

OAK RIDGE CITY COUNCIL MEETING
Municipal Building Courtroom

March 7, 2012—7:00 p.m.

AGENDA

I. INVOCATION

Pastor Robert May, Oak Ridge Family Bible Church

II. PLEDGE OF ALLEGIANCE

III. ROLL CALL

IV. APPEARANCE OF CITIZENS

V. PROCLAMATION AND PUBLIC RECOGNITIONS

A proclamation celebrating the 2012 National Library Week.

VI. Special Reports

(NONE)

VII. CONSENT AGENDA

- a. Approval of the minutes of the February 13, 2012 City Council Meeting.
- b. Adoption of a resolution granting renewal permits to persons engaged in the retail sale of alcoholic beverages for one year and waiving residency requirements for nonresident applicants.
- c. Adoption of a resolution amending Resolution No. 6-94-95 that established an attendance policy for the City Boards and Commissions to delete Section 5: "Provision of Attendance Policy and Other Information to New Members" from the Attendance Policy.
- d. Adoption of a resolution approving Amendment No. 13 to the Agreement PILT-OAK RIDGE-002 between the U.S. Department of Energy and the City of Oak Ridge for payment in lieu of taxes for tax year 2011 in the sum of \$1,662,113.38.

VIII. RESOLUTIONS

- a. Adoption of a resolution authorizing the purchase of a Toro HDX utility vehicle and sprayer from Smith Turf and Irrigation Co., Nashville, Tennessee, for use at Centennial Golf Course, in the estimated amount of \$29,270.46.
- b. Adoption of a resolution authorizing the City to apply for a grant from the Tennessee Department of Environment and Conservation (TDEC), Clean Tennessee Energy Program, in the amount of \$250,000.00 with a fifty percent (50%) local match, and accepting said grant if awarded.
- c. Adoption of a resolution awarding a contract (COR 12-06-A) to Diversified Service Associates, Inc., Oak Ridge, for mowing rights-of-way in the estimated amount of \$203,942.89 and a contract (COR 12-06-B) to KMC III Services, LLC, Knoxville, for

mowing non-rights-of-way in the estimated amount of \$70,320.00, for the Public Works Department.

IX. PUBLIC HEARING AND FIRST READING OF ORDINANCES

- a. AN ORDINANCE TO AMEND ORDINANCE NO. 8-11, AS AMENDED BY ORDINANCE 11-11, WHICH ORDINANCE IMPOSES A TAX ON ALL PROPERTY WITHIN THE CITY, FIXES THE RATE OF THE TAX, ADOPTS A BUDGET, AND ADOPTS APPROPRIATIONS FOR THE FISCAL YEAR BEGINNING JULY 1, 2011, BY AMENDING SAID APPROPRIATIONS.

X. FINAL ADOPTION OF ORDINANCES

- a. AN ORDINANCE TO AMEND ORDINANCE NO. 19-82, AS AMENDED, BY DELETING THE PROVISION OF SECTION 2 PERTAINING TO THE SCHEDULE OF WATER RATES FOR COMMODITY CHARGES AND MINIMUM MONTHLY BILLING IN THEIR ENTIRETY, AND SUBSTITUTING THEREFOR A NEW SCHEDULE OF WATER RATES.
- b. AN ORDINANCE TO AMEND ORDINANCE NO. 21-82, AS AMENDED, BY DELETING SECTION 13, SEWER RATE SCHEDULE, IN ITS ENTIRETY, AND SUBSTITUTING THEREFOR A NEW SECTION PERTAINING TO SEWER RATES.

XI. ELECTIONS/APPOINTMENTS, ANNOUNCEMENTS AND SCHEDULING

a. Elections/Appointments

Election of one (1) member to serve on the Environmental Quality Advisory Board for the balance of an unexpired term ending on December 31, 2012.

b. Announcements

c. Scheduling

XII. COUNCIL REQUESTS FOR NEW BUSINESS ITEMS OR FUTURE BRIEFINGS

XIII. SUMMARY OF CURRENT EVENTS

a. City Manager's Report

- i. Electric Vehicle Project

b. City Attorney's Report

XIV. ADJOURNMENT

**PROCLAMATIONS
AND
PUBLIC RECOGNITIONS**

CITY CLERK MEMORANDUM

12-11

DATE: February 28, 2012

TO: Honorable Mayor and Members of City Council

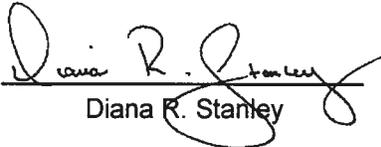
FROM: Diana R. Stanley, City Clerk

SUBJECT: PROCLAMATIONS AND PUBLIC RECOGNITIONS

2012 National Library Week

The accompanying proclamation is presented for the Council's consideration to celebrate the 2012 National Library Week.

Kathy McNeilly, Oak Ridge Public Library Director, will be in attendance to accept the proclamation at the March 7, 2012 City Council meeting.


Diana R. Stanley

Attachments

PROCLAMATION

WHEREAS, libraries have historically served as our nation's great equalizer of knowledge by providing free access to the public; 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 ourselves, each other, and our communities; 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; and

WHEREAS, librarians design and offer programs to meet their community's economic needs, providing residents with resume writing classes, interviewing workshops, and job seeking resources; and

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

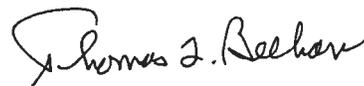
WHEREAS, libraries play a vital role in supporting the quality of life in their communities and will be celebrated by librarians, library workers, supporters, and the community across America during National Library Week.

NOW, THEREFORE BE IT RESOLVED BY THE COUNCIL OF THE CITY OF OAK RIDGE, TENNESSEE that the week of April 8-14, 2012 be proclaimed

NATIONAL LIBRARY WEEK

in the City of Oak Ridge, Tennessee, and that all residents be encouraged to visit the library to take advantage of the library resources available and thank their librarians and library workers for making information so readily accessible.

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 7th day of March in the year 2012.



THOMAS L. BEEHAN
MAYOR

CONSENT AGENDA

**MINUTES OF THE
OAK RIDGE CITY COUNCIL**

February 13, 2012

The regular meeting of the City Council of the City of Oak Ridge, Tennessee, convened at 7:00 p.m. on February 13, 2012, in the Courtroom of the Municipal Building with Mayor Thomas L. Beehan presiding.

INVOCATION

The Invocation was given by Reverend Chris Moore, Associate Pastor of Lifehouse Church.

PLEDGE OF ALLEGIANCE

The Pledge of Allegiance to the Flag of the United States of America was given by David Gengozian, President of the Executive Board of the Neighborhood Watch.

ROLL CALL

Upon roll call, the following councilmembers were present: Mayor Thomas L. Beehan, Councilmember Anne Garcia Garland; Councilmember L. Charles Hensley; Councilmember Charles J. Hope, Jr.; Councilmember David N. Mosby; and Councilmember Ellen D. Smith.

Mayor Pro Tem D. Jane Miller was absent.

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

APPEARANCE OF CITIZENS

Ms. Kay Williamson, 420 Jefferson Avenue, addressed Council about an issue with a vehicle that has been continually parked in close proximity to her house. Ms. Williamson also discussed other parking issues, including boats and inoperable cars that exist around her neighborhood. She noted that she has been commenting on these issues for some time.

PROCLAMATION

A proclamation honoring the 2011 Siemens Competition Winners.

Councilmember Smith moved, seconded by Councilmember Hensley that the proclamation be adopted.

The proclamation carried by unanimous voice vote with Councilmembers Garcia Garland, Hensley, Hope, Mosby, Smith, and Mayor Beehan voting "Aye."

The proclamation was accepted by Ziyuan Liu and Cassee Cain, 2011 Siemens Competition in Math, Science, and Technology Team Category winners.

SPECIAL REPORT

A report from Sergeant Shannah Newman, Oak Ridge Police Department, on the Neighborhood Watch Program.

Oak Ridge Police Sergeant Shannah Newman provided a brief overview and history of the Neighborhood Watch Program that included membership, chapters, and involvement in the community and events, such as National Night Out. The presentation was for informational purposes only; no action taken.

CONSENT AGENDA

Mayor Beehan introduced a new concept to City Council regarding the Consent Agenda which was that items that councilmembers had a question about as opposed to just a comment, the item would be removed. He explained that councilmembers would be able to comment on agenda items at the end of the approval of the Consent Agenda.

At the request of Councilmember Garcia Garland, the following items were removed from the Consent Agenda:

- (c) Adoption of a resolution awarding a contract to Baseline Sports Construction, LLC, Knoxville, Tennessee, for the construction of outdoor basketball courts at Elm Grove and LaSalle parks in the estimated amount of \$36,364.00.
- (e) Adoption of a resolution amending the Community Development Block Grant (CDBG) FY2012 Annual Action Plan, approved by Resolution 5-33-11, for the reallocation of \$126,231.08 of unused funds toward the acquisition and demolition of blighted properties within the CDBG target area.
- (g) Adoption of a resolution to adopt the attached Goals for City Boards and Commissions for 2012, dated December 2, 2011, as recommended by the City Manager.

City Manager Mark Watson stated that item (c) would be removed in its entirety from the agenda.

The remainder of the Consent Agenda was approved by unanimous voice vote with Councilmembers Garcia Garland, Hensley, Hope, Mosby, Smith, and Mayor Beehan voting "Aye," thereby:

- Approving the minutes of the January 9, 2012 City Council Meeting.
- Adopting Resolution No. 2-5-2012 supporting the submission of an application to secure a Playful City USA designation for the City of Oak Ridge.
- Adopting Resolution No. 2-6-2012 amending Resolution No. 12-117-11 that established the Council meeting schedule for calendar year 2012 to change the March 2012 regular meeting of City Council to Wednesday, March 7, 2012.
- Adopting Resolution No. 2-7-2012 authorizing the City's Electric and Waterworks funds to disburse tax equivalent payments to the City's General Fund as authorized by State Law.
- Adopting Resolution No. 2-8-2012 authorizing the Mayor to executive on behalf of the City of Oak Ridge a Certificate of Good Moral Character for Jerrold A. Williams.

In response to a question from Councilmember Hensley regarding procedure for removing an agenda item, City Attorney Kenneth Krushenski explained that there is a discrepancy with regards to item (c) and that it would be rebid should the City decide to move forward with the project.

Councilmember Mosby commented on the Playful City USA designation pursuit by explaining that it was a great idea and that he would like for Council to receive status updates. Councilmember Smith expressed her support for the item as well, and briefly reviewed the benefits of the Playful City USA designation.

Resolutions Removed from Consent Agenda

Resolution No. 2-9-2012

Adoption of a resolution amending the Community Development Block Grant (CDBG) FY2012 Annual Action Plan, approved by Resolution 5-33-11, for the reallocation of \$126,231.08 of unused funds toward the acquisition and demolition of blighted properties within the CDBG target area.

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

Following inquiries from Councilmember Garcia Garland, the City Manager explained that not all funds were expended because of program changes which resulted in unused funds that could be reallocated. Councilmember Garcia Garland expressed concern over reallocating funds toward the acquisition and demolition of blighted properties that were originally designated toward the Scarboro Community Center.

Janice McGinnis, Finance Director, clarified that the bonds issued for the Scarboro Community Center were variable rate debt and the amount budgeted is based on a higher interest rate than what the City is currently experiencing.

The motion was carried by unanimous voice vote with Councilmembers Garcia Garland, Hensley, Hope, Mosby, Smith, and Mayor Beehan voting "Aye."

Resolution No. 2-10-2012

Adoption of a resolution to adopt the attached Goals for City Boards and Commissions for 2012, dated February 8, 2012, as recommended by the City Manager.

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

The City Manager explained that the goals had been discussed in different settings with Council, but a formal adoption would provide direction to the boards regarding Council's current priorities. He also discussed that the goals would introduce a new communications approach that begins with Council.

Councilmember Garcia Garland expressed concern that there had not been extensive discussion among Council regarding the goals, and would contemplate postponing them until they could be discussed, or she would consider introducing an amendment to the resolution based on comments of other councilmembers.

Councilmember Smith commented that the goals are a communication tool and a "working document" where the goals would change over time. She indicated that the goals should be referred to as "Council's Goals," and that she would approve the resolution based on the understanding that the goals would continue to change. Similar statements were shared by Mayor Beehan, Councilmember Mosby, and Councilmember Hope.

Councilmember Garcia Garland proposed an amendment to the main motion; in addition to the goals contained in the resolution, she wished to extend a reminder to the Boards and Commissions that because of their expertise and focus, Council welcomed their advice on any issue or concern deemed important for city consideration. She also added that communications to the City Manager or Department Directors from board members be copied to Council so as to facilitate full knowledge. Councilmember Garcia Garland's motion was seconded by Councilmember Smith.

Following further discussion among Council and the City Manager, Councilmember Smith suggested that the action on Councilmember Garcia Garland's motion be deferred until Council had adequate time to discuss. Upon Councilmember Smith's suggestion, Councilmember Garcia Garland withdrew her amendment.

The main motion was approved by voice vote with Councilmembers Hensley, Hope, Mosby, Smith, and Mayor Beehan voting "Aye." Councilmember Garcia Garland abstained.

RESOLUTIONS

Resolution No. 2-11-2012

Adoption of a resolution authorizing the expenditure of up to \$125,000.00 from the Equipment Replacement Account for the purchase of a replacement rescue vehicle for the Fire Department.

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

Darryl Kerley, Oak Ridge Fire Chief, discussed the need for a replacement rescue vehicle. He explained that the current rescue vehicle had equipment safety issues and did not provide adequate storage for emergency equipment, and that the replacement vehicle would address both of these issues. Chief Kerley further stated that the replacement vehicle would be complaint through the National Fire Protection Association (NFPA). The Fire Chief commented that the final specification package would need to be solidified before the bidders would commit to a final cost figure. Additionally, the final cost would be determined by delivery of parts, vehicle assembly, and ordering requirements of the car manufacturers, and that the requested expenditure would provide adequate funding to pursue the final cost of a rescue vehicle.

Following discussions between Council and city staff regarding the equipment replacement fund and replacement schedule, the motion was approved by unanimous voice vote with Councilmembers Garcia Garland, Hensley, Hope, Mosby, Smith, and Mayor Beehan voting "Aye."

Resolution No. 2-12-2012

Adoption of a resolution authorizing an agreement in the estimated amount of \$75,000.00 with Nature's Best Organics of Tennessee, LLC, for the disposal of the City's wood and green waste through June 30, 2013.

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

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

Resolution No. 2-13-2012

Adoption of a resolution awarding a bid in the estimated amount of \$149,252.88 to Xylem Inc., d.b.a. Godwin Pumps, Charlotte, North Carolina, for the furnishing of two (2) portable pumps for the wastewater collection system as required for compliance with the U.S. Environmental Protection Agency (EPA) administrative order.

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

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

Resolution No. 2-14-2012

Adoption of a resolution awarding three contracts: COR 11-01 (Contract A to Norris Brothers Excavating, Crossville, in the estimated amount of \$434,904.00; COR 11-02 (Contract B) to Merit Construction, Inc., Knoxville, in the estimated amount of \$709,500.00; and COR 11-03 (Contract C) to Mofield Brothers Construction Co., LLC., Carthage, in the estimated amount of \$264,875.00; said contracts to improvements to the west end water system.

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

Gary Cinder, Public Works Director, responded to Councilmember Smith's inquires by explaining that the City's funding has been in the budget for years, and that the Public Works Department can adjust the water services provided when construction is complete and in operation.

Mr. Cinder replied to Councilmember Mosby's questions regarding the City's provision of water services by clarifying that the west end water system improvements will provide the means to deliver adequate supply of water to Rarity Ridge in preparation for improvement in the housing market. He also noted that

it is best to move forward with the project with the monetary support of the Environmental Protection Agency (EPA) before that funding is rescinded. Mr. Cinder noted that this improvement is an overall good strategy in that it will also provide an opportunity to supply water to neighboring service areas.

The motion was approved by unanimous voice vote with Councilmembers Garcia Garland, Hensley, Hope, Mosby, Smith, and Mayor Beehan voting “Aye.”

Resolution No. 2-15-2012

Adoption of a resolution authorizing transmittal of comments and authorization to Sign the Memorandum of Agreement Among the U.S. Department of Energy Oak Ridge Office, the Tennessee State Historic Preservation Office, the Advisory Council on Historic Preservation, the City of Oak Ridge, Tennessee, and the East Tennessee Preservation Alliance Pursuant to 36 CFR Part 800.6(b)(2) Regarding Site Interpretation of the East Tennessee Technology Park, on the Oak Ridge Reservation, Roane County, Tennessee.

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

The City Manager offered a suggestion to approve the agenda item first, and then authorize the City to participate in a “community letter” drafted by the Oak Ridge Heritage Preservation Association, provided there are no complications.

Councilmember Smith expressed her preference that the City adopt the “community letter” as a resolution. The City Manager noted that it would not be ideal to merge the two letters during the council meeting, but suggested that instead the City submit its own comment letter, and then discuss the items in the “community letter” and vote for city participation in said letter.

The motion was approved by unanimous voice vote with Councilmembers Garcia Garland, Hensley, Hope, Mosby, Smith, and Mayor Beehan voting “Aye.”

Discussions on “Community Letter” drafted by the Oak Ridge Heritage Preservation Association

The City Manager began by noting that sections of the “community letter” contained proposed verbiage changes, specifically Section 3, Section 4, Section 6 (deleted), Section 9, and Section 13.

Mr. David Bradshaw, 116 Pratt Lane, President of Oak Ridge Heritage Preservation Association (ORHPA) provided a brief background on the efforts to maintain the history of the various government sites while the government initiates clean up. Mr. Bradshaw explained that while different area organizations will be adopting and submitting comments, it was important for there to be a community consensus that combines language from the Department of Energy (DOE) and community organizations. He clarified that Council is being asked to approve that the Mayor, in consultation with the City Manager, review the community comments and sign the cover letter along with several other local entities. Mr. Bradshaw explained that the “community letter” would outline the community’s direction in hopes that it will influence the DOE, Advisory Council on Historic Preservation, and the Tennessee State Historic Preservation.

