation for recent volunteer efforts or community participation.

B. Preparation of the Agenda

The agenda will be prepared by the City Manager

1. Material for Agenda

All items for action shall be checked with the City Attorney for legality and with the administrative staff for adequacy where necessary.

2. Council Requests for New Business Items

The Mayor and City Council are urged to advise the City Manager of New Business Items prior to the posting of the agenda. If the items are not provided in advance then City Council can use this opportunity to provide direction to the City Manager regarding business requests and briefings during the City Council meeting. Those items will advance with a consensus from the Council.

3. Emergency Items

Materials concerning emergency items shall be furnished Council members at the earliest time possible.

4. The Finished Agenda

The finished agenda with associated material for regular Council meetings will usually be available in an electronic medium by close of business one (1) week prior to the meeting. The agenda packet shall be placed on the City's website immediately upon completion and the City Clerk' Office will distribute copies of the agenda to the media.

IV. Motions

City Council adheres to Robert's Rules of Order except for the following:

A. Motion to Adjourn

A motion to adjourn is out of order prior to three (3) hours following commencement of the meeting if all items on the agenda have not been completed. An unqualified motion to adjourn shall not be debatable.

B. To Lay Question on the Table

A motion to lay on the table is not debatable and precludes amendments or debate of the subject under consideration. If the motion prevails, consideration of the matter tabled resumes only if a member of the majority voting in favor of the motion to table makes a motion to bring the matter off the table and it is seconded, and a majority of the members vote in favor of it.

C. Motion Asking for Previous Question

This motion is not debatable. When the previous question is called for there shall be no further amendments or debate and pending amendments shall be taken in their order before the main question.

D. To Postpone to Another Time

This motion is debatable and may be amended as to time.

E. To Refer to Committee or Individual

This is debatable.

F. Amendments

An amendment may be amended but further amendments are out of order. Any amendments must be germane to the original motion.

G. Motions to be State by the Chair

When debate is completed, the motion shall be restated by the Chair before voting.

H. Withdrawal of Motion

1. A motion may be withdrawn by the person making the motion with the consent of the person seconding the motion if debate has not begun.

2. A motion may be withdrawn after debate with consent of the majority of Council.

I. Public Hearing

Public hearings shall occur in the order as indicated in the above Agenda Format. A motion must be made each time for both the opening and the closing of a public hearing, followed by a vote of City Council.

V. Officers and Committees of Council

A. Mayor

The Council, at its first regular meeting following a regular city election and after all newly-elected members have been duly qualified, shall elect one of its members Mayor for a term of two (2) years. Whenever a vacancy occurs in the office of the Mayor, the Council shall elect one of its members to serve until the time fixed herein for the regular election of Mayor. The Mayor shall preside at meetings of the Council, shall have a vote on all matters but no veto power, shall have the same right as any other Council member to speak on an issue, shall be the ceremonial head of the City, shall sign ordinances and resolutions on their final passage, shall sign deeds, bonds and contracts when authorized by the Council to do so, shall be the officer to accept process against the City, shall not have any regular administrative duties, and shall perform only such duties as shall be specifically conferred or required by law.

[Charter, Article II, Section 6]

B. Mayor Pro Tem

The Council shall choose one of its members Mayor pro tem who shall act in the temporary absence or disability of the Mayor.

[Charter, Article II, Section 7]

The Mayor pro tem shall be chosen immediately following the election of the Mayor.

C. Committees

1. The Mayor or any member of Council, with the advice and consent of Council, may appoint committees whose membership may include persons not on Council. Officers of appointed committees shall be determined by appointed members of that committee unless City Council specifies otherwise.

2. Committees will be appointed to study specific matters. They shall be provided with a defined charge and a time limit shall be placed on the length of the study. The committee will make a report to the Council at a predetermined time. All committee reports upon which action is expected shall be in written form and copies shall be made available to each member of the Council. A committee shall cease to exist following acceptance of its report unless the Council takes action to extend its term for a defined period.

3. The affirmative vote of a majority of the members of Council then in office shall be required to make any authorized appointment or to remove such appointees.
[Charter, Article II, Section 8]

4. Committee appointees shall be residents of the City unless otherwise specified by City Council.

5. There shall be no standing committee of the Council.
[Charter, Article II, Section 8]

(This section does not relate to Boards and Commissions who will convene in accordance with their enabling legislation.)

D. Appointment of Members to Non-City Committees

The Mayor, with the advice and consent of Council, may appoint members to other established bodies, as desired or deemed necessary.

VI. Expenses Incurred in the Conduct of Official Business

It shall be the policy of the Council to maintain the cost of all phases of Council operations at the most economical level consistent with satisfactory conduct of City affairs. To this end, City money shall be used to reimburse Council members and board, commission or committee members elected or appointed by the Mayor or City Council for expenses incurred in the conduct of City business. The City budget shall determine availability of funding for City reimbursed travel. While it shall be the policy of the Council to assume all reasonable costs associated with the conduct of such business, the following considerations shall be the basis for determining the reasonableness of such costs:

A. Prior Approval or Notification

1. City Council

Overnight travel shall be subject to prior approval or notification in the following manner:

- a. Submission of a request for approval at a Council meeting before the planned trip, or
- b. A councilmember must complete a Travel Notification Form and distribute to all members of City Council via the City Clerk with at least 24-hour advance notice.

The request for travel approval or advance notification shall contain an explanation of the purpose of the trip and the benefit to accrue to the City.

2. Members of Boards, Commissions, or Committees

Overnight travel shall be subject to budget and prior approval of the City Manager. The request for travel approval shall contain an explanation of the purpose of the trip and the benefit to accrue to the City.

B. Transportation

City vehicles should be the first consideration when used for transportation while on official City business unless consideration of time or distance would indicate that such use would be unreasonable or a vehicle is unavailable. When other modes of travel are to be used, the City shall provide or pay for tickets for rail, air or bus transportation. When transportation tickets are secured by an individual, advantage must be taken of all tax exemptions allowed the City.

Cost of bus, taxi or limousine service from Oak Ridge to railway station or airport and return and at destination from airport, railway or bus terminal to hotel and return shall be an allowable expense. After reaching the hotel at destination, local transportation facilities shall be used, and costs of such use shall be borne by the City. Taxi fares will be allowed if justified on the basis of (1) unavailability of other means of transportation, (2) urgencies due to time schedules, (3) economic advantages to the City. The cost of rental car use may be assumed by the City when justified by the same considerations.

