

AGENDA

OAK RIDGE CITY COUNCIL SPECIAL MEETING

Municipal Building Courtroom

July 7, 2011

7:00 p.m.

INVOCATION

PLEDGE OF ALLEGIANCE

ROLL CALL

- I. ACCEPT RESIGNATION OF COUNCILMEMBER THOMAS HAYES**
- II. RESOLUTION TO ESTABLISH PROCEDURE TO FILL VACANCY**
- III. ADJOURNMENT**

CITY CLERK MEMORANDUM
11-32

DATE: July 1, 2011
TO: Honorable Mayor and Members of City Council
FROM: Donna L. Patterson, City Clerk
SUBJECT: SPECIAL MEETING OF CITY COUNCIL

At the direction of the City Manager and in accordance with Article II, Section 2, of the Charter of the City of Oak Ridge, Tennessee, a special meeting of City Council is hereby called for Thursday, July 7, 2011, at 7:00 p.m.in the Municipal Building Courtroom.

The purpose of the meeting is to formally accept the resignation of Oak Ridge City Councilmember Thomas Hayes and to establish by resolution a procedure to fill the vacancy on Council due to his resignation.

In accordance with the City Charter, business transacted at this special meeting shall be limited to the subjects recited in the notice of the meeting.



Donna L. Patterson, City Clerk

cc: City Manager
City Attorney
City Department Heads
The Oak Ridger
The Knoxville News Sentinel
The Oak Ridge Observer
BBB Communications

ADMINISTRATIVE MEMORANDUM
11-07

DATE: June 30, 2011

TO: Donna L. Patterson, City Clerk

FROM: Mark S. Watson, City Manager

SUBJECT: SPECIAL CITY COUNCIL MEETING

In accordance with Article II, Section 2, of the Charter of the City of Oak Ridge, you are hereby requested to call a special meeting of the Oak Ridge City Council for Thursday, July 7, 2011, at 7:00 p.m. in the Municipal Building Courtroom to formally accept the resignation of Oak Ridge City Council Member Tom Hayes and to establish by resolution a procedure to fill the vacancy on Council due to his resignation.



Mark S. Watson

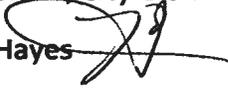
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OFFICE OF THE CITY CLERK
June 27
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TO: Oak Ridge City Council

Tom Beehan, Mayor

Mark Watson, City Manager

Donna Patterson, City Clerk

FROM: Thomas Hayes 

DATE: June, 2011

I herewith submit my resignation from the Oak Ridge City Council effective June 30, 2011. It has been an honor to serve on council for the past four years. I have certainly enjoyed working with my colleagues and being involved so closely with the many changes taking place in Oak Ridge. I leave the Oak Ridge City Council in good hands as I depart. Thanks Oak Ridge.

CITY COUNCIL MEMORANDUM 11-33
LEGAL DEPARTMENT MEMORANDUM 11-30

DATE: July 1, 2011

TO: Honorable Mayor and Members of City Council

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

SUBJECT: VACANCIES IN COUNCIL / PROCEDURE TO FILL THE VACANCY OF COUNCILMAN
TOM HAYES

The following information is provided about the process for filling vacancies on City Council. City Charter, Article I, Section 11, states:

A vacancy shall be filled within thirty (30) days by an affirmative vote of a majority of the remaining council members, the appointee to serve until the next regular city, county, or state election, at which time a successor shall be elected to fill the unexpired term. If a tie vote by the council to fill a vacancy is unbroken for thirty (30) days, the mayor shall appoint a qualified person to fill the vacancy. No appointment to fill the vacancy shall be made within sixty (60) days prior to any regular city, county, or state election.

For purposes of filling a vacant seat on City Council, the term "regular city, county, or state election" means a regular City of Oak Ridge municipal election, an Anderson County general election, or a state election which may include the election of both state and federal representatives. Councilman Hayes' resignation is effective June 30, 2011; therefore, the appointment of a person to fill the vacancy should be made no later than July 30, 2011. The person appointed by City Council will serve until the next general election which is scheduled for August 2012. At the August 2012 election, voters will elect a successor to fill the remainder of the unexpired term of office, meaning the person elected will serve until the November 2012 regular election.

Vacancies in City Council have been filled in the past in much the same way as City Council fills seats on its boards and commissions – by advertising for candidates, requesting the submission of resumés by a deadline date, and voting by ballot on the scheduled City Council election date. Because of time constraints and the importance of the office, the advertising has been more concentrated; e.g., daily display ads in The Oak Ridger right up to the filing deadline and posting of notices at any and all appropriate locations.

It is suggested that Councilman Hayes' seat be filled according to the following timeline:

- The appointment of a member to fill Councilman Hayes' seat shall be scheduled at a special called City Council meeting to be held on July 25, 2011 immediately preceding the regularly scheduled work session.
- A display advertisement of the vacancy shall be placed on the City's web site and in *The Oak Ridger* on every publication date beginning July 11, 2011, through July 15, 2011.

The advertisement shall announce that City Council will accept resumés in application for the seat, shall list the qualifications for the seat as prescribed by the City Charter, and shall clearly state the address and the deadline for receipt of resumés, as detailed in the attached "Notice of Vacancy on the Oak Ridge City Council."

Announcements of the vacancy shall also be posted in appropriate locations throughout the City.

- The deadline for receipt of resumés shall be no later than 5:00 p.m. on Monday, July 18, 2011.
- The resumés received by the deadline shall be distributed to City Council with the agenda packet on Wednesday, July 20, 2011.
- The City Clerk shall prepare a ballot, listing the names of all candidates in alphabetical order, for City Council's use at the July 25, 2011 special called City Council meeting.

A resolution setting forth the above procedure and timeline is attached for Council's consideration.



Mark S. Watson



Kenneth R. Krushenski

Attachments

RESOLUTION

A RESOLUTION TO SET FORTH A PROCEDURE TO FILL THE VACANCY ON CITY COUNCIL CREATED BY COUNCILMAN TOM HAYES' RESIGNATION, EFFECTIVE JUNE 30, 2011.

WHEREAS, Councilman Tom Hayes has submitted his resignation from the Oak Ridge City Council, effective June 30, 2011; and

WHEREAS, City Charter, Article I, Section 11, provides that a vacancy in City Council shall be filled within thirty (30) days by an affirmative vote of a majority of the remaining council members, with the appointee to serve until the next regular city, county, or state election, at which time a successor shall be elected; and

WHEREAS, a procedure for appointment of a member to replace Councilman Hayes as a member of City Council has been prepared, which procedure meets the requirements of the City Charter.

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

That the following procedure to fill the vacancy on the Oak Ridge City Council that has been created by the resignation of Councilman Tom Hayes is hereby adopted:

- The appointment of a member to fill Councilman Hayes' seat shall be scheduled at a special called City Council meeting to be held on July 25, 2011 immediately preceding the regularly scheduled work session.
- A display advertisement of the vacancy shall be placed on the City's web site and in *The Oak Ridger* on every publication date beginning July 11, 2011, through July 15, 2011.

The advertisement shall announce that City Council will accept resumés in application for the seat, shall list the qualifications for the seat as prescribed by the City Charter, and shall clearly state the address and the deadline for receipt of resumés, as detailed in the attached "Notice of Vacancy on the Oak Ridge City Council."

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This the 7th day of July 2011.

APPROVED AS TO FORM AND LEGALITY:



Kenneth R. Krushenski, City Attorney

Thomas L. Beehan, Mayor

Donna L. Patterson, City Clerk