Mr. Bradshaw began explaining that the components of the document was based on four (4) parts: (1) preservation of the concrete footprint of the “U” of K-25, (2) a K-25 History Center to be located at the Fire Station, (3) a viewing tower located in close proximity to the Fire Station, and (4) an equipment building built near the Fire Station that would house larger equipment from K-25. He noted that the “community letter” does not contradict the recently approved comments of the City, and that the DOE may not approve all items listed due to costs associated with certain items or DOE’s planning.

Councilmember Hensley made a motion to designate Mayor Beehan to finalize the draft comments while working with ORHPA and the City Manager per Mr. David Bradshaw’s recommendation. The motion was seconded by Councilmember Mosby.

The motion was approved by unanimous voice vote with Councilmembers Garcia Garland, Hensley, Hope, Mosby, Smith, and Mayor Beehan voting “Aye.”

Resolution No. 2-16-2012

Adoption of a resolution to replace the “Guidelines for Disbursement of Funds to Charitable Not-for-Profit Organizations,” adopted by City Council June 4, 1979, with a new set of guidelines for appropriations of funds for nonprofit organizations in accordance with Tennessee Code Annotated §6-54-111.

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

The City Manager explained the reason for revising the guidelines, particularly the requirements for audits as that is an expensive process.

Mayor Beehan requested that three additional measures be added to the guidelines: (1) two signatures—one staff and the other a board member—be required on checks; (2) a copy of the organization’s liability insurance be provided to the City that includes an Employee Dishonesty Rider; and (3) a copy of the organization’s Directors and Officers Insurance. Councilmember Hensley moved to amend the resolution by including the Mayor’s three (3) guidelines as part of the City’s Guidelines. The motion was seconded by Councilmember Garcia Garland.

Councilmember Smith expressed concerns over the Mayor’s amendment in that the guidelines might be excessive for small non-profits. She wished to defer action on the amendment until the City Attorney had an opportunity to provide advice.

Councilmember Garcia Garland commented that she would like a monetary limit to be placed on the three (3) guidelines provided by the Mayor. She emphasized that the City’s guidelines only apply to gifts from the City, not contracts. Councilmember Hensley moved, seconded by Councilmember Smith that the amendment to add the three (3) further guidelines be deferred. The motion was approved by board vote with Councilmembers Garcia Garland, Hope, Mosby, and Smith voting “Aye,” and Councilmember Hensley and Mayor Beehan voting “Nay.”

Councilmember Garcia Garland made a motion to amend the resolution by changing the \$25,000.00 appropriation threshold for a Certified Public Accountant (CPA) audit to \$500,000.00 in accordance with the State’s guidelines. The motion was seconded by Councilmember Smith. Mayor Beehan expressed his concern about increasing the dollar amount and not requiring an audit or any type of reconciliation to be performed by a non-profit. Councilmember Smith commented that the threshold could be established in relation to the nature of the organization more so than the dollar amount; she is not convinced that the \$25,000.00 amount should be applicable.

Per explanations from the City Manager regarding audits received from non-profits, Councilmember Garcia Garland specified that the guidelines are for gifts or charitable donations and not contract obligations, such as the Oak Ridge Convention and Visitors Bureau or Oak Ridge Chamber of Commerce. Councilmember Garcia Garland continued to explain that a certified audit is an extremely thorough and expensive endeavor that must be performed by a specifically State-licensed CPA, and that obtaining said audit could put a burden on certain dollar amount donations. She concluded by saying that she would be satisfied with language that discusses a review by a CPA for any dollar amount.

Councilmember Hensley commented that he does not agree with the \$500,000.00 threshold given the ratio of the City’s budget versus the State’s budget.

The amendment to increase the appropriation threshold to \$500,000.00 failed by voice vote with Councilmembers Hensley, Hope, Mosby, Smith and Mayor Beehan voting “Nay.” Councilmember Garcia Garland abstained.

Councilmember Smith requested that the guidelines be reexamined to comply with state law. Mayor Beehan added that it should also apply toward good business practices.

The main motion failed by board vote with Councilmembers Hope, Smith, and Mayor Beehan voting “Nay” and Councilmembers Garcia Garland, Hensley, and Mosby voting “Aye.”

PUBLIC HEARING AND FIRST READING OF ORDINANCES

PUBLIC HEARING AND FIRST READING:

AN ORDINANCE TO AMEND ORDINANCE NO. 8-11, AS AMENDED BY ORDINANCE 11-11, WHICH ORDINANCE IMPOSES A TAX ON ALL PROPERTY WITHIN THE CITY, FIXES THE RATE OF THE TAX, ADOPTS A BUDGET, AND ADOPTS APPROPRIATIONS FOR THE FISCAL YEAR BEGINNING JULY 1, 2011, BY AMENDING SAID APPROPRIATIONS.

A public hearing was held with the following participants:

Ms. Trina Baughn, 119 Newport Drive, wanted clarity on the school’s request to increase the school’s budget over \$900,000.00. Janice McGinnis, Finance Director, explained that accounting regulations for governmental funds require a recording of the full value of the school’s lease for the technology equipment. Ms. McGinnis hypothesized that the lease is probably being paid over several years. She continued that with a capital lease, the full value must be reported in the year the lease was entered into, and this type of entry would raise the expenditures for that year.

Upon the Mayor clarifying that comments be provided during the public hearing, Ms. Baughn concluded by explaining that if the schools had not paid the mortgage of the high school, then Council should not approve an increase in their annual budget.

Kay Williamson, 420 Jefferson Avenue, raised a concern that if the City continues to give money to the schools then that process would be expected to continue. The City Attorney clarified that the amendment was not going to give the school’s more money in their budget.

The public hearing closed.

The City Manager suggested that Ms. Karen Gagliano, Director of Business and Support Services, Oak Ridge Schools, come to a City Council Work Session to answer questions and address concerns of Council.

Councilmember Mosby moved, seconded by Councilmember Hope that the item be deferred following discussion at a work session. The motion was approved by unanimous voice vote with Councilmembers Garcia Garland, Hensley, Hope, Mosby, Smith, and Mayor Beehan voting “Aye.”

FIRST READING OF ORDINANCES:

AN ORDINANCE TO AMEND ORDINANCE NO. 2, TITLED “THE ZONING ORDINANCE OF THE CITY OF OAK RIDGE, TENNESSEE, BY AMENDING SECTION 11.02, TITLED “REQUIRED OFF-STREET PARKING,” SUBSECTION (D), TITLED “RESIDENTIAL PARKING,” TO ADD PROVISIONS PERTAINING TO CURB CUTS FOR OFF-STREET RESIDENTIAL PARKING, TO ALLOW PARKING IN SIDE AND REAR YARDS IN RESIDENTIAL DISTRICTS PROVIDED SUCH PARKING OUTSIDE THE REQUIRED SETBACK, AND TO PROHIBIT PERMANENT LIVING INSIDE A PARKED OR STORED VEHICLE IN A RESIDENTIAL DISTRICT, AND TO AMEND RESERVED SUBSECTION (E) TO DEDICATE SAID SUBSECTION TO FRONT YARD PARKING REGULATIONS.

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

Mayor Beehan noted that the official public hearing would occur during the Second Reading of the Zoning Ordinance.

Kathryn Baldwin, Community Development Director, addressed a number of issues that were brought up by Councilmember Smith via an e-mail. Ms. Baldwin addressed Councilmember Smith's first concern about the need to expand on-street parking due to some properties being developed before lot lines existed by explaining that the plan is to address parking of commercial and recreational vehicles, which should alleviate the misuse of said vehicles parking for storage. Next, she noted that city staff would continue to use dimensions in the proposed ordinance to address commercial/oversized vehicles, as opposed to making judgment calls. In relation to Councilmember Smith's questions about the prohibition of non-operational vehicles and the City Manager's authority to have parked cars removed, Ms. Baldwin clarified that staff would like to have definitive regulations so as to not continually involve the City Manager. Lastly, Ms. Baldwin explained that curb-cut permits would be allowed on streets that do not have curbing on a case-by-case basis.

The City Manager explained that the ordinance needed clear guidelines for enforcement staff to follow.

Councilmember Garcia Garland suggested that the definition of oversized/ commercial vehicles be reviewed as she was concerned that, currently, it does not cover tractors. Councilmember Smith expressed her concern that the proposed ordinance definition of commercial/oversized vehicles would not address the City's current issues with parking.

The City Manager requested that Council provide policy guidance to staff and noted that the language could be amended in the future to reflect the ideas and suggestions of Council.

Councilmember Hope suggested that staff consider the gross vehicle weight limit and tandem axles to include in the definition of oversized/commercial vehicles. Councilmember Mosby stressed the importance of carrying out the enforcement of the new regulations of the ordinance so as to address the parking issues.

Councilmember Hensley noted that this was the first reading and that staff is receiving comments that can be reviewed and revisions returned. Councilmember Garcia Garland noted that no provisions exist on a process for granting exceptions, particularly with regards to curb cuts. She expressed concern over grandfathering not being allowed by the clause. Councilmember Smith expressed concerns about means to address parking eccentricities in Oak Ridge; she would like to have exceptions be allowed for hardships. She further discussed reviewing the Manhattan District Overlay Zoning Area as these locations may wish to have zoning variances. She expressed that a revision should be considered for the Manhattan District Overlay before the Zoning Ordinance goes into effect, to specify the kinds of situations where exceptions would be provided. These allowed exceptions would accommodate the provision of the Zoning Ordinance that would restrict parking to no more than 50% of the required front yard.

Mayor Beehan commented that Council could move forward with approving the ordinance to address parking issues and make changes as necessary.

After continuing discussions between Council and staff, the ordinance was approved on first reading by board vote with Councilmembers Hensley, Hope, Mosby, Smith, and Mayor Beehan voting "Aye." Councilmember Garcia Garland abstained.

AN ORDINANCE TO AMEND TITLE 15, TITLED "MOTOR VEHICLES, TRAFFIC AND PARKING," OF THE CODE OF ORDINANCES, CITY OF OAK RIDGE, TENNESSEE," BY AMENDING SECTION 15-101, TITLED "DEFINITIONS," TO CORRECT THE INTRODUCTORY LANGUAGE TO STATE THE DEFINITIONS APPLY WHEN USED IN THIS TITLE AND TO ADD THREE NEW DEFINITIONS: "COMMERCIAL/OVERSIZED VEHICLES," "RECREATIONAL VEHICLES," AND "UTILITY TRAILERS"; AND BY AMENDING CHAPTER 6, TITLED "STOPPING, STANDING AND PARKING," TO CREATE A NEW SECTION 15-617, TITLED "PARKING OF RECREATIONAL VEHICLES,

COMMERCIAL/OVERSIZED VEHICLES AND UTILITY TRAILERS IN MARKED AND UNMARKED ON-STREET PARKING SPACES," TO ADDRESS PARKING CONCERNS.

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

Councilmember Smith expressed concern over the size definitions of commercial/oversized vehicles, stating that the 8-foot width specification is wider than should normally be allowed. She also noted, however, that exceptions should be allowed for such vehicles to park on the streets for legitimate purposes, and that this should be discussed at the second reading of the ordinance.

Mayor Beehan recommended that the discussion continue at a work session to determine if Council would support the parking guidelines. Kathryn Baldwin, Community Development Director, cautioned about issuing a lot of exceptions, since right-of-way parking is a common citizen complaint.

Councilmember Garcia Garland pointed out that a current ordinance already addresses right-of-way and sidewalk parking. Ms. Baldwin expressed her belief that the ruling should be based upon the remaining width of the travel lane.

The City Manager explained that the 30-day implementation period was based on his conversation with Police Chief James Akagi, in which it was discussed that residents' reaction time to comply with the ordinance would be more effective. Councilmember Garcia Garland inquired about existing violations for cars parked on the sidewalks, and Chief Akagi confirmed that such violations can and had been addressed by officers issuing citations.

Councilmember Hope commented that the details of the ordinance should be discussed in a work session setting, and that staff needed some rules and regulations to begin to address the issues in the community. Councilmember Smith stated that she wanted to ensure that the ordinance adequately addressed the issues in the community, while not creating any additional problems in the process.

The ordinance was approved on first reading by board vote with Councilmembers Hensley, Hope, Mosby, Smith, and Mayor Beehan voting "Aye." Councilmember Garcia Garland abstained.

The City Manager requested direction and comments from Council in the interim.

AN ORDINANCE TO AMEND ORDINANCE NO. 19-82, AS AMENDED, BY DELETING THE PROVISION OF SECTION 2 PERTAINING TO THE SCHEDULE OF WATER RATES FOR COMMODITY CHARGES AND MINIMUM MONTHLY BILLING IN THEIR ENTIRETY, AND SUBSTITUTING THEREFOR A NEW SCHEDULE OF WATER RATES

Councilmember Hope moved, seconded by Councilmember Hensley that the ordinance be approved on first reading. Public Works Directors Gary Cinder briefly reviewed the rates in relation to water usage and noted that the rate increase was a result of the Environmental Protection Agency's (EPA) mandates for major improvements to the wastewater system. Mr. Cinder noted that nearly 40% of residential customers fit within the 2,000 gallon or less category. Councilmember Smith further noted that the existing rates were among the lowest in the region and the rate increases would keep the City competitive with neighboring communities.

The ordinance was unanimously approved on first reading by voice vote with Councilmembers Garcia Garland, Hensley, Hope, Mosby, Smith, and Mayor Beehan voting "Aye."

AN ORDINANCE TO AMEND ORDINANCE NO. 21-82, AS AMENDED, BY DELETING SECTION 13, SEWER RATE SCHEDULE, IN ITS ENTIRETY, AND SUBSTITUTING THEREFOR A NEW SECTION PERTAINING TO SEWER RATES.

Councilmember Smith moved, seconded by Councilmember Hope that the ordinance be approved on first reading. Gary Cinder, Public Works Director, briefly reviewed the rates in relations to wastewater usage and again noted that mandatory capital improvements were initiating the wastewater rate increases.

Following brief deliberation between Council and staff, the ordinance was unanimously approved on first reading by voice vote with Councilmembers Garcia Garland, Hensley, Hope, Mosby, Smith, and Mayor Beehan voting "Aye."

ELECTIONS/APPOINTMENTS, ANNOUNCEMENTS AND SCHEDULING

Elections/Appointments

Discussion and action on City Boards & Commission Vacancy Policy and timeline for use of existing applications.

Councilmember Garcia Garland commented that the vacancies should be continually filled, so long as it does not create any major disruptions.

Councilmember Smith commented that she did not wish to restrict the process to fill vacancies and that it is beneficial for the boards to have a full membership. Councilmember Smith moved that Council act to fill the current Environmental Quality Advisory Board (EQAB) vacancy with the existing applicants submitted during the 2011 end-of-year election, and amend the resolution that addresses board terms to develop a standard method to fill the vacancies as they occur throughout the calendar year. The motion was seconded by Councilmember Garcia Garland.

Mayor Beehan suggested that the EQAB vacancy be opened to the public to see if other applicants would be interested in the board appointment and hold an election in March.

The City Attorney noted that historically vacancies have been publicized and the Mayor's suggestion would allow potential candidates ample opportunity to apply. He advised that the board vacancy be publicized and open to the public.

Councilmember Garcia Garland moved to amend the existing motion to have an election during the March City Council meeting to fill the EQAB vacancy, and in the meantime, Council could consider a policy to address vacancies. Councilmember Hope seconded the motion.

Councilmember Smith suggested a general policy could be developed that announces that applications received during the 2011 end-of-year election could be used as a pool of applicants for subsequent positions that become available.

The amendment to the main motion was unanimously approved by voice vote with Councilmembers Garcia Garland, Hensley, Hope, Mosby, Smith, and Mayor Beehan voting "Aye."

The main motion, as amended, was unanimously approved by voice vote with Councilmembers Garcia Garland, Hensley, Hope, Mosby, Smith, and Mayor Beehan voting "Aye." The EQAB vacancy will be advertised for the March meeting.

Dependent upon above action, conduct an election on EQAB vacancy.

Election deferred to the March City Council Meeting

Establishing City Manager & City Attorney Evaluation Committees.

Councilmember Hope moved, seconded by Councilmember Smith the City Manager and City Attorney Evaluation Committees be approved. The motion was approved by unanimous voice vote with Councilmembers Garcia Garland, Hensley, Hope, Mosby, Smith, and Mayor Beehan voting "Aye."

Announcements

(NONE)

Scheduling

(NONE)

COUNCIL REQUESTS FOR NEW BUSINESS ITEMS OR FUTURE BRIEFINGS

Councilmember Garcia Garland moved that the City Manager determine a date in the next four weeks for Council to convene and continue policy discussions in retreat. The motion was seconded by Councilmember Mosby.

Mayor Beehan requested information regarding the definition of policy and what result the meeting should produce.

Councilmember Hensley expressed hesitation to take part in another visioning session that did not have a clear goal of producing a strategic plan from those discussions.

Councilmember Hope suggested that direction be provided so as to set an agenda for the requested meeting.

The motion was approved by board vote with Councilmembers Garcia Garland, Hensley, Hope, Mosby, and Smith voting "Aye," and Mayor Beehan voting "Nay."

Councilmember Smith explained that notes can be provided at a work session or in writing from herself or the City Clerk regarding the informal work session attended by councilmembers. Also, she would like to have a one-year review of the City's Utility Deposit System to ensure that it is achieving the City's goal of ensuring that utility bills are being paid by residents.

SUMMARY OF CURRENT EVENTS

City Manager's Report

Oak Ridge Farmer's Market
No action taken; informational purposes only

Charging Stations (verbal report)
(no action taken)

Absence for February 27, 2012 Work Session (verbal report)
(no action taken)

City Attorney's Report

(NONE)

ADJOURNMENT

The meeting adjourned at 11:14 p.m.