Use of personal automobiles for travel on City business shall be allowed with prior approval by the City Clerk. Only the driver of a personal car shall be reimbursed for such travel, and reimbursement shall be at the rate established by the City Manager for all other officers and employees of the City or an amount not to exceed economy airfare, whichever is less expensive. Passengers in such automobile shall not be paid any transportation allowance for such travel. Storage or parking charges resulting from the authorized use of either City or private automobile shall be at the expense of the city. The total transportation expense to be borne by the City when a personal car is used for official travel shall not exceed the amount of expense incurred had commercial air transportation been used when such transportation is available.

C. Lodging

Actual cost of occupancy of hotel or motel room for the Council or Board member shall be at the expense of the City. When a room is occupied by more than one person and the additional occupants are not on official City business, then reimbursement for lodging will be made in the amount that would have been charged for single occupancy of the hotel or motel room.

D. Food

Actual cost of meals while conducting or traveling on City business is reimbursable; however, such costs shall be maintained at the most economical level possible. In lieu of submission of actual expenses for food, the maximum allowed for reimbursement shall be at the daily per diem rate established by the City Manager for all other officers and employees of the City. When traveling, the permissible food reimbursement shall be limited to the food reimbursement amount that would be given using the fastest method of transportation available. For example, when a slower method of transportation is used, such as vehicle travel instead of air travel, the permissible food reimbursement amount will be limited to the number of travel days had air travel been used.

E. Registration and Special Event Fees at Meetings and Conventions

Registration and special event fees shall be paid for in advance by the City whenever possible or if paid by the attendee, shall be reimbursable by the City.

F. Receipts

Routinely, all claims for expenses shall be accompanied by paid receipts. However, when traveling on City business, receipts are not required when the item is less than \$10 or the actual food charges are less than the daily rate established by the City Manager for all other officers or employees of the City.

G. Spousal Expense

All expenses for an accompanying spouse or guest shall be at the expense of the Council member or Board member.

H. Advances

Advance payments for travel expenses can only be made to the provider (airline, hotel, conference provider, etc.), but the traveler may be reimbursed after the trip if direct payment to a provider was not made.

[Tennessee Code Annotated §6-54-901-907]

I. Accounting

1. City Council

An accounting of travel expenses (Travel Expense Report) shall be filed with the City Clerk within twenty (20) business days after completion of such travel at which time any money properly due the traveler shall be authorized for payment by the City. All such accounting shall be made over the signature of the person making the accounting and an accompanying statement that such accounting is true and accurate. This accounting of expenses shall be signed by the City Manager, and shall be processed in accordance with administrative regulations and made a part of the financial record of the City.

The City Clerk shall prepare an annual report enumerating the travel expenses of each Council member. Copies of the report shall be distributed to the Council.

2. Members of Boards, Commissions, or Committees

An accounting of travel expenses (Travel Expense Report) shall be filed with the City Manager within twenty (20) business days after completion of such travel at which time any money properly due the traveler shall be authorized for payment by the City. All such accounting shall be made over the signature of the person making the accounting and an accompanying statement that such accounting is true and accurate. This accounting of expenses shall be signed by the City Manager, and shall be processed in accordance with administrative regulations and made a part of the financial record of the City.

VII. Amendments to Rules of Council

The rules of Council may be amended by a resolution adopted by a two-thirds vote of the entire membership of City Council. The resolution shall specify the effective date of the amended rules.

If an unusual occasion arises that a question is not specifically covered by the foregoing fundamental rules, the latest edition of Robert's Rules of Order will apply as interpreted by the City Clerk.

Adopted: _____ Resolution No. _____ Effective: _____

RESOLUTION

A RESOLUTION ADOPTING UPDATED CITY COUNCIL RULES AND PROCEDURES.

WHEREAS, during the November 9, 2012 work session, City Council discussed the need to perform a review of Council's Rules and Procedures, and Councilmembers Trina Baughn and David Mosby—hereafter referred to as the Rules and Procedures Committee—volunteered to complete the assessment; and

WHEREAS, the Rules and Procedures Committee met on several occasions with City Staff to review and discuss Council's current Rules and Procedures and to recommend changes; and

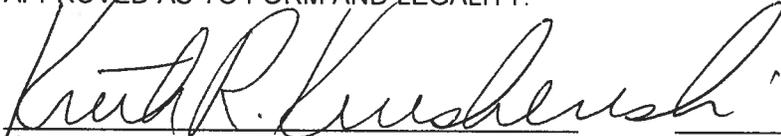
WHEREAS, the Rules and Procedures Committee voted unanimously to recommend to City Council various changes to the Rules and Procedures for consistency and efficiency.

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

That the recommendation of the Rules and Procedures Committee is approved and the attached Rules and Procedures of the Oak Ridge City Council are hereby adopted and are effective immediately.

This the 8th day of April 2013.

APPROVED AS TO FORM AND LEGALITY:



Kenneth R. Krushenski, City Attorney

Thomas L. Beehan, Mayor

Diana R. Stanley, City Clerk

RULES AND PROCEDURES

OF THE OAK RIDGE CITY COUNCIL

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**RULES AND PROCEDURES
OAK RIDGE CITY COUNCIL**

I. Meetings

A. Meetings Open to the Public

All Council meetings shall be open to the public and citizens shall have a reasonable opportunity to be heard. The Council shall exercise its powers only at public meetings. [Charter, Article II, Section 3]

1. Voting Record of Council

A vote upon all proposed ordinances and resolutions shall be taken by "yea" and "nay" vote, indicated either orally or by use of the electronic voting system. The vote of each Council member shall be entered upon the journal (minutes). The journal shall also report the names of the council members present and absent, each motion considered, and the title of each ordinance or resolution considered. [Charter, Article II, Section 8]

a. Use of the Electronic Voting System

It is acceptable for all questions (ordinances, resolutions, and motions) to be put to a voice vote; however, in the event the voice vote is not unanimous, the Chair may choose to use the electronic (roll call) voting system. The Chair activates the system by depressing the "ready ballot" button and the members of Council then present may vote "yea" or "nay" during the time the lamp is on. A Council member may have the opportunity to change his/her vote if the request is made prior to recording of the results. If a Council member fails to cast an electronic vote, the Chair shall ascertain if it is his/her desire to abstain.

b. Clearing the Electronic Voting Board

After votes have been recorded, the electronic voting board shall be cleared.

2. Minutes of Meetings

There shall be a journal of proceedings (minutes) of all Council meetings signed by the Mayor and City Clerk and to which the public shall have access at all reasonable times. The journal (minutes) shall report the names of the Council members present and absent, each motion considered, and the title of each ordinance or resolution considered.

[Charter, Article II, Section 8]

In accordance with T.C.A. § 8-44-104, minutes shall be recorded of all City Council meetings, including those meetings in which no action is taken, and will have the appropriate signatures.

An indexed audio recording of each regular City Council meeting shall be maintained for a ten-year period of time and video recording shall be maintained for one year. A copy of the approved minutes shall be distributed to each member of City Council.

3. Publication of Minutes

A summary of Council proceedings shall be published in the official city newspaper within 15 days after a meeting, showing the substance of each Council action.
[Charter, Article II, Section 8]

B. Types of Meetings

1. Regular Meetings

The Council shall hold regular meetings in Oak Ridge at least once monthly. Increased frequency, time of day, and place of its meetings shall be established by resolution.
[Charter, Article II, Section 1]

2. Special Meetings

Special meetings shall be called by the City Clerk on the written request of the Mayor, the City Manager, or any two (2) Council members by providing each Council member with twenty-four (24) hours written notice served personally or left at his or her usual place of residence. Business transacted at any special meeting shall be limited to subjects recited in the notice of such meetings.
[Charter, Article II, Section 2]

3. Work Sessions and Other Miscellaneous Meetings of City Council

The Council may hold regular miscellaneous meetings as scheduled by the City Manager. These meetings are scheduled on an as needed basis as a means to allow for discussions and interactions of City Council on particular subjects, updates, and for the exchange of information. No official action shall be taken at work sessions. An agenda shall be made available to all Council members, along with supporting information/documentation at least three (3) business days prior to the meeting.

C. Quorum of Council

At least a majority of the members of the Council then in office shall be a quorum for the transaction of business at all Council meetings, but in the absence of a quorum, two (2) members may adjourn the meeting to a later date.
[Charter, Article II, Section 4]

D. Official Council Business

The affirmative vote of at least a majority of the members of the Council then in office shall be required to approve any proposed action other than those listed in Sections B.2 and C of these Rules and Procedures.
[Charter, Article II, Section 8]

When voting for any contested appointment, the vote shall be taken by written ballot, each of which shall be invalid unless signed by the voting member who marked it.

E. Appointments to Boards and Commissions

1. Election Notice

City Council and the public shall be notified of current and end-of-year vacancies through the City Clerk's Office. The City Clerk shall prepare an election notice either via a legal notice to the paper or as a press release prior to the scheduled election. Terms shall be determined, reviewed, and established by City Council.

2. Filing Deadline

A resident of the City desiring to be a candidate for Council appointment to a board or commission shall submit the required application to the City Clerk. Additionally, the applicant(s) may submit resumes, cover letters, and other documents. All material must be submitted to the City Clerk's Office by the deadline specified in the notice.

3. Conduct of Elections

The applicant's information shall be placed in the agenda packet for the meeting at which the election is to occur, along with a ballot, if needed, which lists the names of all candidates and offers the opportunity to abstain. The applicant's information, if an incumbent, shall be accompanied by a report indicating the incumbent's total time in office and his/her attendance record for at least the most recent term of office.

Applicants are encouraged to attend the election meeting and may be given an opportunity to speak.

4. Notification of Election Results

Following the election, appropriate letters shall be sent to all applicants and outgoing board members from the City Clerk.

F. Ordinances

Each ordinance, before being adopted, shall be read at least by title at two meetings not less than one (1) week apart, and shall take effect ten (10) days after its adoption, except that, where an emergency exists and the public safety and welfare requires it, an ordinance containing a full statement of the facts and reasons for the emergency may be made effective upon its adoption if approved by a majority of the members of the Council on two (2) readings on successive days. At least the title of each ordinance, except an emergency ordinance, shall be published in the official city newspaper at least one (1) week before its adoption and within ten (10) days after its adoption, either separately or as part of the published proceedings of the Council. The newspaper publication shall include locations where the ordinance is available for public review. The entire ordinance shall be published on the City's web site at least one (1) week before its adoption and shall remain on the website for a minimum of 30 days after its adoption.

[Charter, Article II, Section 12]

If an ordinance is amended on first reading, it shall be presented in its amended form at the time of second reading. City Council also has the option to defer the ordinance on second reading.

G. Proclamations

Overview: Proclamations are issued to proclaim certain events, causes, or achievements that positively impact the community and convey an affirmative message to the City of Oak Ridge residents. Proclamations which are political, religious, or controversial in nature, or that would not likely enjoy a high level of community interest or support will not be supported by the City of Oak Ridge. Submission of a proclamation request does not guarantee issuance.

Proclamations issued by the City are ceremonious in nature and not considered an official endorsement by the City of Oak Ridge. The Mayor will be the signatory of all proclamations issued by the City of Oak Ridge.

Guidelines:

- 1) National organizations that do not have a local contact person, i.e. Oak Ridge affiliation, will not be granted.
- 2) The City Clerk's Office reserves the right to modify (change and/or delete) any language provided for a proclamation.
- 3) Requests not received in the fourteen (14) business day timeframe will be prepared based upon staff availability.
- 4) A requesting party does not have exclusive rights to the day, week, or month of the proclamation.
- 5) Proclamations presented outside of the City Council meetings will be placed on the Consent Agenda (title only) for City Council's information only based on historical and for record keeping purposes.
- 6) Proclamations will not be processed after the event date for that year.
- 7) Other means of individual recognition, such as honorary letters or certificates will be considered as an alternative to proclamations.

Preparation:

- 1) Requests should be submitted in writing to the City Clerk's Office at least fourteen (14) business days prior to the event. Early notification is appreciated.
- 2) The request should specify if the proclamation is expected to be presented during a City Council meeting or at a non-city event, although a request to be on the City Council meeting agenda is not guaranteed.
- 3) The request should include the requestor's first and last name, address, telephone number, and organizational name (if warranted).
- 4) A brief summary and/or background of the event or organization should be provided, as well as draft text for the proclamation, including, but not limited to the "whereas" clauses.
- 5) The requestor should provide a date when the proclamation is needed, as well as the name of the day" and date of the day, week, month that the event is proclaimed.

II. Conduct of Meetings

A. Maintaining Order

Council members shall preserve order and shall do nothing to interrupt or delay the proceedings of Council.

B. Sergeant-At-Arms

The City Manager shall designate a police officer to serve as the Sergeant-At-Arms of the Council.

C. Permission to Speak Before Council

1. Right to Speak

a. City Council Members

The Chair shall recognize the right of City Council members to speak before the body. A Council member shall initiate his/her right to speak by depressing the "call for floor" button. The Chair shall maintain a sequential list of the callers.

b. Members of the Public

The Chair shall recognize a citizen's opportunity to comment on items that are under consideration by the Council as part of the formal agenda. A citizen will raise his/her hand and/or proceed to the public lectern and, after recognition by the Chair, stating his/her name and address.