LEGAL MEMORANDUM
12-12

DATE: February 27, 2012

TO: Honorable Mayor and Members of City Council

FROM: Kenneth K. Krushenski, City Attorney

SUBJECT: RETAIL PACKAGE STORE RENEWAL APPLICATIONS

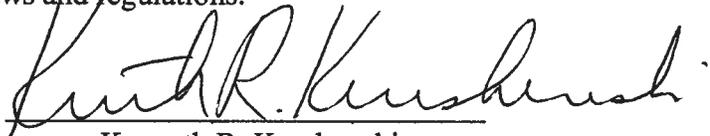
The accompanying resolution authorizes the granting of permits for the retail sale of alcoholic beverages in the city for the year 2012-2013. All applications are for renewal of current permits. A list of permitted stores and any significant changes in the applications from last year is provided below:

Store Number

- 131 Ridge Liquor's, Inc. Two applicants, Donald R. Knight and Brenda S. Roach, reside outside the city limits of Oak Ridge, Tennessee. In the past, Reba A. Monday has been listed as President of the corporation. Donald R. Knight is now the new President of the corporation. In addition, Michael L. Knight is added to the application as the new Secretary and resides inside the city limits.
- 149 Turnpike Wine & Spirits, Inc. Two applicants, Patricia B. Gettys and Catherine D. Pattison, reside outside the city limits of Oak Ridge, Tennessee. No changes.
- 151 JB's Wine & Spirits, Inc. The applicant, Jeanette Bowen, resides outside the city limits of Oak Ridge, Tennessee. No changes.
- 152 Lizz's Wine & Spirits. The applicant, Kenneth L. Montgomery, resides outside the city limits of Oak Ridge, Tennessee. No changes.
- 153 Oak Ridge Package Store. The applicant, Scott E. Garriott, resides outside the city limits of Oak Ridge, Tennessee. No changes.
- 154 Hilltop Wine & Spirits. The applicant, resides inside the city limits of Oak Ridge, Tennessee. No changes.

In accordance with Council's previous instructions, all nonresident applicants have been requested to be present at Wednesday night's Council meeting.

Each store is required to renew its city retail permit annually. This enables the city to learn of any changes that have occurred in local retail liquor store operations and to ensure compliance with applicable laws and regulations.


Kenneth R. Krushenski

Im

Attachment

RESOLUTION

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

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

WHEREAS, said permits will expire on March 31, 2012, and it is necessary that renewal permits be issued before that date, and

WHEREAS, the individuals listed hereinafter have made application for permits for the year 2012-2013, and

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

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

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

That the following persons are hereby granted a permit to engage in the retail sale of alcoholic beverages in the city at the indicated locations, for the year 2012-2013, and that the Mayor is authorized to sign said permits on behalf of the city:

<u>City Permit No.</u>	<u>Name of Applicant</u>	<u>Store and Location</u>
131	Donald R. Knight Brenda S. Roach Michael L. Knight	Ridge Liquor's, Inc. 858 Oak Ridge Turnpike
149	Patricia B. Gettys Catherine D. Pattison	Turnpike Wine & Spirits, Inc. 331 Oak Ridge Turnpike
151	Jeanette Bowen	JB's Wine & Spirits, Inc. 202 S. Illinois Avenue
152	Kenneth L. Montgomery	Lizz's Wine & Spirits 1505 Oak Ridge Turnpike
153	Scott E. Garriott	Oak Ridge Package Store 971 Oak Ridge Turnpike
154	Troy Joseph Howe	Hilltop Wine & Spirits 346 N. Illinois Avenue

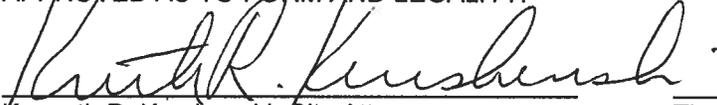
BE IT FURTHER RESOLVED that the Council does hereby waive the residency requirement for the following nonresident applicants:

Donald R. Knight
Patricia B. Gettys
Jeanette Bowen
Scott E. Garriott

Brenda S. Roach
Catherine D. Pattison
Kenneth L. Montgomery

This the 7th day of March 2012.

APPROVED AS TO FORM AND LEGALITY:



Kenneth R. Krushenski, City Attorney

Thomas L. Beehan, Mayor

Diana L. Stanley, City Clerk

CITY CLERK MEMORANDUM

12-10

DATE: February 22, 2012
TO: Honorable Mayor and Members of City Council
FROM: Diana R. Stanley, City Clerk
SUBJECT: REVISION TO THE BOARDS AND COMMISSIONS ATTENDANCE POLICY

An item for City Council's consideration is a resolution amending Resolution No. 6-94-95 that established an attendance policy for the City Boards and Commissions by deleting Section 5: "Provision of Attendance Policy and Other Information to New Members."

In 1995, City Council approved the resolution that established an attendance policy for the members of City Boards and Commissions (please see attached resolution and policy). Upon establishing new measures and tasks for the City Clerk's Office, as well as learning the typical protocols for Boards and Commissions, I noticed that the Boards and Commissions Attendance Section 5: "Provision of Attendance Policy and Other Information to New Members," outlined a list of materials that would be provided to the newly-elected board members.

Given the changes that have occurred over the last several years with the use of the new City website, including the City Calendar and newly formatted board web pages, increase use of technological devices/applications, decrease in paper hand-outs, digital records, the City Attorney's yearly introduction to Sunshine Law, etc. many of the items listed should no longer require paper distribution by the City Clerk's Office.

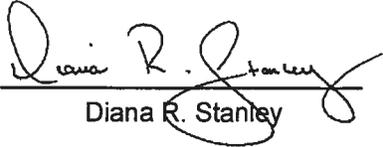
Instead, the City Clerk's Office has placed many of the records on the City's website, including the City Charter, Enabling Legislation/By-Laws of Boards and Commissions, Boards and Commissions Booklet, Attendance Policy, and a basic board roster.

Additionally, the Staff Liaison has much of the information already on file and can coordinate with his or her board members to determine who would prefer electronic or print copies and distribute accordingly. Also, in communicating with their board members, the Staff Liaison may learn of other material that their board members would like to have. The City Clerk's Office works closely with staff to ensure that they have information they need for their boards and will provide information as needed to staff.

Deleting Section 5 will allow for flexibility not only on the information provided, but also the means in which it is provided, as well as make adjustments based on the current needs of the boards and goals of City Council. A good example is the recently adopted 2012 City Council Goals for the Board and Commission where the information was placed throughout the webpages of the boards and distributed to the Staff Liaisons for coordination with their boards.

Lastly, the deletion of Section 5 would allow for increased efficiency in the City Clerk's Office while the end of year elections are being processed and finalized and all documents where the Clerk is the sole author—rosters, Boards and Commissions Booklet, election status letters—can be updated expeditiously for on-line publication and distribution to staff, applicants, and board members.

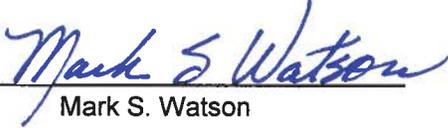
The Attendance Policy would then contain language solely on membership attendance.

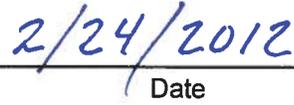

Diana R. Stanley

Attachments

City Manager's Comments:

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


Mark S. Watson


Date

RESOLUTION

WHEREAS, the Oak Ridge City Council appoints Oak Ridge citizen volunteers to serve on boards and commissions that are vital adjuncts of the Council for maintaining a high quality of life in the City of Oak Ridge, and

WHEREAS, a number of the City's boards and commissions have experienced difficulties in obtaining the quorums necessary for carrying out their functions, and

WHEREAS, to assist in addressing this problem, City Council appointed an ad hoc committee to review current attendance requirements and to recommend standard attendance policies and procedures for City of Oak Ridge boards and commissions, and

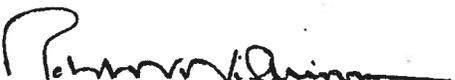
WHEREAS, the committee has completed its task and unanimously recommends adoption of the attendance policy attached hereto.

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

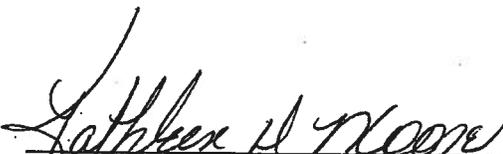
That the attached Attendance Policy for City Boards and Commissions, Oak Ridge, Tennessee, is hereby approved and adopted effective August 1, 1995.

This the 26th day of June 1995.

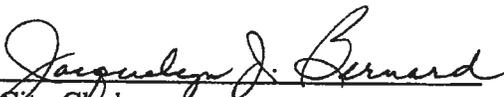
APPROVED AS TO FORM
AND LEGALITY:



City Attorney



Mayor



City Clerk

**ATTENDANCE POLICY
FOR
CITY BOARDS AND COMMISSIONS
OAK RIDGE, TENNESSEE**

1. Attendance Record

The Secretary of each Board and Commission authorized by the Oak Ridge City Council shall record the full names of those members present and absent in the minutes of each scheduled meeting and shall provide the Oak Ridge City Clerk with a signed copy of the minutes upon their approval by the Board. The Secretary shall also maintain a separate attendance record which shall be provided to the Chairman of the Board and the City Clerk within seven (7) days after each meeting. If a Board or Commission has no secretary, the person responsible for recording the minutes shall perform this function.

The attendance record form will be provided by the City Clerk who shall establish a format that will meet the need to provide a continuous attendance record for periodic reporting to City Council and allow attendance problems to be identified and addressed in a timely manner.

2. Absence from Meetings

When a member of any Board or Commission authorized by the Oak Ridge City Council is absent from three (3) regularly-scheduled or regularly-called meetings during the Board's term-year¹, the Chairman shall request that the member provide a written explanation of the absences. The Board shall determine whether to accept or reject the explanation by a majority vote. If the Board votes to accept the explanation, the absences shall be considered "excused" and will not accrue for purposes of removal from the Board. If the Board votes to reject the explanation, the absences will accrue for purposes of removal. If a member is absent from three (3) meetings and makes no effort to comply with the Chairman's request for an explanation, those absences will accrue for purposes of removal. Accrual of four (4) unexcused absences shall result in removal from the Board as outlined in Item 3.

3. Removal Due To Absences

When a member is absent from four (4) regularly-scheduled or regularly-called meetings during the Board's term-year and, consistent with the procedure set forth in Item 2, the Board rejects the explanation of absences or no explanation is forthcoming, the member

¹ Terms of office commence on different dates for different boards. "Term-year" means a one-year period beginning on the date of term commencement.

shall be notified that he/she has been removed from the Board by a vote of his/her peers. The Chairperson of the Board or Commission shall notify City Council of the vacancy by letter, and the City Clerk shall schedule an election to fill the vacancy in the customary manner.

The removal policy of the Oak Ridge Housing Authority shall be consistent with the Tennessee Code Annotated §13-20-411. This will require providing any Housing Authority commissioner who is accused of poor attendance in accordance with the attendance policies of the City of Oak Ridge and of the bylaws of the Oak Ridge Housing Authority at least ten (10) days' notice of the intent of the Mayor of Oak Ridge to remove the commissioner. A hearing on the charges against the commissioner is then scheduled to provide the commissioner an opportunity to be heard.

4. Incorporation of Attendance Policy into Bylaws

The attendance policy established by City Council shall be incorporated into the bylaws of those Boards and Commissions authorized by City Council for which bylaws have been adopted. The bylaws will be subject to approval by City Council.

5. Provision of Attendance Policy and Other Information to New Members

Each newly-elected member of a Board or Commission authorized by the Oak Ridge City Council shall be provided an information packet which contains, at a minimum:

- City Charter;
- Local enabling legislation (ordinance, City Code excerpt, or resolution creating the Board or Commission);
- Excerpts from the Tennessee Code as applicable;
- Open Meetings (Sunshine) Law requirements;
- Bylaws, rules and procedures, if applicable;
- Attendance policy;
- Indemnification policy;
- Booklet, "City of Oak Ridge Boards and Commissions";
- Membership roster; and
- Meeting schedule, if applicable.

The information packet shall be provided by the City Clerk when the newly-elected member takes the required oath. Additional information, as needed, shall be provided by the City staff member who serves as liaison to the Board or Commission, or its chief executive officer.

RESOLUTION

A RESOLUTION AMENDING RESOLUTION NO. 6-94-95 THAT ESTABLISHED AN ATTENDANCE POLICY FOR THE CITY BOARDS AND COMMISSIONS TO DELETE SECTION 5: "PROVISION OF ATTENDANCE POLICY AND OTHER INFORMATION TO NEW MEMBERS" FROM THE ATTENDANCE POLICY.

WHEREAS, Section 5 of the "Attendance Policy for City Boards and Commissions Oak Ridge, Tennessee" contains a list of informational items that are distributed to the newly-elected member of a Board or Commission; and

WHEREAS, given the changes in the City's structure, adoption and use of technology, and recent sustainability initiatives the distribution means has become outdated; and

WHEREAS, the City Clerk is recommending that Section 5 of the Attendance Policy be deleted to allow for flexibility and increase efficiency in the City Clerk's Office and among the boards; and

WHEREAS, over half of the information outlined in Section 5 of the Attendance Policy is available in a suitable electronic format that can be distributed more efficiently and is available to the public on the City's newly designed and formatted website; and

WHEREAS, the City Clerk's Office will work closely with Staff Liaison to ensure that they have the most up-to-date information needed for his or her board.

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

That Resolution No. 6-94-95 is hereby amended to provide that the "Attendance Policy for City Boards and Commission Oak Ridge, Tennessee" no longer contains Section 5: "Provision of Attendance Policy and Other Information to New Members."

BE IT FURTHER RESOLVED that the Attendance Policy for City Boards and Commissions Oak Ridge, Tennessee, as revised attached and hereby approved.

This the 7th day of March 2012.

APPROVED AS TO FORM AND LEGALITY:



Kenneth R. Krushenski, City Attorney

Thomas L. Beehan, Mayor

Diana R. Stanley, City Clerk

ATTENDANCE POLICY FOR CITY BOARDS AND COMMISSIONS
OAK RIDGE, TENNESSEE

1. Attendance Record

The Secretary of each Board and Commission authorized by the Oak Ridge City Council shall record the full names of those members present and absent in the minutes of each scheduled meeting and shall provide the Oak Ridge City Clerk with a signed copy of the minutes upon their approval by the Board. The Secretary shall also maintain a separate attendance record which shall be provided to the Chairman of the Board and the City Clerk within seven (7) days after each meeting. If a Board or Commission has no secretary, the person responsible for recording the minutes shall perform this function.

The attendance record form will be provided by the City Clerk who shall establish a format that will meet the need to provide a continuous attendance record for periodic reporting to City Council and allow attendance problems to be identified and addressed in a timely manner.

2. Absence from Meetings

When a member of any Board or Commission authorized by the Oak Ridge City Council is absent from three (3) regularly-scheduled or regularly-called meetings during the Board's term-year¹, the Chairman shall request that the member provide a written explanation of the absences. The Board shall determine whether to accept or reject the explanation by a majority vote. If the Board votes to accept the explanation, the absences shall be considered "excused" and will not accrue for purposes of removal from the Board. If the Board votes to reject the explanation, the absences will accrue for purposes of removal. If a member is absent from three (3) meetings and makes no effort to comply with the Chairman's request for an explanation, those absences will accrue for purposes of removal. Accrual of four (4) unexcused absences shall result in removal from the Board as outlined in Item 3.

3. Removal Due To Absences

When a member is absent from four (4) regularly-scheduled or regularly-called meetings during the Board's term-year and, consistent with the procedure set forth in Item 2, the Board rejects the explanation of absences or no explanation is forthcoming, the member shall be notified that he/she has been removed from the Board by a vote of his/her peers. The Chairperson of the Board or Commission shall notify City Council of the vacancy by letter, and the City Clerk shall schedule an election to fill the vacancy in the customary manner.

The removal policy of the Oak Ridge Housing Authority shall be consistent with the Tennessee Code Annotated §13-20-411. This will require providing any Housing Authority commissioner who is accused of poor attendance in accordance with the attendance policies of the City of Oak Ridge and of the bylaws of the Oak Ridge Housing Authority at least ten (10) days' notice of the intent of the Mayor of Oak Ridge to remove the commissioner. A hearing on the charges against the commissioner is then scheduled to provide the commissioner an opportunity to be heard.

4. Incorporation of Attendance Policy into Bylaws

The attendance policy established by City Council shall be incorporated into the bylaws of those Boards and Commissions authorized by City Council for which bylaws have been adopted. The bylaws will be subject to approval by City Council.

¹ "Term-year" means a one-year period beginning on the date of term commencement.

**GOVERNMENT AND PUBLIC AFFAIRS MEMORANDUM
12-02**

TO: Mark S. Watson
City Manager

FROM: Amy Fitzgerald, Ph.D.
Government and Public Affairs Coordinator

DATE: February 27, 2012

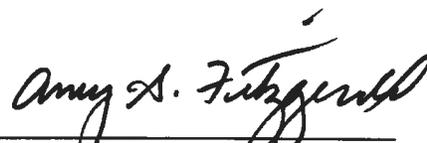
RE: **RESOLUTION AUTHORIZING ACCEPTANCE OF PAYMENT IN LIEU OF TAXES
FROM THE U.S. DEPARTMENT OF ENERGY FOR TAX YEAR 2011**

An item for the March 7th City Council meeting agenda is the adoption of the attached resolution authorizing acceptance of an amendment to the intergovernmental agreement between the City of Oak Ridge and the U.S. Department of Energy (DOE), which serves as the basis for the receipt of Payment in Lieu of Taxes (PILT).

Payment for 2011 is \$1,662,113.38 and is based on 32,920.47 acres owned by DOE within the city limits. This reflects a reduction of approximately 13.06 acres associated with the conveyance of a parcel to the Community Reuse Organization of East Tennessee.

The 2011 payment also reflects the increase in the per acre valuation of DOE property from \$6,450 to \$8,450 that was made in 2011 as a result of the 2010 state-mandated reappraisal and subsequent decrease in the local jurisdictions' certified tax rates.

Staff recommends adoption of the resolution.



Amy S. Fitzgerald

Attachments

City Manager's Comments:

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



Mark S. Watson 2/28/12
Date

RESOLUTION

A RESOLUTION APPROVING AMENDMENT NO. 13 TO THE AGREEMENT PILT-OAK RIDGE-002 BETWEEN THE U.S. DEPARTMENT OF ENERGY AND THE CITY OF OAK RIDGE FOR PAYMENT IN LIEU OF TAXES FOR TAX YEAR 2011 IN THE SUM OF \$1,662,113.38.