The Chair shall recognize members of the public after all Council members have been given an opportunity to be heard on the subject. Upon recognition by the Chair, members of the public may speak for up to three (3) minutes. Written statements may also be filed with the City Clerk who shall distribute them to the Council at the earliest possible time.

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E. Temporary Recess (Break)

Following completion of a business item, the Chair may call for a recess. A recess may not be called prior to a vote.

F. Signs Not Allowed in Chambers

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G. Use of Tobacco Prohibited at Council Meetings

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- VII. Consent Agenda (See Note 2)
- VIII. Resolutions
- IX. Public Hearings and First Reading of Ordinances
- X. Final Adoption of Ordinances
- XI. Elections/Appointments, Announcements, and Scheduling (See Note 3)
- XII. Council Requests for New Business Items or Future Briefings
- XIII. Summary of Current Events
 - a. City Manager's Report
 - b. City Attorney's Report
- XIV. Adjournment

In order to allow flexibility to conduct city business, the City Clerk, with approval from the City Manager, may reorder the above agenda format on a per meeting basis.

Note 1: Appearance of Citizens: Citizens shall be permitted to address City Council about matters that are not on the formal agenda. For the city record, the City Clerk may require a sign up card for citizen appearances. Any citizen wishing to do so shall raise his/her hand

and/or proceed to the public lectern and, after recognition by the Chair, state his/her name and address, and the purpose for his/her appearance before the Council. Comments shall generally be limited to three (3) minutes and shall relate to matters of City business. They shall not generally result in a formal response or action at the time of presentation because in most cases neither the Council nor the staff will be prepared to respond effectively; however, the Chair may answer questions or direct the City Manager to do so, or the City Manager may be requested to work with the citizen to effect resolution of the matter.

Statements that are purely political in nature will not be allowed, such as campaign speeches or announcements of candidacy for office, nor will announcements of a civic or social event that is unrelated to City business.

Note 2: Consent Agenda: Those items on the Council agenda which are considered routine by the City Manager – e.g., approval of minutes; certain standard form resolutions such as those extending the time for the oath of office; confirmation of certain appointments such as Council committees, the Oak Ridge Utility District, and the Youth Advisory Board, and routine purchases; shall be listed on the Consent Agenda and, unless a member of Council has *specifically* requested that an item be removed therefrom and Council action taken separately, these items shall be approved, adopted, accepted, etc., by a single motion of the Council followed by a roll call vote.

City Councilmember will be afforded an opportunity following approval of the Consent Agenda to comment on any of the business items approved.

Note 3: Elections/Appointments, Announcements, and Scheduling: Nomination, elections, and appointments related to city and non-city boards, Council committees, and etc. shall occur under the “Elections/Appointments” category. “Announcements” will provide City Councilmembers with an opportunity to discuss attendance at recent and/or future conferences, participation at community events, or to express appreciation for recent volunteer efforts or community participation.

B. Preparation of the Agenda

The agenda will be prepared by the City Manager

1. Material for Agenda

All items for action shall be checked with the City Attorney for legality and with the administrative staff for adequacy where necessary.

2. Council Requests for New Business Items

The Mayor and City Council are urged to advise the City Manager of New Business Items prior to the posting of the agenda. If the items are not provided in advance then City Council can use this opportunity to provide direction to the City Manager regarding business requests and briefings during the City Council meeting. Those items will advance with a consensus from the Council.

3. Emergency Items

Materials concerning emergency items shall be furnished Council members at the earliest time possible.

4. The Finished Agenda

The finished agenda with associated material for regular Council meetings will usually be available in an electronic medium by close of business one (1) week prior to the meeting. The agenda packet shall be placed on the City's website immediately upon completion and the City Clerk' Office will distribute copies of the agenda to the media.

IV. Motions

City Council adheres to Robert's Rules of Order except for the following:

A. Motion to Adjourn

A motion to adjourn is out of order prior to three (3) hours following commencement of the meeting if all items on the agenda have not been completed. An unqualified motion to adjourn shall not be debatable.

B. To Lay Question on the Table

A motion to lay on the table is not debatable and precludes amendments or debate of the subject under consideration. If the motion prevails, consideration of the matter tabled resumes only if a member of the majority voting in favor of the motion to table makes a motion to bring the matter off the table and it is seconded, and a majority of the members vote in favor of it.

C. Motion Asking for Previous Question

This motion is not debatable. When the previous question is called for there shall be no further amendments or debate and pending amendments shall be taken in their order before the main question.

D. To Postpone to Another Time

This motion is debatable and may be amended as to time.

E. To Refer to Committee or Individual

This is debatable.

F. Amendments

An amendment may be amended but further amendments are out of order. Any amendments must be germane to the original motion.

G. Motions to be State by the Chair

When debate is completed, the motion shall be restated by the Chair before voting.

H. Withdrawal of Motion

1. A motion may be withdrawn by the person making the motion with the consent of the person seconding the motion if debate has not begun.

2. A motion may be withdrawn after debate with consent of the majority of Council.

I. Public Hearing

Public hearings shall occur in the order as indicated in the above Agenda Format. A motion must be made each time for both the opening and the closing of a public hearing, followed by a vote of City Council.

V. Officers and Committees of Council

A. Mayor

The Council, at its first regular meeting following a regular city election and after all newly-elected members have been duly qualified, shall elect one of its members Mayor for a term of two (2) years. Whenever a vacancy occurs in the office of the Mayor, the Council shall elect one of its members to serve until the time fixed herein for the regular election of Mayor. The Mayor shall preside at meetings of the Council, shall have a vote on all matters but no veto power, shall have the same right as any other Council member to speak on an issue, shall be the ceremonial head of the City, shall sign ordinances and resolutions on their final passage, shall sign deeds, bonds and contracts when authorized by the Council to do so, shall be the officer to accept process against the City, shall not have any regular administrative duties, and shall perform only such duties as shall be specifically conferred or required by law.

[Charter, Article II, Section 6]

B. Mayor Pro Tem

The Council shall choose one of its members Mayor pro tem who shall act in the temporary absence or disability of the Mayor.

[Charter, Article II, Section 7]

The Mayor pro tem shall be chosen immediately following the election of the Mayor.

C. Committees

1. The Mayor or any member of Council, with the advice and consent of Council, may appoint committees whose membership may include persons not on Council. Officers of appointed committees shall be determined by appointed members of that committee unless City Council specifies otherwise.

2. Committees will be appointed to study specific matters. They shall be provided with a defined charge and a time limit shall be placed on the length of the study. The committee will make a report to the Council at a predetermined time. All committee reports upon which action is expected shall be in written form and copies shall be made available to each member of the Council. A committee shall cease to exist following acceptance of its report unless the Council takes action to extend its term for a defined period.