WHEREAS, the City of Oak Ridge has requested that the U.S. Department of Energy (DOE) render financial assistance in the form of a payment in lieu of taxes on real property acquired for nuclear and other energy purposes; and

WHEREAS, the DOE has agreed to aid the City of Oak Ridge by making a payment in lieu of taxes in the amount of the ad valorem tax revenue loss for the tax year 2011, which the City of Oak Ridge has suffered by virtue of removal of said real property from taxable ownership, provided the City will accept such payment in release of tax claims, if any, it may have against DOE or its contractors engaged in the performance of functions of DOE in the City of Oak Ridge; and

WHEREAS, the City of Oak Ridge is authorized by state law to accept financial assistance from federal agencies and to make agreements and execute instruments containing such terms and conditions as may be necessary for the purpose of obtaining such financial assistance; and

WHEREAS, the City Manager recommends approval of the attached amended agreement with DOE for payment in lieu of taxes.

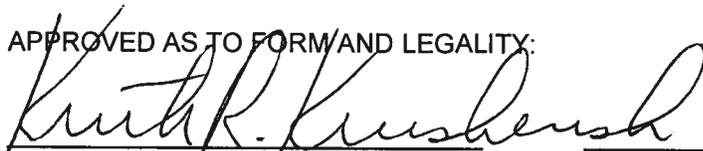
NOW, THEREFORE, BE IT RESOLVED BY THE COUNCIL OF THE CITY OF OAK RIDGE, TENNESSEE:

That the recommendation of the City Manager is approved and the attached amendment, designated as Amendment No. 13 to AGREEMENT PILT-OAK RIDGE-002, between the U.S. Department of Energy and the City of Oak Ridge for payment in lieu of taxes for tax year 2011 in the sum of \$1,662,113.38 in full satisfaction and release of any claims against DOE and its contractors based on or measured by the value of federal property utilized by such contractors in the performance of activities of DOE in the City of Oak Ridge, provided that the acceptance of this payment shall not operate in any manner in prejudice of the City of Oak Ridge's eligibility for payment in lieu of taxes based on the benefits and burdens test prescribed in Section 168 of the Atomic Energy Act; and further provided that the acceptance of this payment shall not operate in any manner in prejudice of the City of Oak Ridge's eligibility for annual assistance payments under § 91 of the Atomic Energy Communities Act of 1955, is hereby approved.

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

This the 7th day of March 2012.

APPROVED AS TO FORM AND LEGALITY:



Kenneth R. Krushenski
City Attorney

Thomas L. Beehan
Mayor

Diana R. Stanley
City Clerk

AGREEMENT PILT-OAKRIDGE-002
CITY OF OAK RIDGE, TENNESSEE

AMENDMENT NO. 13 TO AGREEMENT

This Amendment to Agreement PILT-OAKRIDGE-002 is made and entered into this _____ day of _____, 2012, by and between the UNITED STATES OF AMERICA DEPARTMENT OF ENERGY (DOE), and CITY OF OAK RIDGE, State of Tennessee.

The following revisions are made to the cited Agreement and are applicable to the payment-in-lieu-of-taxes for tax year 2011:

- 1. The tax year is changed to reflect "2011."
- 2. Item II.a. of the Agreement is revised to reflect that the payment-in-lieu-of-tax amount for tax year 2011 is \$1,662,113.38 as reflected in Exhibit No. 1 to this Amendment.

Payment of funds by DOE in lieu of property taxes constitutes financial assistance within the meaning of 10 CFR Part 1040; therefore, the City of Oak Ridge must comply with such regulations.

IN WITNESS WHEREOF, the parties hereto have executed this Amendment No. 13 to Agreement PILT-OAKRIDGE-002 on the day and year first above written.

CITY OF OAK RIDGE, TENNESSEE

U.S. DEPARTMENT OF ENERGY

BY: _____
Mark S. Watson

BY: _____
Cindy B. Finn

TITLE: City Manager

TITLE: ORO Realty Officer

DATE: _____

DATE: _____

AMENDMENT NO. 13 TO
AGREEMENT PILT-OAKRIDGE-002
CITY OF OAK RIDGE, TENNESSEE

EXHIBIT NO. 1

PAYMENT IN LIEU OF TAXES FOR TAX YEAR 2011

The following computations are based on the Department of Energy's authority to make PILT payment on a revised per-acre-valuation based on availability of funds. Accordingly, the value of \$8,450 is applied pursuant to previously approved valuations.

1. A full assessment of \$69,544,492.88 for 32,920.47 acres of farm property in the City of Oak Ridge classified as farm or agriculture property (assessed at 25% rate) is equivalent to a value of \$8,450 per acre (32,920.47 acres x \$8,450 value per acre = \$278,177,971.50 appraised value x 25% assessment = \$69,544,492.88 land value).
2. Application of the City of Oak Ridge tax rate for tax year 2011 of \$2.39 per \$100.00 of assessed valuation to \$69,544,492.88 yields a tax payment of \$1,662,113.38 for tax year 2011.

RESOLUTIONS

RECREATION AND PARKS MEMORANDUM
12-03

DATE: February 21, 2012
TO: Mark S. Watson, City Manager
FROM: Josh Collins, Recreation and Parks Director
SUBJECT: GOLF COURSE EQUIPMENT



The accompanying Resolution approves the Centennial Golf Course to purchase a Toro HDX Utility Vehicle and sprayer from Smith Turf and Irrigation, Nashville, Tennessee, in the estimated amount of \$29,270.46.

The proposed equipment purchase for the Centennial Golf Course includes a Toro HDX Utility Vehicle with a 200 gallon sprayer and all necessary attachments. This purchase will replace a Toro Multi Pro Model 1200 Sprayer (equipment #515) purchased in 2002 which is used for herbicide, fungicide and pesticide applications throughout the course. The current ten-year-old sprayer requires constant maintenance and can no longer meet the heavy work load placed upon it. Since this sprayer is an integral part of the maintenance effort on the course, it is essential to have a quality dependable piece of equipment. Delays in spraying fungicide or pesticide caused by equipment failure are costly and affect the appearance and playability of the course.

A Toro sprayer unit was specified due to its durability and compatibility with existing equipment in the golf course inventory. Replacements parts that are on hand to repair the current sprayer are compatible with the equipment being proposed. The utility vehicle is designed to be used on a golf course, to be compatible with existing equipment and to handle the weight of a fully-loaded 200 gallon sprayer. The golf course maintenance staff is familiar with the Toro equipment and is prepared to perform most repairs as well as preventative maintenance activities. Since Centennial Golf Course is a City-owned facility, all of the maintenance equipment used at the course is City property and funded out of the Equipment Maintenance Fund. The fund will be repaid over the next three years from operating funds generated by the course.

Staff recommends approval of the accompanying Resolution as submitted. Equipment replaced by this proposed purchase will either be salvaged for parts or included in the City's surplus property sales.

Attachment

City Manager's Comments:

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



Mark S. Watson

2/28/12

Date

CITY OF OAK RIDGE, TENNESSEE
Abstract of Bids

RFQ #127337

OPENING DATE: February 16, 2012 2:00 P.M.

FOR ---
Utility Vehicle 4WD w/Bed and 200 Gallon Sprayer

DESCRIPTION	ITEM	UNIT	BIDDER:		BIDDER:		BIDDER:	
			UNIT COST	TOTAL	UNIT COST	TOTAL	UNIT COST	TOTAL
THE FURNISHING OF AN UTILITY VEHICLE 4WD WITH A BED AND 200 GALLON SPRAYER PER THE SPECIFICATIONS PROVIDED BY BRIAN LOVEDAY, MANAGER, CENTENNIAL GOLF COURSE AND OVERSEEN BY THE CITY OF OAK RIDGE RECREATION AND PARKS DEPARTMENT	1		\$	29,270.46				
TOTAL PRICE			\$	29,270.46				\$
TERMS				Net 10th Prox				
DELIVERY				30 Days AFO				
F.O.B.				Your Destination				
VIA				STI Truck				
<p>OTHER BIDDERS CONTACTED:</p> <p>Smith Turf & Irrigation CO. - Knoxville, TN Smith Turf & Irrigation CO. - North Franklin, TN John Deere Landscapes-#498 - Lexington, KY John Deere Landscapes-#568, #107, #184 - Huntsville, AL Kenney Outdoor Solutions - Louisville, KY Ewing Irrigation Products - #148 - Birmingham, AL</p> <p>Transaxle Manufacturing of America - Rock Hill, SC Tuff Torq Corporation - Morristown, TN Lely Turf Products - Pella, IA Solo USA - Newport News, VA Powell Power Equipment, Inc. - Powell, TN Farragut Lawn and Tractor - Knoxville, TN</p> <p>Commercial Cutting Equipment - Maryville, TN Athens Lawn and Garden - Athens, TN</p>								
REASON FOR AWARD			RECOMMEND AWARD BE MADE TO:					
<input checked="" type="checkbox"/> ONLY BID RECEIVED <input type="checkbox"/> LOW PRICE <input type="checkbox"/> BETTER OR REQUIRED DESIGN <input type="checkbox"/> EARLY DELIVERY <input type="checkbox"/> LOWEST TOTAL COST			Smith Turf & Irrigation CO. 525 Fairground Court Nashville, TN 37211-2008					

BIDS OPENED AND RECORDED BY---

Lyn Majeski
Lyn Majeski
Accounting Division Manager

BIDS REVIEWED BY---

Janice McGinnis
Janice McGinnis
Finance Director

RESOLUTION

A RESOLUTION AUTHORIZING THE PURCHASE OF A TORO HDX UTILITY VEHICLE AND SPRAYER FROM SMITH TURF AND IRRIGATION CO., NASHVILLE, TENNESSEE, FOR USE AT CENTENNIAL GOLF COURSE, IN THE ESTIMATED AMOUNT OF \$29,270.46.

WHEREAS, the City of Oak Ridge has issued invitations to bid for the furnishing of 4WD utility vehicle with a bed and a 200 gallon sprayer for Centennial Golf Course to replace current equipment that is in poor condition; and

WHEREAS, bids were received and publicly opened on February 16, 2012, with Smith Turf and Irrigation, Nashville, Tennessee, submitting the sole bid, which bid the City Manager recommends be accepted.

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

That the recommendation of the City Manager is approved and award is hereby made to Smith Turf and Irrigation Co., 525 Fairground Court, Nashville, Tennessee 37211-2008, for the furnishing of one (1) Toro HDX 4WD Utility Vehicle with bed and 200 gallon sprayer for Centennial Golf Course; said award in strict accordance with Requisition No. 127337, the required specifications, and the bid as publicly opened on February 16, 2012, and in the estimated amount of \$29,270.46.

This the 7th day of March 2012.

APPROVED AS TO FORM AND LEGALITY:



Kenneth R. Krushenski, City Attorney

Thomas L. Beehan, Mayor

Diana R. Stanley, City Clerk

PUBLIC WORKS MEMORANDUM
12-06

DATE: February 21, 2012
TO: Mark S. Watson, City Manager
FROM: Gary M. Cinder, P.E., Director of Public Works
SUBJECT: CLEAN TENNESSEE ENERGY GRANT PROGRAM APPLICATION

The accompanying resolution authorizes the City of Oak Ridge, Public Works Department, to apply for and accept grant funds in the requested amount of \$250,000 from the State of Tennessee, Department of Environment and Conservation (TDEC), Clean Tennessee Energy Grant Program, to assist with funding for building maintenance projects that will result in an increase of energy efficiency. The implementation of newer technologies using this grant will serve as a model for future renovation projects. The cost savings that will result from the increased energy efficiency and reduction of emissions from reduced power consumption will be a long-term public benefit to the city's citizens.

The purpose of the Clean Tennessee Energy Grant Program is to fund projects that result in a reduction of emissions and pollutants. The eligible categories include cleaner alternative energy, energy conservation and air quality improvement. Funding for the Clean Tennessee Energy Grant Program is from a consent decree with the Tennessee Valley Authority (TVA) from a federal court settlement of an enforcement action under the federal Clean Air Act. A part of the consent decree requires TVA to provide Tennessee \$26.4 million to fund environmental mitigation projects, to be paid over five years or longer, with the first-year payment not to exceed \$5.28 million.

Each grant application requires matching funds. During the grant application evaluation process, points are awarded based on the match level, with a larger match percentage receiving higher points. The acceptable match levels are 50 percent grant / 50 percent match, 60 percent grant / 40 percent match and 80 percent grant / 20 percent match. In order to receive the maximum evaluation points available, the Public Works Department recommends applying for a 50 percent match / 50 percent grant, allowing for \$500,000 as the total project costs.

Grant awards will be selected using the following criteria:

- Energy Efficiency – 25 possible points
- Air Quality – 30 possible points
- General Public Benefit – 15 possible points
- Protection of Environment – 15 possible points
- Creative / New Technology – 15 possible points

The Public Works Department recommends utilizing the Clean Tennessee Energy Grant Funds on the following building maintenance projects that reduce energy consumption and comply with federal mandates, totaling an estimated \$500,000.

- Lighting projects at the Recreation Building and Municipal Building for the estimated total cost of \$280,000 to reduce energy consumption and comply with the federal mandate that has stopped the manufacture of the type of fluorescent bulbs used in the buildings.
- Heating Ventilation Air Conditioning (HVAC) projects at the Central Services Complex and Central Fire Station for the estimated total cost of \$40,000 that will reduce energy consumption by replacing aged and inefficient units.
- HVAC project at the Animal Shelter for the estimated cost of \$17,000 to provide controlled cooling to the kennel and replace the inefficient electric fans.

- HVAC project at the Recreation Building for the estimated cost of \$150,000 to reduce energy consumption by replacing the twenty-one year old chiller.
- Insulation project at the Animal Shelter for the estimated cost of \$13,000 for energy efficiency and to receive the most benefit from the HVAC project.

The recommended projects for the Clean Tennessee Energy Grant Program represent an opportunity to achieve a reduction in both energy usage and energy costs to the citizens of Oak Ridge. In addition to changing out inefficient lighting and HVAC, the newer technology equipment will include the installation of sensors that will turn off lights and change the temperature settings when the buildings are unoccupied, increasing the savings of both energy and monthly operational costs for years to come. The long term benefit of these projects will not only be of a monetary value to the citizens, but also reduce the need for energy production from coal-fired power plants that supply the majority of the power to Oak Ridge.

The projects recommended are ready to begin upon receipt of the grant award. The match funding for the projects will be requested from the capital maintenance fund in the FY 2013 budget. The application deadline for this grant is March 31, 2012.

Staff recommends approval of the accompanying resolution.

ks



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

2/28/12

Date

RESOLUTION

A RESOLUTION AUTHORIZING THE CITY TO APPLY FOR A GRANT FROM THE TENNESSEE DEPARTMENT OF ENVIRONMENT AND CONSERVATION (TDEC), CLEAN TENNESSEE ENERGY PROGRAM, IN THE AMOUNT OF \$250,000.00 WITH A FIFTY PERCENT (50%) LOCAL MATCH, AND ACCEPTING SAID GRANT IF AWARDED.

WHEREAS, grant monies are available through the State of Tennessee, Department of Environment and Conservation (TDEC), Clean Energy Program, to assist with funding building maintenance projects resulting in increased energy efficiency; and

WHEREAS, the City desires to apply for a \$250,000.00 grant with a fifty percent (50%) local match to increase the City's chances of receiving grant funds since during the evaluation process higher points are awarded for applications with higher local match percentages; and

WHEREAS, if awarded, funds will be used for the following projects: lighting at the Recreation and Municipal Buildings; HVAC projects at the Central Services Complex, Fire Station #3, Animal Shelter, and Recreation Building; and an insulation project at the Animal Shelter, with all projects improving energy efficiency and/or reducing energy consumption; and

WHEREAS, matching funds would be requested from the capital maintenance fund in the FY2013 budget; and

WHEREAS, the City Manager recommends that the City submit a grant application for these projects.

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

That the recommendation of the City Manager is approved and the City is hereby authorized to submit a grant application to the Tennessee Department of Environment and Conversation for a \$250,000.00 Clean Tennessee Energy Program grant with a fifty percent (50%) local match requirement which funding, if awarded, would be utilized to improve energy efficiency and reduce energy consumption at various city facilities.

BE IT FURTHER RESOLVED that if said application is approved, the City is authorized to accept said funding.

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

This the 7th day of March 2012.

APPROVED AS TO FORM AND LEGALITY:



Kenneth R. Krushenski, City Attorney

Thomas L. Beehan, Mayor

Diana R. Stanley, City Clerk

PUBLIC WORKS MEMORANDUM
12-07

DATE: February 28, 2012

TO: Mark S. Watson, City Manager

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

SUBJECT: MOWING CONTRACT

The accompanying resolution authorizes the expenditure of funds for two separate contracts in the estimated amount of \$70,320 to KMF III Services, LLC, Knoxville, TN and \$203,942.89 to Diversified Service Associates, Inc., Oak Ridge, TN for the mowing of street rights-of-way and other parcels maintained by the Public Works Department.

These contracts provide for routine mowing of rights-of-way along City and State streets, as well as various other city-owned parcels of land maintained by the Public Works Department, such as water and sewer pump stations, reservoir and elevated tank sites, treatment plants, electrical sub-stations, and nine cemeteries. Additionally, the contract covers the grounds of various city-owned buildings, including the Central Services Complex, the Municipal Building, the Ambulance Building, and the Animal Shelter.

The mowing frequency for each of the different areas varies according to its location and visibility. Mowing along most of the major arterials and collector streets is generally scheduled on a 10-day cycle; however, some collector streets are on a 14-day or 21-day cycle. Additionally, monthly mowing will be performed on designated city streets that are undeveloped.

A bid opening was held February 15, 2012 with only two bids being submitted. The low bid was found to have irregularities related to his contractor license. The second bid was over the budgeted amount for the contract. Staff decided to reject both bids and rebid the contract. The City's Legal Department has subsequently received clarification from the Executive Director of the Tennessee Contractors Licensing Board that a contractor license is not required for this project. The project was to be rebid with changes made including increasing some mowing frequencies. There were also clarifications made to the mowing requirements at the ETTP site.