3. The affirmative vote of a majority of the members of Council then in office shall be required to make any authorized appointment or to remove such appointees.
[Charter, Article II, Section 8]

4. Committee appointees shall be residents of the City unless otherwise specified by City Council.

5. There shall be no standing committee of the Council.
[Charter, Article II, Section 8]

(This section does not relate to Boards and Commissions who will convene in accordance with their enabling legislation.)

D. Appointment of Members to Non-City Committees

The Mayor, with the advice and consent of Council, may appoint members to other established bodies, as desired or deemed necessary.

VI. Expenses Incurred in the Conduct of Official Business

It shall be the policy of the Council to maintain the cost of all phases of Council operations at the most economical level consistent with satisfactory conduct of City affairs. To this end, City money shall be used to reimburse Council members and board, commission or committee members elected or appointed by the Mayor or City Council for expenses incurred in the conduct of City business. The City budget shall determine availability of funding for City reimbursed travel. While it shall be the policy of the Council to assume all reasonable costs associated with the conduct of such business, the following considerations shall be the basis for determining the reasonableness of such costs:

A. Prior Approval or Notification

1. City Council

Overnight travel shall be subject to prior approval or notification in the following manner:

- a. Submission of a request for approval at a Council meeting before the planned trip, or
- b. A councilmember must complete a Travel Notification Form and distribute to all members of City Council via the City Clerk with at least 24-hour advance notice.

The request for travel approval or advance notification shall contain an explanation of the purpose of the trip and the benefit to accrue to the City.

2. Members of Boards, Commissions, or Committees

Overnight travel shall be subject to budget and prior approval of the City Manager. The request for travel approval shall contain an explanation of the purpose of the trip and the benefit to accrue to the City.

B. Transportation

City vehicles should be the first consideration when used for transportation while on official City business unless consideration of time or distance would indicate that such use would be unreasonable or a vehicle is unavailable. When other modes of travel are to be used, the City shall provide or pay for tickets for rail, air or bus transportation. When transportation tickets are secured by an individual, advantage must be taken of all tax exemptions allowed the City.

Cost of bus, taxi or limousine service from Oak Ridge to railway station or airport and return and at destination from airport, railway or bus terminal to hotel and return shall be an allowable expense. After reaching the hotel at destination, local transportation facilities shall be used, and costs of such use shall be borne by the City. Taxi fares will be allowed if justified on the basis of (1) unavailability of other means of transportation, (2) urgencies due to time schedules, (3) economic advantages to the City. The cost of rental car use may be assumed by the City when justified by the same considerations.

Use of personal automobiles for travel on City business shall be allowed with prior approval by the City Clerk. Only the driver of a personal car shall be reimbursed for such travel, and reimbursement shall be at the rate established by the City Manager for all other officers and employees of the City or an amount not to exceed economy airfare, whichever is less expensive. Passengers in such automobile shall not be paid any transportation allowance for such travel. Storage or parking charges resulting from the authorized use of either City or private automobile shall be at the expense of the city. The total transportation expense to be borne by the City when a personal car is used for official travel shall not exceed the amount of expense incurred had commercial air transportation been used when such transportation is available.

C. Lodging

Actual cost of occupancy of hotel or motel room for the Council or Board member shall be at the expense of the City. When a room is occupied by more than one person and the additional occupants are not on official City business, then reimbursement for lodging will be made in the amount that would have been charged for single occupancy of the hotel or motel room.

D. Food

Actual cost of meals while conducting or traveling on City business is reimbursable; however, such costs shall be maintained at the most economical level possible. In lieu of submission of actual expenses for food, the maximum allowed for reimbursement shall be at the daily per diem rate established by the City Manager for all other officers and employees of the City. When traveling, the permissible food reimbursement shall be limited to the food reimbursement amount that would be given using the fastest method of transportation available. For example, when a slower method of transportation is used, such as vehicle travel instead of air travel, the permissible food reimbursement amount will be limited to the number of travel days had air travel been used.

E. Registration and Special Event Fees at Meetings and Conventions

Registration and special event fees shall be paid for in advance by the City whenever possible or if paid by the attendee, shall be reimbursable by the City.

F. Receipts

Routinely, all claims for expenses shall be accompanied by paid receipts. However, when traveling on City business, receipts are not required when the item is less than \$10 or the actual food charges are less than the daily rate established by the City Manager for all other officers or employees of the City.

G. Spousal Expense

All expenses for an accompanying spouse or guest shall be at the expense of the Council member or Board member.

H. Advances

Advance payments for travel expenses can only be made to the provider (airline, hotel, conference provider, etc.), but the traveler may be reimbursed after the trip if direct payment to a provider was not made.

[Tennessee Code Annotated §6-54-901-907]

I. Accounting

1. City Council

An accounting of travel expenses (Travel Expense Report) shall be filed with the City Clerk within twenty (20) business days after completion of such travel at which time any money properly due the traveler shall be authorized for payment by the City. All such accounting shall be made over the signature of the person making the accounting and an accompanying statement that such accounting is true and accurate. This accounting of expenses shall be signed by the City Manager, and shall be processed in accordance with administrative regulations and made a part of the financial record of the City.

The City Clerk shall prepare an annual report enumerating the travel expenses of each Council member. Copies of the report shall be distributed to the Council.

2. Members of Boards, Commissions, or Committees

An accounting of travel expenses (Travel Expense Report) shall be filed with the City Manager within twenty (20) business days after completion of such travel at which time any money properly due the traveler shall be authorized for payment by the City. All such accounting shall be made over the signature of the person making the accounting and an accompanying statement that such accounting is true and accurate. This accounting of expenses shall be signed by the City Manager, and shall be processed in accordance with administrative regulations and made a part of the financial record of the City.

VII. Amendments to Rules of Council

The rules of Council may be amended by a resolution adopted by a two-thirds vote of the entire membership of City Council. The resolution shall specify the effective date of the amended rules.

If an unusual occasion arises that a question is not specifically covered by the foregoing fundamental rules, the latest edition of Robert's Rules of Order will apply as interpreted by the City Clerk.

Adopted: _____ Resolution No. _____ Effective: _____

CITY COUNCIL MEMORANDUM

13-05

DATE: April 2, 2013
TO: Honorable Mayor and Members of City Council
FROM: Mark S. Watson, City Manager
SUBJECT: RESOLUTION ON SCHOOL SECURITY

Introduction

An item for City Council's consideration is a resolution requesting the State of Tennessee to develop a uniform approach to school security by using the City of Oak Ridge as a "pilot project" to conduct necessary risk assessments and provide accompanying recommendations to improve school security.

Consideration

Recently, several City Councilmembers have been approached by Oak Ridge residents about the issue of school security due to the incident at Sandy Hook Elementary School in Connecticut. Concerns by parents and communities across the United States have been expressed for enhancing the safety of students. Additionally, the Oak Ridge School Board has passed a resolution supporting the addition of school resource officers for each school in the City. These efforts are appreciated, yet, in the long term, clarification is needed to address security matters and the commitment of Oak Ridge's limited resources.

The City Manager's Office was approached by a local corporate contractor, Tetra Tech, who provided a preview of their activities after 9/11, when vulnerable assets throughout the country were reassessed and security tightened. At that time, community electrical infrastructure, public buildings, and water facilities were reviewed for their protective elements. Tetra Tech believes that it is time to acknowledge a common level of school security that should be identified and developed. Tetra Tech has proposed that a security master plan be developed on a statewide level from simple fixes to major redesigns that would help school boards and city governments in identifying better ways to address school security. Tetra Tech has determined that violence in schools occurs in less than 2% of the violent incidents in the country.

Post 9/11, the Country began to identify reasonable risks and prepare to address the physical changes and training for appropriate personnel enhancements. In January, the Governor of Connecticut developed an advisory commission on school security to take initial steps to address such matters. Connecticut's initial reports are now being considered as a statewide approach to the school security matter.

As the City of Oak Ridge approaches this matter, the Oak Ridge Police Department is taking initial steps in coordination with the Oak Ridge Schools to tighten security. The City is also performing assessments of facilities by our trained police officers and identifying where enhancements can be made. Through the passage of this resolution, I recommend that we support a request to the State of Tennessee to develop a uniform approach to school security by using Oak Ridge as a "pilot project" to conduct necessary risk assessments and providing accompanying recommendations to improve security.

This resolution will be transmitted to the Oak Ridge legislative delegation and identified to our City lobbyist as a matter of concern and immediate interest.

Recommendation

Adoption of the attached resolution is recommended


Mark S. Watson

Attachment(s):

- 1) Presentation from Tetra Tech
- 2) Resolution

The Current School Security Climate

The Sandy Hook massacre refocused the public's attention on school security.

- Parents, citizens and lawmakers are demanding to know what schools are doing to provide for the safety of their children.
- Financially strapped school systems are being pressured to put processes and features in place that actually work and *prevent or neutralize malevolent acts* on school properties.



Perception versus Reality

America's school campuses are not nearly as dangerous as sensationalized news media reports would lead the public to believe.

- FACT: The percentage of youth homicides occurring at school remained at less than 2% of the total number of youth homicides.
- FACT: The percentage of youth suicides occurring at school remained at less than 1% of the total number of youth suicides.

Source: Robers, S., Zhang, J., and Truman, J. (2012). Indicators of School Crime and Safety: 2011 (NCES 2012-002/NCJ 236021). National Center for Education Statistics, U.S. Department of Education, and Bureau of Justice Statistics, Office of Justice Programs, U.S. Department of Justice. Washington, DC. This publication can be downloaded at <http://nces.ed.gov> or <http://bjs.ojp.usdoj.gov>.

Defining Real Risk

- To effectively address school crime, you need a thorough and accurate understanding of the extent, nature, and context of the problem.
- You also have to define the *Threats, Vulnerabilities and Consequences* in order to understand the real risk of an attack, and to see the benefits associated with various security system components before they're purchased.



Threat and Risk Assessments (TRA)

- Performing a threat and risk assessment (TRA)
 - Allows decision makers to make informed decisions to reduce the risk of a malevolent act being successfully carried out at a school property;
 - Replaces highly charged and emotional atmosphere with a defensible process;
 - Eliminates waste of valuable public resources and the false sense of security provided by ineffective (and expensive) systems; and
 - Demonstrates strong commitment to protecting and keeping students safe while being good stewards of tax payer's funds.

RESOLUTION

A RESOLUTION REQUESTING THE STATE OF TENNESSEE TO DEVELOP A UNIFORM APPROACH TO SCHOOL SECURITY USING THE CITY OF OAK RIDGE AS A PILOT PROJECT TO CONDUCT NECESSARY RISK ASSESSMENTS AND PROVIDE ACCOMPANYING RECOMMENDATIONS TO IMPROVE SCHOOL SECURITY.

WHEREAS, on January 3, 2012, Connecticut Governor Dannel P. Malloy announced the formation of the Sandy Hook Advisory Commission to review current policy and make specific recommendations in the areas of public safety, with particular attention paid to school safety, mental health, and gun violence prevention; and

WHEREAS, on January 28, 2013, Tennessee Governor Bill Haslam addressed the Sandy Hook tragedy in his State of State Address and committed resources to areas that will make a difference; and

WHEREAS, in efforts to improve school safety, the City's Police Department has taken initial steps in coordination with the Oak Ridge Schools to tighten security and assess current facilities, and the Oak Ridge Board of Education has passed a resolution supporting the addition of a school resource officer in each school; and

WHEREAS, to effectively address school crime, a thorough and accurate assessment of the threats, vulnerabilities, and consequence needs to be made to be able to see the benefits associated with various security system components prior to implementation and expenditure of resources; and

WHEREAS, Tetra Tech, a local corporate contractor, has approached the City Manager and proposed a statewide school security master plan be developed to help local governments and school systems identify better ways to address school security; and

WHEREAS, the City Manager recommends requesting the State of Tennessee to develop a uniform approach to school security using Oak Ridge as a pilot project to conduct necessary threat and risk assessments, and provide accompanying recommendations to improve school security.

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

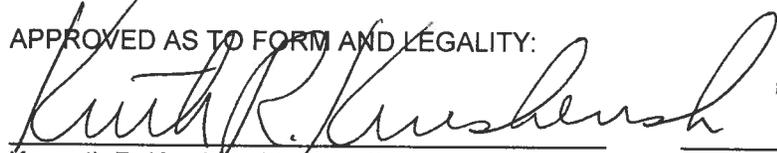
That the recommendation of the City Manager is approved and the City hereby requests of the State of Tennessee to develop a uniform approach to school security using Oak Ridge as a pilot project for Tetra Tech to conduct necessary threat and risk assessments and provide accompanying recommendations to improve school security.

BE IT FURTHER RESOLVED that this resolution be transmitted to Senator Randy McNally and Representative John Ragan as the Oak Ridge legislative representatives in the Tennessee General Assembly.

BE IT FURTHER RESOLVED that this resolution be transmitted to Bill Nolan & Associates as a matter of concern and immediate interest for the City with the Tennessee General Assembly and Governor Haslam.