Bids were again opened February 22, 2012 with the same bidders submitting the only two bids. KMF III Services, LLC presented a bid lower than Diversified Service Associates, Inc. Staff checked the provided references and received all positive comments. However, the references for KMF III Services, Inc. indicated they only had facility mowing and no rights-of-ways type mowing. Staff then met with the owner of KMF III Services, LLC on February 24, 2012 to discuss his bid. The owner admitted his expertise is more suited for facility-type mowing and is not equipped currently for rights-of-way type mowing. Staff determined that the capabilities and experience of KMF III Services, LLC were best suited to perform mowing of the non-rights-of-way portion of the contract and as they had the lower bid for this work, staff proposed recommending they be awarded that part of the project. The work will consist of mowing city-owned facilities and parcels, such as cemeteries, water pump stations and water tank sites, water treatment plants and the wastewater treatment plant.

Although Diversified Service Associates, Inc. presented a bid approximately \$6,000 higher than KMF III Services, LLC, for mowing rights-of-way, staff felt Diversified Service Associates, Inc., with their previous 25-year experience as the city's mowing contractor, is better equipped to mow the rights-of-ways. Staff offered the rights-of-way portion of the contract to Diversified Service Associates, Inc. Both contractors were agreeable to the terms of splitting the contract.

The contractors will be responsible for mowing services for the City for the mowing period beginning approximately March 15 and ending approximately November 1 of each year. The contracts shall become effective upon their execution and shall continue through December 31, 2012. They may be renewed by mutual agreement of the parties for up to nine (9) additional one-year periods.

Staff recommends approval of the accompanying resolution.



Gary M. Cinder

ks

City Manager's Comments:

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



Mark S. Watson

2/29/12

Date

CITY OF OAK RIDGE, TENNESSEE

COR # 12-06
 OPENING DATE: February 22, 2012 2:00 P.M.

DESCRIPTION	ITEM	BIDDER: Diversified Service Associates, Inc. P.O. Box 5263 Oak Ridge, TN 37831		BIDDER: KMF III Services, Inc. P.O. Box 52328 Knoxville, TN 37950	
		UNIT COST	TOTAL	UNIT COST	TOTAL
FURNISH ALL LABOR, MATERIALS, TOOLS, AND EQUIPMENT NECESSARY TO PERFORM ALL WORK AND SERVICES REQUIRED FOR MOWING - STATE ROUTE MEDIANS, RIGHT-OF-WAY, CITY EASEMENTS, CITY PROPERTIES, ETC., PER THE SPECIFICATIONS PROVIDED BY THE CITY OF OAK RIDGE PUBLIC WORKS DEPARTMENT	1		\$ 203,942.89		\$ 197,759.00
RIGHT-OF-WAYS (State Routes, City Streets, ETPP ROW, Bridge/Culverts EPA Requirements)	2		\$ 74,597.21		\$ 70,320.00
TOTAL PRICE			\$ 203,942.89		\$ 70,320.00
TERMS			MONTHLY PAYMENTS		MONTHLY PAYMENTS
DELIVERY			PER CONTRACT		PER CONTRACT
F.O.B.			JOB SITE		JOB SITE
VIA			CONTRACTOR		CONTRACTOR
OTHER BIDDERS CONTACTED: Diversified Landscape Services, Inc. - Oak Ridge, TN Lawntek - Oak Ridge, TN Harris Lawncare Service - Oak Ridge, TN J & M Lawncare - Sunbright, TN Avalawn - Knoxville, TN B & B Lawn Service - Knoxville, TN					
REASON FOR AWARD		RECOMMEND AWARD BE MADE TO:			
ONLY BID RECEIVED		Item 1 - \$203,942.89		Item 2 - \$70,320	
LOW PRICE		Diversified Service Associates, Inc. P.O. Box 5263 Oak Ridge, TN 37831		KMF III Services, Inc. P.O. Box 52328 Knoxville, TN 37950	
BETTER OR REQUIRED SERVICES		X			
EARLY DELIVERY					
LOWEST TOTAL COST					
BIDS OPENED AND RECORDED BY-- Lyn Majecki Accounting Division Manager					
BIDS REVIEWED BY-- Janice McGinnis Finance Director					

RESOLUTION

A RESOLUTION AWARDING A CONTRACT (COR 12-06-A) TO DIVERSIFIED SERVICE ASSOCIATES, INC., OAK RIDGE, FOR MOWING RIGHTS-OF-WAY IN THE ESTIMATED AMOUNT OF \$203,942.89 AND A CONTRACT (COR 12-06-B) TO KMF III SERVICES, LLC, KNOXVILLE, FOR MOWING NON-RIGHTS-OF-WAY IN THE ESTIMATED AMOUNT OF \$70,320.00, FOR THE PUBLIC WORKS DEPARTMENT.

WHEREAS, the City of Oak Ridge has issued invitations to bid for the furnishing of all labor, tools, materials, equipment and supplies necessary for mowing city-owned facilities and parcels, state route medians, city rights-of-way, and city easements; and

WHEREAS, bids were received and publicly opened on February 22, 2012, with Diversified Service Associates, Inc., and KMF III Services, LLC, submitting the only bids for the mowing project; and

WHEREAS, City Staff proposes splitting the mowing project into two contracts and awarding a portion of the work to each bidder, which proposal the City Manager recommends be accepted.

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

That the recommendation of the City Manager is approved and awards are hereby made as follows:

To Diversified Service Associates, Inc., P.O. Box 5263, Oak Ridge, Tennessee 37831, for the furnishing of all labor, tools, materials, equipment and supplies necessary to perform all work and services for mowing rights-of-way; said award in strict accordance with COR 12-06-A, the required specifications, and the bid as publicly opened on February 22, 2012, and in the estimated amount of \$203,942.89.

To KMF III Services, LLC, P.O. Box 52328, Knoxville, Tennessee 37950, for the furnishing of all labor, tools, materials, equipment and supplies necessary to perform all work and services for mowing non-rights-of-way, including city-owned facilities and parcels such as cemeteries, water pump stations, water tank sites, water treatment plants, and the wastewater treatment plant; said award in strict accordance with COR 12-06-B, the required specifications, and the bid as publicly opened on February 22, 2012, and in the estimated amount of \$70,320.00.

Said awards in the grand total estimated amount of \$274,262.89.

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

This the 7th day of March 2012.

APPROVED AS TO FORM AND LEGALITY:



Kenneth R. Krushenski, City Attorney

Thomas L. Beehan, Mayor

Diana R. Stanley, City Clerk

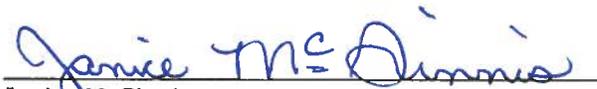
**PUBLIC HEARING
AND
FIRST READING
OF
ORDINANCES**

**FINANCE DEPARTMENT MEMORANDUM
12-02**

DATE: February 3, 2012
TO: Mark S. Watson, City Manager
FROM: Janice E. McGinnis, Finance Director
SUBJECT: Fiscal Year 2012 Budget Appropriation Amendment

Attached is a request from Keys Fillauer, Chairman of the Oak Ridge Board of Education, and Dr. Thomas Bailey, Superintendent, requesting that the fiscal year 2012 budget appropriation for the General Purpose School Fund be amended to \$57,512,313. This is a \$937,091 increase over the General Purpose School Fund appropriation of \$56,575,222 adopted by City Council in budget ordinance amendment number 11-11 on July 25, 2011. The attached correspondence outlines the reasons for the School's request. The amendment does not change the fiscal year 2012 operating transfer from the City to the Oak Ridge Schools and has no impact on the property tax rate.

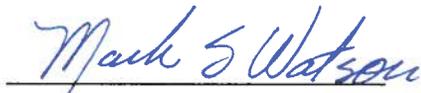
Staff recommends approval of the attached ordinance amendment.



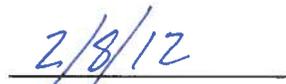
Janice McGinnis

City Manager's Comments:

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



Mark S. Watson



Date



Oak Ridge Schools

OFFICE OF
Superintendent of Schools

Telephone (865)425-9011
Fax: (865)425-9070

January 19, 2012

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

Dear Mayor and Members of City Council:

The purpose of this letter is to request an amendment to the Schools FY 2012 Appropriations Ordinance to reflect budget adjustments that have been approved by the Board to date. The following summarizes those amendments.

FUND		APPROVED	AMENDED	CHANGE
141	General Fund	\$49,713,720	\$50,652,800.92	939,080.92
142	Federal Projects Fund	\$3,262,254	\$3,199,066.97	(63,187.03)
143	Central Cafeteria Fund	\$1,919,685	\$1,919,685	-0-
145	Special Revenue Fund	\$101,624	\$97,637.65	(3,986.35)
146	Extended School Program	\$463,521	\$463,521	-0-
147	ARRA	-0-	\$2,350.55	2,350.55
148	First To The Top	\$178,165	\$230,484.14	\$52,319.14
149	Employee Jobs Bill	\$936,253	\$946,766.83	\$10,513.83
GRAND TOTAL - ALL FUNDS		\$56,575,222	\$57,512,313.06	\$937,091.06

The majority of the change in the General Fund (\$766,843.55 of \$939,080.92) is an accounting entry to reflect the full value of the technology lease this first year. The second largest change in the General Fund is a transfer from fund balance in the amount of \$159,126.96. These funds were budgeted in FY'11 for the Data Center project and were unspent. They are needed in FY'12 to finish the first phase of the project.

The requested amendment does not impact the amount appropriated by Council to the Schools or the local tax rate but does impact the overall budget appropriation and must be authorized by ordinance.

Thank you for your prompt attention to this matter.

Sincerely,

Keys Fillauer
Chairman, Board of Education

Thomas E. Bailey, Ed.D.
Superintendent of Schools

TEB/KLG/tv

TITLE

AN ORDINANCE TO AMEND ORDINANCE NO. 8-11, AS AMENDED BY ORDINANCE 11-11, WHICH ORDINANCE IMPOSES A TAX ON ALL PROPERTY WITHIN THE CITY, FIXES THE RATE OF THE TAX, ADOPTS A BUDGET, AND ADOPTS APPROPRIATIONS FOR THE FISCAL YEAR BEGINNING JULY 1, 2011, BY AMENDING SAID APPROPRIATIONS.

WHEREAS, there exists a need to amend the original appropriations for Fiscal Year 2012 and for the accomplishment of the same, a public hearing has been held before the City Council after ten (10) days' notice thereof published in The Oak Ridger, the official newspaper, as provided by law; and

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

Section 1. Ordinance No. 8-11, which adopts appropriations for Fiscal Year 2012, is hereby amended by revising Section 3 so that the same, as revised, will read as follows:

Section 3. In accordance with Article V, Section 14, of the Charter of the City of Oak Ridge, the following amounts shall be and hereby are adopted as appropriations by funds for the operation of the City of Oak Ridge, Tennessee, for Fiscal Year 2012:

General Fund, Municipal Operations	\$19,453,250
Debt Service (Bond and Interest Redemption Fund)	8,142,000
State Street Aid Fund	1,784,000
Streets and Public Transportation Fund	260,000
Drug Enforcement Program Fund	350,000
Grant Fund	4,000,000
General Purpose School Fund	57,512,313
Golf Course Fund	1,335,000
Capital Projects Fund	4,500,000
Solid Waste Fund	2,531,170
Economic Diversification Fund	2,131,000
West End Fund	2,893,000
Special Programs Fund	1,243,000
Housing Fund	850,000

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

APPROVED AS TO FORM AND LEGALITY:



Kenneth R. Krushenski, City Attorney

Thomas L. Beehan, Mayor

Diana R. Stanley, City Clerk

Publication Date: 02/20/2012
 Public Hearing: 03/07/2012
 First Reading: 03/07/2012
 Second Reading: _____
 Publication Date: _____
 Effective Date: _____

**FINAL ADOPTION
OF
ORDINANCES**

FINANCE DEPARTMENT MEMORANDUM

12-04

DATE: February 3, 2012

TO: Mark S. Watson, City Manager

FROM: Janice E. McGinnis, Finance Director

SUBJECT: Ordinance Amendment for Water and Wastewater Rates

Adoption of the attached ordinance amendments will establish rate adjustments for the City's water and wastewater systems effective April 1, 2012. The public hearing and first reading of the ordinances is scheduled for the February 13, 2012 City Council meeting with second reading of the ordinances scheduled for the March City Council meeting.

The Water and Wastewater Rate Study was prepared by Lamar Dunn and Associates. Mr. Dunn presented an overview of the rate study to City Council at the January 9, 2012 City Council meeting and conducted a more in-depth review of the rate study with City Council at the January 23, 2012 work session.

Capital and system maintenance funding is a major driver for the water and wastewater rate adjustments. The Administrative Order by the US Environmental Protection Agency (EPA) mandates the City perform major improvements to the wastewater system. It is anticipated that over \$18,000,000 in debt will be issued over the next 4 years to make the mandatory capital improvements. There will also be significant increases in maintenance costs related to this mandate. The water system has similar problems with major improvements that will require additional borrowing in the estimated amount of \$16,000,000 over the next 4 years, including capital improvements to the City's water plant and raw water intake systems.

Other drivers for both the water and wastewater rate adjustments include the attainment and maintenance of adequate cash reserve levels in the Waterworks Fund and lack of system growth. Both water and wastewater usage by the US Department of Energy (DOE) continues to decline. DOE's water consumption has declined over 750,000,000 gallons annually from their consumption levels when the City took over operations of the water plant in 2000. Negotiations for the DOE water contract will begin in the near future as the contract ends on June 30, 2012.

As a part of the rate adjustment, it is recommended that the City's current rate structure philosophy be changed. The current water rate structure used by the City is known as a declining schedule, which means as a customer's usage increases, the rate per gallon decreases. EPA has encouraged uniform rates, which means that the rate per gallon stays the same no matter how many gallons are used. Uniform rates will also encourage conservation when compared to declining rates.

The other structural change in comparison to the City's current water and wastewater rates is for minimum bills. The rate structure recommended by the study includes a 2,000 gallon minimum bill for both water and wastewater services for which the monthly charge increases based on meter size. The current rate structure does not contain a minimum bill structure based on meter size for wastewater services. The current minimum bill for wastewater service applies to all meter sizes. While the current water rate structure did contain a minimum bill by meter size, it did not limit the minimum to only 2,000 gallons of consumption. This meant that the larger customers did not pay for their usage until their usage charges exceeded the minimum bill amount.

Although these changes in the rate structure will mean higher increases for the larger volume customers, it will be an additional incentive for conservation.

Excluding DOE and a small amount of fire contribution, the projected amount of cash that must be funded by residential and commercial customers is \$7,767,165. Based on these projections, a base rate of \$12.00 for the first 2,000 gallons provided through a 5/8" meter, with an escalator of the base rate depending on meter size, and a fixed rate of \$7.35/1,000 gallons for all flow over 2,000 gallons will produce approximately \$7,797,798.

The wastewater system needs to produce enough cash to fund a projected amount of \$10,178,118 in cash outlays annually. In order to produce that amount of cash, the proposed rates are a minimum bill of \$18.50 per month for the first 2,000 gallons provided through a 5/8" meter, with an escalator of the base rate depending on meter size. There is a flat rate of \$7.75 for each 1,000 gallons per month above the 2,000 gallon minimum. This proposed rate structure, including projected DOE usage, will produce \$10,183,510.

Section XI of the rate study includes a comparison of the proposed rates with neighboring utilities for the City's minimum users. Even with the proposed rate adjustments the City will be competitive with surrounding utilities. Table XII-1 on page XII-3 shows that the City's water rate is still competitive in both the 2,000 and 5,000 gallon/month category. Table XII-2 on page XII-4 also shows that the City's wastewater rate is competitive with surrounding utilities.

Water:

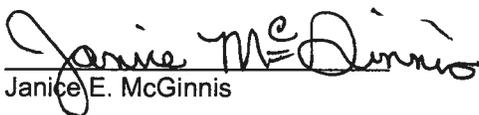
	Current Rates	Proposed Rates	Percent Change
2,000 Gallons	\$11.50	\$12.00	4.34%
5,000 Gallons	\$25.15	\$34.05	35.38%

Wastewater:

	Current Rates	Proposed Rates	Percent Change
2,000 Gallons	\$13.50	\$18.50	37.03%
5,000 Gallons	\$28.95	\$41.75	44.21%

Finally, it is anticipated that the City will be issuing debt before the end of fiscal 2012 to begin funding the capital outlays that are included in the rate study.

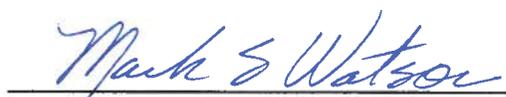
Staff recommends approval of the two attached ordinance amendments.

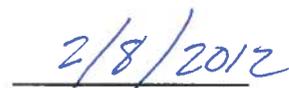

 Janice E. McGinnis

Attachments

City Manager's Comments:

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


 Mark S. Watson


 Date

TITLE

AN ORDINANCE TO AMEND ORDINANCE NO. 19-82, AS AMENDED, BY DELETING THE PROVISION OF SECTION 2 PERTAINING TO THE SCHEDULE OF WATER RATES FOR COMMODITY CHARGES AND MINIMUM MONTHLY BILLING IN THEIR ENTIRETY, AND SUBSTITUTING THEREFOR A NEW SCHEDULE OF WATER RATES.

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

Section 1. Ordinance No. 19-82, as amended, is hereby amended by deleting the provisions of Section 2 pertaining to the schedule of water rates for commodity charges and minimum monthly billing in their entirety, as of midnight March 31, 2012, and substituting therefor a new Section 2, so that said section, as amended shall read as follows:

SCHEDULE OF TREATED WATER RATES FOR METERED BILLING
OAK RIDGE, TENNESSEE

Section 2. The following schedule of rates for metered billing of water furnished to consumers by the water system of the City of Oak Ridge is hereby established and adopted, effective with April 1, 2012, water billings.

1. Commodity Charge

First 2,000 gallons or any part thereof, minimum billing as outlined in subsection 2 below.

Over 2,000 gallons @ 7.35 per thousand gallons

2. Minimum Monthly Billing includes first 2,000 gallons or any part thereof

For customers using 5/8"	\$ 12.00 per month
For customers using 3/4" meter	16.80 per month
For customers using 1" meter	30.00 per month
For customers using 1-1/2" meter	69.00 per month
For customers using 2" meter	123.00 per month
For customers using 3" meter	276.00 per month
For customers using 4" meter	480.00 per month

For customers using meters in excess of 4", the rate will be at the same as that for a 4" meter or at a minimum monthly amount as determined by the City at the time the service is established.