This the 8th day of April 2013.

APPROVED AS TO FORM AND LEGALITY:



Kenneth R. Krushenski, City Attorney

Thomas L. Beehan, Mayor

Diana R. Stanley, City Clerk

**PUBLIC HEARING
AND
FIRST READING
OF
ORDINANCES**



**U.S. Department of Housing and Urban Development (HUD)
Community Development Block Grant (CDBG) Entitlement Program
for the City of Oak Ridge, Tennessee**

**NOTICE OF 30-DAY PUBLIC COMMENT PERIOD
AND CITY COUNCIL PUBLIC HEARING
For
Annual Action Plan of the Consolidated Plan
CDBG Program Year 2013; City of Oak Ridge Fiscal Year 2014**

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

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

The 30-day comment period for the PY2013/FY2014 City of Oak Ridge Annual Plan will begin on Monday, April 1, 2013 and end on Tuesday, April 30, 2013. A public hearing is to be held on Monday, April 8, 2013 at 7:00 p.m. during the City of Oak Ridge Council meeting at the Oak Ridge Municipal Building. Copies of the City of Oak Ridge PY2013/FY2014 Annual Action Plan will be available April 1, 2013 online at www.oakridgetn.gov at the Community Development Department site or by contacting Kahla Gentry at 865-425-3580, kgentry@oakridgetn.gov.

PROPOSED FUNDING ALLOCATION

PY2013/FY2014 Entitlement Grant (Estimate)	\$215,024.00
<u>City of Oak Ridge Programs:</u>	
Scarboro Community Center Debt	\$ 95,000.00
Acquisition and Removal of Dilapidated Housing	\$117,024.00
Grant Administration	<u>\$ 3,000.00</u>
Total	\$215,024.00
 TOTAL FUNDS PROPOSED FOR ALLOCATON	 \$215,024.00

The public hearing is to be held on Monday April 8, 2013 at 7:00 p.m. during the City of Oak Ridge Council meeting at the Oak Ridge Municipal Building. Citizens are encouraged to attend the public hearing. If unable to attend the hearing, please submit written comments, no later than April 29, 2013 to:

City of Oak Ridge
Kahla Gentry, Community Development Department
P.O. Box 1
Oak Ridge, TN 37831-0001
865-425-3426 fax or kgentry@oakridgetn.gov

In compliance with the American with Disabilities Act, individuals needing special accommodations (including auxiliary communicative aids and services) during this hearing should notify Kahla Gentry, City of Oak Ridge, 865-425-3580, at least three days prior to the hearing.

**FINAL ADOPTION
OF
ORDINANCES**

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

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

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

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

Kahla Gentry

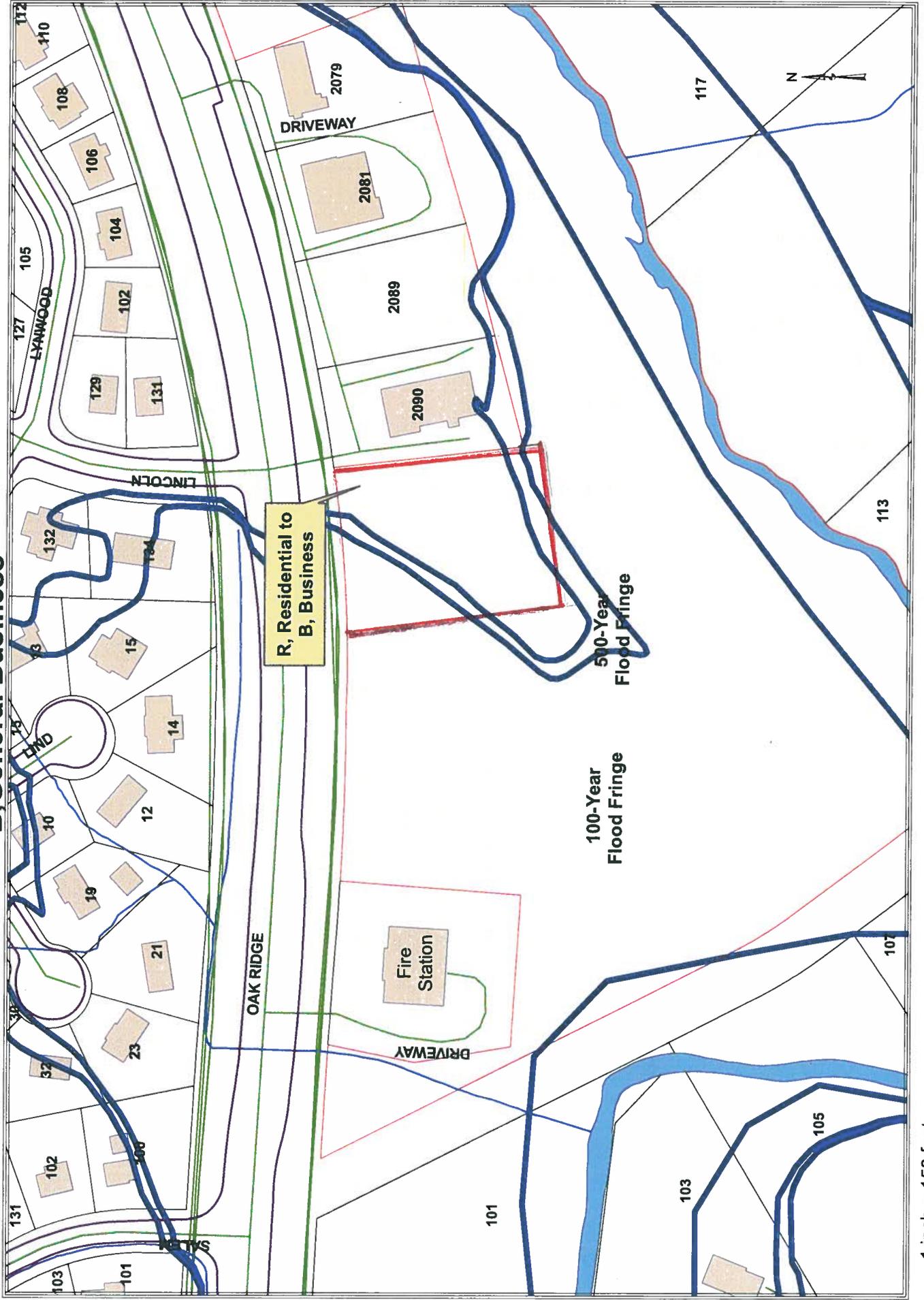
City Manager's Comments:

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

Mark S. Watson *Feb 20, 2013*

Mark S. Watson Date

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



1 inch = 150 feet

TITLE

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

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

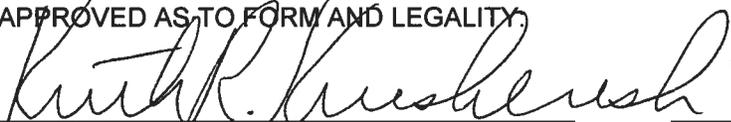
WHEREAS, a public hearing thereon has been held as required by law.

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

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

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

APPROVED AS TO FORM AND LEGALITY:



Kenneth R. Krushenski, City Attorney

Thomas L. Beehan, Mayor

Diana R. Stanley, City Clerk

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

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

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

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

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

Kahla Gentry

City Manager's Comments:

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

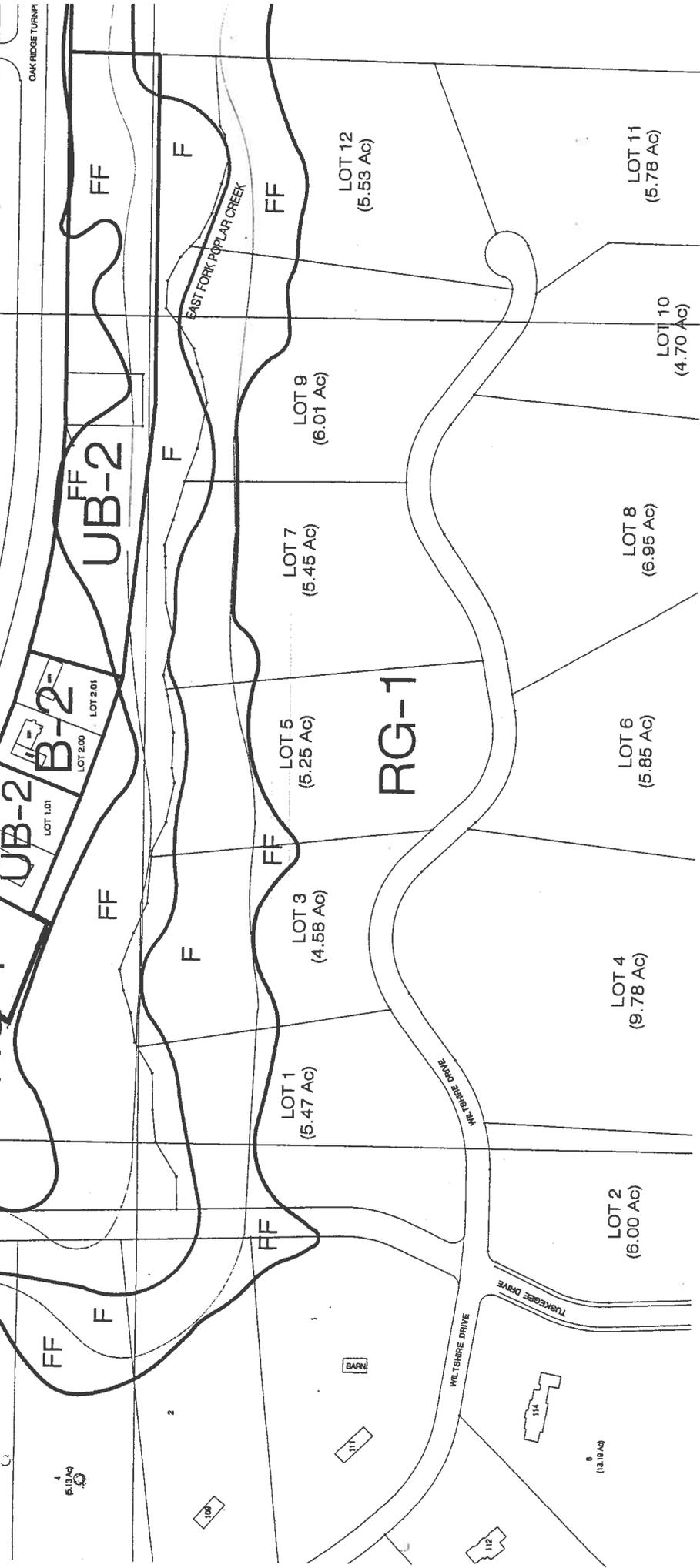
Mark S. Watson *Feb. 20, 2013*

Mark S. Watson Date



PARCEL 563
(18.9 Ac)
RG-1

REZONE TO UB-2
& UB-2/FF



LOT 1
(5.47 Ac)

LOT 3
(4.58 Ac)

LOT 5
(5.25 Ac)

LOT 7
(5.45 Ac)

LOT 9
(6.01 Ac)

LOT 12
(5.53 Ac)

LOT 2
(6.00 Ac)

LOT 4
(9.78 Ac)

LOT 6
(5.85 Ac)

LOT 8
(6.95 Ac)

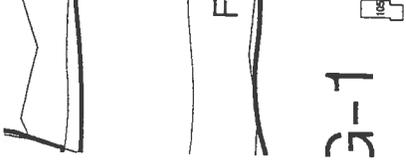
LOT 10
(4.70 Ac)

LOT 11
(5.78 Ac)

3-1

UB-2

RG-1



Staff Review of Rezoning Request

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

Date: January 10, 2013

Owner: Mel Sturm
2215 Breakwater Drive
Knoxville, TN 37922

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

Request Rezoning:

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

Site Characteristics:

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

Adjacent Land Uses & Zoning:

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

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

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

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

Previous Rezoning Requests: None

Background:

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

Conformity with 1988 Comprehensive Plan:

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

b. Applicable Policies:

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

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

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

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

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

Analysis:

The following criteria were used to evaluate the rezoning request.

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

6) Would the requested rezoning have environmental impacts?

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

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

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

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

Rezoning signs posted: January 8, 2013

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

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

TITLE

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

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

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

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

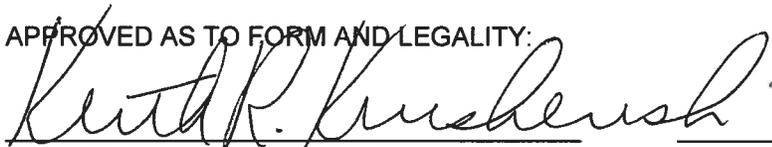
Section 1. The district boundaries of the zoning map attached to and made a part of Ordinance No. 2, as amended, are revised in the following particulars:

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

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

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

APPROVED AS TO FORM AND LEGALITY:



Kenneth R. Krushenski, City Attorney

Thomas L. Beehan, Mayor

Diana R. Stanley, City Clerk

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