The above rates are net, the gross rates being five percent higher.

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

APPROVED AS TO FORM AND LEGALITY:



Kenneth R. Krushenski, City Attorney

Thomas L. Beehan, Mayor

Diana R. Stanley, City Clerk

First Reading: 02/13/2012
Publication Date: 02/20/2012
Second Reading: 03/07/2012
Publication Date: _____
Effective Date: _____

TITLE

AN ORDINANCE TO AMEND ORDINANCE NO. 21-82, AS AMENDED, BY DELETING SECTION 13, SEWER RATE SCHEDULE, IN ITS ENTIRETY, AND SUBSTITUTING THEREFOR A NEW SECTION PERTAINING TO SEWER RATES.

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

Section 1. Ordinance No. 21-82, as amended, is hereby amended by deleting the provisions of Section 13 pertaining to the schedule of wastewater rates in its entirety, as of midnight March 31, 2012, and substituting therefor a new Section 13, so that said section, as amended, shall read as follows:

Section 13 - Wastewater Rate Schedule

All references to usage (gallons) or to meter readings shall mean water meter readings.

The following wastewater rate schedule shall apply to each user of the wastewater facilities, effective with the April 1, 2012, wastewater billings.

1. Sanitary sewer disposal charge for all customers except those applicable to subsection 3 below.

First 2,000 gallons or any part thereof, minimum billing as outlined in subsection 2 below.

Over 2,000 gallons at \$7.75 per thousand gallons

2. Minimum Monthly Billing includes first 2,000 gallons or any part thereof for all customers except those applicable to subsection 3 below.

For customers using 5/8"	\$ 18.50 per month
For customers using 3/4" meter	27.75 per month
For customers using 1" meter	46.25 per month
For customers using 1-1/2" meter	106.50 per month
For customers using 2" meter	190.00 per month
For customers using 3" meter	425.00 per month
For customers using 4" meter	740.00 per month

For customers using meters in excess of 4", the rate will be at the same as that for a 4" meter or at a minimum monthly amount as determined by the City at the time the service is established.

3. Customers whose single-meter usage averages over 10,000,000 gallons per month for a contiguous 12 month period, will be charged a flat monthly rate of \$120,000.00 for the first 10,000,000 gallons or any part thereof and \$7.75 per thousand gallons thereafter each month for the succeeding 12 month period.

Minimum Charge per Month

The total wastewater charge shall be no less than \$18.50 per month.

Maximum Charge per Month

The following terms are defined:

Winter Period – November 2 through May 1.

Summer Period – May 2 through November 1.

Single-family residential meter readings shall be subject to a maximum monthly billable wastewater consumption of 20,000 gallons during the Summer Period. Single-family residential customers that have maintained water service at the metered location continuously during the preceding Winter Period will have a maximum billable monthly wastewater consumption during the Summer Period using the highest monthly meter reading taken during the immediately preceding Winter Period, not to exceed 20,000 gallons per month.

The above rates are net, the gross rate being five percent higher.

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

APPROVED AS TO FORM AND LEGALITY:



Kenneth R. Krushenski, City Attorney

Thomas L. Beehan, Mayor

Diana R. Stanley, City Clerk

First Reading: 02/13/2012
Publication Date: 02/20/2012
Second Reading: 03/07/2012
Publication Date: _____
Effective Date: _____

ELECTIONS
&
APPOINTMENTS
ANNOUNCEMENTS
SCHEDULING

Environmental Quality Advisory Board

NumVacancies 1
 Total # of Members 12

Term of Office
 December 31, 2012

Qualifications

No qualifications needed outside of Oak Ridge residency

Applicants

Environmental Quality Advisory Board	Submitted	Preference
Dr. Gray Dean	11/20/2011	1
Mr. Perry Jones	11/18/2011	1
Mr. Rick Lyon	11/21/2011	1
Mr. James Robert McDaniels	2/22/2012	1
Dr. Sylvia Milanez	11/21/2011	2

Current Members

Environmental Quality Advisory Board		Term Expires
Mr. Chuck Agle	Planning Commission Representative	2014
Ms. Leslie E. Agron		2012
Mr. Frances Alston		2014
Patricia M. Fain		2013
James Groton	Chair	2012
Mr. David Hughes	ORHS Student Representative	2013
Mr. Robert G Kennedy III, PE	Vice Chair	2014
Mr. Stephen Todd Kenworthy		2013
Mrs. Patricia Imperato		2014
Austin Morgan	ORHS Representative	2012
Mr. James G. Placke Jr.		2013

City of Oak Ridge Board Application

BoardName: Environmental Quality Advisory Board	2012	Application Submitted
Applicant: Dean, Gray	Choice	1 11/20/2011 17:28

106 Westlook Circle	HomePhone	865-425-9836	Email
	MobilePhone		wgdean@pstcc.edu
Oak Ridge TN	OfficePhone		Retired? N

Current Position / Title

Adjunct faculty – Introductory geology, Department of Behavioral and Natural Sciences

Current Employer

Pellissippi State Community College

Company / Organization Retired From

Do you currently serve on any other City board, commission or committee?

NONE

Education, Professional and or Community Activity

Education:

Ph.D. – Geology, 2003, University of Tennessee, Knoxville

M.S. – Geology, 1997, University of Tennessee, Knoxville

B.S. – Geology, 1994, Georgia Southern University, Statesboro, GA

B.S. – Communication Arts, 1987, Georgia Southern University, Statesboro, GA

Explain why you are interested in being appointed to this board, commission or committee

I recently relocated to Oak Ridge after working out of state for 6 years. I enjoy east Tennessee and am impressed and fond of the outdoor opportunities in Oak Ridge and surrounding areas. As you will note from my resume, my training and work is focused on earth science and environmental concerns. I hope to use my skills, training and personal interests towards my community and improve/maintain the excellent environment, lifestyle and wildlife opportunities that exist here.

Describe any special knowledge or past experience qualifying you for this appointment?

I have a terminal degree in Geology focusing on environmental issues, including biodiversity and hydrology. I also have been in Knoxville area for 17 years and have a personal knowledge of local environmental issues as well as local geology and ecology. I am an avid hiker and have an excellent understanding and appreciation of the importance of trail/wilderness areas.

Notes

W. Gray Dean

wgdean@pstcc.edu

106 Westlook Circle
Oak Ridge, TN 37830
(865) 425-9836

Skills, Knowledge and Abilities

- Diverse educational background – two undergraduate BS degrees; MS & PhD in Geology
- Knowledge of local geology and ecology
- Understanding of hydrology and the relationship of water issues to environmental changes
- Familiarity with local and regional environmental issues
- Experienced and dedicated trail user
- Interest and desire to explore/implement improved energy and transportation options at local to regional scales

Current status (Fall 2011)

Adjunct faculty – Introductory geology
Department of Behavioral and Natural Sciences
Pellissippi State Community College, Knoxville, TN

Education:

- Ph.D. – Geology, 2003**, University of Tennessee, Knoxville
Dissertation: “Biodiversity Trends of the Cenozoic Caribbean”
- M.S. – Geology, 1997**, University of Tennessee, Knoxville
Thesis: “Evolutionary Flux in Fossil Echinoids: New Metrics for Old Dogmas”
- B.S. – Geology, 1994**, Georgia Southern University, Statesboro, GA
Senior Thesis: “Wetland Delineation and Mitigation, Wilkinson County, Georgia”
- B.S. – Communication Arts, 1987**, Georgia Southern University, Statesboro, GA
Emphasis: Radio and Television Production

Work History:

2010-2011 – Five Introductory geology courses

- 1) Lecturer, part time**
(Physical and Environmental Geology - 3 lecture sections)
Department of Earth and Planetary Sciences
University of Tennessee, Knoxville

- 2) Adjunct Faculty**
(Physical and Historical Geology - 2 lecture sessions)
Department of Behavioral and Natural Sciences
Pellissippi State Community College, Knoxville

- 2004 – 2010. Geology Lecturer and Introductory Lab Supervisor (Full time faculty)**
Clemson University, Clemson, SC
Responsibilities: Lecturer for Introductory and Upper division Geology courses;
New course development; supervising and training Graduate Teaching Assistants;
scheduling labs and teaching assignments; maintaining lab samples and
equipment; organizing and leading introductory geology field trips.
Taught 300+ students per semester
Supervised 7-9 graduate teaching assistants per semester
- 2002 – 2004. Lecturer and Introductory Lab Supervisor (Full time faculty)**
University of Tennessee, Knoxville
Responsibilities: Lecturer for Physical, Environmental and Historical Geology
courses; Supervising and training Graduate Teaching Assistants; scheduling labs
and teaching assignments; maintaining lab samples and equipment; organizing
and leading introductory geology field trips.
Taught 150+ students per semester
Supervised 20 – 24 graduate teaching assistants per semester.
- 1998 – 2002. Instructor (Summer Sessions), University of Tennessee**
Environmental and Historical Geology Lecturer.
Taught 6 sections of 30-40 students
- 1994 – 2002. Graduate Teaching Assistant, University of Tennessee**
Taught a wide variety of Introductory and upper-division labs, including extra
assignments for Field Camp, Night School and Summer sessions.
Taught 60-70+ lab students per semester
- 1993 – 1994. Television Producer, WBH-TV Statesboro, GA**
Contributed to the start-up of low-power community TV station,
including technical direction of local programming, commercial production, and
staff training.
- 1993 – 1994. Geology Tutor and Research assistant, Georgia Southern University**
Tutored introductory labs and research assistant
- 1991 – 1994. Free-Lance Video Producer – Videographer for a variety of tape-delayed**
Sportscasts including Georgia Southern football games with coach's show.
- 1987 – 1991. Video Production Manager, Statesboro CATV, Statesboro, GA**
Responsible for all facets of commercial and news production, including:
scriptwriting, video acquisition and editing, technical broadcast, scheduling, and
billing. Produced approximately 1100 commercials and assisted in the creation
and development of a daily newscast. Duties included talent, creative and
technical directing, supervising and training of reporters/news photographers.

1986 – 1987. Station Manager, WVGS – FM 91.9 Statesboro, GA (Campus Radio)
Responsible for the hiring and training of DJ's and paid staff, supervision of daily activities, broadcast content and FCC compliance.

References: The following individuals will provide information concerning my abilities as an effective communicator, mentor, teacher and geoscientist directly to you. More references can be provided upon request.

1. Dr. Thomas Broadhead
Earth and Planetary Sciences
University of Tennessee, Knoxville
Knoxville, TN 37996
twbroadhead@utk.edu
(865) 974-1151

2. Dr. Michael L. McKinney
Director, Environmental Studies Program
Professor of Earth & Planetary Sciences and
Ecology/Evolutionary Biology
University of Tennessee
Knoxville, TN 37996
mmckinne@utk.edu
(865) 974-6359

3. Dr. Larry McKay,
Department Chair &
Jones Prof. of Hydrology
Department of Geological Sciences
1412 Circle Drive
University of Tennessee
Knoxville, TN 37996-1410
lmckay@utk.edu
(865) 974-0821

End of Application for

Dean, Gray

For Board:

Environmental Quality Advisory Board

City of Oak Ridge Board Application

BoardName: Environmental Quality Advisory Board	2012	Application Submitted
Applicant: Jones, Perry	Choice	1 11/18/2011 12:06

195 Latimer Road	HomePhone	540-397-0455	Email
	MobilePhone		perryj@slind.net
Oak Ridge TN	OfficePhone		Retired? N

Current Position / Title

Current Employer

Street Legal Industries, Inc.

Company / Organization Retired From

Do you currently serve on any other City board, commission or committee?

NONE

Education, Professional and or Community Activity

Graduate of the University of Tennessee - 1988 Business Degree in Information Management.

Lived and worked in Oak Ridge since moving back to the East Tennessee area in 2006.

Volunteered for Secret City Festival through Street Legal and Keep Anderson County Beautiful.

Own rental property in Oak Ridge, Knoxville and Chattanooga. Please see attached resume.

Explain why you are interested in being appointed to this board, commission or committee

Since moving back to East Tennessee, I have settled in Oak Ridge. I have made a commitment to live in the community, and I would like to do my part to make sure the area grows and prospers. The company I work for, Street Legal, is involved with several other entities aimed at energy management and savings. There are opportunities that have barely been tapped.

Describe any special knowledge or past experience qualifying you for this appointment?

I have 3 years in the finance industry, and 15 years as a project manager. I currently work for an environmental company in Oak Ridge. We are focused on the continuation of energy efficient ideas and products. There are many potential solutions to save the city money through energy saving products.

Notes

William Perry Jones, PMP
865-483-6373
540-397-0455
perryj@slind.net

Clearances/

Education/

Certifications: Department of Energy Q Clearance (Inactive)
Bachelor of Science, Information Management; University of Tennessee; Knoxville, TN (1988)
Project Management Professional (PMP) Certification (2009)
Advanced Training Certifications (Achieve Global and Edmond Howard) (2005)
OSHA 10 (2009)
RADWORKER II (2009)
HAZWOPER 40 (2009)
Hazardous Materials Instructor Training (2009)
Project Management Institute (PMI.ORG) (Active Member, 2009)
East Tennessee Chapter of PMI (Active Member, 2009)
American Society of Training and Development (ASTD) (Active Member, 2009)

Professional Overview:

As a Project Manager and Training Manager with more than fifteen (15) years of experience directing business project outcomes and technical training projects for major government and commercial organizations

- Remarkable record of success in the planning and execution of advanced projects, including Digital CDMA and TDMA Network and Information Technology implementation and support five state region.
- Lead cross-functional teams through all stages of the project lifecycle, delivering exceptional results on time and under budget through expert strategic planning, benchmarking, and issue resolution.
- Dynamic facilitator of project management, leadership, sales and management groups utilizing Brainstorming, Delphi and Nominal Group techniques.
- Expertise in the design of employee training and enrichment protocols, propelling workforce excellence by developing highly effective curricula, instructional materials, and in-class methodologies.
- Proven ability to implement, analyze, and improve training programs and courses to ensure professional knowledge in compliance with company and regulatory requirements.
- Demonstrated skill preparing and presenting technical documentation and lessons while improving training policies and processes to build successful personnel teams.

Mr. Jones' core competencies include:

- | | |
|--|--|
| • Project Life Cycle Management | • Group & Individual Training Courses |
| • Training Management | • Call Center, Inside Sales and Sales Training |
| • Procedure Writing | • Budgeting & Forecasting |
| • Problem Solving | • Purchasing and vendor contract negotiations |
| • Program Design & Management | • Client & Employee Relations |
| • Product Development & Education | • Knowledge Testing |
| • Account Acquisition | • Team Building & Leadership |
| • Scheduling | • Strategic Planning |
| • Technical Training | • Process Improvement |
| • Productivity/Performance Improvement | • Conflict Resolution |

Professional History:

2009 -
Present

**Street Legal Industries, Inc.
Certified Project Manager; Oak Ridge, TN**

As a Project Manager and Trainer, is responsible for the following:

- Project manager supporting DOT FMCSA Safety Technologies Electronic On-Board Recorders (EOBR), Commercial Vehicle Information Systems Network (CVISN) and Collision Warning Systems (CWS)
- Project Manager interfacing with client and subcontractor managing and controlling deliverables, scope, schedule according to contract for the Department of Interior Smoky Mountain National Park Integrated Waste Management project
- Project Manager managing deliverables, scope, schedule and cost according to contract language for the 19th Squadron Command Little Rock Air Force Base Integrated Waste Management project
- Managing company training projects in both the government and private industry utilizing SAT model
- Internally auditing accounts payable, accounts receivable and invoices for errors or process improvement opportunities
- Specializing in training for PMP Exam and Process Improvement
- Creating proposals and writing procedures for conducting business utilizing ISMS and PMI protocols
- Conducting Project Management (PMP), Risk Management and Sales and Process Improvement training for The Training Associates, ExecuTrain, Connecticut Computer Services, Army Corp of Engineers, Army, DOE, Pro2Serve, AECOM and Agile Engineering

2006 -
2009

**Bank of America
Manager & Trainer; Oak Ridge, TN**

While serving as Manager & Trainer, performed the following:

- Propelled sales team success by developing pioneering training, leadership, and product education protocols.
- Assessed operating procedures and implemented strategic improvements as needed to enhance productivity, efficiency, and service quality.
- Oversaw accounts for United States' largest bank to ensure solvency, efficiency, profitability, and operational integrity.
- Accelerated account acquisition and sales in diverse categories with commercial and consumer clients.

Key Contributions:

- Improved company performance by implementing Six Sigma management strategies.
- Galvanized sales and exceeded revenue goals across 3 locations.
- Generated 33% year over year sales growth in 2007 and 22% increase at new institution in 2008 utilizing needs based sales approach and product bundling techniques.
- Received National Award of Excellence for quality of service.

2002 -
2006

**Ntelos Wireless
Project Manager & Training Manager; Waynesboro, Virginia**

Responsibilities, as Project & Training Manager, were as follows:

- Spearheaded development and launch of sales training department.
- Established new hire and sales associate training procedures and objectives.
- Oversaw manager and trainer education, led management and training teams, and assessed leadership performance.

- Strategically modified training and enrichment programs as needed. Provided cost justification and secured approval from senior leadership and stakeholders.
- Training Program Project \$325K- Reported to Denise Ramey VP of Sales and Carl Rossberg President of Wireless Division utilized Excel and Word to report research results and milestones

Key Contributions:

- Earned certification to teach advanced training courses, including Sales: The Other Side of Service (Achieve Global) and Edmond Howard Sales Skills courses.
- Won numerous honors for outstanding performance, including 4 Circle of Excellence Awards, 2 President's Club Awards, and the Spirit of Ntelos Award.

1995 -
2001

US Cellular Corporation

Project & Product Manager; Knoxville, TN

As Project and Product Manager, performed the following:

- Analog to Digital CDMA/TDMA Network Conversion (Excess of \$100M) - Reported to Dick Geihring VP of Engineering used Excel, Primavera Software, Word and Conference Calls for reporting progress. Coordinated with Engineering, Data Services, Network Support, Sales Directors, Marketing, Nortel Vendors, Nokia and Motorola hardware providers throughout project
- Paging Reseller Program (\$300K) - Reported to Michael Mutz VP Sales for East Region utilized Primavera, Excel and Word for tracking and reporting
- Voice Mail Conversion from Comverse to Nortel (\$1.5M) - Reported to Dick Geihring VP of Engineering used Excel, Primavera software, Word and Conference Calls for reporting progress. Coordinated with Engineering, Data Services, Network Support, Sales and Marketing throughout project
- Planned, developed, and launched new products and services in collaboration with corporate product services, engineering and data services
- Coordinated management, representative, and support staff training
- Designed job aids and facilitated new product/service education
- Advanced sales, service, and customer loyalty through product and procedural innovation
- Provided technical support for Southeast Region, including implementing and testing wireless technologies
- Outlined product and service offerings, pricing plans, and marketing strategies
- Acted as buyer negotiating contracts with major clients and vendors for products and services
- Provided technical support and training on Panasonic and SpectraLink Wireless PBX phone systems

Key Contributions:

- Led the planning, installation, and support of advanced digital systems for the Southeast Region.
- Orchestrated Digital TDMA/CDMA Network development and installation to ensure market dominance through competitor analysis, market needs assessment, and competitive positioning.
- Coordinated Voice Mail and Billing System conversion to optimize customer service.

1991 -
1994

Analysis Corporation

Project & Department Manager; Oak Ridge, TN

As Project & Department Manager, responsibilities included:

- Initial spearheading of the installation of a 300 node Novell Ethernet Network

- Purchasing negotiation of vendor contracts for servers, workstations, Ethernet and phone installation
- Development and facilitation of training for end users on network applications, accessing network applications and Microsoft applications
- Managing and monitoring server and maintained hardware and software
- Oversight of daily operation of Information Technology department
- Devised training, implementation, and support policies for workstations, servers, and end users
- Orchestrated special projects and technical support for diverse clientele, including the Department of Energy (DOE). Earned Q clearance.
- Ethernet Network Project (\$350K) - Reported to Director David Job utilized Primavera software and Excel for progress management and reporting milestones.
- Support of Transcom Project (\$1.25M) - Maintained system hardware and software

Key Contributions:

- Project Manager for 300 node IT Network
- Drove project development as member of Department of Energy (DOE) TRANSCOM Project Team.
- Provided technical support for Oak Ridge National Laboratory's Y-12 and K-25 departments.
- Earned Can-Do Award for performance excellence

End of Application for

Jones, Perry

For Board:

Environmental Quality Advisory Board

City of Oak Ridge Board Application

BoardName: Environmental Quality Advisory Board

2012

Application Submitted

Applicant: Lyon, Rick

Choice

1

11/21/2011 11:58

10 Palisades Pkwy

HomePhone

865-604-3401

Email

MobilePhone

ricklyon09@gmail.com

Oak Ridge

TN

OfficePhone

Retired?

N

Current Position / Title

Exec Mgmt

Current Employer

Company / Organization Retired From

Do you currently serve on any other City board, commission or committee?

NONE

Education, Professional and or Community Activity

MBA - Finance, University of MD

BS -Industrial Engineering, VA Tech

Member, NCMA

Explain why you are interested in being appointed to this board, commission or committee

Environmental Quality Advisory Board -

I have been a resident of Oak Ridge since 1993, leaving twice, but always finding my way back. I consider this to be my hometown, even though I wasn't born here. I feel that it is time to give something back to the city and serving on this board would be a good start.

As an avid recycler and owner of a Toyota Prius, this Board position is of great interest to me. I believe that if each one of us recycles, reuses or reduces our consumption, the world's resources will last much longer and there will be less of a footprint left by all of us. Applying this to the City of Oak Ridge would be a challenging, but rewarding endeavor. And as a committed long-term resident, I am looking forward to lending my background and experience to this Board to assist in the successful achievement of its goals and objectives.

Describe any special knowledge or past experience qualifying you for this appointment?

I have been an officer of both a large business (\$2B+) and a small business (<\$200M), spending most of the last twenty years in the nuclear industry. My background in contracts and procurement activities offers experience in preparing any kind of official documentation necessary in fulfilling the Board's goals. I am also personally interested in reducing consumption and reusing/recycling items to reduce the strain on natural resources and to save money for the City of Oak Ridge.

Notes

End of Application for

Lyon, Rick

For Board:

Environmental Quality Advisory Board

City of Oak Ridge Board Application

BoardName: Environmental Quality Advisory Board

2012

Application Submitted

Applicant: McDaniels, James

Choice

1

2/22/2012 14:41

129 Amherst Lane

HomePhone

(423) 807-6406

Email

MobilePhone

jmcdaniels129@comcast.net

Oak Ridge

TN

OfficePhone

Retired?

N

Current Position / Title

Staff Accountant

Current Employer

Lenior City Utilities Board

Company / Organization Retired From

Do you currently serve on any other City board, commission or committee?

NONE

Education, Professional and or Community Activity

Bachelorette of Accountancy, University of Mississippi, 1983, including two semesters each of calculus and calculus-based physics

United States Navy Veteran (11 years)

Member, Saint Mary's Catholic Church

Explain why you are interested in being appointed to this board, commission or committee

I am concerned about growing Oak Ridge's economy in an ecologically conservative manner. I believe we should apply sound science, as well as a keen sense of economic impacts, to Oak Ridge's environmental quality decisions. My accounting background, as well as my Naval experience using science to track Soviet submarines and study weather, prove my worth to be on the EQAB.

Describe any special knowledge or past experience qualifying you for this appointment?

Accounting is a field where one helps managers develop prudent decisions and policies based on analysis of all costs associated with a decision. I studied meteorology and oceanography as part of my Navy training to track submarines from an aircraft. Meteorology and oceanography are closely related for tracking submarines, as they both affect the other. Learning how both effected the transmission of sound in water was critical to a successful mission. I will bring a working knowledge of both disciplines, accounting and science, to my term on the EQAB.

Notes

James R. McDaniels
129 Amherst Lane, Oak Ridge, TN 37830
423-807-6406 (cell); jmcdaniels129@comcast.net (email)

EDUCATION

***Baccalaureate of Accountancy, University of Mississippi 1983**

Worked 20 hours weekly to finance 20 percent of tuition

*Naval Flight Officer School

*Series 6 License (not current)

BUSINESS EXPERIENCE

July 07-Present Staff Accountant, Lenoir City Utilities Board

Responsible for AP, PR and Plant Accounting. Reconciles General Fund, Work-in-Progress, Plant Accounts, AP, as well as miscellaneous PR accrual accounts monthly. Trains employees on use of Lawson Insight II. Reports directly to Manager of Accounting and Finance.

Feb 01-July 07 Information Systems Representative, Central Service Association

Completed ten very successful installations of Lawson Insight II accounting software at associated utilities and municipalities as well as eight WMS work order management software installations. Installation included software customization to meet client needs, six weeks of on-site training on use of software and follow-up visits. As needed, also provided telephone and on-line support to users of Lawson accounting software and WMS accounting software. Installations were at utilities in the TVA region, which provided much experience in TVA requirements for utility accounting. One installation was at a municipality, which provided an intense indoctrination to municipality fund accounting. Extensive use of all areas of utility and municipality accounting, including AP, AR, BL, PR, GL, job costing, and inventory.

May 95-Jan 01 President, Business Partners, Inc.; Human Resources Manager

Responsible for all aspects of operating a Professional Employer Organization (PEO), including human resources, budgeting, and financials. A PEO accepts most human resource responsibilities for its client organizations, including payroll, benefits administration, workers compensation auditing and reporting, payroll tax reporting, W-2 preparation, and safety plan development. Benefits administered included ERISA trust health plan, dental, group life, group disability, 401k, cafeteria plan, and credit union. Supervised bookkeeping and preparation of corporate financial statements and other accounting functions. Grew organization from 0 to over 700 employees and \$0 to \$13.5M payroll in five years.

NAVY EXPERIENCE

Feb 92-Feb 94 Officer of the Deck (Underway); Division Officer USS George Washington

Responsible to Commanding Officer for safety of five-thousand persons, eighty-two multi-million-dollar aircraft and 3.5 billion dollar aircraft carrier. Trained and supervised twenty-person bridge watch team. Executed ship schedule and coordinated bridge watch team response to emergencies. Established and executed \$10,000 Division budget.

*Qualified as Officer of the Deck (Underway) *Qualified as ASW Watch Officer *100 % personnel retention rate

Jul 89-Jan 92 Officer-in-Charge, Mobile Operations Command Center; ASW Ops Center Watch Officer

Managed twenty-person team of technicians and managers who delivered twenty-four hour per day communications and connectivity services to local commanders. Available for short-notice deployment to sites in Pacific and Indian Ocean theaters. While deployed, simultaneously maintained 100 percent communications connectivity for area commanders in two widely separated sites.

*Evaluated Number One Lieutenant among peers on staff

*Awarded Navy Achievement Medal for establishing and operating multi-national operations center

*Awarded Southwest Asia Service Medal

Dec 85-Jun 89 Tactical Coordinator / Mission Commander; Avionics / Ordnance Division Officer

Manager of twelve-person crew of managers, technicians and equipment operators. Responsible for training of work team and for results of assigned multi-task missions. Determined required task assets, evaluated pertinent mission data, and executed tactical plan to achieve maximum mission results. As Division Officer, managed 120 men and women including three Line Officers and six Chief Petty Officers. Division was responsible for loading weapons onto aircraft and maintaining avionics equipment inside aircraft. Handled safety and personnel problems such as discrimination claims, review of personnel jackets, and proper use of safety equipment. Treasurer for Squadron Officers' Mess. Navigator/Communicator Trainer and Evaluator to 12 other squadron officers.

PERSONAL

Expertise in MS Word, Excel, and Access, as well as several specialized business and accounting software programs, including Lawson Insight II. Former Board Member of local American Red Cross chapter.

End of Application for

McDaniels, James

For Board:

Environmental Quality Advisory Board

City of Oak Ridge Board Application

BoardName: Environmental Quality Advisory Board

2012

Application Submitted

Applicant: Milanez, Sylvia

Choice

2

11/21/2011 10:02

108 Winchester Circle

HomePhone

865-482-1771

Email

MobilePhone

sylviamilanez@yahoo.com

Oak Ridge

TN

OfficePhone

Retired?

N

Current Position / Title

Toxicologist

Current Employer

Company / Organization Retired From

Do you currently serve on any other City board, commission or committee?

NONE

Education, Professional and or Community Activity

Education: B.S. in Biology, M.S. in Biochemistry, and PhD in Biochemistry/Molecular Biology
Professional: Employed since 1991 at Oak Ridge National Laboratory (ORNL), during which time I became trained in the field of Toxicology, and became certified by the American Board of Toxicology. I have served for 6 years as ORNL's representative to the Oak Ridge Site-Wide Institutional Review Board for human studies, which is tasked with ensuring that humans are protected when they are subjects in research projects.

Activities: While my children were in the Oak Ridge schools, I volunteered in the PTA at Linden and Robertsville schools; the ORHS girls volleyball team, the tennis team, and the swim team; ORHS graduation celebration, and the CISV (Children's International Summer Village, Smoky Mountain Chapter). I have volunteered for various church activities. Since I moved to Oak Ridge in 1983, I have consistently participated in various exercise classes, including at the Oak Ridge YWCA, the OR Children's Museum, OR Grace Lutheran Church, OR Civic Center, and most recently, I take yoga classes at the OR Rush. For the past 8 years I have participated in the OR City Volleyball leagues.

Explain why you are interested in being appointed to this board, commission or committee

I am interested in being on the Environmental Quality Advisory Board because of my concern about the quality of the air we breathe, and the water that we drink, in Oak Ridge. The City of Oak Ridge has provided myself and my family with a wonderful quality of life, and I would like to give back to the community with skills that I have (my background in biology and in toxicology) to help address the unique environmental issues that Oak Ridge faces.

Describe any special knowledge or past experience qualifying you for this appointment?

Knowledge/past experience that qualifies me to be on the EQAB includes my education (B.S. in Biology, M.S. in Biochemistry, and PhD in Biochemistry/Molecular Biology) and work experience as a toxicologist at ORNL. I have worked on numerous projects that involve setting exposure limits of environmental air and water pollutants that are safe for humans. I have also participated for the past 6 years as ORNL's representative to the Oak Ridge Site-Wide Institutional Review Board, which reviews research that involves human subjects to ensure they are treated safely.

Notes

Monday, February 27, 2012

City of Oak Ridge Board Application

BoardName: Environmental Quality Advisory Board

2012

Application Submitted

Applicant: Milanez, Sylvia

Choice

2

11/21/2011 10:02

SYLVIA MILANEZ, Ph.D., D.A.B.T.

**Oak Ridge National Laboratory
Environmental Sciences Division
Toxicology and Hazard Assessment Group
865-576-2964; milanezs@ornl.gov**

Education and Training:

1997- Present Re-certified and Certified as Diplomat, American Board of Toxicology
1991 Ph.D., Biomedical Sciences (Biochemistry), Univ. of Tennessee, Knoxville
1985 M.S., Biochemistry, University of Illinois, Urbana, Illinois
1980 B.S., Biology, Loyola University, Chicago, Illinois

Professional Experience:

9/1991 B 12/1996: Toxicologist Research Associate, Midwest Technical Institute, Oak Ridge, TN. Primary responsibilities were analysis of mammalian and genetic toxicology studies and preparation of toxicological and carcinogenicity evaluations for the U.S. EPA.

12/1996 B Present: Senior Staff, Toxicology and Hazard Assessment Group, ORNL Environmental Sciences Division. Responsibilities have included:

- Developing Provisional Advisory Levels (PALs) for hazardous chemicals for the National Homeland Security Research Center, Office of Research and Development, US EPA, Cincinnati, OH. PAL values are developed for hazardous materials that represent general public emergency exposure limits for oral and inhalation exposures for three severity levels (mild effects; serious, irreversible or escape-impairing effects; and, lethal effects) for 24-hour, 30-day, 90-day, and 2-year durations.
- Developing short-term (10 minutes to 8 hours) exposure guidelines (AEGs) for acutely toxic, high-priority chemicals, and presenting these to the National Advisory Committee on AEGs (Washington D.C., other locations) and to the National Research Council (NRC) Committee on Toxicology. Five of my reports have been published thus far.
- Assessing the health hazard of Caffeine for the U.S. Food and Drug Administration (FDA), including developing a Microsoft Access database for all relevant published articles. A final document >350 pages long is currently in preparation.
- Assessing the genetic and mammalian toxicity of pesticides, including their short-term and long-term toxicity, carcinogenicity, and metabolism, and potential to cause endocrine disruption, for the U.S. EPA and U.S. FDA.
- EPA Product Chemistry and Residue Chemistry Evaluations of pesticides, and their levels and potential metabolites on crops.
- Assessing the toxicological risk of flame-retardant chemicals for the Subcommittee on Flame-retardant Chemicals, Committee on Toxicology, NRC.

Professional Activities and Honors:

- Society of Toxicology, Full Member (1999 – present)
Environmental Mutagen Society, Member (1992 – 1998)
Recipient of Appreciation Award from the U.S. EPA for Outstanding Contributions to the Acute Exposure Guideline Levels Program. Washington, D.C., January 8, 2001.
Member of selection committee for Environmental Sciences Division Post-Doc of the Year Award (2007; 2009).
Advisory Board, *Journal of Applied Toxicology* (2011- present) (Saura Sahu, Ed.); Reviewer (2006 – present).
ORNL Committee for Women (2003 – 2006) representative for the former Life Sciences Division, and served as a general member, Vice-Chair, and Chair of the committee.
ORNL Representative to Oak Ridge Site-Wide Institutional Review Board (11/2005 – present): ensuring adequate protection of human subjects used for research.

Continuing Education Courses (last 10 years):

- 2011 Society of Toxicology (SOT) Annual Meeting: Epigenetics in Toxicology: Introduction, Mechanistic Understanding, and Applications in Safety Assessment; Evaluating Toxicity of Engineered nanomaterials: Issues with Conventional Toxicology Approaches
2010 Toxicology and Risk Assessment Conference, Cincinnati, OH. Computational Toxicology; Dermal Toxicity Risk Assessment; Toxicity and Risk Assessment of Bio-Based Alternative Fuels; Cumulative Risk Assessment
2009 SOT: Annual Meeting: Current Approaches in Mixture Risk Assessment; Free Radicals for Toxicologists
2008 SOT: Introduction to Pathology for Toxicologists and Study Directors; Nanotoxicology: The Science of Developing a Safe Technology
2007 SOT: Toxicology and Molecular Biology of Tissue repair; Protein Therapeutics: Assessment and Impact of Immunogenicity on Study Design and Interpretation.
2006 SOT: Use of Genome Databases for Toxicology; predictive Power of Novel Technologies (Cells to ‘Omics’): Promises, Pitfalls, and Potential Applications; Neuropathology for the Toxicologist.
2005 SOT: Clinical Pathology B The Granddaddy of Biomarkers; Development and Interpretation of Toxicokinetic Data for Risk and Safety
2004 SOT: The Safety Assessment of Proteins: Applications to Agricultural Biotechnology; Adrenal Gland: Mechanisms of Toxicity and Carcinogenesis.
2003 SOT: Medicinal Herbals and Dietary Supplements; Genomic and Proteomic Array Formats on the Cutting-Edge.
2002 SOT: Use of Laser Capture Microdissection (LCM) in Molecular Toxicology research; Alterations in Gene Expression as a Mechanism of Toxicant Action; Current Approaches for Validation and Regulatory Acceptance of Novel Test Methods

Selected Publications:

- 2011 Milanez, S., McConnell, E., Koller, L., Adeshina, F. Provisional Advisory Levels for Thallium Sulfate. Society of Toxicology 2011 Conference Abstract # 2922.
2008 Milanez, S. Crotonaldehyde. In: *Acute Exposure Guideline Levels for Selected Airborne*

- Chemicals*, National Research Council, Washington, D.C.
- Milanez, S. Allylamine. In: *Acute Exposure Guideline Levels for Selected Airborne Chemicals*, National Research Council, Washington, D.C.
- 2007 Milanez, S. Cyclohexylamine. In: *Acute Exposure Guideline Levels for Selected Airborne Chemicals*, pp. 92-144. National Research Council, Washington, D.C.
- Milanez, S. Ethylenediamine. In: *Acute Exposure Guideline Levels for Selected Airborne Chemicals*, pp. 145-192. National Research Council, Washington, D.C.
- Milanez, S. Tetranitromethane. In: *Acute Exposure Guideline Levels for Selected Airborne Chemicals*, pp. 228-274. National Research Council, Washington, D.C.
- 2006 Milanez, S. and K. Blackman. Acute Exposure Guideline Levels (AEGLs) for tetranitromethane (TNM). *The Toxicologist* 90 (1-S), 332.
- 2004 Milanez, S., Koller, L., McClanahan, et al. Acute Exposure Guideline Levels (AEGLs) for Three Aliphatic Amines: Allylamine (AA), Cyclohexylamine (CYC), and Ethylenediamine (EDA). *The Toxicologist* 78 (1-S): 148.
- 2001 Milanez, S., Gardner, D. E., and Bakshi, K. Potential Use of Tetrakis(hydroxymethyl) Phosphonium Chloride as a Flame Retardant in Upholstered Furniture Fabrics. *The Toxicologist* 60: 438.
- 2000 Long, T.L., Borges, H.T., Bast, C.B., Davidson, K.A., Forsyth, C.S., Milanez, S., Troxel, C.M., Young, R.A., and Talmage, S.S. Estimation of Acute Inhalation Threshold Concentrations for Human Exposure from Limited Animal Data. *The Toxicologist* 54: 182.
- 1999 Davidson, K.A., Talmage, S.S., Bast, C.B., Forsyth, C.S., Milanez, S., Troxel, C.M., and Young, R.A. 1999. The Concentration-Exposure Duration Relationship for Inhaled Toxicants. *The Toxicologist*, 48 (1-S): 80.
- 1997 Young, R, C. Bast, K. Davidson, C. Forsyth, S. Milanez, J. Norris, S. Talmage, C. Troxel, and P-Y Lu. Documentation and Derivation of Acute Exposure Guideline Levels. 214th American Chemical Society National Meeting, Las Vegas, Nevada, USA, September 7-11, 1997. American Chemical Society; 214 (1-2).
- 1996 Milanez, S. and J.S. Wassom. Introducing Mutation Research Genomics: A New Generation of Mutation Research Studies Applying Genome Technology. *Environ. Mol. Mutagen.* 27 (Suppl. 27): 48.
- 1994 Schneider, K.S., E. Owens, C. Cochran, J. Goldberg, S. Milanez, and J.S. Wassom. The Transgenic and Targeted Mutant Animal Database. *Biotech Knowledge Sources* 7:3.

- 1991 Milanez, S., R.J. Mural, and F.C. Hartman. Roles of Cysteinyl Residues of Phosphoribulokinase as Examined by Site-directed Mutagenesis. *J. Biol. Chem* 266: 10694-10699.
- Milanez, S., R.J. Mural, and F.C. Hartman. Examination of the Roles of the Cysteinyl Residues of Spinach Phosphoribulokinase by Site-directed Mutagenesis. *FASEB J.* 5:A826.
- Milanez, S. and R.J. Mural. Expression of Spinach Phosphoribulokinase in *Escherichia coli*. *FASEB J.* 4:A1761.
- 1989 Milanez, S. and R.J. Mural. Cell-free Translation of Plant mRNA in Rabbit Reticulocyte Lysate. *Promega Notes* (newsletter) 19:3.
- Milanez, S. and R. J. Mural. Sequence of the Gene for Phosphoribulokinase (PRK) from Spinach. *J. Cell Biochem.* Supplement 12C:213.
- 1988 Milanez, S. and R.J. Mural. Cloning and Sequencing of cDNA Encoding the Mature Form of Phosphoribulokinase from Spinach. *Gene* 66:55-63.
- 1987 Hartman, F.C., S. Milanez, and E.H. Lee. Use of Trinitrobenzene Sulfonate to Determine the pKa Values of Two Active-site Lysines of Ribulosebiphosphate Carboxylase/oxygenase. In: *Proteins, Structure and Function*. pp. 553-568. J.J. L'Italien, Ed., Plenum Press, NY.
- Hartman, F.C., R.S. Foote, F.W. Larimer, E.H. Lee, R. Machanoff, S. Milanez, S. Mitra, R.J. Mural, S. Niyogi, H.B. Smith, T.S. Soper, and C.D. Stringer. Function of Active-site Residues of Ribulose Bisphosphate Carboxylase/oxygenase. In: *Plant Molecular Biology, Proc. NATO Advanced Study Inst., Copenhagen, June 10-20, 1987*, pp. 9-20. D. von Wettstein, Ham-Hai Chua, Eds., Plenum Press, NY.
- 1986 Hartman, F.C., C.D. Stringer, S. Milanez, and E.H. Lee. The Active Site of Rubisco. *Phil. Trans. R. Soc. Lond.* B 313:379-395.
- Porter, M.A., S. Milanez, C.D. Stringer, and F.C. Hartman. Purification and Characterization of Ribulose-5-phosphate Kinase from Spinach. *Arch. Biochem. Biophys.* 245:14-23.
- 1985 Hartman, F.C., S. Milanez, and E.H. Lee. Ionization Constants of Two Active-site Lysyl ϵ -amino Groups of Ribulosebiphosphate Carboxylase/oxygenase. *J. Biol. Chem.* 260:13968-13975.
- 1983 Kang, S.S., P.W. Wong, A. Bidani, and S. Milanez. Plasma Protein-bound Homocyst(e)ine in Patients Requiring Chronic Haemodialysis. *Clin. Sci.* 65:335-6.

Selected Unpublished Documents and Draft Reports:

- 2010 Milanez, S. *Provisional Advisory Levels (PALs) for Thallium Sulfate*. Expert Consultation Panel for Provisional Advisory Levels, April 2010. National Homeland Security Research Center, Office of Research and Development, US EPA.
- Milanez, S. *Health Hazard Evaluation of Caffeine – Preliminary Report* (January , 2010). Office of Nutrition, Labeling and Dietary Supplements and Office of Food Additive Safety, U.S. FDA.
- Milanez, S. *Technical Data Evaluation Report – Acticide M 50*. Study Type: In Vitro Chromosome Aberration Test. Prepared for Center for Food Safety and Applied Nutrition, Office of Food Additive Safety, U.S. FDA.
- 2009 Milanez, S. *Provisional Advisory Levels (PALs) for Methylamine*. Expert Consultation Panel for Provisional Advisory Levels, October 2009. National Homeland Security Research Center, Office of Research and Development, US EPA.
- Milanez, S. *Provisional Advisory Levels (PALs) for Dimethylamine*. Expert Consultation Panel for Provisional Advisory Levels, October 2009. National Homeland Security Research Center, Office of Research and Development, US EPA.
- Milanez, S. *Data Evaluation Record – Acetic Acid and Citric Acid (SummerSet AllDown Herbicide)*. Study Types: Product Chemistry, Human Toxicity, and Non-Target Toxicology. Prepared for Biopesticides and Pollution Prevention Division, Office of Pesticide Programs, U.S. EPA.
- 2008 Milanez, S. *Provisional Advisory Levels (PALs) for Cyanide*. Expert Consultation Panel for Provisional Advisory Levels, April 2008. National Homeland Security Research Center, Office of Research and Development, US EPA.
- Milanez, S. *Technical Data Evaluation Report – Di(2-Ethylhexyl)Phthalate (DEHP)*. Study Type: Combined Chronic Toxicity/Carcinogenicity – Rats. Prepared for Center for Food Safety and Applied Nutrition, Office of Food Additive Safety, U.S. FDA.
- Milanez, S. *Data Evaluation Record – AF-600 (1-Methylcyclopropene; 1-MCP)*. Study Type: Assessment of Exposure and Health Risks for Workers and Bystanders from Aerial Application (Non-Guideline). Prepared for Biopesticides and Pollution Prevention Division, Office of Pesticide Programs, U.S. EPA.
- 2007 Milanez, S. *Acute Exposure Guideline Levels (AEGLs) for Pentaborane*. National Advisory Committee on Acute Exposure Guideline Levels, Washington, D.C.
- Milanez, S. *Acute Exposure Guideline Levels (AEGLs) for Chlorosulfonic Acid*. National Advisory Committee on Acute Exposure Guideline Levels, Washington, D.C.
- Milanez, S. *Data Evaluation Record – 1-Methylcyclopropene (AFxRD-038)*. Study Type: Toxicology Summary and Risk Assessment for the Worker, Bystander, and

Consumer (Non-Guideline). Prepared for Biopesticides and Pollution Prevention Division, Office of Pesticide Programs, U.S. EPA.

- 2006 Milanez, S., and L.P. Tochilkina. *Acute Exposure Guideline Levels (AEGLs) for Methylamine*, National Advisory Committee on Acute Exposure Guideline Levels, Washington, D.C.

Milanez, S., and A.A. Maslennikov. *Acute Exposure Guideline Levels (AEGLs) for Dimethylamine*, National Advisory Committee on Acute Exposure Guideline Levels, Washington, D.C.

Milanez, S. *Technical Data Evaluation Report – Mono(2-Acryloxyethyl) Succinate [MAES]*. Study Type: Mammalian Erythrocyte Micronucleus Test. Center for Food Safety and Applied Nutrition, Office of Food Additive Safety, U.S. FDA.

- 2005 Milanez, S. *Acute Exposure Guideline Levels (AEGLs) for Bis-Chloromethyl Ether*, National Advisory Committee on Acute Exposure Guideline Levels, Washington, D.C.

Milanez, S. *Data Evaluation Report, Dichlormid*, Study Type: Confined Accumulation in Rotational Crops, MRID 46353808, Registration Division, Office of Pesticide Programs, U.S. EPA.

Milanez, S. *Data Evaluation Record, Fluopicolide/ PC Code 027412 [OPPTS ' 870.4200b]*. Study Type: Carcinogenicity B Mouse. MRID 46474130. Health Effects Division, Office of Pesticide Programs, U.S. EPA.

- 2004 Milanez, S. *Acute Exposure Guideline Levels (AEGLs) for Cumene*, National Advisory Committee on Acute Exposure Guideline Levels, Washington, D.C.

Milanez, S. *Acute Exposure Guideline Levels (AEGLs) for Chloroacetyl Chloride and Dichloroacetyl Chloride*, National Advisory Committee on Acute Exposure Guideline Levels, Washington, D.C.

Milanez, S. *Data Evaluation Report, Dichlormid*, Study Type: Metabolism – Animal (Goat), MRID 46015802, Registration Division, Office of Pesticide Programs, U.S. EPA.

Milanez, S. *Data Evaluation Report, Thymol (Apiguard)*, Study Type: Magnitude of Residues in Honey and Beeswax (OPPTS 860.1500), MRID 46254301, Biopesticides and Pollution Prevention Division, Office of Pesticide Programs, U.S. EPA.

- 2003 Milanez, S. *Weight of Evidence for Endocrine Disruption of Clodinafop-propargyl*, Office of Pesticide Programs, Health Effects Division, U.S. EPA.

Milanez, S. *Weight of Evidence for Endocrine Disruption of Endosulfan*, Office of Pesticide Programs, Health Effects Division, U.S. EPA.

Milanez, S. *Data Evaluation Report, Mycogen Brand Cry1F(synpro)/Cry1Ac(synpro) Construct 281/3006 Cotton (Bacillus thuringiensis Cry1F)*. Study Type: DNA Cloning and Characterization, Product Identity (885.1100), MRID 45818601, Biopesticides and

Pollution Prevention Division, Office of Pesticide Programs, U.S. EPA.

- 2002 Milanez, S. *Data Evaluation Report, Bas510F*, Study Type: Carcinogenicity Feeding Study – Mouse, MRID 45404901, Health Effects Division, Office of Pesticide Programs, U.S. EPA.

Milanez, S. *Data Evaluation Report, Diflubenzuron*, Study Type: Subchronic Inhalation Toxicity, MRID 44950601 Health Effects Division, OPP, U.S. EPA.

Milanez, S. *Data Evaluation Report, BAS 510 F*, Study Type: Chronic Toxicity Dietary Study - Rat, MRID 45404827, Health Effects Division, Office of Pesticide Programs, U.S. EPA.

- 2001 Milanez, S. *Data Evaluation Report, BAS 510 F*, Study Type: Chronic Toxicity Dietary - Rat, MRID 45404827, Health Effects Division, Office of Pesticide Programs, U.S. EPA.

Milanez, S. *Data Evaluation Report, BAS 510 F*, Study Type: Carcinogenicity Feeding - Rat, MRID 45404828, Health Effects Division, Office of Pesticide Programs, U.S. EPA.

Milanez, S. *Residue Chemistry Review, Trifloxystrobin*, MRIDs 45080800, 45080806, 45080808-11, 45126200, 45269400, 45269401-2, and 45276400-1, Health Effects Division, Office of Pesticide Programs, U.S. EPA.

- 2000 Milanez, S. *Data Evaluation Report, Etofenprox*, Study Type: Repeated Dose Dermal-Rabbit, MRID 45186501, Health Effects Division, Office of Pesticide Programs, U.S. EPA, Arlington, VA.

Milanez, S. *Residue Chemistry Review, zeta-Cypermethrin*, MRIDs 44876202-14, 44876216, 44956202, 44956203, 44343201-04, and 44835601, Health Effects Division, Office Of Pesticide Programs, U.S. EPA.

Technical support to prepare report *Toxicological Risks of Selected Flame-retardant Chemicals* for the Subcommittee on Flame-retardant Chemicals, Committee on Toxicology, National Research Council. National Academy Press, Washington, DC.

- 1999 Milanez, S. *Acute Exposure Guideline Levels (AEGLs) for Ethylenediamine*, National Advisory Committee on Acute Exposure Guideline Levels, Washington, D.C.

Milanez, S. *Acute Exposure Guideline Levels (AEGLs) for Teranitromethane*, National Advisory Committee on Acute Exposure Guideline Levels, Washington, D.C.

Milanez, S. and D.L. Fefee, *Data Evaluation Report, Epoxiconazole*, Study Type: Enzyme Induction Study, MRIDs 44401606 and 44335021, Health Effects Division, Office of Pesticide Programs, U.S. EPA.

- 1998 Milanez, S. *Acute Exposure Guideline Levels (AEGLs) for Chloromethyl Methyl Ether*, National Advisory Committee on Acute Exposure Guideline Levels, Washington, D.C.

Milanez, S. *Data Evaluation Report, Ethoxyquin*, Study Type: 28-Day Oral Toxicity (Gavage), MRID44222501, Health Effects Division, OPP, U.S. EPA.

Milanez, S. *Data Evaluation Report, Phenmedipham*, Study Type: Chronic Oral Toxicity Feeding, MRID 00028650, Health Effects Division, Office of Pesticide Programs, U.S. EPA.

- 1997 Milanez, S. *Acute Exposure Guideline Levels (AEGLs) for Allylamine*, National Advisory Committee on Acute Exposure Guideline Levels, Washington, D.C.

Milanez, S. *Data Evaluation Report, XEN TARI AS*, Study Type: Storage Stability and Corrosion Characteristics, MRID 44336101, Biopesticides and Pollution Prevention Division, Office of Pesticide Programs, U.S. EPA, Arlington, VA.

Milanez, S. *Data Evaluation Report for Ethoxyquin*, MRID 44222501, Health Effects Division, Office of Pesticide Programs, U.S. EPA.

- 1996 Milanez, S. *Toxic Release Inventory chemical Fact Sheet and Support Document for Resorcinol Diglycidyl Ether* (CAS No. 101-90-6).

Milanez, S. *Design for the Environment Chemical Summary for Tartaric Acid* (CAS No. 87-69-4).

Milanez, S. *Data Evaluation Report for Azoxystrobin*, MRID 43678136 and 43678140 Health Effects Division, Office of Pesticide Programs, U.S. EPA.

- 1995 Milanez, S. *Data Evaluation Report for MK-239*, MRID 43309313, Health Effects Division, Office of Pesticide Programs, U.S. EPA.

Milanez, S. *Data Evaluation Report for RPA-90946*, MRID 43368440-01 Health Effects Division, Office of Pesticide Programs, U.S. EPA.

Milanez, S. *Data Evaluation Report for Bensulide*, MRID 43273901, Health Effects Division, Office of Pesticide Programs, U.S. EPA.

- 1994 Milanez, S. *Data Evaluation Report for Methyl Nonyl Ketone*, MRID 417744-01, 41740001, and 41783101, Health Effects Division, Office of Pesticide Programs, U.S. EPA.

Milanez, S. *Evaluation of the Potential Carcinogenicity of P-phenylenediamine in Support of Reportable Quantity Adjustments pursuant to CERCLA Section 102.*

End of Application for

Milanez, Sylvia

For Board:

Environmental Quality Advisory Board

**Voting Ballot for Environmental Quality Advisory Board
Elect (1) One Applicant to serve a balance of an
unexpired term ending December 31, 2012**

Gray Dean

Abstain

Perry Jones

Rick Lyon

James McDaniels

Sylvia Milanez

Member, Oak Ridge City Council
March 7, 2012

**SUMMARY
OF
CURRENT EVENTS**

CITY COUNCIL MEMORANDUM
12-08

DATE: February 24, 2012
TO: Honorable Mayor and Members of City Council
FROM: Mark S. Watson, City Manager
SUBJECT: CITY MANAGER'S REPORT

Electric Vehicle Project

Council Action Recommended: None, for information only.

To encourage the development and use of electric vehicles, the United States Department of Energy (DOE) is supporting the development of electric vehicle charging infrastructure in several cities in the United States. This program, known as the "Electric Vehicle Project," will provide electric vehicle charging units at publically-available locations in these cities. The City of Oak Ridge is participating in the Project and is in the process of selecting appropriate sites to install the charging infrastructure. Possible locations include the Civic Center, Fire Stations 1-3, and/or the Municipal Building.

Funding for the Project has been provided by DOE through the American Recovery and Reinvestment Act to accelerate the development of electric vehicles in order to reduce petroleum usage in the U.S. ECOtality is the grant recipient administering the Project and has contracted with numerous municipalities to install electric vehicle charging units and collect data about usage.

The electric vehicle charging infrastructure is free and the City will not be required to pay an installation cost. The City will, however, pay the minimal cost for electric consumption. The publically-available charging stations will be available at no cost.


Mark S. Watson